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The Ohio State University, 1993
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STATE OF REBELLION: PEOPLE'S WAR IN RECONSTRUCTION SOUTH CAROLINA, 1865-1877

DISSERTATION

Presented in Partial Fulfillment of the Requirements for the Degree Doctor of Philosophy in the Graduate School of the Ohio State University by

Richard H. Zuczek, B.A., M.A.

The Ohio State University 1983

Dissertation Committee: Allan R. Millett Michael Les Benedict Joan Cashin

Approved by

Adviser

Department of History
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1993
To Etsuko and My Family
ACKNOWLEDGMENTS

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INTRODUCTION
WAR BY ANOTHER MEANS

On the evening of April 14th, 1865, Laura M. Towne sat down to record the day's events in her diary. The native Pennsylvanian, who had been teaching blacks on South Carolina's Sea Islands, had not yet heard news that President Lincoln lay dying from an assassin's bullet. Instead, she wrote of something she had witnessed firsthand that spring day, an event that was the talk of the state. In Charleston Harbor, General Robert Anderson raised the United States flag over Fort Sumter, four years to the day after he had surrendered it. The assassination of the President and the raising of the Stars and Stripes presented an uncanny coincidence of closure to America's bloodiest conflict.

For South Carolinians, the raising of the flag over Fort Sumter did not signify an end. It signified sorrow, occupation, and a transformation within their society which, ironically, their desperate act of secession had been
designed to avoid. But far from bringing an end, the raising of the flag marked a transition. It represented the beginning of a new phase in a continuing struggle by South Carolinians to protect their state - and preserve their society - from what they perceived as the encroaching designs of a hostile northern population. It was a struggle that had begun with the century itself, a struggle that had ultimately led to four years of bloody civil war, and which now seemed lost in the face of northern victory.

But lost it was not. The surrender of General Robert E. Lee at Appomattox and Joseph E. Johnston at Bennett's House may have ended military campaigning, but many issues of the Civil War were yet to be resolved. The awesome questions of the status of both the newly freed slaves and the late insurrectionary states lay before the new President, Andrew Johnson, and the victorious North. But the essence of the struggle was control: who was responsible, who had the right and the authority to determine the nature of a state's society. As the President, and later Congress, put forth their respective plans for Reconstruction and quarreled over control, South Carolina embarked on its own program for dealing with the overwhelming changes. Under Johnson's sympathetic hand, white Carolinians eagerly resumed control of their affairs. Later, with a new state government established under Congressional Reconstruction, the struggle for control took
on illegal forms. The reaction to Reconstruction was another stage in a century-long policy of resistance to northern influence and federal imperatives that threatened South Carolina.

The perception of Reconstruction as a period of turmoil and confrontation is, of course, not new. A century of Reconstruction historiography has produced a variety of interpretations concerning white opposition to the post-war world. Many of the earliest Reconstruction studies viewed opposition to Reconstruction as not only justified, but necessary. Historians such as William Dunning, John Burgess, and Claude Bowers argued that Republican governments were corrupt and incompetent, supported only by a (wrongly) enfranchised inferior race and a tyrannical federal government. The Dunning School, as it came to be called, saw Republicans as fanatics bent on sadistically torturing a misguided - but penitent - South.

The racism and pro-southern bias of the Dunning School passed, and the Congress and carpetbaggers came to be seen in a more favorable light. At the same time, Andrew Johnson and the Redeemers lost considerable esteem. Elements of the old school lingered, including the role of racism and the acceptance that Reconstruction was to a large degree unsuccessful - black civil and political rights were an illusion, the southern Republican party had disintegrated, and Republican domination of the federal government was
short-lived. This "revisionist" school did, however, vindicate the character of the Republicans, but another, the "neo-revisionist" sought to prove how limited the program really was. These schools intersect with the desire to focus on "responsibility," to discover the nature of the limits and failures of the Reconstruction program.4

Some historians have argued that key restraints to fundamental changes were to be found in the North. Eric McKitrick blamed Andrew Johnson's theory of "individual disloyalty" and his desire for a speedy restoration for the rise in southern intransigence. Michael Les Benedict stressed 'American constitutional conservatism' - federalism, property rights, even the belief in laissez-faire - for severely limiting the scope of the postwar revolution. William Gillette emphasized the inconsistency and northern preoccupation of Ulysses S. Grant and Congress, which defeated hopes for equal rights and a Republican party in the South.5

Recently, historians began paying more attention to the South, and examining more carefully the role southerners played in the failure of Reconstruction. Michael Perman and Dan Carter have demonstrated how southern conservatives influenced policy - directly or indirectly - at the national level. Other authors have presented important state accounts, focusing on how southerners managed to reclaim their states from black and white Republicans. Works by
Joel Williamson, Vernon Wharton, Jerrell Shofner, and Joe Gray Taylor have generated consistent findings, showing that a combination of southern Republican mismanagement and disunity, northern apathy, and determined conservative resistance led to the collapse of Reconstruction governments in the South.

The southern studies have brought new insights to the study of Reconstruction's failure. It is not surprising that the most frequent reaction to the new order was violent, as John Hope Franklin acknowledged as early as 1861 in *Reconstruction: After the Civil War* and Brooks Simpson - in his study of Ulysses S. Grant - has reaffirmed as recently as 1991. Only recently, however, have authors begun to analyze southern violence in a systematic way. Allen Trelease, Otto Olsen, and George Rable argue that violence was an influential factor in overturning Republican state governments in the South. However these studies are fragmentary, and discuss specific outbreaks or periods of violence without a clear theoretical framework or an overall understanding of the relationship between violence, other forms of resistance to Reconstruction, and the ultimate goals. More recent studies on racial and political violence during Reconstruction have also tended to focus on particular riots or confrontations. Articles by Orville Vernon Burton and Melinda Hennessey, and Lou Faulkner William's dissertation on the Ku Klux Klan all deal with
specific cases of violence, but do attempt to place such affairs into the larger Reconstruction context. But studies of short periods or single counties cannot explain an entire state's experience, and still lack an overall, coherent framework to explain a decade of resistance. Michael Perman's 1991 essay on violence and "counter-reconstruction" addressed many of the shortcomings of past studies and offered a thoughtful summation of white opposition to Reconstruction. He suggested that Reconstruction "amounted to a continuation of the South's campaign for autonomy, a campaign begun in defense of slavery before the war and continued after it in order to uphold the practice of white supremacy."  

This dissertation, although underway before the appearance of Perman's piece, may be an answer to his call for an analysis of "how this campaign was carried out." For South Carolina, the simple answer - which the following pages seek to prove - is that white Carolinians resorted to "people's war" in an attempt to overthrow an "outside" government, its native collaborators, and its unacceptable social system. People in South Carolina (at least a majority of the whites) waged a twelve year war to regain control of their state; in effect they fought a revolution against a revolution, in order to reclaim the 'right' to manage their own affairs and shape their own society.
Civil War scholars often become so caught up with the carnage of the war and the collapse of the Confederacy that they cannot accept the idea that the South continued fighting. To be sure, conventional campaigning had failed to secure independence, and had caused much of the Old South society to slip away forever. But independence was not the only goal, and conventional warfare was not the only means at the South's disposal. Scholars will have difficulty accepting that war did not end with the stacking of rifles in 1865 because many have a narrow view of war, in particular "revolutionary" or "peoples' war."\(^1\) This is not to be confused with "guerrilla" war, which conjures up images of gray-olad veterans roaming the countryside ambushing Union soldiers.\(^12\) Guerrilla operations are only a component of people's war. Violence, assassination, and intimidation are the most dramatic - and perhaps effective - weapons of an underdog, but propaganda, fraud, and economic pressure may also play important roles. A revolution may also operate within normal channels, using elements accessible to the revolutionaries (like the judiciary, for instance) to weaken the existing administration.

\(^1\) "People's war," "revolutionary war," and the latest military variation, "low-intensity conflict" are interchangeable. As the title of the dissertation indicates, the author prefers "people's war," as it emphasizes the key element in the struggle - the people of the society. The other phrases may appear, however, as supporting material may utilize different phraseology.
government. In many cases, an "outside/inside" strategy appears, when illegal means are used to gain access to the legal channels, which then provide legitimate avenues for implementing the new (or old) order.\textsuperscript{13}

Were South Carolinians in fact waging war against their state government? The definition of war accepted by most military historians today is 'organized, socially sanctioned armed violence.' Or, as the great military theorist Carl von Clausewitz wrote, "war is an act of force to compel our enemy to do our will," a "continuation of political intercourse, carried on with other means."\textsuperscript{14} John Shy and Thomas Collier defined revolutionary war as

the seizure of political power by the use of armed force.... it has other connotations: that the seizure of power is by a popular or broad-based political movement, that the seizure entails a fairly long period of armed conflict, and that power is seized in order to carry out a well-advertised political or social program. The term also implies a consciousness that a "revolutionary" war is being fought.\textsuperscript{15}

The struggle of South Carolinians to reclaim power and reassert their control was certainly political, and the legal and illegal means of attaining that aim met with widespread local support. Violence in South Carolina was organized, sometimes at the local level and sometimes across the entire state. Most important, white hostility in South Carolina was politically motivated in the broadest sense: the issue was power, and the future of the state's political, economic, and social systems were at stake.
Conservatives were not responding to Republican corruption, misrule, or taxes, as some historians argue; they were reacting to Republican rule, and the changes that rule brought. Violence, as well as other illegal methods to which whites resorted, was part of a coherent, organized pattern of resistance to the new society the Civil War had created.

Carolinians demanded 'the right' to order their own society, to reap the rewards of a slave-labor agrarian economy, to live under white man's government, to practice aristocracy while preaching democracy, and to keep blacks subjugated in all sectors of life. These had been the demands of South Carolina's leaders since the turn of the 19th century. In 1860 and 1861, after decades of struggle and suspicion, the fear of losing these rights outweighed the advantages of union. Most Civil War historians saw independence as the goal of secession and the war; this is due to a narrow focus, one which concentrates on the war without seeing the conflict in the greater context of 19th century American history.16 As Paul Escott argued in After Secession, only Jefferson Davis was firmly committed to independence; for the planters the goal was the preservation of slavery. The Confederate President's plans to abolish slavery to gain foreign recognition, to arm slaves, and to possibly grant freedom to deserving black veterans met with meager support. Planters were committed to slavery and the society it created, not independence or nationalism.17
Escott implies - rightly - that secession and independence were only means to an end. As Drew Gilpin Faust argued, "nationhood" itself was an offshoot of a region's "effort to protect its cherished way of life from the challenge of American national control."10

In 1861, slaveholders "launched a revolution to secure conservative ends, and they found that their means and ends were incompatible."19 Military campaigns had failed to secure for southerners the control they desired - the ability to direct their own region, lives, and society. In addition, the crucible of war had forever altered the shape of the South, for its most precious component - African slavery - was eliminated. But after half a century of conflict, southerners would not give up the game so easily. South Carolinians still sought to control their state, for the new federal Constitution, while restrictive in some ways, still provided room for maneuver. If white Carolinians resumed power, they could - through the legislature and judiciary - resume control of the black population, the economy, the society as a whole. In other words, the North stopped fighting - physically and mentally - in 1865; the South, however, did not.


4. Probably all historians accept that a blend of "northern" and "southern" causes were responsible for the dismantling of the Reconstruction agenda. Human nature seems to call for a "decision" and not waffling; thus most seek to discover which of the two was more influential.


13. University Press, 1991), 121-140, the quote can be found on page 139.

11. Perman, "Counter Reconstruction," 139.

12. For example, see Emory Thomas, "The Paradoxes of Confederate Historiography," in Walter J. Fraser and Winfred B. Moore, Jr., eds., The Southern Enigma: Essays on Race, Class and Folk Culture (Westport, Conn.: Greenwood Press, 1983), 221; and his "Reckoning with Rebels," in Harry P. Owens and James J. Cooke, eds., The Old South and the Crucible of War (Jackson, Miss.: University Press of Mississippi, 1983), 12-13.


15. Shy and Collier, "Revolutionary War," 817 (emphasis original).

16. Emory Thomas, for instance, is convinced that the goal was independence, pure and simple. He argues that the South "was willing to give up her 'peculiar institution' just as she had forsaken other cherished institutions, for the sake of independence." Southerners may have abolished slavery if it could bring them independence; once a separate nation, who could then regulate their internal affairs? Thomas misses both the significance of slavery, and the fact that the system can be eliminated without destroying the spirit or practice entirely. Thomas' faults derive from relying too heavily on Jefferson Davis. The Confederate President did perceive independence as the ultimate goal of the war, rather than as a means to a goal. Thomas, The Confederacy as a Revolutionary Experience (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1971), 118; "Reckoning with Rebels," 13.


CHAPTER I
CONSERVATIVES AT THE HELM

What is to be done? We know not. But let our people dismiss the idea that we are going to pass under the Yankee yoke. Nothing of the sort is going to take place. There is more going on that we wot of. 'Man's extremity is God's opportunity.'

— Edgefield Advertiser, April 26, 1865

In June of 1865 Richard Henry Dana delivered his famous "Grasp of War" speech, arguing that "a war is over when its purpose is secured. It is a fatal mistake to hold that this war is over, because the fighting has ceased. This war is not over. We are in the attitude and status of war today." Dana's views on the closing of the Civil War were more accurate than he may have known. While the North believed its purpose secured - the Union preserved and rebellion squelched - the South was neither successful nor subdued. To be sure, the North had pummeled the body of the Confederacy, and by the spring of 1865 its armies lay in tatters and its cities in ruins. But the spirit of
Figure 1. South Carolina during Reconstruction
opposition survived, and the desire to live free from the influence and direction of northerners soon resurfaced.

South Carolinians, who had seceded over four years earlier in the hopes of preserving their society, had come close to losing it completely. State conservatives - for the most part native whites and former Democrats - found that the North was not content with victory but desired to reshape fundamentally the society of the South. Results of northern victory, and agents of northern interests, were present throughout the Palmetto State: emancipated slaves, the Bureau of Refugees, Freedmen, and Abandoned Lands, military courts, and a federal occupying force. The fate of South Carolina seemed to have passed into other hands. But all was not lost, for conservatives soon learned that they had an unlikely ally, President Andrew Johnson. Taking advantage of Johnson's desire for a speedy restoration and his support of local political elites, state conservatives embarked on their own plan of reconstruction. By the end of 1865, Carolinians in both the public and private sectors had largely reestablished their control over the economy and politics, and waited for Congress to recognize them as the legitimate rulers of their state.

That recognition would not come, for Congress was not pleased with the groundwork that Carolinians had constructed and Johnson had allowed. Congress had not been in session when Andrew Johnson became president in April 1865, so the
legislature had no input on his plan of Reconstruction, designed to readmit the southern states as quickly as possible with minimal constitutional and political turmoil. Johnson's policy, grounded in the theory of individual disloyalty rather than state disloyalty, became official on May 29, 1865, with two proclamations defining the course southerners must follow. The first, the Proclamation of Amnesty and Pardon, required participants and supporters of the rebellion to take an oath of loyalty to the Union, repudiate secession, and accept emancipation. Fourteen classes of southerners were banned from receiving a pardon in this way, and had to appeal directly to the President. His second proclamation set forth his demands on the states. Johnson would appoint a Provisional Governor, who was then responsible for calling a convention to amend the state constitution, which must meet the same requirements as individuals.²

Carolinians at first complained about the severity of Johnson's plan, but soon realized the new Chief Executive was more friend than foe. Henry W. Ravenel commented that the 'excepted' classes clause "foreshadows his revengeful policy against our people."³ Ravenel, and other ex-rebels who felt as he did, discovered Johnson's bark was worse than his bite. The administration granted pardons liberally, even to the ex-confederates who fell into the special classes. By September, "special" pardons were coming at
over 100 a day, and within nine months of the Proclamation 14,000 had been issued; in fact, his official "Clerk of Pardons" was H.F. Pleasants, a former confederate colonel! By September, Ravenel was praising the President for his "firmness and consistency - and perhaps as much clemency as it was possible for him to exercise...."

The leniency of Johnson's plan of Reconstruction encouraged Carolinians, who had no intention of allowing outsiders to run their state. This was especially true when the agent of control, the federal government, was in the hands of hostile Republicans and abolitionists. This was the government responsible for the freeing of almost 400,000 slaves in South Carolina alone, which one Carolinian called "a crime no one but the Yankee nation could be cruel and mean enough to commit." The sorrow of the present and optimism for the future appeared as early as May in the diary of Emma LeConte. On May 17th she wrote that "only in the future can we still hope ... [that] after years of recuperation we may be strong enough and wiser by experience to renew the struggle and throw off the hateful yoke."

"The only other chance," the diarist pondered, "is that by their oppression and insolence they may drive the people to 'Guerrilla' warfare and be wearied out at last." South Carolina's arrogance and defiance was also evident in the defenses of secession that could be heard across the state. For many whites, their fault lay in
defeat, not in some legal or constitutional measure. The planter Henry Ravenel, for instance, grumbled that there was little "difference between Patriotism and Treason. Success is the only criterion by which the world judges." Julius Fleming, corresponding to the Charleston Courier as "Juhl," voiced a similar sentiment, pointing out that their forefathers were rebels also, "but they were successful." The South's revolution, the author admitted, "was a failure, and hence a thundering crime." Even after Appomattox, Eliza Fludd remained convinced that "this war on our side was God's war" and that "the cause was his." She managed to explain the lack of success by blaming the South for sins of pride and ingratitude, which caused God to "change his stance." Others expressed their pride in a less grand, but more direct fashion, such as the three young ladies who were reprimanded for wearing confederate flags in their hair.

It was not surprising then that reports from South Carolina indicated that a significant lack of love for the Union. Major General Carl Schurz, in the state on his famous fact-finding trip, reported "an utter absence of national feeling" and warned that Carolinians were only waiting to "rid themselves of the federal troops and obtain once more control of their own affairs." His observations were confirmed by Sidney Andrews, just one of many journalists and literary entrepreneurs who journeyed South after the war. Andrews claimed there was "very little
pretence of love for the Union," and although the people may follow the letter of the law, "the whole current of their lives flows in direct antagonism to its spirit."\textsuperscript{12} James T. Trowbridge, another traveler, claimed that he found "in South Carolina a more virulent animosity existing in the minds of the common people against the government and people of the North than in any other State I visited."\textsuperscript{13}

2

The man President Johnson chose to lead this unruly flock back into the fold was Benjamin Franklin Perry. Perry, like many of Johnson's other provisional governors, was a moderate, and had been a Unionist before the war. Typical of South Carolina Unionists, Perry had opposed secession for practical reasons, believing it would harm, rather than protect, slavery. Also like other Carolinians, he supported his state unequivocally after secession, even serving in the state government during the war.\textsuperscript{14}

Under the cursory guidelines set by Johnson in his proclamations, Perry hoped to pry federal fingers off South Carolina while molding order out of anarchy. Meeting with Johnson in late June to accept his appointment, the new governor happily discovered that the President was committed to a hands-off policy, as he told the new governor to "write occasionally, let him know how I was getting on in
reconstructing the state.”\textsuperscript{15} The Carolinian immediately took control of affairs with his proclamation of July 20. This declared all laws to be in force which were operating at the time of secession, and allowed all officials holding office at the war's end to reclaim their positions upon taking Johnson's oath. Perry also called for the formation of volunteer militia companies - whites only, of course - to help "curb lawlessness." When Perry informed the President of these measures, Johnson "made no objection" to their promulgation.\textsuperscript{16}

Although Perry operated with the President’s blessing, military officers in the state had serious reservations about the governor’s acts. The commander of the Military District of Western South Carolina reported to divisional headquarters that Perry’s order reinstating officials put the state government "into the hands of the most objectionable persons."\textsuperscript{17} Major General Quincy Adams Gillmore, the overall commander of the Department of South Carolina, voiced similar concerns. In an August letter to Brigadier General Lorenzo Thomas, the Adjutant General of the Army, Gillmore feared Perry’s policies would "create feelings of bitterness, and antagonism of interests between the whites and the blacks...."\textsuperscript{18}

Johnson ignored the protests, and even though martial law technically existed in the South, made it clear that the military was to aid the civil officials in reestablishing
governments and not interfere in any way. With the state and local governments needing immediate attention, and Johnson sustaining Perry's decisions, the Governor managed to direct authority back into the hands of conservative whites. For instance, commanders complained that state magistrates were administering the loyalty oath, when only Provost Marshals were authorized to do so. Perry informed Johnson that too few Provost Marshals were in the state, so using magistrates expedited the process. The Provisional Governor knew that Johnson favored speed above all else, and gambled on the President's support. His gamble paid off, and Johnson overruled his officers, just as he had done on with the proclamation reinstating former officials and a move by Perry to reopen civil courts. Perry did allow one concession; the Provost Courts retained jurisdiction in cases involving freedmen. But in other matters, Johnson told his commanders "not to interfere with Governor Perry's reconstruction policy." 10

The most important single task facing Benjamin Franklin Perry was the calling of the state convention. The convention faced the onerous task of recognizing the changes wrought by war, including formally abolishing slavery, nullifying secession, and drawing up a new constitution to incorporate the changes wrought by war. But the convention also offered the opportunity for Carolinians to escape from northern and federal supervision. Slated for September, the
voting for delegates began in August, but - as per Johnson's order - voting was restricted to the classes who had held it prior to the war. With white suffrage, a state convention, and white delegates, white South Carolinians looked forward to reclaiming control of their own affairs.

While Carolinians looked forward to the fall convention with optimism, some observers expressed concerns over South Carolina's rapid course of Reconstruction. Frederick Jackson's father in Boston had no illusions about the chance for real change in the state. Writing to his son in Beaufort, South Carolina, he conceded that "the ruling class at the South will resort to every means to embarrass [sic] the Govt and retain the Negro's [sic] in a condition as near as possible to slavery." Major General (Brevet) John Hatch had the same misgivings and told Carl Sohrz in Charleston that the old leaders "hope to obtain control of the State, and then pass laws with reference to the colored people which shall virtually re-establish slavery; and although they look upon secession as at present hopeless, a future war may enable them to again raise the standard." Some state conservatives, however, believed that South Carolina had already conceded too much. One such man was Wade Hampton, who had been one of the wealthiest planters in the South before the war. In 1861 he outfitted an entire cavalry company from his personal fortune, and by 1865 was commander of Robert E. Lee's cavalry. Hampton argued that
the state should not succumb to political pressure, for accepting Johnson’s terms would mean capitulation. Writing to James Gibbes, the mayor of Columbia, Hampton declared that in order to be readmitted, the state needed new laws and a new constitution, "representing not the views and interests of the people of SC, but those of Mass[achusetts]. It may be urged that the State must come with such a constitution, or not come at all. If such is the fact, then let her not come at all." According to Hampton, a constitution necessary for readmission "misrepresents ... humiliates ... debauches, [and] degrades."22 The planter James De Caradeuc agreed, for it was unreasonable to expect the state "to cast overboard our time honoured and well working system of State Government to copy that of corrupt Northern States!"23

Some Carolinians realized that an attempt to resurrect antebellum South Carolina in the face of overwhelming opposition was foolish. More moderate conservatives saw that between Benjamin Perry and Andrew Johnson, the opportunity for whites to regain control of their affairs was rather promising. A few concessions were acceptable, especially considering the possible alternatives if the state resisted. Julius Fleming, the author of the Juhl letters to the Charleston Courier, pleaded with South Carolinians, asking that the convention be "fully abreast of the times, that wisdom and harmony will prevail ...[and] no
disaster [will] come upon us by an insane attempt to resurrect a dead institution and galvanize a dynasty which has passed away." Even Henry W. Ravenel, friend of neither blacks nor the North, agreed, believing a conciliatory policy will "disarm the Radicals & other enemies of their only weapon ... [and] we gain as friends the great masses of the conservative portion of the North." Cooperative or antagonistic, Carolinians differed on the means to be employed, not the end in itself. Die-hard conservatives and moderates all sought to remove their state from the influence of the north, in particular the federal government and its abolitionist lawmakers. Once white Carolinians were back in control, reconstruction could proceed, Carolina-style. For example, moderate John Lyon wrote to his friend A.B. Springs, offering suggestions for the convention. Lyon accepted that slavery was abolished, and hoped that blacks "shall enjoy all the rights, and privileges which are embraced in the term 'civil liberty,' [including] equality with all other persons before the law." Nonetheless, he proposed blacks should have the same rights as "an unmarried white woman." Of course, his plan "excludes the negro from the rights of voting, from the jury box, and from office; in short from all political power." After all, he concluded, "this is a white man's country, and
the distribution of power in the country is a matter exclusively for us who own the Country."  

A muted defiance and the indefatigable drive for autonomy prompted Perry to push the convention forward as quickly as possible, trusting that Johnson would remove military force once a government was established. In his opening address on September 13, moderate Judge James L. Orr - a leading Unionist before the war - addressed the delegates about the duties of "a white man's government." The first order of business was secession; instead of declaring it "null and void" as Johnson required, delegates merely repealed it, thus recognizing its legitimacy. This limited defiance did not please some; A.P. Aldrich and three others voted against the measure (Aldrich would later be unanimously elected Speaker of the House in the new legislature).  

The convention's attitude toward the abolition of slavery demonstrated the same disdain for interference. Although Johnson required "unqualified abolition," proposals for amendments made their appearance, such as one for compensation to ex-owners, and another calling for a clause prohibiting freedmen from "engaging in any species of traffic and in any department of labor other than manual service." The outspoken A.P. Aldrich offered an amendment which stated South Carolina will accept all conditions and "calmly await the time and opportunity to effect our deliverance from
unconstitutional rule." No such amendments passed, largely due to the fear of non-recognition by Johnson or Congress. Those who opposed abolition merely voted against it, and the clause passed 98-8. But the measure still smacked of defiance. The authors selected their words carefully, admitting that "the slave in South Carolina having been emancipated by the action of the United States Authorities, neither slavery nor involuntary servitude ... shall ever be re-established in this State." The Convention deliberately placed emancipation on the shoulders of the U.S. government, and refused to accept or admit that they, white South Carolinians, had freed their slaves. The last requirement for re-admission, the repudiation of the confederate debt, never came up for debate. Provisional Governor Perry refused to even discuss it, thus rejecting outright one of Johnson's few stipulations.  

This intransigence may have been only symbolic, but delegates knew that a new government would have a real opportunity to cast off federal fetters. A new governor, a new General Assembly, and U.S. senators and representatives needed to be chosen, and - once readmitted - they would determine the future of the state. The new constitution provided for a white man's government, as suffrage followed 1880 standards, representation was based on white population, and senators and representatives could only be "free white males." The convention's first choice for
governor was none other than the former general and cavalry hero, Wade Hampton, who had opposed the convention altogether, and was, according to one officer, "the most objectionable man to the [federal] Govt in the State." Hampton refused the nomination, and the choice fell to James L. Orr, the former Unionist and an ex-confederate senator. In the election of October 18th, Orr won, but his margin was surprisingly slim considering Hampton was not formally running. In fact, in some cases entire districts went for Hampton. Such a showing, said one federal officer, revealed "how powerless the most liberal and enlightened men in the State are against the traditions of South Carolina."

The results of the convention and the gubernatorial vote encouraged whites that relief from northern domination might not be far off. A congratulatory note from N.L. Springs to his cousin A.B. Springs looked forward to such a future: "I trust you will be able to adopt some plan by which the negro can be made useful to you." James De Caradeuc also looked toward a brighter future, declaring proudly that "our little State is still defiant. Our Convention ... has said nothing about the repudiation of all debts.... The Convention has not declared the act of Secession null & void ... and lastly, our people in the late election for Governor have shown their spirit in the vote for Gen. Wade Hampton...." Nor was he alone in his satisfaction. The Edgefield Advertiser noted that, with
respect to its congressmen, "we are proud that our State has not elected men whom can take the test oath. Away with men who can take the test oath!! South Carolina should want nothing to do with such." 93

The most glaring example of South Carolina's desire for autonomy - and what the results of that autonomy might be - came in the form of the state's black codes. During the convention Governor Perry commissioned prominent lawyers Armistead Burt and David Wardlow with the drafting of a code for the "regulation of labor and the protection and government of the Colored Population of the State." Perry believed such a code was necessary for the stability of the state, but other forces were also at work. President Johnson desired to see the freedmen protected before withdrawing military forces, and Congress wanted protective guarantees before it would grant readmission. 34

While nominally following these guidelines, Burt and Wardlow attempted to salvage as much of antebellum South Carolina as was practicable, while nullifying the effects of northern victory as far as possible. In this way, the goal of whites, mainly control, was in direct opposition to the primary gains of the freed slaves, chiefly independence. This independence, according to Roberta Sue Alexander, was not just the freedom from chains, but from supervision, arbitrary white regulations, and restraints on matters of economic, family, and educational interests to blacks.
Emancipation, then was a real revolution, as it gave the former slaves control over lives. This, however, was precisely what whites could not accept. William Whiting, a War Department solicitor, had warned the North in 1863 that even if the South was defeated it was possible they would "gain the right of managing their affairs according to their will and pleasure, and not according to the will and pleasure of the people of the United States." He projected that "under the guise of submission, amnesty and restoration, they may gain ... that which they could not achieve by feat of arms." The state had 400,000 newly freed blacks, and as a matter of course turned to legislative means to govern them. Whites first sought economic control, convinced that freedmen would not work without compulsion and could not be trusted to honor labor contracts. Even before the convention opened, C.G. Memminger, the former Confederate Secretary of the Treasury, wrote to President Johnson that the "African is virtually in the condition of youth, whose inexperience and want of skill unfit him for the privilege of manhood." He suggested creating an "apprentice system" by which whites might insure economic stability and black productivity. Samuel McGowan, former confederate general and now candidate for Congress from Abbeville, argued that "a new code noir must be enacted to protect and govern the
The conviction that Carolinians must regulate their own society - especially its racial affairs - pervade the suggestions provided by Edmund Rhett, from whom Armistead Burt had solicited advice. In mid-October, while Burt was still drawing up the code, Rhett offered ideas he considered "essential for the preservation of our labor system, and, indeed, for our social system." Since emancipation was so "sudden and abrupt," Rhett explained, it should be

limited, controlled and surrounded with such safeguards as will make the change as slight as possible. The general interest of both the white man and the negro requires that he should be kept as near to his former condition as Law can keep him. That he should be kept as near to the condition of slavery as possible, as far from the condition of the white man as is practicable."

Rhett's plan imposed severe restrictions on the freedpeople. Neither they nor their posterity could ever own any real estate. His code limited black mobility, requiring blacks to have their domiciles recorded, from which they could not travel without permission. Rhett also demanded a strict system of contracts and penalties, to be regulated by the state. He also wanted a formal system of "discipline," for without physical coercion, he believed, all attempts to create productive labor would fail. Rhett, however, understood his state's delicate balancing act,
and warned Burt that "this is no time to do it. The question should not be broached until we are back in the Union [or] it will only strengthen the Black Republican Party and render the admission of the State difficult."  

The newly-elected General Assembly convened on October 25, and viewed the situation differently. Members, eager to once again place the black population under white control, believed that such a demonstration of authority and organization would convince President Johnson to end military rule and federal supervision. In late November Burt and Wardlow presented their finished set of "black codes" to a special session of the legislature. The codes did not pass until December, as a furious debate ensued; many representatives argued the codes were too lenient. 

The South Carolina black codes clearly indicated the shape of Carolina society should conservatives regain control. The entire code was a set of three laws, "An Act Preliminary to the Legislation Induced by the Emancipation of Slaves," "An Act to Amend the Criminal Law," and "An Act to Establish and Regulate the Domestic Relations of Persons of Color, and to Amend the Law in Relation to Paupers and Vagrancy." The first recognized that slavery no longer existed and "although such persons are not entitled to social or political equality with white persons" they can sue in court, own property, and make contracts. It stated further that all rights and remedies which apply to whites
heretofore apply to blacks as well, "subject to the modifications made by this Act and the other Acts....". Such wording emphasized that it was South Carolina’s whites who were in charge, granting rights and privileges, and determining the freedmen’s extent of freedom.

Whites also placed stringent economic and social restrictions upon the former slaves. Framers addressed the need to invigorate the state’s failing agricultural industry, as well as the fears that blacks were inherently lazy and dangerous. The second law prohibited blacks "employed in husbandry" from selling anything without "written permission of the employer or District judge." Article XIII set forth that "persons of color" could not serve in the militia, or own a pistol, rifle, sword, or other "military" weapon; if the "person of color" owned a farm, however, he could have a shotgun for hunting. With respect to the criminal code, Article XXX best summed it up: in the case of any misdemeanor by a "person of color," any white can arrest the accused and take him to a Magistrate. If the misdemeanor is done by a white person, any person may complain to the magistrate.

The third law was even more explicit in placing blacks under white control. Although recognizing marriage between blacks, the law declared "illegal and void" marriages between whites and blacks (a person required 7/8s caucasian blood to be ‘white’). As for labor regulations, the state
itself imposed a "sunrise to sunset" workday, following the trend set - and enforced - privately by planters since emancipation. The code also stated any absences from the plantation, or visitors on it, had to have the employer's prior approval, and authorized numerous reasons for discharge, including simply "want of respect and civility." Article LXXII severely limited the options blacks had economically, as they could only be a farm laborer or hired servant without a license from the Judge of the District Court; the license was too expensive for most to afford. 

In his farewell address to the legislature on December 21st, Benjamin F. Perry spoke approvingly of the "wise and humane code of laws for the protection of the freedmen in all their rights...." Historian Theodore Wilson agreed with Perry's assessment, claiming that South Carolina's code had the best interests of the freedpeople in mind. He argued that a bad press and negative propaganda had exaggerated the few discriminatory provisions, while the "protective features went unnoticed." Even the premier historian of South Carolina, David Duncan Wallace, contended that the codes were "sincere attempts of kindly paternalism to adjust to appalling difficulties." 

The protective features did not go unnoticed. The problem lay in the fact that the laws were precisely what white South Carolinians meant by 'protective.' Their conception of protective clashed with the view held by much
of the country. Thomas Holt, in his groundbreaking study of the South Carolina government during Reconstruction, showed that the new code even revoked rights that free blacks had held before the war.48 John Hemphill, a member of the General Assembly, wrote to a friend that, "our negro code will be regarded by them as too much of a white man's law. Many of its provisions are scarcely compatible with a state of freedom...."49 When the code became public, the northern press vindicated Hemphill. "South Carolina Re-establishing Slavery" was a headline in the New York Tribune, while the New York Times said the laws "might not inappropriately be styled a bloody code." The New York Tribune continued lambasting South Carolina well into 1866, claiming its "barbarous vagrant law" meant "freed slaves are rapidly being re-enslaved."50 Even Julius Fleming remarked that "much work of the late legislature will have to be undone," for these are laws "calculated to draw upon us fresh broadsides from the unfriendly majority which now controls Congress."51

That unfriendly majority reacted just as Fleming had anticipated. For the North, South Carolina's black codes showed an obstinacy incompatible with defeat. For months reports had been flowing into Washington about lawlessness and hostility in the state. Now, public officials seemed no better than the private individuals. The state had refused to repudiate the confederate debt, had elected a full
regiment of old leaders to its new legislature and to Congress, and had completely rejected partial negro suffrage (which President Johnson had suggested in a letter to Governor Perry). In the wake of all this, Congress faced the dilemma of admitting South Carolina - and the other southern states - on a basis of representation that counted blacks as 5/5s, a complete citizen, while affording them few of the rights; with these new demographics, disloyal southern states might well control Congress. But it was the codes that forced Congressional action, for they revealed, in the words of Eric Foner, "the likely shape of southern economic relations if left to the undisputed control of the planters." The codes served up a "chilling object lesson," about the "prospect for self-generated change in the region," according to Dan Carter. The codes, Congress realized, were South Carolina's plan of reconstruction.

Northern complaints about South Carolina did not begin with the election of a new government and its acceptance of the black codes. Since Appomattox, Carolina whites had been waging their own private struggle against military supervision, in a attempt to relegate the freedpeople to a position as close to slavery as possible. Conservatives
across the state opposed federal interference in their legal, economic, and social affairs, and early on began to reassert control in local matters. Like Governor Perry and the state's white leaders, local whites met with military resistance but Presidential sympathy. Also like the government in Columbia, by late 1865 former planters and other whites had come a long way towards regaining control of their state and its black population.

White landowners conceded freedom, but could not accept black independence. Born and reared upon an economic system rooted in coercion, whites believed blacks would not work voluntarily, and a system relying on that would only bring ruin. Planters refused "to accept the freedmen as human beings with some control over their lives and destiny." As William F. de Saussure said to his dinner guest Carl Schurz, freed slaves should be "trusted to our own sense of our true interests." General Gillmore's views differed, and he told Schurz that "I do not think they [planters] will organize free labor upon any plan that would be of advantage to both whites and blacks...." James H. Russell came to the same conclusion from London, and wrote to President Johnson that the South would "hold the coloured race as serfs" if he adhered to his Reconstruction policy. Sidney Andrews agreed, and while visiting Aiken in October, warned that "if the nation allows that whites to work out the problem of the future in their
own way, the negro's condition in three years will be as bad as it was before the war." "The viciousness that could not overturn the nation," Andrews continued, "is now mainly engaged in the effort to retain the substance of slavery. What are names if the thing itself remains?"87

Traditionally, white Carolinians reacted violently to attempts to interfere with their rights - especially their right to govern their black population as they saw fit. Four years earlier, perceived threats by northern abolitionists had driven secession, and now the North was forming its own opinion of how the 'New South' should evolve: the War Department's Bureau of Refugees, Freedmen, and Abandoned Lands represented a direct threat to white control.88 Carolina's greatest son, cavalry hero Wade Hampton, complained that all labor problems after the war could be traced to "that incubus, that hydra-headed monster, the freedmen's bureau." He informed President Johnson that the South was "fully competent to direct, to instruct, and to protect" the freedmen, but the "mischevious and pernicious interference of that most vicious institution" had ruined all chances for a speedy post-war recovery.89 Eliza Fludd also complained of such interference, calling the Bureau a "National Pest and a Sower of Discord between the whites and blacks."89 Whites directed anger at the Bureau as the most visible agent of northern influence, an obstacle specifically designed to
remove blacks from white domination. In the words of Assistant Commissioner Rufus Saxton, chief Bureau officer for South Carolina, whites "see in this bureau a great stumbling block in the way of their schemes to overthrow the policy of the government and make the freedmen a slave in everything but name."  

General Saxton's assessment of the Bureau was wishful thinking. Far from being a "great stumbling block," the agency could better be described as a few loose pebbles on the sidewalk. The Freedmen's Bureau faced local white hostility, and had to manage with an indifferent - and even antagonistic - chief executive, Andrew Johnson. To make matters worse, the only realistic chance of creating a new economic system all but vanished by late 1865 when the administration rejected the confiscation of southern lands. Without land, blacks would be forced to work for white landowners, re-establishing a system of white control and black dependence; white control of land meant white control of labor and the economy. As before, President Johnson supported state whites over freedmen and his own officers. The return of lands formerly granted to blacks was another indication that Johnson favored white control and believed the revolution had gone far enough.

The Freedmen's Bureau concentrated on keeping landlessness from becoming helplessness. As early as the summer of 1865, the Bureau had begun regulating the
relationship between the white employer and the black laborer. Agents used a procedure by which a three-member board would oversee the writing and signing of contracts; the board consisted of the white landowner, a black representative of the laborers, and a Bureau officer (either a military one or a civilian agent). But Bureau personnel were too few to examine every contract, and many Army officials disregarded the duty altogether. This resulted in confusion and the loss of productivity, for freed slaves often refused to deal with local whites alone. In addition, many ex-slaves, still holding out hope for land, refused to contract as to avoid being under obligation if land redistribution began.

Regardless of its inefficiency, this system was an unacceptable intrusion on the rights of Carolina planters. When supervision forced planters to abide by the contract system, whites made sure to clearly define the power relationship. As many Bureau officials and observers had predicted, contracts were made with the employers' interests in mind. Ex-slaves were supervised carefully, and notebooks contained tallies of transgressions, which translated into fines, forfeitures, and finally dismissal. Owners docked laborers for leaving the plantation without permission, damaging the planter's property, laziness, and laying off from work due to sickness. Hands were required to labor six days a week, from sunup to sundown, with breaks totalling
one hour a day (one and a half in the summer). Many contracts barred visitors without permission, and in some cases conversation was prohibited during working hours! H.A. Johnson, a Freedmen's agent on Cheraw, spoke from experience when he said, "they cannot trust to have a contract made by their late Masters."00

The Freedmen's Bureau had neither the time nor the manpower to oversee all planters, and many of these "late Masters" continued to run their plantations as they had done years earlier. Assistant Commissioner Rufus Saxton's testimony before the Joint Committee on Reconstruction included accounts of shootings, beatings, tying-up-by-the-thumbs, whippings, patrol-and-pass systems, and instances of laborers being driven off plantations without compensation.88 James Beecher's Memorandum Book contains hundreds of complaints by blacks for unfair compensation, removing workers' children to other plantations, and beatings.87 Beecher would have agreed with Captain O.S.B. Wall's comment that some planters treat their ex-slaves "the same as in former years." After one harvest James Hopkinson drove eighty-one laborers off his land.88 The ubiquitous observer Sidney Andrews declared that "the cruelty of the old planters in this regard is shocking."89 Carl Schurz openly had warned that "unadultered free labor cannot be had at present, unless the national government holds its protective and controlling hand over it."70
The Freedmen’s Bureau, understaffed and often indifferently administered, could exert no such control. Instead, control came in the form of white unity, white vigilance, and white violence. As antebellum fears of race war, anarchy, and the loss of white dominance carried into Reconstruction, so did antebellum responses. For instance, during the antebellum period slave patrols were ever-present in South Carolina, riding through streets at night, roaming the countryside, and even visiting plantations to search for weapons. By summer and fall of 1865 the slave patrol had reappeared in South Carolina.71 News came in from the up-country of bands called "regulators" enforcing a "pass-system." James Beecher reported from Barnwell District that "an armed patrol of civilians is organized for the summary punishment of negroes" and "a system of passes, similar to those under the Slave Code, is in effect and a negro found off the plantation is liable to severe flogging."72 Even Sidney Andrews knew of the "patrol-and-pass" system existing in Barnwell. He also caught word of resolutions making their way around Charleston District to not hire freed slaves unless they have written consent from their former owners.73

Whites intended for the new state government to eventually formalize such controls, but in the meantime relied on the classic southern remedy: physical coercion.
The threat of violence was fundamental to the entire slave system, and remained central to white control, even with the U.S. Army in the state. John Picklesley, a freedman in Edgefield, told Bureau agent G.W. Pease that "it is dangerous for a black man to live in the District of Edgefield.... It is almost a daily occurrence for black men to be hunted down with dogs and shot like wild beasts."

In November 1865 Pease received an "Appeal by the Freedmen of Edgefield Court House" reporting that recently "one of our most reputable friends [was] shot down in his own house... there is no safety in our lives, we hear of men being found dead in different places we apply to you to help us...."

Troubles were not confined to Edgefield, for another Bureau agent reported in his district nine blacks were chased by a band of whites, caught, tied up, and whipped nearly to death. John Williams, Assistant Adjutant General at Bureau Headquarters, stated pessimistically that there "is no end to the complaints of brutal treatment to the freedpersons in the Upper Country."

In Saxton's November report to Bureau Commissioner O.O. Howard, nearly every month's entry ended with the phrase "it is thought that troops cannot be withdrawn with safety from this section."

In his December report Saxton drew special attention to the case of three blacks who had been offered a "lifetime" contract by their employer. When they refused, the planter drove them from the estate. A band of mounted
whites caught them, killed the two men, and carried the woman back to the plantation. A federal officer learned of the affair, took the woman away, and recovered the victim's bodies.  

In late December, F. M. Montell, an officer with the Freedmen's Bureau, spoke at Mount Hope Plantation in an attempt to convince planters to treat the freedpeople more fairly. The war was over, he pleaded, and everyone had to work together to rebuild the South. A man in the crowd interrupted him, saying "the war is not over ... this thing will never die out!"  

This sentiment - that the war continued, the struggle for control of South Carolina went on - was not limited to the planter class. Writing in 1880, David Hundley predicted that planters would not be the only source of trouble after a war. Hundley claimed opposition to change would come from the yeomen and the "crackers" also, who, unable to leave the South, would remain "and single-handed [sic] do battle with Cuffee, who, no longer forced to labor, and resorting again to toad-eating and cannibalism ... would in a few years reproduce on the shores of the New World a second Africa...."  

William Whiting, a War Department solicitor who wrote a vast study of the government's war powers in 1862 and 1863, also predicted a violent response. Even if the fighting ended, he surmised, the hatred of the government and the North would not. Military defeat would
be followed by "murders, assassinations, and all underhanded methods of venting a spite which they dare not manifest by open war...." Brutally realistic, Whiting pointedly stated that "to believe sincere attachment to the Union will survive in the hearts of a hostile people who have strained every nerve and made every sacrifice to destroy it, would require the most pitiable credulity."\(^{61}\)

During Reconstruction, whites again united to force blacks into a position of social and economic submission. The changes in the South were the work of outsiders, and whites made deliberate efforts to nullify these as best they could. In the words of one Bureau agent, locals openly "announce their determination to take the law into their own hands, in defiance of our authority."\(^{62}\) To many South Carolinians, what federal officials referred to as "lawlessness," was nothing of the sort, but an attempt to enforce "natural" laws and "local" traditions. The up-country had men like "July" and "Largent," two ex-CSA soldiers leading bands that terrorized Unionists, federal soldiers, and negroes. For a while, the mysterious Texas Brown made his home in Abbeville along the Savannah, where he amassed a large following - and a good deal of money - killing blacks who fled their owners' plantations after emancipation.\(^{63}\)

Even in the low-country, where troop concentration was the heaviest, hostility was rampant. On Edisto Isle in May
1865, Mary Ames noted in her diary that two companies were "stationed here to protect the island from guerrillas." Even with the troops "sleep was impossible ... I got out the hammer ... and kept it in my hand all night, ready to beat out the brains of any one attacking us." \(^{64}\) Sidney Andrews, this time in Charleston, lamented the "indifference to the negro's fate and life." He reported the killing of a black soldier who had warned a local white about wearing his CSA buttons; the man promptly produced a knife and slit the soldier's throat. "It is an evidence of smartness, rather than otherwise," Andrews concluded, "to kill a freedman." \(^{65}\) Carl Schurz made the same observation, noting that "since the negro has ceased to be property" there no longer exists a "pecuniary value" which serves to restrain the whites, and the "maiming and killing" of freedpeople goes largely unnoticed. \(^{66}\)

Violence aimed at controlling and cowing freedmen was only scarcely more common than violence aimed at federal authorities. Soldiers and civilians in the Freedmen's Bureau and occupying garrisons were agents of a hostile abolitionist North, interfering in affairs best left to the local population. Reporting from South Carolina, Carl Schurz admitted that the murder of Bureau agents was "not uncommon," and General Daniel Sickles' December report to General Meade stated that "several of our officers have already been killed." \(^{67}\) One ambush in Anderson District
left three white soldiers dead, and a local black who witnessed the killings was murdered soon after. Perhaps the most infamous incident was the shooting of three U.S. soldiers in October of 1865. The murderers were caught, convicted by a Military Commission in January 1866, and sentenced to death. In July 1866 President Johnson changed the sentences to life in prison, and in November all were released by a federal judge on the grounds that since the civil courts were open, the Military Commission held no authority.80

With such antagonism directed towards blacks and federal soldiers, it is no wonder that Carolinians reserved special enmity for black soldiers stationed in the state. Wade Hampton, writing to Andrew Johnson, recalled that "the very first act of peace consisted of pouring into our country a horde of barbarians, your negro troops.... Their very presence among us at such a time was felt as a direct and premeditated insult to the whole Southern people."88 Henry W. Ravenel declared that the quartering of "black savages among us" was done "in a vindictive and revengeful spirit."89 Robert A. Pringle told his friend W.R. Johnson that submitting to a "guard of black troops" is the "severest trial" of all, but Carolinians "have exhibited a degree of self-control which our bitterest enemies would not (if he possessed the magnanimity) but admire."91
Unfortunately for black troops, this self-control was not as universal as Pringle claimed. The whites of Anderson demonstrated little self-control toward the blacks stationed at the Court House; a lieutenant and an enlisted man, both black, were murdered there. The unit was removed to ease tensions, but on the march back to Newberry another soldier was waylaid and had his throat slit. Just to the north, in Chester District, a small assembly turned into a riot when black troops marched by; although uniformed and armed, three blacks were killed and several wounded, but no white casualties were reported. On St. Helena, Laura M. Towne wrote in her diary that "it is so dangerous for a negro to go about, especially with the United States Uniform on, that orders are out that no more will be allowed to go to recover their families and bring them here...."

The intense animosity was partly due to the belief that these troops were interfering in matters that southerners alone should control. Blacks in uniform represented power, authority, and status, characteristics from which whites wanted to distance former slaves. What better way to sow discontent and hatred between the races than to have "uppity" soldiers parading around in front of repressed ex-slaves? Benjamin Yancey's cousin Pam told of the "horrible things" that black troops in Abbeville and Edgefield were saying, including telling laborers "that they were as good as the whites and must act it." Such displays,
according to planter James A. De Caradeuc, are "extremely demoralizing to the negro population, who hear ... that they are equal in every respect to the white, and should now own land and other property." As early as July Provisional Governor Perry received petitions calling for the removal of negro troops from the state, as they were making "great mischief among the servants." Perry, in turn, appealed several times to General Gillmore, claiming the troops were responsible for numerous depredations and attacks.

A great fear bubbling to the surface was that this interference by black troops and northerners would drive former slaves to take out their frustrations on their former masters. No one besides Carolina whites were equipped to control the black population, and if that control were removed race war and further devastation would result. On July 4th, 1865, while the rest of the country celebrated, Mary Chestnut mourned, fearing "we are in for a new St. Domingo all the same. The Yankees have raised the devil, and now they cannot guide him." The editor of the Edgefield Advertiser warned the "fanatical demagogues of the North" to tread softly and avoid exacerbating tensions, for "in such a struggle, there could be no doubt, as to which race would go to the wall." News from around the state — a riot at Sumter Church, another in Charleston — convinced Henry W. Ravenel that the presence of black units "has already done its mischief, & may ultimately lead to a war of
races, & the utter extermination of the blacks." T. Fraser Matthews of Aiken, fearing the same consequences, warned Governor Perry in August that "much of the most productive and richest portions of the Southern States [will] become a howling wilderness and a war of extermination with all its horrors ensue." The few blacks that survive, James A. De Caradeuc reasoned, "will not become slaves for that name is abolished for ever, but apprentices who will be compelled by severe legislation to labor." One could almost hear a trace of hope in his voice as he predicted that war was inevitable, but the whites would win, "and the rest [of the blacks] will submit and be more slaves than they ever were before." Convinced a lack of white control created the potential for danger, local whites in counties across the state took matters into their own hands. In a most ominous letter of March 22, Henry Ravenel commented on the "better & more orderly spirit" among Cooper River blacks since the "presence of our Scouts & the summary executions of a few of the ring leaders." Ravenel offered chilling advice, that "the conduct of our Scouts should be no child's play, no taking up and whipping.... [leaders] should be quietly disposed of. The mystery of disappearance has more awe in it, than any amount of punishment which is seen or known." Kingstree had a "citizen's committee" which whipped freedpeople and expelled northern teachers as
protection against an "imminent uprising." More moderate Carolinians learned quickly not to block community actions. Warren Manning, a planter from Summerton, opposed the acts of the vigilance committee near his plantation, and even argued at one meeting that blacks were free, and could own guns. A few days later - for unknown reasons - he published a denial of his comments in a local newspaper.

Fears of race war - and steps to prevent it - intensified as the 1865 Christmas season approached. Tensions had been building since the surrender, and in October an uprising in Jamaica (in which 13 whites were killed) added fuel to white fears. To this add the coming of Christmas, which had been the one holiday on which masters allowed their slaves the liberty to celebrate as they desired. In antebellum days, Christmas was a festive time, replete with dancing, drinking, and marked by "general abandon, that universal merry-making...." With the coming of emancipation, whites feared the undisciplined spirit could overtake their former slaves, and blood would flow. As always, action began at the local level, with men like Cadawaller Jones of Rock Hill trying to create "an armed police organization before Christmas." But Jones, presenting his plan to A.B. Springs, rejected the notion that his force would "be subject to the orders of the U.S. forces...."
Activity at the state level augmented private efforts to control the newly freed black population. In October Provisional Governor Benjamin F. Perry instructed the General Assembly to reorganize the state militia to guard against “insurrection and domestic violence.” On November 4 the “Committee on the Military” reported back, suggesting the creation of “an organized, armed military force” to control the freed slaves, as they had “become so thoroughly contaminated with false notions as to their rights, and with feelings of hostility towards the whites....” The Committee also advised the Assembly to “keep on duty ... a number of white mounted troops ... sufficient to protect the country ... until the Militia shall be perfected.”

Even with the Freedmen’s Bureau and regular garrisons in the state, whites demonstrated that they could - and if necessary would - take steps to control their black population. The Governor’s call alone (according to the Governor, of course), “had the most salutary influence in deterring the vicious, keeping the negroes quiet, and relieving the apprehensions of the people.” Many districts took no chances, and organized units anyway. In November, for instance, Edgefield reported that three companies had formed, all composed of veterans and officered by “gentlemen.” On January 10, 1866 the legislature named former Major General Martin W. Gary of Edgefield commander
of the state militia - a man who would play a similar, less legal role just a decade later.\textsuperscript{110}

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In October of 1865, an alarmed Wendell Phillips spoke on "The South Victorious," claiming that war had changed little, and the South was re-emerging with "the same theories, with the same men to work them, and the same element to work them with...." A glance around in December would cause one to ponder the extent of the South's defeat. By that time, as most white Carolinians saw it, their task was nearly complete. The state had complied with all federal requirements, a new government had been established, new regulations and structures had been developed to insure white dominance and security, and the state was preparing for readmission. Carolina whites were well on their way to regaining total control of their society.\textsuperscript{111}

The Congress that convened for the first time in late 1865 faced a dilemma. Should it go along with Johnson, reunion, and reconstruction southern-style, or should it scrap nine-months of work - and quite possibly its relations with the South and the President - and start from scratch?\textsuperscript{112} So Congress glanced around in December and assessed the extent of the South's defeat - its submissiveness, its willingness to change, its repentant
behavior - and the decision came easily. Along with other southern states, South Carolina's representatives to the august body in Washington found a cool welcome waiting, as Congress exercised its prerogative and refused to seat the congressmen from the southern states. Although only a moderate rebuke, South Carolina, in its typical paranoid way, felt betrayal and outrage. The Palmetto State's vehement reaction to the rejection by Congress caused traveller-journalist Whitelaw Reid to reflect back on secession. The great mistake of 1860, he believed, was that the North had not taken South Carolina seriously. At the end of 1865 Reid warned the North to be careful, for a "majority" of southerners saw Congress' action "as a studied, brutal insult to a beaten and helpless enemy." Reid was right, and North would soon see just how beaten and helpless the state of South Carolina was.


5. "Pam" to Benjamin C. Yancey, July 24, 1865, Benjamin C. Yancey Papers, Box 4, Folder 42, the Southern Historical Collection at the University of North Carolina, Chapel Hill. Hereafter SHC, UHC.

6. Emma LeConte Diary, May 17, SHC, UNC.


10. Sumter Watchman, September 27, 1865.


14. Perry succeeded Andrew McGrath, the last wartime governor, who was arrested by military authorities in May for illegally exercising his powers of office. John Robert Kirkland, "Federal Troops in the South Atlantic States during Reconstruction: 1865-1877," (unpublished Ph.D. dissertation, University of North Carolina at Chapel Hill, 1968), 34; "Address to Young Men's Democratic Club of New York City, Summer 1868, Ellison Keitt Clips, South Caroliniana Library, Manuscripts Division, the University of South Carolina (hereafter SCL-MD); Carter, *When the War was Over*, 25-27, 31-55; Coulter, *The South during Reconstruction*, 33.


17. Brevet Major General A. A. Ames to Lieutenant Clous, Acting Assistant Adjutant General, April 4, 1866, Record Group 94, Microcopy 619, Reel 512, National Archives (hereafter RG, MC, Reel, NA). Ames' district was under the larger administrative unit under Q.A. Gillmore, the Department of South Carolina. This, in turn, was a subdivision of the Division of the Atlantic, commanded by George Gordon Heade.

18. Q.A. Gillmore, Headquarters, Department of South Carolina, Hilton Head, South Carolina to Brigadier General L. Thomas, Adjutant General, August 1, 1865, RG 94, MC 619, Reel 415, NA; Perman, *Reunion without Compromise*, 132.


20. "Father" to Frederick Jackson, June 24, 1865, Frederick Jackson Papers, SCL-MD.

22. Wade Hampton to the Honorable James Gibbes, August 20, 1865, Hampton Family Papers, Box 5, SCL-MD.

23. James A. De Caradeuc Diary, page 17, De Caradeuc Family Papers, Box 2, Folder 13, SHC, UNC.


26. John Lyon to A.B. Springs, September 22, 1865, Springs Family Papers, Box 8, Folder 148, SHC, UNC.


29. Brevet Major General A.A. Ames to Lt. Clous, Acting Assistant Adjutant General, April 4, 1866, RG 94, MC 619, Reel 512, NA.

30. Orr was the first governor ever chosen directly by popular vote in South Carolina; previous to Reconstruction and the new constitution, the General Assembly selected the state executive. Ibid.; Edgefield *Advertiser*, October 25, 1865; Moore, ed., *The Juhl Letters*, 51-52; Leemhuis, *James L. Orr*, 102; Carter, *When the War Was Over*, 94-95.

31. N.L. Springs to A.B. Springs, November 2, 1865, Springs Family Papers, Box 9, Folder 149, SHC, UNC.

32. James A. De Caradeuc Diary, page 20, De Caradeuc Family Papers, Box 2, Folder 13, SHC, UNC.
33. Edgefield Advertiser, December 8, 1865.


37. C.G. Memminger to President Andrew Johnson, September 4, 1865, C.G. Memminger Papers, Folder 5, SHC, UNC.

38. Schurz, The Condition of the South, 32-35, 48; Andrews, The South Since the War, 398; Edgefield Advertiser, November 8, 1865. As Joel Williamson has written, "A central theme of native white thought was that Negroes should be subordinated to whites... Emancipation hardly altered this attitude," Williamson, After Slavery, 240.

39. Edmund Rhett to Armistead Burt, October 14, 1865, Armistead Burt Papers, Box 3, SCLRR, Duke.


41. Williamson, After Slavery, 75-78.

42. General Assembly, Reports and Resolutions of the General Assembly of the State of South Carolina passed at the Annual Session of 1865 (Columbia, S.C.: J.A. Shelby, 1865) bound in Reports and Resolutions, 1864-1865, SCL-BD. Copies of the code also appear in the Edgefield Advertiser, December 20, 1865 and January 3, 1866; and Simkins and Woody, South Carolina during Reconstruction, 48-50.

43. Ibid.

44. Ibid.

45. Meats and Arnold, eds., The Writings of Benjamin Franklin Perry, volume I, 415.


49. James Hemphill to ?, December 1, 1865, Hemphill Family Papers, Box 4, SCLRR, Duke.


56. General Quincy A. Gillmore to Major General Carl Schurz, July 27, 1865, in Schurz, *Condition of the South*, 47.


59. Wade Hampton III to President Andrew Johnson, Broadside, on "A True Policy for the Restoration of the South," August 25, 1866, Hampton Family Papers, SCL-MD.

60. Eliza (Borden) Fludd to "Friend," October 24, 1865, Eliza (Borden) Fludd Papers, SCLRR, Duke.


62. The dream of "forty acres and a mule" had a sad ending in South Carolina, leaving freedpeople bitter and - in the face of white ownership - nearly helpless. For a discussion of the events surrounding the retraction of federal promises and the returning of white lands see McFeely, *Yankee Stepfather*, 87-108, 112-114, 127, 130-143; Abbott, *The Freedmen's Bureau*, 54-58; Mary Ames, *From a New England Women's Diary in Dixie in 1865* (n.p.: 1908; reprint New York: Negro Universities Press, 1969), 96-101, 122; Andrews, *The South Since the War*, 212-213; Williamson, *After Slavery*, 79-84. Willie Lee Rose delivers an excellent discussion of the transition from slavery to freedom on the Sea Islands in Rehearsal for Reconstruction: The Port Royal Experiment (Indianapolis: Bobbs-Merrill, 1964). But as James Roark points out, her study is not really a rehearsal for reconstruction. The Port Royal area was unique: the transition took place without presence of the exmasters, and blacks had an extended period to become accustomed to independent farming. I agree, and suggest that, in particular, the newly developing system of labor and the relationships between the former masters and the freedpeople played critical roles in the course of Reconstruction, and cannot be examined through the Port Royal experiment, James L. Roark, *Masters without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W.W. Norton and Company, 1977), 112. Years later Frederick Douglass said that "some of the evils which we now suffer would have been


64. Foner, Reconstruction: America's Unfinished Revolution, 157-170.

65. For examples of contracts see Boykin Family Papers, Box 2, Folders 26 and 27, SHC, UNC; Elias Horry Deas Papers, Folders 2 and 3, SCL-MD; Springs Family Papers, Box 9, Folder 152, SHC, UNC; Allan Macfarlan Papers, SCLRR, Duke; Edward Stoeber Papers, Folder 4, SCL-MD; George Wise Papers, folder marked "1866," SCL-MD; H.A. Johnson to "Samuel," July 14, 1865, H.A. Johnson Letters, SHC, UNC.


68. Captain O.S.B. Wall, Sub-Assistant Commissioner, Bureau of Refugees, Freedmen and Abandoned Lands, to Major O.D. Kinsman, Assistant Adjutant General, October 14, 1865, RG 94, MC 619, Reel 505, NA.

69. Andrews, The South Since the War, 207.


71. H. M. Henry, Police Control of the Slave in South Carolina (n.p., n.d.; reprint New York: Negro Universities Press, 1968), 28-52; Ira Berlin, in Slaves without Masters, claimed that after emancipation, "whites almost instinctively applied the lessons of the past." The point, although accurate, is not completely precise. White reactions after emancipation were not instinctive but based on experience and calculation. Ira Berlin, Slaves without Masters: The Free Negro in the Antebellum South (new York:
Pantheon Books, 1947), 382-384. Joel Williamson agrees with the continuity of reaction: "Physical force ... was, traditionally, the ultimate means of controlling the Negro. Such was the case in slavery, and it did not cease to be so afterward." Williamson, After Slavery, 256. This can be carried through the entire Reconstruction period to include the Ku Klux Klan and the later Rifle Clubs as well.


73. Andrews The South Since the War, 208, 220.


75. Many interesting reports, including those of Pease, are in John Williams, Assistant Adjutant General, Bureau of Refugees, Freedmen and Abandoned Lands, to Brigadier General C.H. Howard, Chief of Staff, December 4, 1865, RG 94, MC 619, Reel 505, NA.

76. Ibid.

77. Major General (Brevet) Rufus Saxton to Commissioner O.O. Howard, December 19, 1865, RG 105, MC 752, Reel 24, NA.

78. Saxton to Howard, January 15, 1866, RG 105, MC 752, Reel 24, NA.

79. F.M. Montell to O.D. Kinsman, Assistant Adjutant General, January ?, 1866, RG 94, MC 619, Reel 505, NA.

80. David Hundley, Social Relations in Our Southern States (New York: Henry B. Price, Publisher, 1860), 220-211.

81. William Whiting, War Powers under the Constitution of the United States (Boston: Lee and Shepard, Publishers, 1871), 230-231. According to Caluade Hunter, violence in whatever form - and whoever the perpetrator - had single goal: "the restoration of the 'old harmony' which had characterized race relations under slavery.... blacks regardless of emancipation, must remember subordination in all facets of life, now more than ever...." Claude Hunter Nolen, "Aftermath of Slavery: Southern Attitudes Toward Negroes, 1865 -1900" (unpublished Ph.D. dissertation, The University of Texas, 1963), 71. Another aspect which
combined with the desire to enforce racial boundaries was the post-war restlessness that followed after the thrill of military campaigning. Returning home to quiet, little towns, angry, beaten veterans quickly found life boring. Unlike much war literature, Civil War studies often ignore this theme when dealing with the post-war period. The few that touch upon the topic include Trelease, *White Terror*, xlii, 3; and Joan Cashin, "An 'Unbroken Stallion' Comes Home from the Civil War," in *Manuscripta* 44 (Fall 1992), 307-314.

82. Schurz, *The Condition of the South*, 18; Kirkland, "Federal Troops in the South Atlantic States," 34.

83. Brown's band was so notorious that Governor James Orr, who succeeded Provisional Governor B.F. Perry, offered a $300.00 reward for every member of Brown's gang captured. DeForest, *A Union Officer in the Reconstruction*, 14-21.


89. Wade Hampton broadside on "A True Policy for the Restoration of the South," to President Andrew Johnson, August 25, 1866, Hampton Family Papers, SCL-MD.


94. "Pam" to Benjamin C. Yancey, July 24, 1865, Benjamin C. Yancey Papers, Box 4, Folder 42, SHC, UNC.
85. James Achille De Caradeuc Diary, page 18, De Caradeuc Family Papers, Box 2, Folder 13, SHC, UNC.

86. John W. Rutledge to "Colonel," July 9, 1865, Benjamin Franklin Perry Papers, Box 1, Folder 10, SHC, UNC; Meats and Arnold, eds., The Writings of Benjamin Franklin Perry, volume I, 188-247 passim.


88. Edgefield Advertiser, September 12, 1865.


91. James Achille De Caradeuc Diary, pages 18-19, De Caradeuc Family Papers, Box 2, Folder 13, SHC, UNC.


93. The Nation, November 23, 1865, quoted in Carter, When the War Was Over, 193-194.

94. Ibid., 199.

95. The uprising in Jamaica was not related to the stresses of emancipation, as slavery had ended there in the 1830s. This mattered little to the southern press, which capitalized on the story and exaggerated greatly the destruction done and the scope of the insurrection. For example, see the Edgefield Advertiser, November 29, 1865; Carter, When the War Was Over, 200-201. For the 'scare' itself see Dan T. Carter, "The Anatomy of Fear: The Christmas Day Insurrection Scare of 1865," in Journal of Southern History 42 (August 1976), 345-364.

96. Hundley, Social Relations in Our Southern States, 359-362.

97. Cadawaller Jones to A.B. Springs, December 6, 1865, Springs Family Papers, Box 9, Folder 150, SHC, UNC; Williamson, After Slavery, 251.
108. South Carolina General Assembly, Reports and
Resolutions of the General Assembly of the State of South
Carolina, Session of 1864-1865 (Columbia, S.C.: Julian A.
Shelby, Printer to the State, 1866), SCL-BD.

109. Heats and Arnold, eds., The Writings of Benjamin
Franklin Perry, volume I, 241-242.

110. Edgefield Advertiser, November 15, December 8, 1865.
For the constitution of one such militia unit, and a list of
45 members, see the Iredell Jones Papers, Folder 29, SCL-MD;
Edgefield Advertiser, January 10, 1866.

111. James M. McPherson, The Struggle for Equality:
Abolitionists and the Negro in the Civil War and
Reconstruction (Princeton: Princeton University Press,
1964), 335.

in Restoring the Union, 1865-1877 (Philadelphia: J.B.
Lippincott Company, 1975), 16-18. As Eric McKitrick has
argued, one cannot speak of "radicals" yet, for Congress had
not been in session, and no real ideology, plan, or policy
existed to compete with Johnson's, McKitrick, Andrew Johnson
and Reconstruction, 55-64. For another view, see Henry
Thompson's pro-South Carolina argument that the refusal to
seat the representatives was all part of plot to overthrow
Johnson; the reaction to the codes was merely an excuse to
act against the President's program, Henry T. Thompson,
Ousting the Carpetbagger from South Carolina (R.L. Bryan
Company, 1926; reprint New York: Negro Universities Press,

113. Whitelaw Reid, After the War: A Tour of the Southern
States, 1865-1868 (Cincinnati: Moore, Wilstach and Baldwin,
445.
CHAPTER II

THE BATTLE IS JOINED - AGAIN

Our people have not yet learned the lessons taught by adversity, & cannot see the hopelessness of maintaining a struggle in which a faded gentility has to do battle.... They can only impose ideas and sentiments resting on the past.

- Louise Porcher to Armistead Burt, December 11, 1866

The refusal of the Thirty-ninth Congress to seat the southern representatives - and the subsequent creation of the Joint Committee on Reconstruction - opened a new phase in the struggle over the future of the South. Many northerners saw President Johnson's support for rapid restoration as precluding any real change in the region. Reports of violence against blacks and Unionists, the passage of black codes, and the preponderance of former confederates among the southern congressmen caused many to ponder what four years of bloodshed had achieved. But the President favored speedy readmission and minimal federal interference, and by accepting southern self-rule seemed
determined to let slip the opportunity to reshape southern society. Radical Republicans in Congress, aided by the growing concern of moderate Republicans, military officers, and northern citizens, embarked on a program in 1866 designed to supplant Johnson's policy and wrest control of the South from recalcitrant rebels. Only by taking control back from conservatives could the North protect the newly freed slaves and its own hold on national power.

As the North looked on, white Carolinians grew more defiant and nostalgic rather than less. The defeated South seemed more vocal and combative that ever before. General Rufus Saxton of the Freedmen's Bureau told the Joint Committee on Reconstruction that "nine-tenths of the [white] people of South Carolina are opposed to the government, and look to their connexion [sic] with it as the greatest calamity which could befall" their state. "There is no real reformation" Saxton continued, for "in their own words, they are overpowered, not conquered, and that they regard their treason as a virtue, and loyalty as dishonorable." Such sentiment came across loud and clear at an auction in Marlboro District, when the auctioneer, O.D. Prentiss, offered to sell the "damned Yankee Government, which will be sold low, for they are all bound for hell any hour and I will be damned if I don't wipe my ass with the Star Spangled Banner." He told the crowd that he "would like to have a Poignard in my right hand and a
torch in my other so I could slay all of the God damned sons of Bitches Yankees with my right and burn with my left hand."³

Indeed, symbols of the United States were particularly odious, and met with unadulterated scorn. General Sickles claimed he had never seen "the American flag raised by a Carolinian. If it floated over a dwelling, or a hotel, or a shop, the population would avoid the place as they would shun a pest-house filled with lepers."⁴ Confirmation came from the Bureau's agent at Greenville Court House, Major A.C. Niles. He reported that on July 2nd the District held a huge celebration, complete with speeches, bands, and processions "in honor of the Confederate dead, but on the 4th they seemed to take extra pains to remain at their homes."⁵ Bureau agent William Leighton, also stationed at Greenville, claimed the whites were "daily growing more bitter against the Government ... they boast of laurels now, and are ready to contest with the General Government as to their States Rights."⁶

The most fundamental of these "State Rights" was the right to regulate one's own society, especially with respect to the black population. The attitude of South Carolina whites toward the freedpeople displayed little attention to the spirit of emancipation or Union victory. Moderate Julius Fleming was not alone in his belief that blacks could only be manual laborers. Fleming targetted both southern
and northern readers when he defended slavery as a "tractable, easily managed and profitable" system, and argued that although "Congress had made him a citizen, he is no less destined to be a laborer." Like many Carolinians, Fleming was convinced that only southerners could - and should - manage the freedmen. "Emancipation has been too sudden for their own good and for ours," he argued, and peace and productivity will return only when all parties - black and white - realize that blacks' "best friends are to be found not among those who hail from a colder clime, but from those who were born on the same old plantations, long, long ago."7

State leaders argued that federal intervention of any sort was detrimental to economics and society, especially when blacks were concerned. During slavery, Wade Hampton explained to President Johnson, blacks were "happy, honest and industrious." "While he was ours we did all in our power to ameliorate his condition," but now, "withdrawn from our care ... we are perfectly aware what his fate will be....[emphasis original]" "Northern interference," declared Hampton, "has already entailed certain extermination of the race, and a continuation of that interference will but hasten the fulfillment of his doom."8

The central assumption of Carolina whites was, in the words of an officer in Edgefield, the belief that "the stronger race has a natural right to oppress the weaker, to
take advantage of his ignorance, and keep them in mental if not physical subjection." This "natural" justification found expression in a letter by ex-governor Benjamin F. Perry to the Charleston Daily Courier. He argued that "God created him inferior to the white man in form, color, and intellect, and no legislation or culture can make him his equal.... It is vain to think of elevating him to the dignity of the white man. God has created a difference between the two races, and nothing can make him equal." Because of these views, Rufus Saxton told the Joint Committee, "it will be the purpose of the former masters to reduce them to as near to a condition of slaves as it will be possible to do." General Robert K. Scott, Saxton's replacement as Assistant Commissioner of the South Carolina Freedmen's Bureau, agreed. He believed that "nothing short of Slavery in some form will satisfy a people whose want of a knowledge of human character is only equalled by their folly."

The most obvious component of slavery was the economic one, and it was in the economic sphere that whites most easily reasserted their control. The Freedmen's Bureau tried to guarantee blacks' economic rights through the contract system—be it for shares or wages—but it never functioned as intended. By 1866 planters had become proficient at writing contracts that "give the land owners as absolute control over the freedmen as though he was his..."
slave." So many contracts were made by planters "with the sole view to their interests" that General Scott issued a standard contract for employers to follow. But the understaffed Bureau could not provide constant supervision, and planters continued to issue their own. Julius Fleming commented on the drawbacks of the "shares" system, as blacks, contracting for a "share" of the crop after harvest, were forced to borrow to survive until then. After harvest, the planters added up all the advances, and often "the employee finds that he has actually worked himself into debt." After the harvest many planters also drove off laborers without compensation, knowing that in order to survive - or at least to avoid vagrancy charges - blacks would be forced to contract again at planting time. As Scott informed Howard, "now that the crops are made, some of the planters are driving their laborers off the plantations, without regard to the obligations of the contract ... these instances are becoming more numerous daily...." So too were incidents of violence, and by the summer of 1868 Scott was bombarding Howard with reports of whippings, shootings, stabbings, and outright murders.

As Congress and the North came to see, blacks had little hope for redress under the Johnson policy that returned conservative whites to power. In many districts, civil courts were yet to be organized, and local magistrates could never be found. The chief guarantor of black rights,
the Freedmen's Bureau, was too understaffed to counter white efforts to dominate the freedpeople. Bureau officer John William DeForest received numerous complaints from freedmen, usually concerning the retention of wages or an unfair division of crops, but he frequently advised plaintiffs to drop the matter. His reasoning was simple; he had no real power to address the issue since he had no troops at his post, could not summon troops, and had to let the civil courts (they were open in his district) handle the case anyway. General Scott discovered one case of federal officers acting in cahoots with planters, who paid them a fee to cajole blacks into signing unfair contracts. Realizing that whites were winning the battle for control of South Carolina, Scott lamented that "the Bureau, in its emasculated present condition, has no power" to secure justice.

The organizational structure of the military created jurisdictional disputes which hampered law enforcement as well. In May, 1868 South Carolina and North Carolina were placed under Major General Sickles' command as the Department of the Carolinas. In August the War Department changed the designation to the Department of the South, but the territory remained the same. Generals Thomas H. Ruger and Robert K. Scott were commanding generals in the respective states. They also, however, functioned as Assistant Commissioners for the Freedmen's Bureau in their
states, and reported directly to Commissioner O.O. Howard (Scott had replaced Rufus Saxton on January 20, 1866).20

The dual position did not create a unity of effort or concentration of forces. Scott, reflecting on his position as military commander, complained that "I soon found that my command was only nominal; the Dept. Commander reserved to himself the right to order the movements of troops ... and Post Commanders ... received their orders from the Dept. Commander." The Department Commander, General Sickles, refused to allow Scott full control over the forces in South Carolina, and law enforcement suffered accordingly. Ambivalence toward the Bureau and its duties continued down the ranks; Scott informed Commissioner Howard that "officers in command of troops manifest an aversion to the Bureau, and do not seem disposed to carry out its provisions.... The freedpeople in many localities fear the troops as much as they do their former owners." Scott claimed blacks travelled 100 or 150 miles to see him, "having no confidence in the officers commanding troops stationed near them."21

Federal authorities were no better at combatting the organized bands that continued to terrorize rural portions of the state. Carolinians had planned for the black codes to eliminate the need for extralegal measures to control the black population. In early 1866 General Daniel Sickles declared the state's codes "null and void," and a neutral stance by President Johnson allowed the officer's objections
Carolinians would not capitulate so easily, and communities turned to localized, extralegal action to enforce white regulations. The Post Commander at Greenville Court House reported that "Beat companies (so-called) are organized to go about whipping and driving back freedmen found employed away from their former owners." In February the Bureau agent for Newberry and Laurens Districts told of "bands of armed men whose avowed purpose is to prevent the Freedmen from hiring themselves to any one but their former owners ... and through fear to keep him in a condition worse than slavery." The officer had infantry at his disposal, but the mounted "desperadoes ... bid defiance to the garrisons who have to pursue them on foot." 

This report came from one of the worst areas of the state, the region the military referred to as the "Western District," comprising the districts of Abbeville, Laurens, Newberry, Edgefield and Barnwell. Here whites were especially disdainful of northern activity and violently opposed to any outside interference in their economic or social affair. In the spring of 1866, Brevet Major General Adelbert Ames informed Lieutenant J. W. Clous, the Acting Assistant Adjutant General, that at least "five of my men have been killed, a number wounded, and many fired upon" in the area since the beginning of year. Civil authorities made no effort to punish the criminals or even investigate
the outrages, and "guerrillas and outlaws receive the kindest attention from the residents." Ames had understated the situation when he stated that "the time has not yet arrived when a northern man can live in the western part of this State in security." In Edgefield, one "Major Coleman," even carried trophies of his kills; H. W. Smith, the Assistant Adjutant General, saw the envelope with freedmens' ears that Coleman carried in his belt.

Lieutenant Colonel John Devereux, the Acting Assistant Commissioner for Edgefield and Abbeville Districts, sampled white defiance firsthand. Returning from Augusta, Georgia, one afternoon, he was set upon by a band of armed men, and robbed of his pocketbook, his watch, his horse, and even his boots. Luckily he had been wearing his U.S. Army uniform, and no southerner would have wanted that.

Reports of organizations enforcing labor restrictions prompted an investigation by the "Military District of Western South Carolina." A formal "Board of Investigation," consisting of Captain Henry Shorey for the Army and Second Lieutenant G.H. Zeigler for the Freedmen's Bureau, began its inquiry in early March 1866. Its findings described the situation in Newberry as "truly alarming." Violence went unpunished, and many blacks were living with the garrison and refusing to go to their plantations because of armed bands. The "Bushwackers," as blacks called them, prohibited freedmen from working for anyone other than their
former owners. One band had raided the Newberry jail and freed two men being held for murdering a black worker. The armed group rode up in broad daylight, demanded the keys from the U.S. soldier guarding the jail, and when he refused, shot him dead. The Board found that "public opinion at the time endorsed the assault." The officers concluded the bands met with general support, and "there can be little doubt that they have been harbored, aided, and assisted in some instances by the property holders in the District."27

The Board found Laurens District more peaceful, although until recently "armed bands of lawless men most certainly did exist." As with other districts, they were tied to "men of property [who] actually paid for outrages." One individual, the notorious Texas Brown, who offered to kill anyone for five dollars, was given a prize stallion by "Colonel Williams" to "enable him to carry out his career of crime." But investigating officers deduced that when the investigation began, local inhabitants decided that "operations cannot now be considered as beneficial to the interests of the District." As a result, "the masses ... have become, within the past few weeks, decidedly opposed to any further acts of lawlessness."28

Here we see for the first time in South Carolina a maneuver typical of people's warfare. Aggression and agitation continue until the point when retaliation is
likely, then fades and waits for more favorable circumstances to return. Carolinians would resort to this tactic many times over the next decade.

Just as whites opposed northern and federal involvement in labor matters, they also resisted any outside ideas on education. The Freedmen's Bureau had been operating schools in South Carolina since late 1862 - on the Sea Islands - and the number of schools and students increased rapidly after the surrender. Since education had been off limits for blacks during the antebellum period, many sought to learn what had been denied them for so long. By June of 1868 Commissioner Howard counted 75 Bureau schools in South Carolina, with 148 teachers and 9,017 students. But an educational system for blacks, in the hands of northerners, was an unacceptable threat to native white control. Conservatives turned to racist "moral" and "genetic" arguments, as well as practical ones that claimed education used up valuable time that blacks could spend working in the fields. But most conservatives opposed black education for the simple reason that it allowed outsiders to influence black minds, and possibly jeopardize future Carolina society.

Of course Freedmen's Bureau officials realized that conservatives opposed the imposition of federal power. In his report to the Secretary of War, Commissioner Howard
cautioned that if "the federal power is withdrawn" then "public opinion and the government of the state [will] prove ineffectual to protect schools from the violence of evil-minded persons." Captain William Leighton would have agreed, as after establishing a new school in March he had been "repeatedly advised by prominent men of the place to break it up." An anonymous Carolinian expressed the same sentiment in a poem. Do not be "distressed," the author stated, for

public schools and Yankee books were now for the oppressed,
and that the time would shortly come, when tyranny like this,
would cease, & the clime would be a land of bliss.

A Carolinian's bliss could only come, according to General Scott, if blacks were "as ignorant as when they were slaves." As with labor, Carolinians did their best to impede the functioning of Bureau schools which were undermining white control. By Scott's November report to Commissioner Howard, the number of schools in the state had declined from 75 to 38, with only 91 teachers and 5,465 students. Difficulties with finances and the availability of teachers had hindered the program, but southern hostility played a major role in its decline. Some schools may have gone the way of the one at Lexington Court House, where gangs of
whites harassed the students and teacher so badly, including shooting into the building while class was in session, that it "caused them to abandon the school." In Edgefield only a single school remained by October, and that became the focus of white attention. After weeks of intimidation, the teacher finally fled under threats of death. That same month, in Barnwell, an armed mob appeared at a teacher's house and promised him "instant death" if he stayed in the district; he did not.

It was the intransigence of southern whites - in particular their violence towards blacks and white Unionists - that forced the hand of Congress in December of 1865. But if the refusal to seat southern representatives and the creation of the Joint Committee on Reconstruction was intended to send a warning to the former confederates, it failed. As we have seen, southerners seemed eager to demonstrate how little they learned from four years of war, and even more eager to rid their region of northern abolitionist influences. Although northern Republicans could control Congress, former rebels - under the protective hand of President Johnson - were once again taking control of their respective states. Republicans in Congress
realized that if they wanted any real change in the South, they would have to make it happen.

By early 1866 the Congress and the military had decided to begin taking a more active role in shaping southern affairs. President Johnson appeared unconcerned with the anti-black violence and the return to power of former confederates, so Republicans and War Department officials sought ways to impose their own restraints upon southern whites. General of the Army Ulysses S. Grant, who had supported Johnson's sympathetic stance in 1865, found himself spearheading the drive to limit southerner's autonomy. Grant had become increasingly concerned over the recalcitrant attitude of former confederates, and increasingly uneasy with Johnson's policy. On January 12, General Grant issued General Orders No. 3, which allowed the military to protect federal officers from civil prosecution for acts done under military authority. More important, the order authorized the army to protect blacks who are "charged with offenses for which whites persons are not prosecuted and punished in the same manner and degree." Following this cue, the commander of the Department of South Carolina, General Daniel E. Sickles issued the order declaring South Carolina's black codes "null and void," opening the way for further confrontations between the military and civil powers in the state.
Congress also had begun work on a legislative package designed to do what southern states would not: protect and provide for the freedpeople. On February 6 Congress passed the Freedmen's Bureau Act, intended to modify the Bureau and extend its life. President Johnson, trying to protect his version of Reconstruction and limit the role of the federal government in southern affairs, vetoed the measure less than two weeks later. In March Johnson vetoed a more significant piece of legislation, the Civil Rights Act. Moderate in nature, the act was designed to nullify the South's black codes and improve the chances for justice by transferring jurisdiction to federal courts if state courts discriminated by race. But Johnson had cast his lot with white self-rule in the South, and could not accept what he saw as a unwarranted and unconstitutional exercises of federal power. The President's vetoes of two necessary, moderate pieces of legislation, and his antagonistic messages that accompanied them, would serve to drive many moderate Republicans into the "radical" camp.

The future of Reconstruction - and possibly the South - hung in the balance as Congress and the President locked horns over southern rights and black rights in the spring and summer. Hoping to force an end to military operations in the South, on April 2, 1866 Johnson declared that "the insurrection which heretofore existed ... is at an end, and is henceforth to be so regarded." The President honestly
believed the nation had to move on, but also sought to undercut the legitimacy Congress would need to pursue a course opposed to his own. That course soon took shape, as Congress overrode the Civil Rights Act veto only days later, and then proceeded to override another veto - this one for a revised Freedmen's Bill - in July. Congress also produced the one weapon beyond presidential control - the amendment. By June Congress had passed the so-called Howard Amendment, and forwarded it to the states for ratification. If ratified, the Fourteenth Amendment would alter the course of Reconstruction, and perhaps the nature of the federal system itself.

The activity in the nation's capital threatened the delicate power structure that Carolinians had erected. Following the President's proclamation, General Sickles, commanding the Department of South Carolina, asked General of the Army Grant if the Bureau Courts were now abolished. Much to Carolinians' chagrin, Grant issued a Circular to his commanders stating that Bureau Courts were unaffected by the Proclamation. He declared that although part of the War Department, they were created by congressional legislation, and so were exempt. When Congress passed the Civil Rights Act over Johnson's veto, Grant issued General Orders No. 26, which reaffirmed the right of military authorities to arrest and confine criminals when the civil powers were unable - or unwilling - to do so.
State conservatives were duly concerned over the impact that the Civil Rights Act would have on their state. To avoid the transfer of cases to federal courts, states had to insure that their laws did not discriminate on the basis of race - meaning an official end to the black codes. Julius Fleming, writing as "Juhl" to the Charleston Courier, called the act "most fatal to liberty and certainly most damaging to our great unrepresented southern domain." Governor James L. Orr, under the stern gaze of General Sickles in Charleston, hardly knew where to begin. The passage of the Civil Rights Act left him bewildered, and he finally wrote to Jonathan Worth, the Governor of North Carolina, to ask for a copy of that state's law code.

For whites, the gains of the previous year were in jeopardy, and control was again slipping from their grasp. Planter A.C. Garlington blamed Perry and Johnson for the sudden turn in the state's fortunes, as they did "not properly estimate the strength of the opposition." Writing to A.B. Springs in the General Assembly, he asked, "Can you, from the light before you, gather any comfort or consolation as to the future? I candidly say to you that I cannot." Having just returned from a service for confederate dead in March, H.L. Brinkley mourned that the state, "should have failed at last - and now [lays] powerless in the hands of a set of unprincipled bad men whose sole aim is how much they can oppress and degrade us...." To David Milling,
writing to his son James in Louisiana, South Carolina's "political horizon seems cloudy, and not much appearance of a clear atmosphere while the Radicals have the control." Milling believed Congress was intent on "hellish and evil designs" and even the veto was "of no force, as they carry every measure they desire over [Johnson's] head."17

Carolinians discovered that federal activity did not necessarily translate into federal control. Despite the passage of the Civil Rights Act, conservatives still retained a firm hold on their society through weaknesses in the law itself. Although the act provided blacks equal access to the judicial system, it functioned more like a carrot than a stick, for if states removed discriminatory measures from their books legal proceedings would not be transferred from state to federal courts. Once South Carolina altered its judicial codes and removed all racial references - following the nullification of the black codes - the act was of limited value.

Too a large extent state whites retained control over legal affairs in South Carolina. President Johnson continued to champion home rule, and his peace proclamation of April 1866 authorized the civil authorities to assume responsibility for law enforcement and the execution of justice. But alongside the civil courts were the Provost Courts of the War Department, which maintained their jurisdiction over cases involving blacks until the
Department Commander decided civil courts were acting fairly (the Freedmen's Bureau courts were small in number and smaller in authority, and after the President's proclamation ceased to be of import).

This parallel judicial structure, however, failed to create an objective avenue of redress for freedpeople. Provost Courts were intended to be aloof from southern prejudices, and their three-man panels would always hold at least one U.S. Army officer to insure this. But the courts convened irregularly and infrequently, and, according to one army captain, "when it comes time to testify, through fear, he [the freedman] is very liable to contradict former statements." Even if victims testified - and few would - whites always had an alibi or a solid character witness. As the officer observed, "it is almost impossible to find a white man here who will testify to the good character of any negro, or to the bad character of any white man."48

In some cases Carolinians seemed to have subverted the Provost Courts themselves. In July, for instance, General Robert K. Scott of the Freedmen's Bureau received a complaint from some freedmen claiming that the court for their region was hostile to blacks. They explained that the court consisted of two local whites without an army officer. The letter also criticized a court order requiring payment in advance for filing complaints. This, the authors declared, "shuts the door effectively against the freedmen."
The Court even ignored the Civil Rights Act, and announced that it had received "no official notice to be regulated by it," so would not follow its provisions. As a final indictment, the authors stated that the freedpeople of the district believed "that under Slavery their interests were safer than at present, and they can see no benefit they have gained or the government bestowed in allowing firearms to be substituted for the lash." 

South Carolina whites expanded their control even further after President Johnson issued his second peace proclamation in August of 1866. The President, continuing to push for southern self-rule, opened the way for the removal of the military by declaring that the insurrection had ended in all states of the former confederacy (his April proclamation had excluded Texas). Even General Grant admitted that the proclamation nullified his earlier orders on the army's role in judicial affairs. In South Carolina, General Orders No. 15 took effect on October 1, 1866, officially discontinuing the Provost Courts in the state, handing all responsibility for justice over to the civil authorities. With state courts and police now firmly in native white hands, white Carolinians had their best opportunity thusfar to regulate their society without federal meddling.

Whites immediately took advantage of the transferral of jurisdiction to the civil power. Across the state, many
local boys were behind bars for one reason or another - often held under the previous War Department orders. The return to the civil power brought rapid "justice" for whites, a confounded General Scott wrote to Howard. In some districts, he stated, nearly all detainees escaped punishment, "either by failure of the Grand Jury to find a bill against them, or if tried they were acquitted...." Justice was swift indeed for the men held by Major Eugene Carter of the 18th U.S. Infantry. On October 12th Carter handed the jail at Chester over to the civil constable; on October 16th Carter, reduced to a frustrated bystander, learned that six of the seven had escaped. In Carter's opinion, "the Sheriff and his deputies are responsible for this outbreak ... [as] no effort was made to keep the prisoners safely."

With local whites now in control of law enforcement, even less effort was exerted to catch and convict criminals. Federal officers warned superiors that civil authorities either could not control lawlessness, or deliberately refused to do so. George W. Gile, the Bureau agent for the Districts of Sumter, Darlington, and Chesterfield, was "not convinced that the interest of the freedmen would be safe in the hands of the civil authorities" after the army was removed. Unfortunately, his prediction was not far wrong. Brevet Brigadier General Benjamin Runkle informed General Scott that "armed men roam through the country shooting and
assaulting blacks, and no effort is made by the civil authorities to check them." The exasperated Runkle pointed out that "the less a constable or sheriff does, the more popular he is, so few do anything." 6b

With the state carefully circumventing the Civil Rights Act, federal officers and blacks had considerable misgivings about relying on the state courts. Serious problems existed, including simply securing information from the victim, either for arrest or as testimony in court. One officer said freedmen "dare not tell, even if they knew of these men, for if they did, the moment the troops were withdrawn they would be beaten or probably killed." The Bureau agent also complained about the necessity of a bond for prosecution costs up front, for "without the security the Magistrates dismiss, or take no notice of complaints." 6e An extreme case was Judge Bacon, who simply refused to organize the court for his district, citing qualms about jurisdiction. The Army officer on the scene, Lieutenant Colonel John Devereux, felt helpless, because "there is actually no means of obtaining justice and redress of wrongs in this part of South Carolina." 67

Even functioning courts were no guarantee of justice, and in fact only served to prove how eager whites were to subjugate the black population. Julius Fleming, now a magistrate, wrote directly to General Scott to complain about the Honorable A.P. Aldrich and his District Court. In
several cases involving whites killing blacks, even when "the fact of the killing in each case was admitted," Aldrich’s charges to the juries were "plain instructions to acquit." While Fleming abhorred Aldrich’s actions, he admitted they probably did not alter the verdict, for juries were "composed chiefly of planters - the very class with whom the freedmen have their principal difficulties. Can such juries be expected to act without bias...?" Fleming told Scott that "if the negroes are left in their present condition, then emancipation is a mockery and freedom a farce." "Of course," Fleming added, "there are exceptions, but as a race their condition is worse than Slavery itself."

With the courts effectively closed, blacks, Unionists, and federal officers hoped against hope that the military might yet come to the rescue. Despite Johnson’s peace proclamations, soldiers remained in South Carolina and the departmental commands still existed. But military options had always been limited, even when the South was under martial law. Commanders had been forced to resort to imaginative methods of coercion, such as General Daniel Sickles’ threat to remove all the blacks from Edgefield at
white expense unless violence stopped. In most cases, however, the army had to trust that its presence would intimidate and protect, which meant that troops were needed badly. This was clear to Colonel B.F. Foust in Orangeburg, who confessed that it was impossible "to exercise any influence on the behalf of the freedmen" without troops. If he did not receive detachment, the officer suggested "the office of the Bureau had better be closed." Captain George Pinger in Marion also requested more troops, and informed General Scott that he would resign his commission if they did not arrive, for his job was impossible without them. Captain Samuel Place, the Bureau's sub-assistant commissioner for Kershaw and Lancaster Districts, described an all-too-familiar scene: "Since the removal of the Troops, crime and disorder has constantly increased, and if not checked soon will lead to serious results."

On the first of September departmental commander General Sickles finally acted. Carolina whites had made great strides in reshaping their society according to their old standards, and Sickles attempted to at least cut into the rampant lawlessness that prevailed throughout much of the state. Since civil authorities were inactive, the commander issued General Orders No. 7, declaring illegal all "organizations of white or colored persons bearing arms ... not belonging to the military or naval forces of the United States...." Sickles singled out the "Regulators," mounted
bands that were especially well armed and organized, and pledged they "will be deemed and treated as guerrillas ... and when captured, will be summarily punished...."\textsuperscript{85}

Without the support of Johnson or radical measures from Congress, the army was in no position to challenge whites for control of South Carolina. Army units were small and isolated, scattered across hundreds of miles in unfamiliar territory very familiar to the persons they sought to impress. The mobile nature of their opposition, and the severe limitations arising from operating during peacetime, further hindered efforts at punishing or preventing aggression. In addition, their small numbers and numerous posts created a transient policy that encouraged whites but provided little comfort to blacks. One officer, commenting on the drawbacks of operating among a citizenry sympathetic to the enemy, complained that "No matter how secretly troops are sent or how much caution [is used] ... the criminals escape and elude detection through information which they must receive from the white citizens of the District."\textsuperscript{86} Bureau officer Benjamin Runkle recognized that information leakage was a problem. Runkle was suspicious of the Postmaster of Aiken, George Keaoh, and warned General Scott that it was "unsafe to trust the official correspondence of the office to his care" as evidence implied that Keaoh had been informing local leaders of all doings within the military department.\textsuperscript{87}
Five hundred miles to the North, the President and Congress had also been paying close attention to the affairs of South Carolina and the other southern states. Although Johnson did all he could to protect his Reconstruction plan and return the South to civil rule, it remained clear that Congress and many military commanders favored a more vigorous federal presence in the South. So Johnson also sought to safeguard his policies in another way: through a new political movement designed to secure Johnson control of Congress, and thus Reconstruction, in the 1866 elections. Through the "National Union" movement, the President hoped to unite moderates in the North and the South behind his programs. A victory by this coalition in the 1866 would mean success for Johnson and the southern conservatives.

From its outset the plan suffered from crippling problems, including poor management, the presence of too many extremists (who scared off many moderates), and the ever-antagonistic Johnson himself. Timing was also a factor; the National Union convention in Philadelphia opened on the heels of the New Orleans riot of July 30th, in which white policemen had attacked the constitutional convention and killed 34 blacks, 3 white Republicans, and injured more than 100. News of violence in the South was common, but such blatant aggression - by official state forces - on the
eve of a convention proclaiming reconciliation sent a pessimistic message.68

Southerners - South Carolinians included - saw the movement as the final step to achieving control of their state. For hopeful conservatives, the opening procession on August 14th, marked by the sickeningly dramatic gesture of James L. Orr of South Carolina and Darius Couch of Massachusetts entering the hall arm-in-arm, symbolized restoration and a return to state's rights and federalism.69 Some, like Henry W. Ravenel, were convinced that the gesture translated into political capital, and would prove the convention "a great success." By its close Ravenel was convinced that "the Radicals are quaking."70 Martin Wilkins shared this view, telling his uncle that "the Radicals are proportionately depressed." Wilkins, however, was less than satisfied with the whole project; he was tired of concessions for "political expediency" and looked for leaders who would come out and "assert the dignity and great argument of a lost cause."71 But the only lost cause was Johnson's, who capped off his pre-election canvass with his "Swing Around the Circle," an embarrassing display in how out-of-touch a President can become.

Johnson was not alone in his anxiety about the upcoming elections, for Congress also looked toward them to vindicate its policy. The congressional alternative to Johnson had emerged as the proposed Fourteenth Amendment. Framers and
supporters saw the amendment as a solution to violence and a guarantee of northern dominance in Congress; change would come in the South, either through a black electorate or by a northern, Republican-controlled Congress.

While the historical debates over the amendment continue, one fact must stand out: as written it was unacceptable to the South. Southerners, who had seceded and fought for the right to regulate their own society, could not accept an amendment framed by a hostile, abolitionist-dominated Congress. Emancipation had come by the sword, and the South had no choice. But the amendment - forged by outsiders in the interests of blacks and outsiders - offered the South a no-win situation. Either blacks gained the franchise or the South lost seats in Congress. 72

"We are on the eve of critical events in the elections which come on this autumn" wrote Henry W. Ravenel of the coming congressional elections. As Ravenel saw it, "the fate of the South (humanely speaking) depends on the result." 73 Indeed, the fate of his state did rest in the balance. To be sure, the election would determine (to a large degree) the makeup of the next Congress, but it would also influence immediate events as a barometer of public sentiment. Did the North really believe, as Harper's Weekly argued, that "the actions of the Conventions and of the legislatures; the elections of the state officers and Representatives and Senators; the black codes; the vagrant
laws; the tone of the press and of private conversation; [and] the testimony before the Committee of Congress" proved that southerners were "hostile to the Government"?74

In the words of Eric Foner the 1866 elections were a "referendum" on the Fourteenth Amendment, and voters would say yea or nay with their ballots.75 What they said was that the Fourteenth Amendment must become law, the South must adopt it, and southerners must begin to show more compassion and humility if they expected to be allowed back into the Union. The sweeping Republican victories vindicated Congress' approach, and repudiated Johnson's, and sent shock waves through the former confederacy.

For South Carolina whites, the elections dealt a serious blow to the drive for autonomy. Both the Amendment itself and the fact that it might be imposed from outside were anathema to whites. When the Fourteenth Amendment first became public, Benjamin Perry wrote to the New York Tribune outlining the limits of southern concessions. He declared the South desired only to govern itself, free from dangerous northern interference. Perry, seeing black suffrage as the culmination of this, wrote, "there is another punishment to be inflicted on the Southern people ... a war of races ... [if] the negro will be invested with all political power, [for] then the antagonism of interests between capital and labor is to work out the final result!" Perry reminded the the papers northern readers that "this
Government has been the white man's government, both Federal and State. It was formed by white men and for white men exclusively." After all, he concluded, "the history of the world shows ... that the negro is inferior to the white man." 78

The Fourteenth Amendment reached directly into the Palmetto State's most private region - control of the black population. While Perry warned of the dangers posed by an "inferior" voting constituency, others feared the social ramifications of the franchise. J.H. Anderson, in a letter to Perry, shared the latter's opinions, believing that black suffrage was "the ne plus ultra of all evils ... alone and of itself utterly intolerable and certainly ruinous." Even worse, Anderson continued, was that "it will certainly bring every other evil in its train. Give the negro political equality and he will legislate social equality." 77

Carolinians refused to tolerate outside interference in this matter, regardless of how limited it might be. For instance, in a November 1868 exchange between Charles Woodward and Benjamin Perry. Discussing the Fourteenth Amendment, Woodward proposed a clause that included "impartial suffrage," based on literacy qualifications, which would disfranchise very few whites and enfranchise only a few blacks. When asked if the South would accept it, Perry answered "I do not think so." 78
While southern honor and southern fears narrowed the chances for the Amendment's acceptance in the South, other factors seemed to seal its fate completely. Michael Perman suggested that acceptance might be construed as weakness, and open the door for further demands -- possibly even universal black suffrage. In addition, try as they might, southerners could get no watertight guarantee of admission if they ratified the Amendment. Topping it all off was President Johnson, who openly advised southern states to reject the Amendment. Johnson had done his best almost since Appomattox to deflect the fanatic Republicans, and Carolinians had no reason to mistrust him now. T.C. Weatherly, a former confederate colonel and now member of South Carolina's General Assembly, visited Washington in December to discuss readmission. Although Republicans assured him that ratification would bring readmission, President Johnson warned Weatherly not to trust any Republican promises. This news, and more advice by the President to reject the amendment, he included in a frantic letter back to his state.

Governor James L. Orr's address to the General Assembly left little doubt that the state legislature would reject the amendment. Orr opened by saying that "history furnishes few examples of a people who have been required to concede more to the will of their conquerors than the people of the South." Inaccurate to the point of being preposterous, his
words nonetheless prepared the way for his recommendation against ratification. Orr called on the legislature to defy the North, and declared that if it does pass, "let it be done by the irresponsible power of numbers, and let us preserve our self-respect, and the respect of our posterity by refusing to be the mean instrument of our shame." Both the Senate and the House rejected it overwhelmingly, the House voting 95 to 1.81

Some historians have implied that without Johnson's intercession, southern states would have ratified the proposal.82 This was highly unlikely, for its provisions addressed ancient issues, including fundamental questions of state's rights, a limited federal government, and a state's control over its races, society, and politics. Such issues had driven secession, and cost millions of dollars and thousands of lives. As Michael Perman has stated, even without Johnson's prompting rejection was probable, for the Amendment was too high a price to pay for readmission.83 James Wright of Laurensville, South Carolina, expressed this sentiment to his cousin Nickels Holmes at the University of Edinburgh: "But there is life in the old land yet. The last one of the late confederate states has rejected, I believe, the odious, disgraceful amendment to the Constitution, preferring to be held as conquered provinces always to accepting such terms." South Carolina and its southern brethren had made their choice, as they had done the
previous December and the December of 1860. Now the choices lay before the new master of those conquered provinces, the Thirty-Ninth Congress of the United States, which had just begun its second session on December 4, 1866.
1. Louise Porcher to Armistead Burt, December 11, 1866, Octavius Theodore Porcher Papers, SCLRR, Duke.


3. Contained in Captain L. Verge to Captain Brent Johnston, Provost Marshal, June 12, 1866, RG 105, MC 752, Reel 35, NA.

4. General Daniel Sickles to Secretary of War Stanton, July 1866, quoted in Sefton, The United States Army and Reconstruction, 92.

5. Major A.C. Niles, Sub-assistant Commissioner, Bureau of Refugees, Freedmen, and Abandoned Lands, to Lieutenant Colonel H. W. Smith, Assistant Adjutant General, July 5, 1866, RG 105, MC 752, Reel 35, NA.

6. Captain William Leighton to Robert K. Scott, Assistant Commissioner, March 5, 1866, RG 105, MC 752, Reel 29, NA.


8. Wade Hampton to President Johnson, "The True Policy for the Restoration of the South," August 25, 1866, Hampton Family Papers, SCL-MD.


10. Charleston Daily Courier, October 1, 1866, quoted in Holt, Black over White, 25.


12. Robert K. Scott to "Doctor," August 16, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

13. Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.


15. Lt. Col. A.P. Caracker to H.W. Smith, Assistant Adjutant General, July 12, 1866, RG 105, MC 752, Reel 36, NA; Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.
16. Scott to Howard, June 20, 1866, RG 105, MC 752, Reel 35, NA.

17. DeForest, A Union Officer in the Reconstruction, 29-30.

18. Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

19. Scott to Howard, June 20, 1866, RG 105, MC 752, Reel 35, NA.


22. McKitrick, Andrew Johnson and Reconstruction, 205-206.


24. Captain A. Coan to Captain J. A. Blank, Acting Assistant Adjutant General, February 10, 1866, RG 94, MC 619, Reel 512, NA.


26. Carter, When the War was Over, 20-21; Burton, In My Father's House are Many Mansions, 289; Lt. Col. John Devereux to Robert K. Scott, March 7, 1866, RG 105, MC 752, Reel 29, NA.


28. Ibid.; DeForest, A Union Officer in the Reconstruction, 15-21; Williamson, After Slavery, 97.


31. Captain William Leighton to Assistant Commissioner Robert K. Scott, March 5, 1866, RG 105, MC 752, Reel 29, NA.

32. No author, no date, in Conway, Black and Davis Families, Folder 20, SCL-MD.

33. Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

34. Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.


36. Burton, In My Father's House are Many Mansions, 251; Brevet Major L. Walker to H.W. Smith, Assistant Adjutant General, October 12, 1866, RG 105, MC 752, Reel 39, NA.


38. Nieman, To Set the Law in Motion, 120; McKitrick, Andrew Johnson and Reconstruction, 204-206.


40. For an overview of the estranged relationship between the executive and the legislature see McKitrick, Andrew Johnson and Reconstruction, 274-325; Foner, Reconstruction: America's Unfinished Revolution, 247-251. The debate continues over the intent and extent of the Fourteenth Amendment. But, as more often than not, the truth lay somewhere in the middle: the Amendment was not wholly 'revolutionary' but it did set new precedents and modify the relationship between the states and the federal government. For a "conservative" view of the measure see Benedict, "Preserving the Constitution," 78. A more radical perception of its powers can be found in Robert J. Kaczorowski, "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War," in American Historical Review 92 (February 1987), 45-68.


45. A.C. Garlington to A.B. Springs, February 17, 1866, Springs Family Papers, Box 9, Folder 152, SHC, UNC.


47. David Hilling to James S. Hilling, August 30, 1866, James S. Hilling Papers, Folder 10, SHC, UNC.

48. Captain A. Evans to Captain J. A. Clark, Acting Assistant Adjutant General, January 27, 1866, George Coffin Taylor Papers, Folder 5, SHC, UNC.

49. Complaint by Jack Burroughs and Benjamin Lawson (Freedmen) to Robert K. Scott, July 19, 1866, RG 105, MC 752, Reel 36, NA.

50. Simpson, Let Us Have Peace, 145.

51. General Orders No. 15, Department of the South, October 15, 1866, RG 105, MC 752, Reel 39, NA.

52. Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS; Scott to Howard, report for December 1866, dated January 23, 1867, RG 105, MC 752, Reel 44, NA.


55. Brevet Brigadier General Benjamin Runkle to Robert K. Scott, no date, in Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.
56. Major Stowe to Robert K. Scott, in Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

57. Lt. Col. John Devereux to H. W. Smith, Assistant Adjutant General, June 6, 1866, RG 105, MC 752, Reel 35, NA.

58. Julius Fleming to General Robert K. Scott, February 8, 1867, RG 105, MC 752, Reel 44, NA.

59. Contained in Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

60. Julius Fleming to General Robert K. Scott, February 8, 1867, RG 105, MC 752, Reel 44, NA.

61. Lt. General Daniel Sickles to Adjutant General, April 11, 1866, RG 94, MC 819, Reel 512, NA. Colonel John Devereux commented positively on Sickles' order in a letter to Robert K. Scott, March 7, 1866, RG 105, MC 752, Reel 29, NA.

62. Brevet Colonel B. F. Foust to Lieutenant Colonel H. W. Smith, Assistant Adjutant General, June 22, 1866, RG 105, MC 752, Reel 35, NA.

63. Captain George Pinger to General Scott, August 3, 1866, RG 105, MC 752, Reel 39, NA.

64. Captain Samuel Place to Lt. Col. H.W. Smith, June 28, 1866, RG 105, MC 752, Reel 35, NA.

65. Department of the South, General Orders, No. 7, September 1st, 1866, RG 105, MC 752, Reel 39, NA.

66. Report of Major Stowe, no date, in Scott to Howard, "Annual Report," November 1, 1866, Robert K. Scott Papers, Box 1, Folder 3, OHS.

67. Brevet Brigadier General Benjamin Runkle to General Scott, October 12, 1866, RG 105, MC 752, Reel 39, NA.


69. Carter, When the War was Over, 242-246; Perman, Reunion without Compromise, 198-228.

71. Martin Wilkins to "Uncle" (J.B.Grimball), August 29, 1866, Grimball Family Papers, Folder 18, SHC, UNC.

72. The staunchest advocate for the conservative nature of Fourteenth Amendment is Michael Les Benedict, "Preserving the Constitution," 76. On the opposite side, arguing for radical intent, is Robert J. Kaczorowski, "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War," in American Historical Review 92 (February 1987), 45-68.


75. Foner, Reconstruction: America's Unfinished Revolution, 287.

76. Benjamin F. Perry to the New York Tribune, April 15, 1866, Benjamin F. Perry Papers, Scrapbook, SHC, UNC.

77. J.M. Anderson to Governor Perry, 1865 (no day), quoted in Williams, "Ku Klux Klan Trials," 21.

78. B.F. Perry to Charles W. Woodward, November 30, 1866, Benjamin F. Perry Papers, Scrapbook, SHC, UNC.

79. Perman, Reunion without Compromise, 240-241.

80. McKittrick, Andrew Johnson and Reconstruction, 471.

81. Simkins and Woody, South Carolina during Reconstruction, 62-63.

82. For views that the South might have accepted the amendment if not for Johnson's meddling see Leemhuis, James L. Orr, 121, and Potter, Division and the Stresses of Reunion, 179.

83. Perman, Reunion without Compromise, 235-247; see also Benedict, The Fruits of Victory, 28-30.

84. James Wright to Nickels J. Holmes, January 1867 (no day), Nickels J. Holmes Papers, SCLRR, Duke.
CHAPTER III

BEGINNING ANEW: CONGRESSIONAL RECONSTRUCTION

You suppose I am a rebel yet. Yes, to my heart’s core, and never will be anything else, or I should have to be made over entirely before I could be. As to the state of the country, I banish it from my mind.... I know that ... right will eventually triumph. Nations do not live, as individuals, by years, but by centuries, and the rising generations may see the dawn of the day for which we looked in vain.

-- L.N. Elliott to T.J. McKie, September 1867

The rejection of the Fourteenth Amendment, the President’s alliance with recalcitrant southerners, and the elections of 1866 ushered in a dramatic shift in the Reconstruction program. Continued southern intransigence convinced many northerners in and out of Congress that the former rebels were neither penitent nor submissive. The same defiant spirit and disregard for federal authority that had cost thousands of lives still existed, and the President had no intention of quashing it. Taking the cue from the 1866 elections, Republicans in Congress embarked on a plan designed to reverse the damage done by Johnson. Congress
would remove power from the civil authorities and place control in the hands of the military while a new power base—a new black electorate—was being prepared. Congress would succeed in rendering impotent one obstacle to their plan—Andrew Johnson—but found that the other, the South, could not be subdued as easily.

Begun in early 1867, Congress’s program intended that the North—acting through the federal government—would take direct control of southern affairs to reshape the political and social structure of the South. Congressional leaders, from the old “radicals” Charles Sumner and Thaddeus Stevens, to the more recent recruits like Roscoe Conkling and John Logan, and moderates such as John Sherman and Lyman Trumbull, focused on the single element capable of transforming the South: black suffrage. With the black male population enfranchised, states could again become self-regulating, while their huge black constituencies formed a solid foundation for the extension of the Republican party. A symbiotic relationship would develop, with blacks maintaining the Republican party in the South so the party could provide necessary protection and economic assistance.

The congressional program began with the Military Reconstruction Act (or the Reconstruction Act), which established a procedure for states to follow for both modifying their internal governance and reapplying for admission. Congress avoided the ambiguities of earlier
legislation which left doubts concerning the "guarantee" of readmission. The bill, passed March 2 over the President's veto, divided the southern states into five military districts, each under a commanding general. While under military control, the state proceeded toward civil restoration and readmission through the election of a new constitutional convention on the basis of full male suffrage. The convention must then draft a new constitution, to include equal male suffrage, which had to be ratified at a second election. Lastly, the state legislature must be elected anew, based on the voting provisions of the new constitution, and it must ratify the Fourteenth Amendment. If the state constitution met with Congressional approval, it would regain its place in Congress and the Union. ³

Congress quickly passed measures designed to minimalize southern and presidential interference with the program. The Army Appropriation Act required the General-in-Chief to reside in Washington, and stipulated that all official correspondence must flow through him. With General Ulysses S. Grant leaning toward the Radicals, such a law allowed Congress and the War Department to circumvent - and underout - the President. A rider attached to the bill had a more immediate effect on the South, for it disbanded all military organizations in the late rebel states - including all state militias. The same day - the second of March -
Congress planted the seed of Johnson's demise by passing the Tenure of Office Act.\footnote{4}

The Supplementary Reconstruction Act, passed on March 23rd, provided specific instructions for implementing the Reconstruction Act. District commanders were required to register all eligible males by September 1st for the purpose of electing delegates to the state constitutional convention. Commanders could establish registration boards, select registrars, and supervise the actual counts. Once registration was complete, a vote would be held for or against a convention. It was possible, depending on the vote, for states to avoid congressional Reconstruction and remain under military control. If a voter opposed the convention, he merely voted "no." If a voter was in favor of the convention to modify the constitution, he voted "yes" and wrote in his choice for a delegate. If a majority of those registered voted for a convention, then a convention must convene within 80 days of the vote.\footnote{5}

To better execute these measures, Congress divided the former confederacy into five military districts. Since civil authorities had been negligent in enforcing the law, the job of providing security fell to U.S soldiers, stationed at numerous "posts" in each military district. South Carolina was in the Second Military District under Major General Daniel Sickles, and had posts at Charleston, Hilton Head, Georgetown, Aiken, Darlington, Newberry,
Anderson, Unionville, Chester, and at the capital, Columbia. The administrative shuffling did not clarify the ambiguous role of the military, and conflicts with civil authorities would eventually result in the removal of Sickles as the head of the Second Military District.

At least from an administrative perspective, the barrage of legislation designed to place the military in command of the South was successful. Congress was engaged in an unprecedented exercise of federal power — using military officials to supervise a state election. In South Carolina, registration began on August 1st with General Orders No. 65. Civil authorities looked on in dismay and anger as army officers constructed the groundwork for black suffrage in their state. Post commanders wielded substantial power, overseeing registrars and suspending those who neglected their duties. Post commanders also supervised the "Post Court," which had special jurisdiction for registration-related crimes, such as discouraging registration or punishing a person for registering. By early September, almost 150,000 males were registered in the state. The convention vote, the pivot point for the future of Reconstruction in South Carolina, was scheduled for November 19 and 20.
Disagreeable as it was, Carolinians understood that the interference by military authorities prepared the way for a far more devastating blow to South Carolina society. Within a year, the operating theory behind Reconstruction had shifted dramatically. Under President Johnson, and even with Congress' measures of 1866, the focus had been on influencing, conciliating, and coercing the white population. The Reconstruction Acts, however, placed the focus on the voting population at large, including the black portion of it. For South Carolina, with a black majority, this meant whites faced the possibility of becoming less powerful at best, ruled at worst.

When the reality of the situation became apparent— that whites might permanently lose control to blacks—state conservatives reacted with their usual intensity. James Hemphill, for example, came to the conclusion that "our affairs have been sadly mismanaged by the President and our own people. We ought to have adopted the constitutional amendment but ... it was rejected, and far worse had befallen us." Hemphill believed the state was "drifting along hopelessly and helplessly into an abyss of which we cannot see the bottom. I see no other result, than a Negro government." J.P. Sexton had a similar observation, telling A.B. Springs that "I never saw our country so poor
or our people so much out of hope...."8 Nor did Henry William Ravenel, who described state whites as "passive spectators of the destruction of civil liberty & the constitution of the country."10 Many probably agreed with the fireman who, at a Charleston parade in April, removed one star from the United States flag to show Carolina's feelings toward the Union.11

Carolinians conjured up bleak images for the future of their state if indeed whites were to lose control. "If the negro is to have political rights," planter William Heyward opined, "we may well apprehend even a worse state of things than the present."12 One of Benjamin Yancey's friends called the Reconstruction Act "the bill of 'Destruction'" and feared it "will do us endless mischief in every way." She was convinced that "the Radicals will not stop till white & blacks are in arms against each other. I look forward to fearful results...."13 At school in Scotland, Nickels J. Holmes received a letter from his friend R.R. Blakely describing the "fearful strides" which the government had taken "towards driving the white race from the Southern States, the last interference with our peaceful inclinations is the worst of all."14 David Gavin, whose mother and sister were murdered by blacks in November of 1866, put his thoughts into a poem:
May the tyrants who devastate our native land
Get justice from the Avenger's hand
May those who in distant Climes must roam,
Again find a peaceful, plentiful, happy home

May the God who metes justice with an even hand
Remember the tyrants who tyrannize over our native land
May the God who rules the Heavens above
Protect the fair daughters of the Land we love.

General Robert K. Scott believed that such sentiments confirmed his suspicions that the "the people of the present generation in the South, never will be thoroughly reconstructed, it will only be on the surface, and they would be glad to appeal once more to arms, did they think there would be any chance of success." Scott, the Assistant Commissioner for the Freedmen's Bureau in South Carolina, harbored no illusions concerning the white response to the Reconstruction Acts. As he told the Commissioner, General O.O. Howard, in November, "there is no change to report in the feeling of the white people. They are as a class opposed to the measures of the Government which provides [sic] for the reconstruction of the State upon the basis of the political equality of the freedmen...." Later Scott explained that Congress's efforts on behalf of blacks "will meet with censure, misrepresentation, and so far as they dare, direct opposition."
The Assistant Commissioner spoke from experience, for he had seen how state whites could hinder the federal takeover of their state. Many supporters of the congressional program had hoped that bestowing political power on former slaves might suppress white hostility and violence in the South. General Scott knew differently, for even with the jaws of Congressional Reconstruction closing around them, conservatives continued to resist northern intrusions into their society.

For example, whites remained determined to control black labor and their own profits, regardless of the presence of the Freedmen's Bureau. Although the state's economy, and in particular its agriculture, had improved since the war, the same could not be said for labor conditions. Former slaves with complaints about unfair labor practices and physical abuse continued to flood into Bureau offices, and the Bureau reports hardly differed from the previous years. Every month General Scott collected the reports of his Sub-Assistant Commissioners across the state and forwarded them to Commissioner Howard. Each month district after district contained similar entries, such as "many planters will endeavor to defraud their hands at the division of the crop," "complaints for dismissal from the plantations without compensation ... have been numerous," and "many complaints entered by freedmen against their employers for having turned them off." E.L. Everson, the
Bureau officer for Georgetown District, summed up the planters' goals as simply to "have control of the labor." 

This was possible because the Congressional plan did not remove local whites from all positions of power. For instance, whites could still exert control over blacks through the civil courts, which remained open. Since local officials were technically responsible for the administration of justice, whites could abuse the freedpeople with impunity. The Reconstruction Acts were largely administrative measures, intended to facilitate the creation of new governments and to set up a readmission procedure. The acts did not strip civil officials of their powers or jurisdiction.

As a result, whites resorted to their traditional source of power to control the freedmen - physical force. One officer reported that the killing of blacks occurred with "unusual frequency," and that many whites took the "greatest pleasure in persecuting the freedmen and who consider the murdering of a colored man nothing more than a practical joke." Another Bureau official claimed that "the laws are openly and defiantly disregarded and violated [and] roving bands of desperadoes infest the county." The Intendant of Cokesbury wrote secretly to the post commander at Anderson, requesting troops to apprehend a "party of outlaws" that were terrorizing the freedmen. The Intendant nevertheless worried about himself as well; he asked the
commander not to reveal the source of the request, or he too would become a target. Armed bands were also reported as rampaging through Orangeburg and Lexington Districts.\textsuperscript{22}

Although the Reconstruction Acts did not replace civil authorities with military ones, they did create an ambiguous area between military and civil jurisdiction. This allowed Bureau commanders, like General Scott in South Carolina, to argue that lawlessness and violence were related to voter registration, and so fell under their jurisdiction. By late March Scott had already initiated operations in areas suffering from a "prevalence of crime and outrages." His Special Orders No. 19, aimed at Barnwell District, called on the officers to arrest parties suspected of criminal acts, hold them under military guard, and prepare to try them under military tribunals.\textsuperscript{23} Scott asked Brevet Major E.W. Everson, the Acting Assistant Inspector General, to inspect every jail under civil control and make a full report of the conditions and facilities found. Everson also documented all prisoners, their alleged crimes, their treatment, and their schedule for trial.\textsuperscript{24}

General Daniel Sickles, the District commander, further expanded the role of the military in an effort to quell opposition and protect blacks. Sickles' General Orders No. 1 stated that all legal powers rested with the civil authorities, but if civil forces did not act, post commanders must assume the responsibility and make arrests
on their own. In April Sickles prohibited the carrying of firearms by private citizens, an offense which could bring a military tribunal. In May Brevet Colonel E.W. Hinks became the first Provost Marshal General, a de facto supervisor of the civil officials. Police chiefs, sheriffs, and detectives had to report all arrests, investigations, and jail breaks to his office in Charleston. Explaining Sickles' order to the Secretary of War, General Grant stated that the poor administration of justice made it "necessary to place all sheriffs and other municipal officers under the immediate control of a military officer." Even this flurry of federal activity could not prevent whites from mistreating the freedpeople. All the odds favored the locals, as troops were too few and ill-coordinated for arrest operations, and the army was already overtaxed by registration duties. Soldiers could not even respond if outlaws were "caught in the act," since they could only take action after civil authorities demonstrated an unwillingness to do so. In addition, the Provost Marshal may have supervised, but he could not regulate; in June the courts were still "a perfect farce," with "so many outrages committed upon freedpeople with impunity that the white people deny that they have any rights which a white man is bound to respect." One officer in Williamsburg described civil law as "a source of power and oppression." In fact, he reported "in some cases officers of the civil law take
the lead in the wrong-doing." Another Bureau officer commented that "the civil authorities seemed to have no idea it was their duty to repress the evils" in their society.

A case brought to Lieutenant William Stone's attention was, in his words, typical of white justice. In January 1867 five blacks were charged with murder, found guilty, and sentenced to death. There had been no Grand Jury, and two of the eight jurors (all of whom were white) were not even sworn in! Stone pointed out that state law did not even allow District Courts to handle capital crimes! An even harsher lesson in white justice came from Lieutenant J.W. Clous, General Sickles' Acting Assistant Adjutant General. Clous informed General Scott that twenty-two blacks had died in a fire at the Kingstree jail. The only white prisoner had escaped, but the Sheriff refused to unlock the doors to allow the blacks out; all twenty-two burned to death.

In June Major General Sickles admitted that his system of 'supervision' was not working. Sickles' solution was to grant military commanders the power to remove inept or offensive civil officials. It was not possible "to provide adequate security to persons and property," Sickles proposed, "unless the Commanding General of the District is authorized to remove Civil Officers who fail to perform their duties." "Without military control," the General concluded, "I believe Reconstruction is impossible, anarchy would rule. Ruin to all interests would follow." But the
suggestion ran contrary to the precept of civil supremacy, and the General's independent exercise of the proposed measure eventually resulted in Sickles' resignation.  

His replacement, Major General Edward R.S. Canby, found a different way to expand federal control. Instead of coercing the legal system with threats of military intervention, Canby modified the civil system itself. In General Orders No. 89, issued September 13, 1867, Canby declared that all citizens who paid taxes and registered to vote under the Reconstruction Acts were eligible for jury duty. The new commander knew the order did not remedy all the inadequacies of legal system, but hoped placing blacks on juries might make the courts more fair.

This order threatened to remove from white control one of the most potent tools of white dominance. The reaction among whites was immediate and predictable. Even Governor James L. Orr, who pushed for acceptance of the Reconstruction Acts to gain readmission, found this order one concession too many. Orr appealed directly to President Johnson with proof of how catastrophic such a change would be. Of the thirty-one districts in South Carolina, only six had white voting majorities, and two had a relative balance. Twenty-three districts had black majorities, with some dramatically favoring the former slaves. In Beaufort, for example, of the 2,550 voters registered, only 65 were white, while in Georgetown, there were 418 whites and 3,413
registered blacks! Orr estimated that in the Low Country, where the black population was the heaviest, there would be only one white juror for every fourth jury! The Governor, asked that if blacks sat on juries, "will not the effort to administer justice be a mockery?"38

Judge A. P. Aldrich though as much, and openly defied the order. In early October Aldrich wrote to the Edgefield Advertiser that "the present Congress is a usurping body ... I cannot ... lend my aid to support and perpetuate the tyranny of which we complain." Aldrich formally announced that "I cannot and will not execute this order."37 The editor of the Advertiser praised his decision, stating, "Judge Aldrich sets a sterling example to his brethren throughout the South."38 The Charleston Mercury also supported Aldrich, agreeing that the jury order "is virtually a proclamation that the law of the sword alone exists in South Carolina."39 As if to vindicate the charge, on October 21 General Canby suspended Aldrich from the bench.40 Aldrich, replying that the military had no power to do such a thing, nevertheless laid down his office rather than serve with black jurors. After publicly explaining his decision, he told his fellow Carolinians to "be of good cheer; it is only for a time. I see the dawn of a brighter day.... The time is at hand when we will be relieved from the tyranny and insolence of military despotism...."41
Carolinians began to realize, however, that a temporary 'military despotism' might be preferable to the alternative. That alternative, made possible by the Reconstruction Acts and a black majority, was government elected and dominated by black Carolinians. Here was the greatest threat to white society to come out of emancipation, for black voters could seize the state and remove whites from power indefinitely.

With Carolina's blacks registering by the thousands, a few whites understood that the politics were about to change drastically and sought ways to direct the tide. Henry William Ravenel opted for a moderate position, arguing that whites should cease resistance and "meet them half way ... & thus to win their confidence & prove to them ... that we are their best friends." If whites befriended the blacks, Ravenel believed, they could "direct this power" and frustrate those planning to use the freedmen to "control & regulate the policy & policies of the South."42 Control remained uppermost in his mind, and if whites could influence black voters, then the state might yet be saved.

Perhaps the most noteworthy advocate of this policy of 'conciliation-for-control' was ex-general Wade Hampton. When the Reconstruction bill became law Hampton set out to convince whites that black suffrage could be worked to white advantage. In late March Hampton assured his friend James
Conner that "we can control and direct the negroes if we act discreetly.... Our future depends on this." A few days later Hampton told John Mullaly that "but one hope is left to us & that is to direct the negro vote." Hampton also appealed to blacks with his own suffrage package, hoping to win their trust. At a speech to freedmen in March, Hampton promised "impartial" suffrage if blacks saw clear to elect "good" whites for the state convention. Hampton's suffrage plan was not as impartial as it sounded; it imposed strict literacy and property qualifications, while guaranteeing that anyone previously having the right to vote would not lose it.

Such attempts to win favor among the blacks met with outright scorn from some quarters. Members of the Pelot family were outraged to learn that Hampton and other state leaders "have been speaking to the negroes coaxing and conciliating them in a most abject manner." As one sister put it, "I blush for the would be great men of the South, as ... "a nigger will be a nigger and it is no use to try to make anything else out of him." She believed men like Wade Hampton and Governor James Orr should "not notice them any more now than formerly."

The Pelot sisters did not complain for long, for late spring a consensus had emerged on opposition to a new convention. Of course if no convention were held - if the vote were somehow defeated - the state would remain under
military supervision. While onerous, the condition would only last until Congress developed a new plan or northern opinion shifted; besides, conservatives had already demonstrated their ability to undermine federal authority. On the other hand, once a new constitution granted blacks political power, they could control the legislature, the judiciary, and the governorship - and whites would face a grueling uphill struggle to reclaim power.

So, contrary to logic and the course pursued by other southern states, Carolina whites attempted to derail the convention. It would appear, in a state with a black majority, that there was little doubt as to the outcome of the convention vote. As Michael Perman pointed out, whites in states with large black populations accepted the inevitable, and instead of opposing the convention, tried to elect conservatives to the convention. The strategy adopted by Carolina whites was in fact the opposite. In order for a convention to be held, a majority of those registered had to vote for it. Whites, therefore, registered in record numbers to swell the figure, then voted 'no' or boycotted the election all together.

As early as May, months before registration even began, leading conservatives took the stump to convince whites that temporary subjugation was better than permanent submission. Writing to former governor Benjamin Perry, W.E. Martin of Charleston advised confidently, "let us not despair. I urge
everybody who can to register, and vote no convention." Perry was in fact leading the drive to block the convention. "If we are to wear manacles," Perry proclaimed in May, "let them be put on by our tyrants, not ourselves." His fiery rhetoric and defiant stance, so typical of South Carolina's leading figures, reached out and touched the pride - and fears - of the white population. Pride, fear, and luck would all be necessary, Perry admitted to F. Marion Dye, a close friend and physician, if Carolinians were to avoid "disgracing themselves for ever and ever by adopting a negro government and giving up the rights of their State...."

Opponents stressed that the convention threatened the greatest right - that white Carolinians determine the shape of Carolina society. When the Columbia Phoenix warned that rejecting a convention would lead to worse consequences for the state, Benjamin Perry fired back with words that appealed directly to white racism and fears. "In my opinion," Perry exclaimed, "nothing worse than negro suffrage and a negro government can be forced upon us. It would be a thousand times preferable to remain under military rule...." He also chastised those who spoke of directing the negro vote. Once granted, he argued, it would prove uncontrollable, the "ne plus ultra of all political and social evils." The only solution, according to Perry, was total registration and total rejection. The aging but influential Alfred Huger agreed that "we must be careful
not to aggravate by our own act, the Evils that surround us, and not hastily escape a 'Military Government,' administered by intelligence and policy, to embrace such a one as Negro suffrage ... must provide."  

Wade Hampton had at first accepted the convention, but also came to see the possibilities of a unified opposition. By April Hampton's letters had taken on a stern tone. All energies, the cavalry hero argued, must be directed to preserving white rule in the state, "and if we can protect that from destruction," then freedpeople could receive some civil and political privileges. "I will not give up," the defiant planter said, "I will fight on every battlefield shown by the enemy till I fall or till we are free...." As he told Mulholland, "the very existence of our country" was a stake, for "we are fighting for food and for life, & a desperate battle we are waging." Gone were the speeches to black assemblies and the messages thick with conciliation. "Our State Conventions were mistakes," Hampton informed the Charleston Mercury, "so were the changes of our constitutions; greater than all others was the legislation ratifying the amendment ... known as Article 13." Hampton joined with others in opposing the convention, for as he told the lawyer Armistead Burt "it would be better for the State to be remanded to Military Government rather than that which places the negro permanently in power." In speeches and letter to
newspapers he urged whites to register and vote against the convention. As for wooing the black vote, Hampton told his readers to remind the freedmen that "we can do without them far better than they can do without us."  

The culmination of the drive to prevent black rule was so well organized that conservatives even held an 'anti-convention' convention. On November 6th, only two weeks before the election, conservative whites gathered in Columbia for the "Conservative State Convention" in a final effort to propagate the message of "register-and-reject." Participants included James Chestnut, President, Benjamin Perry and Wade Hampton, Vice-Presidents, and a host of other notables, including A.P. Aldrich and William de Saussure. The convention produced a series of releases embodying the state's conservative sentiment. The convention declared the Reconstruction Acts "illegal" as they would "place the best interests of society in the hands of an ignorant mob." Even before its inception, Carolinians denied the legitimacy of the system that would rule them for the next decade. The convention also issued an open letter to the people of the United States, assuring them that white Carolinians "would never acquiesce in Negro equality or supremacy."

On the election days - voting was on the 19th and 20th of November - whites stuck by their plan to defeat the convention. Observers might have suspected that something was amiss, for although the black vote was heavy, the white
turnout was light, especially considering that a large percentage of eligible whites had registered. The abstinence was deliberate; the convention required support of a majority of those registered, so not voting produced the same effect as voting ‘no.’ As Henry W. Ravenel noted in his journal on the 18th, "there is a general indisposition among the whites to take any part in the election.... The whites will absent themselves from the polls...." Ravenel, however, made it a point to go, just to see the blacks' "first and last exercise" of the vote.58 Thomas Pinckney Lowdes commented on the boycott as well, saying that whites "took no part in the election, many of them from fear of social ostracism and others from pride of race, that pride which alone could save us from the fearful consequences of miscegenation."59

Tabulating the vote was a lengthy process, and the final verdict was surprisingly close. Preliminary reports indicated the white strategy had proven successful. Hoping against hope to avoid a black government, Andrew Cornish wrote to his brother: "How wonderful the result! No Convention in South Carolina! How contrary to all predictions! What next? Well, we can be thankful for Military Rule!"60 He was not thankful for long, as the final figures showed that the white strategy had failed. The vote was as follows:
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<table>
<thead>
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<tbody>
<tr>
<td>Total Registered:</td>
<td>127,550</td>
</tr>
<tr>
<td>black:</td>
<td>80,379</td>
</tr>
<tr>
<td>white:</td>
<td>47,171</td>
</tr>
<tr>
<td>Voting for convention:</td>
<td>68,768</td>
</tr>
<tr>
<td>Voting against:</td>
<td>2,278</td>
</tr>
<tr>
<td>Not voting:</td>
<td>55,798</td>
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</tbody>
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The numbers support two general conclusions. First, whites did not accept the convention as a certainty. They organized and applied a coherent strategy to attempt to thwart the plans of Congress and the Republican party. Looking at the final figures, they came very close to victory. Black voters had an overwhelming advantage in numbers, yet cleared their goal - they needed 63,776 'yes' votes - by only a slim margin. Secondly, while there is no single explanation for why so many blacks did not vote, the experience of the past few years suggests that more aggressive white tactics were also at work. This two-pronged method, operating within the system while at the same time employing intimidation, bribery, and violence, had become an established component of Reconstruction in South Carolina.81
In the summer of 1867, Julius Fleming, a voice of moderation in a wilderness of extremism, had pleaded with his fellow Carolinians to accept the terms of the Reconstruction Acts. "The man who has his hand in the lion's mouth," Fleming counseled, "if a sensible man, will do nothing to irritate the animal." But whites had ignored Fleming's recommendation, and their failure was a devastating lesson in political mobilization. State conservatives had campaigned vigorously to retain control of their civil government, and the vote counts showed the impact. But in the end, the freedmen had beaten them. Somehow an ignorant, inexperienced mass of former slaves had mobilized, unified, and seized the future.

This blow to white control was made possible by outside support, namely the state's nemesis, the northern Republican party. The vote proved that the black vote could not be directed by Carolina whites, as some had suggested. Or, more accurately, it could not be directed by southerners, for it was clear that blacks favored the Republican party. As the Bureau officer John DeForest confirmed, blacks had no doubt as to where their interest lay. It was hard to believe that freedmen would forget decades of abuse and oppression, not to mention the hardships that had occurred since emancipation, and rush to
their former masters for counsel. Carolinians were correct, the new voters were inexperienced and ignorant in political matters; but advice and direction came from the North.

So where the North had interfered earlier with congressional acts and Union troops, it now used political agents to work its deeds. The tool of the Republican party most responsible for the election victory was the Union League, which began operation in South Carolina in the summer of 1867. The Union League, or the Loyal League as it was sometimes called, first appeared in the North during the war as a patriotic club supporting Lincoln. The organization spread into the South immediately after the war, taking advantage of union sentiment to create pro-Republican cells throughout the region. With the coming of Congressional Reconstruction, the organization provided a readily-available infrastructure for educating and mobilizing the newly enfranchised freedmen. By August of 1867, over one thousand chapters existed in the former Confederacy, and they played a crucial role in the success of the convention elections.64

State conservatives now faced a predicament comparable only to the waning days of the war: control of the state was in the hands of blacks, guided by northern Republican abolitionists.65 So as a new phase of Reconstruction began, the promise of change was tinged with the reality of inertia, for state whites would continue to resist the power
that sought to reform their society. Earlier, with the
President's help, conservatives had resisted Congress and
the military, and had struggled to protect their dominion
against outside forces. In 1867 they lost that battle to a
combination of inside and outside enemies, and would
hereafter fight to regain their position and influence with
any and every weapon at their disposal. As Lieutenant
William Stone of the Freedmen's Bureau stated, "after the
election is held, there will be ... much opposition to the
Freedmen." He quoted the Edgefield Advertiser, which even
before the election had called on whites to "give no
encouragement to the radical negroes, and refuse to hire any
who claim to be members of the Loyal League." In After
Slavery, Joel Williamson discussed how after 1867, blacks
could use political ends to gain economic means,
opportunities previously denied by the whites.
Unfortunately the reverse was just as true; whites could
exert their economic power to influence the political
system.

The victory that blacks achieved in 1867 did not bring
peace, stability, or prosperity to either the state or to
freedmens' lives. As some federal officials realized, and
blacks would soon come to understand, South Carolina whites
were at war. They viewed Reconstruction as the continuation
of the northern attack on their rights and their way of
life. They had sought security in independence, and failing
that they had attempted to rebuild their shattered world under the guidelines established by President Johnson. Now a new force had emerged to interfere with conservatives' rights, a force that had just years before been no more than property. South Carolina's traditional values of white supremacy, self-government, and local control all tottered near the brink. But the state remained determined and defiant, as one editorial from the Charleston Mercury proved. White Carolinians, the author claimed, "are not ruled by any governments they do not recognize as legitimate over them.... The white race of the South have only to will the rule of the South, and there is no power on this continent which can prevent it."60
1. L.N. Elliott to T.J. McKie, September 1867 (no day), Thomas Jefferson McKie Papers, SCLRR, Duke.

2. I agree with Michael Les Benedict on the inherent "conservative" nature of the Reconstruction Acts. James Blaine and John Bingham had modified Steven's original bill from the Joint Committee, and helped insuire its moderate intentions. The bill proposed only limited and temporary territorialization - all following existing state lines, so no redrawing occurred. In addition, there was no provision for confiscation or redistribution. As Benedict pointed out, the stipulation for inclusion of black males in the political sphere provided an escape for the federal government, as it could turn affairs back over to the states and hope that blacks - having the power of the ballot - could protect themselves and their party. Benedict, The Fruits of Victory, 31-33; "Preserving the Constitution," passim.


5. In South Carolina, General Sickles had the assistance of Governor Orr, who, unlike many of his fellow Carolinians, accepted the act and sought to follow its provisions. Orr himself dragooned many people into assisting with the registration, and created an almost comical network of men dragging other men into the same distasteful duty. See Governor James L. Orr to A.B. Springs; A.B. Springs to Cadawaller Jones; Cadawaller Jones to A.B. Springs; J. Wallace to A.B. Springs, all in Springs Family Papers, Box 10, Folder 183, SHC, UNC; Kirkland, "Federal Troops in the South Atlantic States," 194-198; Williamson, After Slavery, 337; "Reconstruction Scrapbook," p. 21-22, SCL-MD.


7. General Orders No. 65, August 1, 1867, in "Reconstruction Scrapbook," p 55-56, SCL-MD; Major General Daniel Sickles to Adjutant General, War Department, July 31, 1867, RG 94, MC 619, Reel 585, NA; Sickles to the Adjutant General, Sept 5, 1867, RG 94, MC 619, Reel 567, NA.
8. James Hemphill to W.R. Hemphill, August 2, 1867, Hemphill Family Papers, Box 4, SCLRR, Duke.

9. J.P. Sexton to A.B. Springs, January 31, 1867, Springs Family Papers, Box 9, Folder 161, SHC, UNC.


12. William Heyward to [James?] Gregorie, April 2, 1867, Gregorie-Elliott Papers, Folder 9, Box 1, SHC, UNC.

13. "Pamela" to Benjamin Yancey, March 5, May 11, 1867, Benjamin C. Yancey Papers, Box 4, Folders 44 and 45, respectively, SHC, UNC.


15. David Gavin Diary, typescript page 286, Folder 3, SHC, UNC.

16. Scott to Howard, monthly report for August, dated September 25, 1867, RG 105, MC 752, Reel 51, NA.

17. Scott to Howard, monthly report for October, dated November 20, 1867, RG 105, MC 752, Reel 51, NA.

18. Scott to Howard, December 23, 1867, RG 105, MC 752, Reel 51, NA.

19. See reports of various Bureau officers in Scott to Howard, monthly report for August, dated September 25, 1867, RG 105, MC 751, Reel 51, NA.

20. Contained in Scott to Howard, monthly report for November, dated December 20, 1867, RG 105, MC 752, Reel 51, NA.


22. N. Sims, Intendant, to Commander, Post of Anderson, January 25, 1867, RG 105, MC 752, Reel 44, NA.

23. Special Orders No. 19, March 15, 1867, RG 105, MC 752, Reel 44, NA.


28. Scott to Howard, monthly report for June, dated July 20, 1867, RG 105, MC 752, Reel 48, NA.

29. Scott to Howard, July 17, 1867, RG 105, MC 752, Reel 48, NA.


31. Lt. William Stone, Sub-Assistant Commissioner for the Districts of Edgefield and Barnwell, to Edward L. Deane, Acting Assistant Adjutant General, February 4, 1867, RG 105, MC 752, Reel 44, NA.

32. Lt. J.W. Clous, Acting Assistant Adjutant General, to General Robert K. Scott, January 10, 1867, RG 105, MC 752, Reel 44, NA.

33. Major General Daniel Sickles to the Adjutant General, War Department, June 14, 1867, RG 94, MC 619, Reel 564, NA.

34. In the summer of 1867 Sickles moved against a U.S. Circuit Court in North Carolina (the other half of his command) under the conviction that Congress, through the March acts, had given supremacy to military authorities in the South. The Judge Advocate General, E.W. Dennis agreed, but Attorney General John Brinckley convinced President Johnson that the civil courts were not under military supervision, forcing Grant to call for Sickles’ resignation. General-in-Chief Grant did manage to name his successor, Edward R.S. Canby, who took command in September. General Sickles had offered his resignation earlier, but Johnson had rejected it. The general also requested a court of inquiry to vindicate his stance; Johnson denied this as well.

Sefton, The United States Army and Reconstruction, 158-160; Sickles to the Adjutant General, War Department, June 19, 1867, RG 94, NC 619, Reel 564, NA; Kirkland, "Federal Troops in the South Atlantic States," 167-169; Charleston Courier, September 3, 1867; John Brinckley, Acting Attorney General, to President Johnson, August 24, 1867, in

35. General Orders No. 89, September 13, 1867, RG 94, MC 619, Reel 592, NA.

36. Governor James L. Orr to President Andrew Johnson, September 30, 1867, "Reconstruction Scrapbook," page 41, SCL-MD.

37. "Reconstruction Scrapbook," page 43, SCL-MD.

38. Edgefield Advertiser, October 9, 1867.


41. Robert Wallace Shand Journal, pages 139-140, SCL-MD; Sefton, The United States Army and Reconstruction, 162.


43. Wade Hampton to James Conner, March 24, 1867 and Hampton to John Mullaly, March 31, 1867, both in Hampton Family Papers, Box 5, Folders as dated, SCL-MD.

44. While interesting and well-written, Hampton M. Jarrell's work on Wade Hampton suffers from many inaccuracies, among them the implication that Hampton supported black suffrage as early as 1865. Other historians who portray Hampton as 'enlightened,' C. Vann Woodward for example, have based their portrayal on Jarrell; Jarrell himself gave no indication from where his evidence came. By all contemporary accounts - including his own - Hampton was one of the most vehement opponents of Reconstruction in South Carolina. I have worked with Hampton material at three separate archives, and the evidence does not support the picture painted by Jarrell. Charles Cauthen also disagrees with Jarrell. Cauthen stated that the 1867 meeting in Columbia was his first comment on accepting black suffrage. Cauthen also noted that Hampton proposed strict property and literacy requirements, but stated no one previously holding the vote would lose it. Hampton M. Jarrell, Wade Hampton and the Negro: The Road Not Taken (Columbia, S.C.: University of South Carolina Press, 1949); Charles E. Cauthen, ed., Family Letters of the Three Wade Hamptons.


46. Perman, Reunion without Compromise, 278-279, 298.

47. W.E. Martin to Benjamin Franklin Perry, May 7, 1867, Armistead Burt Papers, Box 4, SCLRR, Duke.

48. From the Charleston News, May 18, 1867, quoted in Simkins and Woody, South Carolina during Reconstruction, 85.

49. Benjamin F. Perry to Dr. F. Marion Dye, M.D., May 25, 1867, Benjamin Franklin Perry Papers, Box 1, Folder 11, SHC, UNC.

50. Benjamin Franklin Perry to editors, Columbia Phoenix, no date, Benjamin Franklin Perry Papers, "Scrapbook," SHC, UNC.

51. The Charleston Courier, April 19, 1867.

52. Alfred Huger to Benjamin F. Perry in Perman, Reunion without Compromise, 312. For other support see Lizzie [Elizabeth] Perry to Armistead Burt, May 11, 1867, Benjamin Franklin Perry Papers, SCLRR, Duke.

53. Hampton to James Conner, April 9, 1867, and Hampton to John Mullaly, April 11, 1867 both in Hampton Family Papers, Box 5, folders as dated, SCL-MD.

54. Wade Hampton to D.W. Ray, W.H. Talley, and J.P. Thomas, editors of the Charleston Mercury, August 29, 1867, Hampton Family Papers, Box 5, Folder as dated, SCL-MD.

55. Wade Hampton to Armistead Burt, no date, Armistead Burt Papers, Box 3, SCLRR, Duke.

56. Wade Hampton to D.W. Ray, W.H. Talley, and J.P. Thomas, editors of the Charleston Mercury, August 29, 1867, Hampton Family Papers, Box 5, Folder as dated, SCL-MD.

57. Simkins and Woody, South Carolina during Reconstruction, 87; Perman, Reunion without Compromise, 334; The Charleston Courier, November 9, 1867; The Charleston News, November 9, 1867.


60. Andrew Cornish to John Hamilton Cornish, December 2, 1867, John Hamilton Cornish Papers, Box 2, Folder 28, SHC, UNC.

61. My numbers are from a clipping in the "Reconstruction Scrapbook," page 54, SCL-MD. The piece appears to be a printed notice, and is signed by Louis Caziarc, the Acting Assistant Adjutant General of the Second Military District. Carol Bleser, however, has given different figures. She listed 60,550 as the total registered, with 86,418 blacks voting for the convention, 2,550 whites voting for the convention, and 2,278 whites voting against the convention. These numbers are far different from the ones supplied by the Second Military District, and I do not know how Bleser arrived at them. Carol K. Rothrock Bleser, The Promised Land: The History of the South Carolina Land Commission, 1869-1880 (Columbia, S.C.: University of South Carolina Press, 1969), xii.


63. DeForest, A Union Officer in the Reconstruction, 127.

64. Michael Fitzgerald, The Union League Movement in the Deep South: Politics and Agricultural Change during Reconstruction (Baton Rouge: Louisiana State University Press, 1989), 2-6. Thomas Holt does not agree that the Union Leagues played a significant role in shaping black politics in the South during Reconstruction. He sees its greatest contributions coming in the realm of education rather than politics, Holt, Black over White, 29-33. Also see Clement Mario Silvestro, "None But Patriots: The Union League in the Civil War and Reconstruction," (Unpublished Ph.D. dissertation, The University of Wisconsin, 1959). This study, however, concentrates on the North and the organization's leaders, and sheds little light on its activities in the South.

65. An interesting explanation of white opposition to the Leagues, the "threat to republican virtue" hypothesis, can be found in Lacy K. Ford, "Modernization and the Development of White Terror in York County, 1856-1876," (Unpublished Master's Thesis, The University of South Carolina, 1976), 76, 85. Simkins and Woody, South Carolina during Reconstruction, 74-82 are not very sympathetic, and E. Merton Coulter described the Leagues as agents of disorder.
which spread hate among the freedmen, Coulter, The South during Reconstruction, 128.

66. Scott to Howard, monthly report for September, dated October 28, 1867, RG 105, MC 752, Reel 51, NA.

67. Williamson, After Slavery, 112.

68. The Charleston Mercury, December 12, 1867, quoted in Perman, Reunion without Compromise, 339.
CHAPTER IV

REPUBLICAN ACCESSION AND DEMOCRATIC OPPOSITION

For us the war was not ended. We had met the enemy in the field and lost our fight, but now we were threatened with a servile war, a war in which the negro savage backed by the U.S. and the intelligent white scoundrel as his leader was our enemy.

- T.P. Lowndes, "Reminiscences"

For two years conservatives in South Carolina had been working to regain control over their affairs, relying on a sympathetic Executive, the benefit of legal loopholes, and a divided Congress. The events of 1867 swept away all they had constructed and threatened them with permanent removal from power. Eighteen sixty-seven marked the opening of a new age in America, for black males now had the ballot. The election of 1867 demonstrated that in South Carolina, blacks could dominate politics. The Convention of 1868 and the elections for the new government confirmed this, as an alliance of blacks and Republican whites - many of them
"carpetbaggers" from outside the state - pushed aside conservatives and took control of the government.

This shift in power ushered in a new phase of Reconstruction in the Palmetto State. Conservative whites, no longer able to use legal and political channels to exert their will, operated outside the normal channels. Their response represented a necessary shift in the strategy to secure home rule. Violence, intimidation, economic extortion, and outright terrorism became the norm as whites began an eight year effort to regain political control of their state. What Herbert Shapiro called the "counterrevolution of white supremacy" did not begin in 1868; it had begun in 1865, but black suffrage forced these 'counterrevolutionaries' to adopt new means to secure the same ends.²

The state's Constitutional Convention both authorized and symbolized this dramatic shift in power within the state. The convention assembled on January 14th, 1868, as provided by the election of 1867. Of the 124 delegates meeting in Charleston, 73 were black, while only 36 were southern whites (nearly all Republicans) and the remaining 15 whites were carpetbaggers - whites from outside the South. The chief task facing the convention was the drafting of a new constitution, which, by order of Congress, must include impartial male suffrage. The final document used explicit language in regards to "race" and "color," as
some delegates insisted on avoiding any loopholes that might spell trouble in the future. As delegate Francis L. Cardozo, a free-born mulatto, argued, "if we do not" make the document explicit, "we deserve to be, and will be, cheated again. Nearly all the white inhabitants of the state are ready at any moment to deprive us of our rights, and not a loop-hole should be left that would permit them to do it constitutionally." By the middle of March, in preparation for the April elections for a new state government, the revised constitution was ready.

Conservatives made no effort to hide their anxiety or their distress. When the convention opened in January, Dr. John Davis reported gloomily that "everything looks to the speedy Africanization of the South & there seems to be no way of escape." The editor of the Edgefield Advertiser agreed, claiming that "South Carolina is Polandized - aye worse than that, Africanized ... the South Carolina of the great men, great services and great distinction is no more!" With the publication of the constitution, the Fairfield Herald called it "the maddest, most unscrupulous, and most infamous revolution in history" for it "snatched the power from the hands of the race which settled the country ... and transferred it to its former slaves, an ignorant and feeble race." Dr. Henry D. Green lectured a Democratic Club in a similar way, urging whites to oppose the constitution, regardless of its individual provisions,
simply because "it is a negro constitution, of a negro government, establishing negro equality." "I am opposed to negro suffrage," Dr. Green declared, "because he is a negro, independent of anything else." 7

In a last-ditch effort to stave off black Republican rule, the Democratic State Central Executive Committee sent a formal protest to Congress. The "Respectful Remonstrance on Behalf of the White People of South Carolina" pointed out to Congress the atrocities contained within the new constitution. For instance, article I, section 19 allowed, in the committee's words, "ignorant, vicious negroes" to be justices of the peace. The first of many charges of "taxation without representation" appeared in this petition, as whites claimed they would be taxed unjustly if blacks controlled the legislature. The committee also opposed the provision for free public schooling, for it proposed racially integrated schools. The greatest outrage was black suffrage, by which "intelligence, virtue and patriotism are to give way ... to ignorance, stupidity and vice. The superior race is to be made subservient to the inferior." The committee bluntly warned Congress that "the white people of our State will never quietly submit to negro rule. We may have to pass under the yoke you have authorized, but ... we will keep up this contest until we have regained the heritage of political control handed down to us by our honored ancestry." 8
Even before the constitution's ratification, whites had rejected out-of-hand the document and the government it would establish. The state government would lack any legitimacy among conservative whites, and this justified their use of extralegal - and illegal - forms of resistance. For Carolinians, although the new constitution "may have the authority of law ... it has not and never can have the moral sanction of right, truth, or justice...." Eqbal Ahmad, who has spent most of his life studying revolutionary war and guerrilla movements, concluded that the greatest factor involved in an insurgency's success was "the absence or loss of governmental legitimacy." For South Carolina whites, a Republican state government would never have any legitimacy; it may have power, but not authority. The problem, as seen by Francis Simkins and Robert Woody, was that the federal government "succumbed to the temptation of trying to legislate into the political complex of the state innovations which were repellent to its traditions. They created a situation which made revolution against their decrees inevitable." It was "unthinkable," they surmised, that white Carolinians "would consent to be ruled by alien whites and native blacks." "

That rule came closer as the constitutional convention evolved into the Republican State Convention. Although contemporaries and even some historians criticize the "Black and Tan" convention as "negro rule," whites, not blacks or
mulattoes, dominated the nominees for state positions. The overwhelming choice for governor was Ohioan Robert K. Scott, who was currently the Assistant Commissioner for the Freedmen's Bureau in the State. The candidate for lieutenant governor was a native white and former slaveholder, Lemuel Boozer. The only black among the top-level positions was Francis Cardozo, the choice for Secretary of State.12

The Democratic State Convention met at the opening of April, and at first appeared willing to compromise. Some moderates, hoping that by meeting Republicans half-way they could stave off black rule, offered to accept qualified negro suffrage in a new, amended constitution. However W.D. Porter, whom the convention had nominated for governor, refused to accept the nomination unless the convention shunned such groveling and repudiated the constitutional convention. A.P. Aldrich agreed, arguing "we must go into this fight with the party banner that this is 'A White Man's Government.'" Moderates eventually capitulated, and the convention issued a statement formally protesting the validity of the 'Black and Tan' convention and the constitution it produced.13

The future of the state - via the voting for state officers and the ratification of the new constitution - was to be decided in a joint election slated for April 14, 15, and 16. The Republican party worked furiously in the short
time between its convention and the election. Republican candidates toured the state, reading the constitution to blacks at meetings and in churches. Elizabeth Munro described a meeting at Union Court House between the "Chimpanzees" and some "distinguished visitors" who came and "explained the constitution to the audience. The Chimpanzee women were in full force."14 Democrats were less organized, a fact evident to William Pearson as he urged the influential Benjamin F. Perry to come up with "some kind of platform to act upon in defeating the adoption of this Negro Constitution."15 As the election neared, Democrats became more pessimistic. John B. Elliott groaned, "I suppose the constitution will be ratified as the Negroes out vote the whites. It's a miserable land to live in."18

Elliott was right, and the motivated and organized Republican party seized power from dispirited Democrats. Victory in April meant control now lay in the hands of native blacks, alien whites, and traitorous scalawags. The new governor - a Republican - was "carpetbagger" Robert K. Scott, inaugurated on July 9, three days after James L. Orr left office. Scott would govern beside a legislature unprecedented in Carolina history, and unforeseen in any conservative nightmare. Nearly the entire Republican ticket was elected, and black and white Republicans filled local and state offices, as well as the state legislature. Republicans controlled both houses, but at least a majority
of Senators were white. The majority in the House was black, however, which gave blacks a majority in the Assembly overall.\textsuperscript{17}

The election also resulted in a victory for the new constitution. Congress accepted the new constitution, and called on the state to ratify the Fourteenth Amendment for readmission. Governor Scott called the new General Assembly into special session in July, the Amendment was ratified without delay, and South Carolina re-entered the federal Union.\textsuperscript{18}

Upon readmission, the War Department turned over all administrative and judicial functions to the state's new rulers. In June Congress eliminated the Second and Third Military Districts, established under the Reconstruction Acts, and created the Department of the South as an umbrella unit under General George Gordon Meade. Included in this Department was the new District of South Carolina, with Colonel F.V. Bomford in command. The Army, no longer involved in civil affairs, retained only three posts in the state: Columbia, Charleston, and Aiken. Even if necessary, intervention might not be forthcoming, as General Meade and the new Secretary of War, John Schofield, both opposed a military role in civil affairs.\textsuperscript{19}

Similarly, the presence of the Freedmen's Bureau also diminished in 1868. The new governor, Robert K. Scott, continued as Assistant Commissioner until succeeded by
Brevet Colonel J.R. Edie on July 31, 1868. But Edie's command made the nearly chimeric organization of Scott's seem like a juggernaut. On July 25, Congress declared that with the exception of the educational and pension departments, the Bureau would cease to exist on December 31, 1868. Long before then the agency had dwindled away in South Carolina; by fall a total of ten officers - including the Assistant Commissioner - were present in the state. With the end of the Army's role in civil affairs, one officer predicted "the South, as a whole, will not soon see more quiet and more satisfactory control ... for some time to come, than in the twelve-month just past."  

Republican success made both necessary and possible a more unified, and dangerous, conservative response. Although conservatives had been effectively ousted from power, Republican victory had at the same time cleared away a major obstacle to native white control: the U.S. army. In July Congress readmitted South Carolina to the Union, and once again civil authority was supreme. For the first time since the surrender, the state was free from the meddling of the military, and the state Republican party had to face conservative opposition alone.
From the outset, Carolina whites made no effort to disguise their opposition to the new government. D.T. Wells, a lieutenant in the 8th U.S. Infantry, claimed that the general attitude in Laurens County was that whites need not submit to any laws passed by the "negro government." Cavalry hero Martin Witherspoon Gary stated that the "the attempt to place the negro over the white man, was not only a violation of the supreme law of the land, but at war with the noblest instincts of our races...." He proclaimed that "usurpations and the abuses of power" had driven secession, and the same fight still waged, as the Reconstruction Acts, the Freedmen's Bureau, and the enfranchisement of blacks were all unconstitutional. The editor of the Edgefield Advertiser agreed, and asserted that "the continued denial of our God-given privileges and rights justify the resort to extraordinary means for their recovery and perpetuation! To our apprehension, that moment is approaching in the history of our down-trodden people...."

That moment, conservatives believed, was the presidential election of 1868. The presidential contest offered a ray of hope in an otherwise dismal future. The state government was in the hands of blacks and Radical whites, and Congress was a source of further tyranny. But a Democratic president might rein in the national legislature, bolster the judiciary, and keep the military out of southern affairs. Once southern Republicans were isolated, state
conservatives could fully mobilize their forces and take control of the state. Victory in the presidential contest would not come easily; the previous elections had demonstrated that Republicans were a formidable force in Carolina politics. Yet electing a Democratic president was the only way to save the state, and as a result the campaign of 1868 was less of a canvass, and more of a war.

Historians have often seen 1868 as a watershed in Reconstruction, when violence and political designs became interlocked. Both Joel Williamson and George Rable noted that violence was present before 1868, but was random and without political content. This hypothesis is only partly accurate. While political control was not the short-term objective, pre-1868 violence had the same larger goals in view. After 1868, violence was directed at regaining political control so as to allow the rebuilding of South Carolina as white Carolinians saw fit. Violence before 1868 really had the same ends in mind, as the previous chapters have demonstrated. Scholars have made the mistake of drawing a distinction between periods of Reconstruction that are in fact linked by aims; only the means differed.26

The immediate aim in 1868 was to elect the Democratic ticket of Horatio Seymour and Francis P. Blair, Jr. Signals from the national Democratic party sustained conservative hopes for a return to a state's rights federation, limited government, and white supremacy. The vice-presidential
nominee Blair remarked in June that "there is but one way to restore the Government and the Constitution, and that is for the President-elect to declare these acts null and void ... disperse the carpet-bag State governments, and allow the white people to reorganize their own governments and elect Senators and Representatives." When Governor Robert Scott learned of the pronouncement, he wrote to General Meade that Blair had "declared war; he has plainly told us that the Reconstruction of Congress is revolutionary and must be set aside. The leading men in the Rebellion understood him to mean it must be done by force if need be and they are prepared to act."  

The governor's concerns were well-founded, for whites approached the campaign as a war for the future of their state. Trying to mobilize disheartened voters, Martin W. Gary called on whites to support the belief that "this shall remain purely a White Man's Government and that the negro shall not become a part of the body politic, or from any qualification either as to education or property, be allowed to vote in this country." Armistead Burt sounded the same note of racist defiance at the State Democratic Convention held in Columbia in August. Carolinians, he announced, were ready to fight for control of their state and their country, "which was discovered by the white man, settled by the white man, made illustrious by the white man, and must continue to be the white man's Country." Ellison S. Keitt asked "will
they impose, at the point of a bayonet, negro governments upon the Southern States ... will they Africanize the South?" "These are the questions you will answer," Keitt stated pointedly, "in November next when you cast your ballots in the Presidential election."31

White ballots were only half the battle, and conservatives knew they had to discover some way of cutting down the black vote in the state. Early in the campaign, moderate Carolinians reached out to black voters, but the attempts were so backhanded and tactless that they did more harm than good. A few interracial gatherings were held to publicize the Democratic ticket among blacks, but at most of these meetings blacks sat at separate tables from whites! Blacks responded appropriately; in the words of George Rable, they "listened to the Democratic speakers, feasted on the bounteous viands, and then voted Republican."32

More typical were the "Appeals" that appeared in newspapers, offering what was purported to be realistic advice for the new voters. One day's "Advice to the Colored People" warned blacks pay no heed to the Radicals who claim that whites aim to reenslave blacks; slavery is abolished forever, and cannot return. "But," the piece continued, "this Government is a White Man's Government. The Indian never ruled; the negro will never rule and it is madness to think otherwise."33 Offering "Words of Wisdom for the Colored Race," J.B. Campbell assured blacks of equal
protection under the law, but asked them to be reasonable in regards to suffrage. Black countries, like St. Domingo and Haiti, have black governments, and white countries should have white governments. "There is no middle ground on this matter," Campbell explained, "the government must be all white or all colored." He closed on a chilling note, telling the freedmen that "you trust your present allies ... do you think they will stand by you? You are deluded...." Blacks should look to the future and choose their friends wisely, Campbell said, and "I pray God give you wisdom in your choice."34

Campbell's ominous tone was indicative of the seriousness with which whites approached the campaign. In June Joseph Abney, speaking before a Democratic club in Edgefield, called on fellow whites to "gather in all the votes we can from the ranks of the adversary, and by all the legitimate means in our power. And in such a strife, we need not be dainty as to the means employed; we must fight the Devil with fire." Abney reminded his friends to have "faith in our cause, but work with indefatigable zeal and industry - trust in God, but keep your powder dry." "It is made our duty to God and our country," the speaker declared, "... to wage incessant, restless, and eternal war."35

Economic coercion was one weapon which whites turned to readily. The failure to revolutionize the southern economy after Appomattox left whites in control of the land, and
kept the economy rooted in the plantation system. White employers and black laborers, soon learned that economic inequality translated into political capital. Immediately after the Democratic failure in the April elections, the Democratic Club of Liberty Hill (in Edgefield County) passed a resolution that all members were to keep a list of their employees and their political affiliations. The club voted "not employ any negro or white man, or any member of their families, who fails to bring with him a written certificate from his former employer that he is a Democrat and has voted with the Democrats at some election." Members also regarded "with animosity any white person in this Community" who employed anyone "known or suspected to be attached to the Radical Party."38

In his last report as Assistant Commissioner for the Freedmen's Bureau, Robert K. Scott warned his superior O.O. Howard about the effectiveness of economic pressure. Scott was concerned that many blacks would vote Democratic because of the need to work and have a place to live. In some places, Scott informed Howard, freedmen "are almost entirely under the influence of the whites, who are, of course, opposed to Reconstruction." According to his report, many laborers are "freely and publicly told that unless they voted the Democratic Ticket, they should never get any more work."37
If anything, Scott’s assessment of the situation underestimated the determination and vigor of the whites. The omnipresent Benjamin F. Perry told his friends to tell their laborers to "go to their friends, the carpet-baggers and scalawags, for their favors and employment." In another letter Perry simply wrote that "if they will not vote with us we should not employ them."38 The press echoed these sentiments. One article in the Advertiser advised planters to remind the black worker that he cannot "make war upon the capital from which he derives his support ... he is quarreling with his meat and his bread."39 When planter George Ghislen discovered that his hands had been attending Radical meetings, he called them together and told them "in the plainest & most forcible manner" that if they voted "in favor of radicalism ... they can no longer work for me." Ghilsen was confident that all other locals would refuse them work as well, and plans had been made to go to Augusta, Georgia, to get new workers.40 Clubs existed in Edgefield, Charleston, and Orangeburg Counties, all conspiring to pressure whites into conformity, and pressure blacks into submission.41

While economic extortion may have been effective, whites continued to turn to their most traditional instrument of control, physical force. Be it a duel among the gentry or a whip across a slave’s back, violence seemed an almost automatic reaction to any threat to control, a
ready defense of honor, virtue, or white supremacy. In 1969 Sheldon Hackney presented a provocative hypothesis to account for the southern propensity for violence. Hackney dismantled many alternative arguments, including interracial demographics, the large percentage of lower status societal groups (appropriate to regions of poverty and rural environments), modernization, and even the frontier thesis. In their place Hackney placed a "seige mentality," an attitude that resulted "from a paranoid perception of the environment." Historically, southerners, both white and black, have had a sense that their economic, political, and social surroundings were composed of hostile forces, and that they were passive victims. Hackney emphasized the effect of outside forces on the minds of southerners, which produced a paranoia - and a tendency to violence - as men and women tried to cope with forces beyond their control. The abolition movement, the vast rampages of Union armies, emancipation, Reconstruction, modernization, urbanization, the civil rights movement - all were in some way initiated or driven by powers outside of the South itself. According to Hackney, "almost every significant change in the life of the South has been initiated by external powers."42 A century earlier, the Yorkville Enquirer would have agreed:

The South is a new country ... the change is fundamental ... the social, civil, and moral aspects of the country have assumed a different
appearance. The change is not a voluntary one. The people of the South have not brought it about by their own free choice. It has been forced upon them.43

Since the new government had been forced upon them, conservatives felt they had every right to use force to topple it. Governor Scott informed General Canby in September that the so-called "innocent lambs of the Democratic Plank are shooting Negroes almost daily" because "the old leaders are determined to control this country again."44 Scott's replacement in the Bureau, John R. Edie, no sooner took over as Assistant Commissioner than he was deluged by outrage reports and requests for protection. Edie learned of assassination attempts directed at congressional candidates, and that some men had been killed just for admitting they were Republicans! Edie reported to Commissioner Howard that the "destruction of human life is appalling."45

Bureau reports became more alarming as the campaign intensified in the summer and early fall. Lieutenant M. DeKnight in Abbeville reported that politically-motivated violence was common in his district, and believed that "unless the colored man either votes the Democratic Ticket or stays away from the Polls altogether, he will be shot down."46 Lieutenant William Stone in Edgefield confessed that "I have no expectation that a fair election can be had ... if indeed any is held at all." The lieutenant claimed
that civil authorities refused to act, making it impossible
"to protect the lives and property of those who do not agree
politically with the large majority of white citizens."47
Officers also reported that armed groups of whites had
visited workers in the fields, and forced them to sign
papers pledging support for the Democratic party, "with the
direct threat that unless they do so, or if they attempt to
vote the Republican ticket, they shall assuredly be killed." DeKnight did not exaggerate when he claimed that "a state of
terrorism is almost universal."48

By October panic had begun to grip the state Republican
party. One petition requested that if the governor could
not provide protection he should cancel the election in the
area; if there was no election, "we would avoid having
bloodshed." According to the citizens, closing a few polls
would do no damage, since the Democratic clubs "have already
succeeded in frightening a great many by their repeated
lawless acts of violence and murder." The authors claimed
the "Rebel element" was "in a state bordering on
insurrection."49 A similar account for the counties of
Clarendon, Kershaw, and Lancaster came from B.F. Whittemore,
sent by the governor to investigate the region. Whittemore
found Republicans "intimidated by threats of the most
violent and dangerous character," and confirmed that "armed
bands of men" patrolled the public roads.50 Whittemore noted
that the "rebels" seemed to have no trouble procuring arms.
In fact, an organized effort was underway in the summer and fall to supply guns to conservatives who did not yet possess guns. For instance, James Pagan sent a letter to A.B. Springs alerting him that a shipment of guns was on its way. Pagan had tested one of the rifles, and proclaimed it "the best gun ever shot." Pagan asserted that "in a bush fight or in the open field - no American citizens of African decent [sic] could stand up against such arms." Democratic clubs raised funds locally - each district was assessed a certain sum - then sent buyers North to procure the weapons. For example, a few days before Pagan shipped the guns to Springs, Iredell Jones of Rock Hill had informed Springs that he was coming by with another $50.00 that the State Central Club had allotted for his district.

Whites were preparing to wage a campaign of terrorism, and were not above using assassination to help carry the election. Testifying before a congressional investigating committee months later, William Tolbert, a member of the Greenwood Club of Abbeville, bluntly stated the aims of that group: "To find out where the negroes were holding Union Leagues ... kill the leaders; fire into them and kill the leaders if [we] could." He was also ordered to find the Republicans who kept the ballots before the election, and take the ballots from them; if they resisted, "shoot them.
and take them by force." Orders regarding Republican speakers were similarly straightforward: "Shoot them, kill them, stop it." 63

Some Democratic party had members were only too eager to carry out such orders. General Canby recorded the first "assassination," as he called it, on June 4, when state Senator Solomon Washington Dill was shot dead in his own home. 54 A few weeks later James Martin, a legislator from Abbeville, was killed in front of the Abbeville Court House. In early October, Johnson Stuart, a prominent Republican from Newberry, was shot to death riding home from a political meeting. A few weeks later his friend Lee Nance, president of the local Union League, was found murdered in his front yard. 55 There were rumors of plots to kill the governor, Attorney General Daniel Chamberlain, and prominent Republicans T.J. Hackey and Christopher C. Bowen. 56 Many Republicans assumed the worst when the Freedmen's Bureau's Superintendent of Education, Pennsylvania Quaker Reuben Tomlinson, disappeared during the campaign; he was, in fact, deliberately keeping a low profile because of threats against his life. 57

In the middle of October Governor Scott received a chilling letter, which was followed by the most audacious assassination of the campaign. Signed by William Lawton, "A Republican Democrat," the message contained the usual banter about saving the state from tyranny and battling for rights.
Its closing, however, was brief and direct: "By the 'Law of Success' the murder of your enemy is the righteous vindication of your 'Right to Rule.'" A week later B.F. Randolph, a black carpetbagger and one of the most eloquent Republicans in the state, stepped off a train at Hodges Depot. Ready and waiting were two groups of gunmen - one prepared to kill Randolph, the other ready to fire on his guards if they shot at the assassins. When a seemingly innocent bystander, John Brooks, pointed at the sky, the shots rang out. Seconds later Randolph lay dead, and his killers jumped on waiting horses and rode off unmolested. Several eyewitnesses reported hearing one man say that Randolph was only the beginning.

More feared than any band of assassins was the Ku Klux Klan, an organization which utilized all weapons at the whites' disposal with such cold-blooded determination that it became the nemesis of Republicans, a creature of mythical proportions for conservatives. The Ku Klux Klan had originated in Tennessee in 1866, but it was not until 1868 that cells of the organization first appeared in the Palmetto State. The creation of a South Carolina Klan had
been only a matter of time, for the Klan so embodied the traditions and values of South Carolina that its appearance was nearly inevitable.\(^58\)

The Carolina Klan represented the coming together of three forces. The first was the tradition of localized, community-oriented extralegal response to fears and crimes believed to threaten Carolina society. The second was the established organizations that often served to complete the tasks desired by the fearful citizens; the slave patrols of the antebellum period are the most obvious example. The last component involved the need for an effective organization that could operate in a systematic way to confront the problem of Republican power in the state.

The connection between the Ku Klux Klan and southern traditions of extralegal activity is not new. Edward Ayers admitted that the Klan "reflected a tradition of extralegal retribution," and Bertram Wyatt-Brown neatly linked classic patterns of community-based punishment to the activities of the hooded order. Wyatt-Brown argued that "when regular procedures seemed inappropriate or inadequate, the community ... acted through lynch law." "The community," he argued, "was the final arbiter of morals and justice," and as such outbreaks of vigilante action were "the ultimate expressions of community will."\(^60\) In her dissertation on the Klan, Lou Falkner Williams pointed out that antebellum South Carolina had no prison and few jails, so often "social control was
largely a community matter among whites." In addition, regular police forces were rare outside major cities, so law enforcement rested in the hands of volunteers and individual citizens. Even more interesting are the findings of Jack Kenny Williams, who showed that while normal crimes were handled by regular authorities, the most threatening and dangerous affairs fell within the bounds of extralegal punishment. After 1840, ninety percent of all lynch-law cases were related to slavery or abolitionism. The reasons for this are many, including the public's hysteria, a pressing need for haste, the desire to create examples of the offenders, and, sometimes, a need for pre-emptory action not possible under ordinary civil law.

Not all violence in antebellum South Carolina was spontaneous, and the creation of the slave patrols was a measured step toward an organized vigilante arrangement. This too carried directly into Reconstruction, first with the roving bands that followed the surrender, and later with the Ku Klux Klan. Like the patrols, the Klan was a mounted, armed symbol of white authority that held the unquestioned power of life or death when it came to security matters. As South Carolinian Belton O'Neal Townsend put it, "the Ku Klux Klan with its night visits and whippings and murders was the legitimate offspring of the patrol." To Townsend, neither the deeds nor the system itself were "unnatural." In fact, he rather expected them.
There is less of a consensus on the aims of the organization. Historians Bertram Wyatt-Brown, Edward Ayers, Lou Williams, and Charles Flynn see many purposes to Klan activity, centering on the enforcement of public morals, ethics, and "acceptable" behaviors. While the Klan did target political enemies, the riders concentrated on thieves, adulterers, drunks, rapists, arsonists, and other threats to public order. Charles Flynn's study of the Georgia Klan ably dismantled J.C.A. Stagg's 'labor-control thesis,' but Flynn also criticized what he called the "liberal school" for its focus on racism. Flynn saw Klanism as the result of class conflict and "caste" expectations, and placed it firmly within the school of ethical and behavior control. The latest proponent of this explanation of the Klan's aims in Lou Williams, who agreed that the organization sought to reassert community values and enforce a specific code of ethics and honor. Only Edward Ayers admitted that "racial control" was central to the function of the Klan, but he also refused to accept a solidly political focus.\textsuperscript{84}

These historians, however, appear to be working backward toward the answer. Research beginning with the Klan and moving outward produces a different conclusion. A massive amount of documentary material exists for the Klan from 1868-1871, including letters, military reports, newspaper accounts, journals, and the voluminous findings of
the congressional investigation. Cases do exist of hooded horsemen abusing suspected thieves, or chasing adulterers, but instances of "moral enforcement" are negligible when compared to the number of political attacks. Historians do see the bigger picture; the aim of the Klan was the restoration of a society founded on traditional southern values. But Carolinians knew the only way to that goal was through political power, and the Klan was a weapon designed to strike directly at the Republican political machine.

The timing of the organization's appearance in the state illustrates its political content. Many historians have erred in dating the Klan's appearance, and so have misinterpreted its purpose. The dean of South Carolina historians, David Duncan Wallace, claimed the creation of the state's black militia brought on the Klan as a defensive force. The pro-southern Henry Thompson agreed, claiming that "the arrogance of the negro militia ... became so great that the people ... banded themselves together for self-protection in the famous organization known as the Ku Klux Klan." More recently, in a dissertation on political violence during Reconstruction, Ida Waller Pope also stated that the Klan followed the formation of the militia. This is erroneous, for the Klan was operating in South Carolina by late spring 1868. No militia - of any kind - existed in the state until the spring of 1870; all such forces had been disbanded with the Reconstruction Acts of March 1867.
Another favorite explanation— to be used often by Democrats in Congress— was that the Klan arose to counter Republican corruption and fraud. To be sure, South Carolina did have its share of mismanagement and graft, but these problems had not yet arisen. In 1868 the government was brand new, not yet tainted with the stain of corruption. As Everette Swinney suggested, events that had not yet occurred made poor explanations for the organization's activities.

The Klan appeared in the spring of 1868 after the failure of the whites to defeat the new state constitution. The success of the state Republican party, based on an efficient network of Union Leagues and an enthusiastic black population, forced whites to seek an organized, coherent response. Historians who have studied the Union Leagues have found them a particular object of Klan attention. Michael Fitzgerald emphasized the political nature of the Klan, and believed that the Klan deliberately targeted the roots of black political activity, the Leagues. Even Lester and Wilson's contemporary work on the Klan mentioned the importance of counteracting League influence, although they had the Klan protecting whites from the "evils" and "excesses" of the Leagues. Iredell Jones, one of founders of the "Chester Conservative Clan," noted in his journal that the group would "do all in our power to counteract the evil influences exerted by a secret radical organization known as the Union League." Another entry noted that "all
meetings or proposed meetings of negroes and Radicals" must be listed, and preparations made to conduct visits.  

It is only with the advent of the Klan that historians recognize a conflict that already had been underway for years. Allen Trelease, for instance, called the organization the "terrorist arm of the Democratic party," while Eric Foner considered it "a military force serving the interests of the Democratic Party, the planter class, and all those who desired the restoration of white supremacy." Even George Rable, who argued that much of the violence at the time was random and lacking in coherence, admitted that the Klan had a singular purpose: the destruction of the southern republican party. Otto Olsen's observations on the North Carolina Klan are also appropriate. He believed the Klan to be "a unique guerrilla movement dedicated to the destruction of an alien regime, and the restoration of white supremacy and home rule." Klan hostility represented a "continuation of the war against the North" through the use of "guerrilla-like tactics." Historians, however, must not perceive Klanism in a vacuum; it evolved out of the white resistance and desires of the previous three years.

That the Klan was a political organization seeking political goals was clear to citizens of South Carolina. William Tolbert, one of Randolph's assassins, told investigators that the Klan "was a political organization of the Democratic Party." Its goals, he stated, were "to
regulate the republican party, break it up if they could, and strengthen the democratic party." In Klan terms, "regulating" the Republican party meant "kill out the leaders of the republican party and drive them out of the state." David T. Corbin, the Dartmouth Attorney who served as the U.S. District Attorney for South Carolina during most of Reconstruction, had in his possession a Klan notice which spelled out its aims. "We are on the side of justice, and constitutional liberty, as bequeathed to us in its purity by our forefathers," the memorandum read, "and we oppose and reject the principles of the Radical party." Corbin made a point to emphasize that the organization "is on the side of the Constitution as it was, not as it now is." The Klan's drive to return South Carolina to the constitution "as it was" began immediately after the April elections. One contributor to the Charleston Mercury predicted events a little too well, warning that if "a negro government be put over" the whites, "we doubt not that every city, town, village, and neighborhood in the South will have combinations of the white population to protect themselves against negro rule." Just days after the election, Richard Clark Springs wrote to his nephew that "the colored and white Radicals are very much excited by the Secret Society called Ku Klux Klan which has recently formed here at Spartanburg Village." By late April, reports of the Ku
The Klux Klan were reported in the Yorkville Enquirer, the Charleston Daily News, and the Edgefield Advertiser. Governor-elect Robert Scott informed Commissioner Howard of the organization and noted uneasily that most newspapers spoke "approvingly" of the combination.

By the summer of 1868 state Republicans and military officials had become convinced that the Klan was a serious threat to law, order, and the Republican party. Scott's monthly report for June carried numerous accounts of Klan visitations, warnings, and whippings. Freedmen's Bureau agent DeKnight reported from Abbeville that the Klan had taken to placing coffins in the yards and on the porches of Republicans. DeKnight assured Scott that the psychological effect was considerable. If Scott thought that he had a lot to handle as Assistant Commissioner, he quickly realized his mistake upon assuming the governor's chair. As Chief Executive, Scott became the focus for hundreds of complaints, calls for help, and petitions for redress. Many sounded like the plea of Mrs. John Cochran, who was writing because her husband was "engaged in guarding our house, as we expect an attack to night from the Ku Klux Klan." She listed several outrages, and informed the governor than civil officers had not issued a single warrant. "I never lie to sleep with that sense of safety which I could feel," Mrs. Cochran stated, "if my husband's principles were democratic."
As the November election drew closer, both Klan activity and Republican fears intensified. By the end of October A.S. Wallace, a candidate for Congress, was convinced that the party "can have no justice whatever in the election." He predicted that in Abbeville the "reign of terror" would prevent "a fair election," and reported rumours that Klan riders "would patrol that whole Co the night before the election." Wallace informed Governor Scott that the Klan also threatened to enforce economic proscriptions; notices had been posted warning that blacks that "you can eat our bread and meat, live on our lands, you are dependant on us...." One native white Republican wrote that the "Reble KKK's" were out in full force in Walhalla, and "our lives are in danger among them they are all armed." The author rejected a simple solution - become a Democrat - and announced he would "rather die and fill a Republican grave than go with the Enemies of my Mother Government." 

Not surprisingly, as Klan operations increased in scope and intensity, so too did reports of black militancy. The cause-and-effect relationship was actually the reverse of that posited by some historians; the Ku Klux Klan was the catalyst for black militancy in the state. In June hundreds of blacks in Darlington, fearing a Klan attack, had armed themselves and transformed their Union League into a paramilitary unit. They seized control of an entire town
and threatened to burn it if whites made any assault; according to a Bureau report, none came. Lucy Holcombe Pickens, while defending the Ku Klux Klan, inadvertently explained why blacks became violent: "It is not strange, if the animal instinct of self-preservation becomes in a sorely oppressed people its strongest impulse." Henry Ravenel worried over that impulse, and jotted down rumours of armed black units in the up-country that were meeting and drilling regularly. "As the term [sic] of the Presidential election draws nearer," Ravenel fretted, "apprehensions are felt of a collision between parties." William Porcher DuBose also recorded that blacks had grown "very dangerous" prior to the election. The women of his house were so frightened that they demanded pistols to defend themselves (Upon returning home one day, DuBose saw one young lady, Miss Peronneau, on the back porch screaming at the children to "get away!"). Dubose, rushing to rescue her from the unknown danger, arrived to find that she had cocked the pistol and did not know how to release the hammer safely; he gave her a dinner bell instead.

With tensions high, violence rampant, and opposing political parties - and their organizations - armed, South Carolina was on the brink of civil war. In July Robert Martin provided Governor Scott with the conservative view of the situation in Union County. Martin stated "we are looking for it to commence ... all that wonst to see the
Negroes and Rebels fight can come up here they say that war has to start." When M.L. Bonham heard a rumor that the blacks in Union were arming, he warned Governor Scott of "sowing for the negro the 'wind,' of which he will reap the whirlwind." Beware, Bonham told Scott, for "when a war of races shall be inaugurated, it requires no prophet to predict the result."

Governor Scott eagerly wanted to avoid confrontations that would cost innocent lives. Although some Republicans argued that arming blacks would deter white violence, Scott believed such a move in the middle of a heated campaign would only provoke conservatives. Scott had no illusions about the ability of blacks to wage war against seasoned whites, for "it would have been folly to have placed inexperienced and unarmed men against organized and disciplined ex-Confederate soldiers...." Hoping to steer the state clear of a bloody civil war, on August 4 Scott delivered an address "To the Colored People of South Carolina." Scott informed the black citizenry they need not go around armed, as many of the accounts of murders, shootings, and threats were manufactured by Democrats. The reports "are calculated to foment discord, and to excite prejudices which may lead to open rupture between the two races." Scott called for peace, moderation, and patience on behalf of the black population. The new governor, trying
his hand at politics for the first time, deceived his constituency in an attempt to bring calm - and save lives.  

Through late summer Governor Scott continued along with a policy of non-confrontation. With civil rule restored, the army could not act unless called upon, a step Scott was reluctant to take; yet he seemed hopeful that the federal government would act on its own, and thus spare him further loss of legitimacy. Although Scott openly acknowledged his duty to "execute the law, preserve the public peace, and ensure domestic tranquility," he complained of the federal government's "intention to leave us to our fate...." Therefore, he told one friend, "we must begin to prepare now - they [the Democrats] are ready with the most improved arms known to the country - Let me assure you ... that you must either fight or move away...." Yet Scott made no preparations to do either, even though the situation was so desperate that the governor considered moving the seat of power from Columbia to the coast. "It is my intention," the governor said, "to have the Legislature meet in Charleston in November where we can have the Sea at our Backs. And when we are forced to defend our lives we will make it a war - the most terrible to these Scoundrels that this age has seen." But with the exception of a few investigations and an August proclamation declaring all military organizations in the state illegal (which added nothing to the standing act of Congress), Governor Scott refused to act decisively.
With the army removed from the role of law-enforcer and many local officials sympathetic to the Democrats, leading Republicans continued to push the governor to take resolute action. For months advisors had been urging Scott to recruit and equip more men for the state constabulary (since a state militia was prohibited), but not until September did the governor approve the purchase of Springfield and Enfield rifles from Meigs Patent Arms of Lowell, Massachusetts. Even so, Scott had waited so long that no guns were on hand and it would take time to produce more. Republican leaders, lead by T.J. Mackey, also advocated the creation of special police units under the supervision of the state’s Chief Constable John B. Hubbard. Hubbard wanted to recruit toughs from up North, and organize two-hundred man companies to sweep without warning across lawless counties making arrests. Hubbard believed the state was at war, and his attitude towards certain civil rights was summed up by his comment to constable William Kennedy: "You did perfectly right in arresting the leaders of the Secret Organization without a warrant. Lawyers will do all they can to annoy you, but don’t let them intimidate you in the performance of your duty." With the exception of a few arrests, however, Hubbard was not let loose, and Scott, fearing a bloodbath, refused to take drastic action.

Nevertheless, Republicans continued to pressure Governor Scott to counter the conservative campaign of
violence and intimidation. S.L. Hoge, a candidate for Congress, discussed affairs in the state with the Secretary of War John Schofield, and pleaded with Scott to declare martial law. Since the state constabulary was small and no militia existed, Hoge assured the governor that General Meade of the Department of the South would use his troops if state forces were opposed. Thomas Tullock also tried to reason with the governor. "The only remedy now left for the lawlessness and violence," Tullock claimed, was a declaration of martial law. "This measure," Tullock believed, "cannot fail to have a beneficial effect upon rebel assassins." But Governor Scott continued to reject severe measures, fearing that such action might embolden conservatives and only demonstrate weakness of his government.

The governor did not sit idly by, however, but chose instead to operate through the individuals he believed to be responsible for the violence. In the middle of October, just after the assassination of B.F. Randolph, Scott met with Colonel L.D. Childs, a close friend of Wade Hampton and a member of the Democratic State Central Committee. Scott wove tales of Republican forces, plans, and arms, and informed Colonel Childs that he was doing everything possible to keep blacks from wreaking vengeance on those responsible for the violence - namely Wade Hampton and other prominent Democrats. Unless Hampton spoke openly against
the reign of terror, Scott assured Childs that he would allow retaliation against "those who inaugurated a system of political campaigning which could be compared to nothing but the bloody Revolution of Robespierre in France." At a follow-up meeting, this time with Hampton present, Scott repeated his warning, and tried to reason with the conservative leaders. Violence would beget violence, he assured them, and the bloodshed would affect nothing. Recent Democratic defeats in northern elections already indicated that Ulysses S. Grant would probably win the presidency, and South Carolina could not influence the race.\textsuperscript{103}

Governor Scott's approach, although tardy, may have had a salutary effect. Wade Hampton, perhaps deciding that Scott would manage to involve the federal government, and knowing that any substantial outbreak would bring a military response, complied with Scott's request. On October 23rd, Hampton's address appeared in the Columbia Phoenix. Hampton wished to invoke the readers' "earnest efforts in the cause of peace and the preservation of order...." The former general declared that violence and lawlessness were counterproductive, for they brought criticism down upon the Democratic party and the state. "No cause can prosper," the burly cavalryman asserted, "which calls murder to its assistance, or which looks to assassination for success."\textsuperscript{104} Soon after, the governor heard from J.M. Morris, who said "I do not deem all danger past. But I do feel that the popular
mind is in a better state than it has been for months." Violence did decline sharply in late October, possibly due to the proclamation, and possibly due to the acceptance of a coming Republican victory. Even the Klan began curtailing activity; one order warned members to be "moderate," and not to "redress grievances of a general character or act in any manner calculated to produce a breach of the peace without orders...." On October 29, Scott congratulated Carolinians "upon the beneficial results that have ensued" from Hampton's message.

The truce that existed in South Carolina was an uneasy one, made more fragile by the advent of the long-awaited day. Last minute bids for support and reminders about the cause - by members of both parties - heightened tensions. Speakers like Colonel A.C. Haskell seemed intent on shattering the relative calm preceding the election. Addressing a Democratic crowd at Edgefield, Haskell reminded voters that "this is the Plataea ... it is the same great cause of life and liberty," a chance to "prove that ... we will not permit the white race to be degraded and trampled underfoot by the negro...." A "combination" existed, Haskell informed his audience, that had taken control of the federal government and the state government, and "it has to
be made to die." The weapon was the ballot, which will bring "the purification of the Government, and the overthrow of the Reconstruction Acts of Congress as unconstitutional, null and void, and the restitution of the Constitution as it was."\textsuperscript{108}

Republicans, fearing a resurgence of violence on election day, prepared as best they could. Democrat J. Wright wrote from Laurens Court House to Nickels J. Holmes that "there is great danger of a conflict between the whites and blacks, their Radical friends are doing all they can to prevent it."\textsuperscript{109} Rhoda Cornish also noticed that "every measure had been taken to keep the peace - so perhaps there will be no serious disturbance."\textsuperscript{110} But the options available to the Scott administration were few. The governor finally found some Republicans daring enough to serve as special deputies, and General Meade spread federal troops among the counties as sign of support. But by law the soldiers could not be present at the polls, and had to be posted some distance away. In addition, they could not interfere in cases of fraud, intimidation or mismanagement; they could only act if formally called on by a federal marshal who had met resistance in his duties.

The measures intended to insure a fair vote in South Carolina were far from adequate. Testimony taken by a congressional committee confirmed that although the state had been in a period of calm, Klan riding and midnight
visits began again just prior to the November 3rd election. John Watson, an election commissioner for York County, said that a great many blacks refused to leave their homes on election day after receiving threats from Klansmen only the night before. Harry McDaniels, who had received both a visit and a pistol ball in the shoulder from Klansmen, also reported that local Republicans had unwelcome visitors the night before the election. The Klan had also threatened to enforce the discharge of any workers who voted Republican, McDaniels claimed. In his opinion, the election in his county was "carried by violence and fraud." The manager of the election at Laurens Court House, G.E. Tuxbury, made similar charges, stating that Democratic clubs had agreed not to hire anyone who voted Republican. In Union County, conservatives took another approach. Simon Farr, the local representative, gave all the Republican tickets to Judd Porter a few days before the election; Judd was waylaid, and all the Republican ballots stolen. In the words of James Henderson, all of this was indicative of a "systematic plan on the part of the democratic party to keep the colored voters from the polls."111

Democrats were equally well prepared to deal with those Republicans who defied threats and dared to vote. At one poll in York County, for instance, a group of whites - who held no official capacity - sat at a desk writing down the names of everyone who voted Republican! In Union County,
Richard Kinyon testified that Democratic managers claimed they "could not find names on the list" of registered voters, and therefore refused to allow many to vote.

Samuel Nuckles, a Baptist minister, said that at one Union poll Democrats deposited their tickets into containers on a window ledge, while Republicans handed their ballots to a man inside the window! At Rock Hill whites turned blacks away for "not being registered," while blind and lame Democrats were carried to the polls; in one case Democrats carried the ballot box to the house of an old man so he could vote. One witness in Oconee claimed that the entire student body of the Lutheran College voted - even though many were underage, and some were residents of other states!\textsuperscript{112}

The meager Republican forces were powerless to stop the abuse. Constable W.P. Harris of Newberry, for example, had appointed thirteen deputies for the election, but not one appeared. "They were afraid to serve," he testified, "afraid of violence from the Democrats." Following the election, the Board of State Canvassers accused the Democratic party of "a wholesale system of proscription, terrorism, and assassination" designed to influence the election. The entire campaign had been "accompanied by such grave and widespread disorder and outrages" that it "prevented anything like a free expression of political opinion...."\textsuperscript{113}
The effects of Democratic intimidation and fraud were not as damaging as they could have been. The Republican majority in the state overcame conservative opposition by sheer force of numbers, and South Carolina went for Grant by a margin of 62,818 to 45,237. Yet a breakdown of the vote indicated that Democratic tactics were not without impact. In the up-country counties, where violence and Klan activity was more intense, the vote was 14,186 for Seymour, and only 10,379 for Grant, despite a black voting majority in the region. In Abbeville, although 2400 blacks were registered, only 800 voted. Laurens County, with a black enrollment of almost 2500, had only 1174 turn out, and in Anderson, between 700 and 800 of a potential 1400 voted. The previous April, Republicans had swept the congressional elections; in November the Democrats won two seats, as J.P. Reed defeated S.L. Hoge in the Third District and William Simpson beat A.S. Wallace in the Fourth.114

Nevertheless, the South Carolina Republican party had reason to be confident. It had weathered its first major storm, and now a Republican prepared to assume the Presidency. Regardless of white hostility, the future looked bright, for in the words of William Gillette, "if Reconstruction ever had a chance, it was during Grant's administration, when the Republicans controlled - in fact, not just in form - both the presidency and Congress for the first time during the postwar period."115 Such a
predicament - a loss of control at both the state and federal levels - sent shudders through conservatives like W.L. Trenholm, who sensed "a peril upon us that few realise [sic] & yet it is imminent, the danger of passing forever under the local domination of strangers ... [and] a foreign & barbarous race...." For Trenholm, Republican control of both the state and federal governments meant that "previous conditions of political ascendancy have been reversed, probity, education and intelligence, have been forcibly expelled from their divine right of superiority...."118

The campaign of 1868 was only one battle, and although South Carolina's conservatives lost, the war would go on. R.C. Poole of Spartanburg anticipated it, and warned Governor Scott before the election that even a Grant victory would not bring peace to the state. Poole feared that "if Grant was elected ... Revolution would be inevitable, for I am confident that negro Supremacy never will be submitted to by the former Slave States...."117 Poole, Scott, and Grant would soon discover that his prediction was disturbingly accurate.
1. Thomas Pinckney Lowndes, "Reminiscences," 111, Thomas Pinckney Lowndes Papers, Box 2, Folder 21, SHC, UNC.


3. Lawanda Cox and John H. Cox, eds., _Reconstruction, the Negro, and the New South_ (Columbia, S.C.: University of South Carolina Press, 1973), 217; Simkins and Woody, _South Carolina during Reconstruction_, 104; Richard Current, _Those Terrible Carpetbaggers_ (New York: Oxford University Press, 1988), 81. Among other changes, the new constitution also abolished the use of "district" as an administrative unit. Beginning with the convening of the General Assembly in November, the term "county" was used. Following the pattern, I also will switch to "county" and discard "district."

4. Dr. John H. Davis to John C. Davison, Conway, Black, and Davis Families, Folder 14, SCL-MD.


6. Fairfield Herald, April 29, 1868.

7. Edgefield Advertiser, June 24, 1868.

8. Cox and Cox, eds., _Reconstruction_, 229-235. The grand old historian of South Carolina, David Duncan Wallace, shared the views of the committee. The constitution of 1868 provided that "one of the most ignorant and undeveloped of races was to be placed by mere legislative fiat in absolute power over a large portion of a race notable for centuries for the highest success in self-government...;" Wallace, _South Carolina: A Short History_, 589.


12. Thompson, _Ousting the Carpetbagger_, 28; Speech of the Honorable J.J. Wright at Liberty Hall, Charleston S.C., May 31, 1872 (Columbia: S.C. Republican Printing Company, Book and Job Printers, 1872), 11, in Pamphlets: Reconstruction in South Carolina, Democratic and Republican, 1868-1880, SCL-BD. Scott has been much maligned for using his office in
the Bureau to promote himself in politics. Abbott leans toward the view that he did use his military post to gain valuable contacts and advance his political ambitions. A large amount of correspondence, however, exists showing that it took several weeks - and scores of appeals - for him to decide to leave his post and accept the nomination. Abbott, The Freedmen's Bureau, 32-35; Robert K. Scott Papers, Box 1, Folder 5, OHS.


14. Elizabeth (Grimball) Munro to "Mamma," April 9, 1868, Grimball Family Papers, Folder 22, SHC, UNC.

15. William F. Pearson to Benjamin F. Perry, March 20, 1868, Benjamin Franklin Perry Papers, Box 1, Folder 11, SHC, UNC.


17. Edward King, The Great South (Hartford, Conn.: The American Publishing Company, 1875; reprint Arno Press and the New York Times, 1969), 454. Richard Current has in the Senate 20 whites and 10 blacks, and in the House 48 whites and 78 blacks. His overall figures favor blacks 68 - 68, Richard N. Current, Those Terrible Carpetbaggers (New York: Oxford University Press, 1968), 143. Others' numbers differ, but the percentages remain largely the same. Thomas Holt counted 21 whites and 10 blacks in the Senate, and 47 whites and 74 blacks in the House; Holt, Black over White, 97. Michael Thompson's dissertation offers still other figures, with the Senate having 22 whites and 13 blacks, and the House at 48 whites and 85 blacks; Michael Edwin Thompson, "Blacks, Carpetbaggers, and Scalawags: A Study of the Membership of the South Carolina Legislature, 1868-1870" (Unpublished Ph.D. dissertation, Washington State University, 1975), iv-vi. As David Potter has stated, "negro domination" was only a myth, for the closest state to such a situation was South Carolina, and the numbers were not all that dominating. All state positions were in the hands of whites (except the Secretary of State), and the vast voting power of the black constituency gave only a bare majority in the Legislature; Potter, Division and the Stresses of Reunion, 220. James McPherson, in Ordeal by Fire, made the same point. Between 1868 and 1876 blacks held 61% of the House and 42% of the Senate, and a total of only 52% of all state and federal elective offices, a number far below their numerical majority, McPherson, Ordeal by Fire: The Civil War and Reconstruction (New York: Alfred A. Knopf, 1982), 557.
18. Simkins and Woody, South Carolina during Reconstruction, 109; Thompson has the ratification occur in late May and early June with readmission on June 25; Ousting the Carpetbaggers, 31.


24. Edgefield Advertiser, September 9, 1868. For a view similar to Gary's see the Address of Honorable Ellison S. Keitt to the Young Men's Democratic Union Club of New York City, summer 1868, in Ellison Keitt Clips, SCL-MD.

25. Edgefield Advertiser, August 28, 1868.

26. In his excellent work on Reconstruction in South Carolina, Joel Williamson stated that Ku Klux Klan activity began in 1870. As this chapter will show, the Klan was active from the spring of 1868, Williamson, After Slavery, 257-258; George Rable, one of the few historians to recognize the 'revolutionary' nature of southern violence, nevertheless intimated that the pre-1868 violence was random. This ignores the connections between it and the basic assumptions, traditions, and desires of conservatives, Rable, But There Was No Peace, 69.

27. Francis Blair quoted by John Shellabarger, in the latter's speech on enforcing the Fourteenth Amendment, delivered April 6, 1871, printed in J.W. Keifer Collection of Speeches and Pamphlets volume VI (n.p., n.d.), 5, OHS.

28. Governor Scott to General George Meade, September 18, 1868, Robert K. Scott Papers, Box 2, Folder 1, OHS.
29. Edgefield Advertiser, September 9, 1868.
31. Ellison S. Keitt Clips, SCL-MD.
33. Edgefield Advertiser, September 23, 1868.
34. Edgefield Advertiser, August 26, 1868.
35. Edgefield Advertiser, June 10, 1868.
36. Minutes of the Democratic Club of Liberty Hill, May 16, June 6, 1868, SCL-MD. The club secretary, William Yeldell, asked for advice on using economic pressure from Francis W. Pickens, the chair of Democratic Central Committee of Edgefield County. See William Yeldell to Francis W. Pickens, June 13, 1868, Francis Warrington Pickens Papers, SCLRR, Duke.
37. Assistant Commissioner Robert K. Scott to Commissioner O.O. Howard, monthly report for June, dated July 20, 1868, RG 105, MC 752, Reel 60, NA.
38. Benjamin F. Perry to E.L. Parker, August 10, 1868, and to S.D. Keith, August 22, 1868, Benjamin Franklin Perry Papers, "Scrapbook," SHC, UNC.
41. See for instance the minutes of the Democratic Club of Ward No. 4, July 22, 1868, SCL-MD, and minutes of the Democratic Club of Liberty Hill, October 10, 1868, SCL-MD.
43. Yorkville Enquirer, August 14, 1873.
44. Governor Scott to General Canby, September 8, 1868, Robert K. Scott Papers, Box 2, Folder 1, OHS.
45. Assistant Commissioner (Brevet Colonel) John Edie to Commissioner O.O. Howard, October 19, 1868, RG 105, MC 752, Reel 60, NA.
46. Contained in Edie to Howard, monthly report for September, dated October 20, 1868; monthly report for October, dated November 21, 1868, both in RG 105, MC 752, Reel 60, NA.

47. Ibid.

48. Ibid.

49. John Woolly and John Devill to Governor Scott, October 27, 1868, Governor Robert K. Scott Papers, Box 3, Folder 14, South Carolina Department of Archives and History, Columbia, South Carolina (hereafter SCDAH).

50. B.F. Whittemore to Governor Scott, October 28, 1868, Governor Scott Papers, Box 3, Folder 17, SCDAH.

51. James Pagan to A.B. Springs, October 21, 1868, Springs Family Papers, Box 11, Folder 181, SHC, UNC. See also James Baxter to "Wife," September 25, 1868, James Baxter Papers, SCL-MD.

52. Iredell Jones to A.B. Springs, October 11, 1868, Springs Family Papers, Box 11, Folder 181, SHC, UNC.


56. Richard Cain to Governor Scott, October 24, 1868, Governor Scott Papers, Box 3, Folder 12, SCDAH.

57. Holland, ed., Letters and Diary of Laura M. Towne, 199.

58. Telegram to Governor Scott, October 10, 1868, Robert K. Scott Papers, Box 2, Folder 2, OHS; U.S. Congress, Joint Select Committee to Inquire into the Conditions of Affairs in the Late Insurrectionary States, Testimony Taken by the Joint Select Committee to Inquire into the Conditions of Affairs in the Late Insurrectionary States (The Ku-Klux Conspiracy) volume IV (Washington, D.C.: The Government Printing Office, 1872; reprint New York: AMS Press, 1968), 1258-1260 (cited hereafter as the KKK Report); Trelease,
White Terror, 116. For fascinating details on the murder of Randolph— including an account given by the principle gunman— see "Papers in the Case of Hoge v. Reed," House Miscellaneous Document No. 18, 41st Congress, 1st Session, 32-33; "Papers in the Case of Wallace v. Simpson," House Miscellaneous Document No. 17, 41st Congress, 2nd Session, Serial 1402, 40, 47; Edie to Howard, monthly report for October, dated November 21, 1868, RG 105, HC 752, Reel 60, NA.

59. Neither this dissertation nor this chapter are meant to be a complete explanation or study of the Ku Klux Klan. I will discuss such elements and background as are necessary for understanding its place in this project. But the Klan itself is only one factor, one manifestation, in a long and complicated struggle, and it cannot be analyzed fully here. The best work on the Klan remains Trelease, White Terror, while the most interesting—from an historian's viewpoint—may be J.C. Lester and D. L. Wilson, The Ku Klux Klan: Its Origin, Growth, and Disbandment (n.p.: 1884; reprint New York: Da Capo Press, 1973). This is the only known work on the original Klan written by a founding member.


63. "A South Carolinian" (Belton O'Neal Townsend), "South Carolina Morals," in Atlantic Monthly, 39 (1877), 470-471. Williams also saw the Klan as an outgrowth of the patrol system; Williams, "Ku Klux Klan Trials," 58.

Williams, "Ku Klux Klan Trials," 69-78; Ayers, Vengeance and Justice, 161-164, 183.

65. One of the clearest indicators of the political nature of the organization was the large number of assaults made upon white Republicans in the state.

66. Wallace, South Carolina: A Short History, 580, 582.

67. Thompson, Ousting the Carpetbagger, 53, 54.


69. For the corruption argument, see Coulter, The South during Reconstruction, 165.

70. Swinney, Suppressing the Ku Klux Klan, 51-52; see also William Porcher DuBose, "Reminiscence," 140 (typescript), SHC, UNC.


73. Entries "June 28, 1868," and "October 1868," Iredell Jones Papers, SCL-MD.

74. Trelease, White Terror, xlvi-xlvii; Foner, Reconstruction: America's Unfinished Revolution, 425.

75. Rable, But There Was No Peace, 95.


77. "Papers in the Case of Hoge v. Reed," House Miscellaneous Documents No. 18, 41st Congress, 1st Session, 34.


80. Richard Clark Springs to "Nephew" (A.B. Springs), May 5, 1868, Springs Family Papers, Box 11, Folder 177, SHC, UNC.


82. Scott to Howard, April 22, 1868, RG 105, MC 752, Reel 55, NA.

83. DeKnight's report is enclosed in Scott to Howard, monthly report for June, dated July 20, 1868, RG 105, MC 752, Reel 60, NA.

84. Mrs. John Cochran to Governor Scott, October 27, 1868, Governor Scott Papers, Box 3, Folder 15, SCDAH. A few days later John Cochran wrote to Governor Scott, assuring him of the truth of his wife's remarks, and asking him to keep the letters a secret, John Cochran to Governor Scott, October 28, 1868, Governor Scott Papers, Box 3, Folder 15, SCDAH.

85. A.S. Wallace to Governor Robert Scott, October 29, 1868, Governor Scott Papers, Box 3, Folder 18, SCDAH.

86. W.O.B. Hiott to Governor Scott, November 7, 1868, Governor Scott Papers, Box 3, Folder 25, SCDAH.

87. Scott to Howard, monthly report for June, dated July 20, 1868, RG 105, MC 752, Reel 60, NA.

88. Francis Warrington Pickens Papers, SCLRR, Duke.


90. William Porcher DuBose, "Reminiscences," 144-145 (typescript), SHC, UNC.

91. Robert Martin and B.W. Duncan to Governor Scott, July 25, 1868, Governor Scott Papers, Box 1, Folder 17, SCDAH.

92. H.L. Bonham to Governor Scott, letter dated August 15, 1868, in Edgefield Advertiser, September 9, 1868.


94. "Address to the Colored People of South Carolina," August 4, 1868, Robert K. Scott Papers, Box 1, Folder 8, OHS.
95. "Proclamation of the Executive of the State of South Carolina," August 31, 1868, Robert K. Scott Papers, Box 1, Folder 8, OHS; also in Yorkville, Enquirer, September 10, 1868; Governor Scott to "Mr. French," September 12, 1868, Robert K. Scott Papers, Box 2, Folder 1, OHS.

96. Governor Scott to "Mr. French," September 12, 1868, Robert K. Scott Papers, Box 2, Folder 1, OHS.

97. Governor Scott to "Mr. French," September 12, 1868, Robert K. Scott Papers, Box 2, Folder 1, OHS.

98. T.J. Mackey to Governor Scott, September 16, 1868, Robert K. Scott Papers, Box 2, Folder 22, OHS; J.V. Meigs to Governor Scott, October 20, 1868, Robert K. Scott Papers, Box 2, Folder 3, OHS.

99. T.J. Mackey to Governor Scott, September 16, 1868, Governor Scott Papers, Box 2, Folder 22, SCDAH.

100. J.B. Hubbard to William Kennedy November 11, December 2, 1868, Chief Constable's Papers, Box 1, Folder 24, SCDAH.

101. S.L. Hoge to Governor Scott, October 22, October 23, 1868, Robert K. Scott Papers, Box 2, Folder 3, OHS.

102. Thomas Tullock to Governor Scott, October 1868 (no day), Robert K. Scott Papers, Box 2, Folder 3, OHS.

103. Governor Scott to Republican Party Executive Committee, October 12, 1868, Robert K. Scott Papers, Box 6, Folder 1, OHS.


105. J.M. Morris to Governor Scott, October 24, 1868, Robert K. Scott Papers, Box 2, Folder 3, OHS.

106. "Orders from Rock Hill," October 1868, Iredell Jones Papers, SCL-HD.

107. Copy of proclamation in Robert K. Scott Papers, Box 2, Folder 4, OHS.

108. Speech of Colonel A.C. Haskell at Edgefield Court House, September 2, 1868, Edgefield Advertiser, September 9, 1868.

110. Rhoda Cornish to John Hamilton Cornish, November 1, 1868, John Hamilton Cornish Papers, Box 2, Folder 31, SHC, UNC.


114. For election statistics see Herbert Shapiro, "The Ku Klux Klan during Reconstruction: The South Carolina Episode," in Journal of Negro History 49 (January 1964), 38-39. The abovementioned Congressional investigations overturned the Democratic congressional victories several months later, giving the seats to the Republican candidates, Trelease, White Terror, 117.


116. W.L. Trenholm, "The South Since 1885," Trenholm Family Papers, Box 1, Folder 1, SHC, UNC.

117. R.C. Poole to Governor Scott, October 16, 1868, Governor Scott Papers, Box 3, Folder 6, SCDAH.
CHAPTER V

DIVIDE AND CONQUER: THE ELECTION OF 1870

All fear the woolf [sic] is in the sheep’s skin they are the same kind of creatures but they have have [sic] changed their coat but once and again they wear out the old coat and then the good old Democrat pokes out his head and we can get a look at his deformed principals.
- W.W. Tucker on the Union Reform party

Democratic defeat in the presidential election of 1868 forced South Carolina conservatives to refocus their attention on regaining control of their state. With Republicans dominating the Executive and Legislative branches, state whites knew that the federal government would support, rather than restrain, state Republicans. As the new state legislature convened and began to reshape South Carolina society, white anger and defiance intensified. But by 1870 conservatives found unlikely allies, as Republican corruption brought a political bolt, and conservatives saw in the state elections a real
opportunity to gain a foothold in power and permanently disable the state Republican party.

"It is the most degrading sight I have seen," Edward Crosland informed his mother after visiting the General Assembly in February 1869.² His was the reaction of most conservatives in South Carolina, who looked upon the body dominated by blacks, carpetbaggers, and scalawags as an unconstitutional affront to God, nature, and the state itself. Martha Schofield had a different opinion of the legislature "where those whose race had been oppressed for two centuries, were now making laws for the oppressors."
The mingling of black and white, Democrat and Republican fascinated her, and she wryly commented that the situation "would disturb the dead bones of many of Carolina's proud sons."³

More important, of course, was that the legislature and its accomplishments disturbed the live bones of many Carolinians. The South Carolina General Assembly opened its first regular session on November 24, 1868, and proceeded to redefine South Carolina society. Among its first actions was the ratification of the Fifteenth Amendment in March 1869, which would become law a year later. The amendment combined two elements that made it wholly unacceptable to many state whites: it placed federal restrictions upon the states, and it allowed the federal government to dictate racial policy. Black males already voted in South Carolina,
and had done so since the Reconstruction Act of March 1867. But the Fourteenth Amendment and the state constitution placed suffrage with the states, with room for maneuver and a glimmer of hope. The Fifteenth Amendment, however, directly restricted the state's control over its suffrage policy. William Trescot had tried to warn his fellow Carolinians in December, telling them "the sooner we recognize the right of qualified suffrage - the qualification being under our own control, the better for us, - a little later and the qualifications will not be under our control." The Fifteenth Amendment removed the most significant qualification - race - from the hands of the states.

Carolinians, however, would eventually learn the limits of the new law. A truly significant achievement, the Fifteenth Amendment was tainted by Congressional conservativism and public ambivalence. As Michael Les Benedict has shown, the amendment "was the culmination of state-protecting Republican Reconstruction policy;" it did not grant the right to vote, but only banned voting restrictions based on race, leaving open other methods of discrimination and private (as opposed to state) action. Both Benedict and Robert Sawrey, in his recent work on Ohio and Reconstruction, see the Fifteenth Amendment as an attempt to settle the issues of Reconstruction without disturbing the traditional balances involved in federalism.
Once the amendment was ratified and blacks were 'protected' in their right to vote, the convulsive issues of race and Reconstruction could be forgotten.8

But of course this did not happen, and for white Carolinians this interference brought to pass their longstanding fear of a "tyranny of the majority." Supported by the federal government and backed by the federal constitution, blacks - a voting majority in the state - could permanently control South Carolina. Conservatives believed that an ignorant, inexperienced mass, under the spell of Republican adventurers, would gorge themselves on power and use the government to provide for their own constituency through 'class legislation' - and through their voting base be unaccountable for any of it.7 The horror of having to "recognize the right of all races in our midst to suffrage and to office" meant, in the words of the Edgefield Advertiser, that whites themselves were required to "rivet the chains with which our hands and feet are now bound."8 Thomas Pinckney Lowndes sadly noted that "it is beyond my power of description to tell of this outrage upon the people of the South."8

In addition to ratifying the Fifteenth Amendment, the General Assembly proposed a wide variety of measures that raised conservative's ire. Concerned with the problems of the lowest strata of society, the legislature provided debt limitations, created a state orphanage, set aside funds for
a state penitentiary and hospital, and began work on a free, inter-racial public education system. One of the most promising moves was the establishment of the South Carolina Land Commission in March of 1869, a state-run organization which attempted to alleviate the landlessness among poor whites and blacks. The Commission bought available land in the state - often made so by an inability to pay tax on it - then leased it to eager farmers. The state retained the title (to protect the farmer), but after the principal had been paid the title changed hands. Mismanagement characterized the Commission's first few years, but from about 1871 it began to function more smoothly and effectively.\textsuperscript{10}

Conservative whites were outraged by the system devised to pay for all of these improvements. As with most southern states, South Carolina's postbellum fiscal policy bore scant resemblance to the antebellum one, because prior to the war, the greatest source of revenue was the tax on slaves. The slave tax had comprised as much as 60\% of the total state revenue. Other sources of tax were "luxury" items such as carriages, gold, and race horses, and there was even a tax on professional licenses. Evidence indicates that the wealthiest one-third of the population paid over two-thirds of the total tax. Wealthy slaveholders were compensated, however, because legislative representation was based upon taxation as well as population. But the land tax was
minimal, and a yeoman's tools, animals, and other property were largely exempt. After emancipation, land became the largest single taxable possession, and the small white farmer and large planter were hit hard alike. The planter did not receive the political advantages high taxes had bestowed in the antebellum period, and the small farmer was confronted by entirely new demands. Moreover the taxes went to support Republican programs that were contrary to conservative beliefs and values. In addition, land taxes were steep in an effort to force those hoarding unused land to sell it to the state for use by the Land Commission. For many conservatives, the programs that followed the Republican victory vindicated their earlier fears about a black-and-alien government.\textsuperscript{11}

Republican corruption and mismanagement further aggravated racial and political tensions and, for many whites, confirmed both the black incapacity to rule and the dangers of an unchecked majority. Granted, inproprieties were to be expected in a fledgling government laden with inexperienced politicians and administrators. Republicans were also wary of opening high offices to former confederates, which limited the number of experienced personnel. But these factors cannot excuse the excesses of the South Carolina Republican party, which in 1869 embarked on a career that would justify the most vicious conservative charges.
Among the early targets of conservative criticism were the bond drives - and subsequent scandals - arising out of attempts to reinvigorate the railroads. As Mark Summers has argued, it might have been possible to reverse the poor economic condition with an adequate transportation system. Success might even bring conservative acceptance, or at least minimize opposition. Summers called this "Gospel of Properity" the "best and only chance of the Republican Party and of the South," but he recognized that "it was a frail one at that." Railroads required vast sums of money, and the only available source appeared to be public funding. South Carolina issued bonds to raise the capital, but this only incurred huge state debts, further hampering the influx of outside investment, and opening the door to incredibly lucrative schemes. The eventual failure of projects like the Greenville-Columbia Railroad and the Blue Ridge Railroad, and the revelations of fraud among leading Republican figures, reinforced conservative opposition to an alien and black government.

Corruption was so widespread that one scholar claimed there was a general "absence of a sense of responsibility to the society, white as well as black." The administration of justice, for instance, was both inefficient and corrupt. During the first term of the legislature, 'Trial Justices' replaced the state magistrates, and this move smacked of politics from the beginning: the governor had the sole power
to appoint trial justices, and the system soon became a leading source of "spoils." Certain figures stood out in Carolina's new elite, including John J. Patterson, a Pennsylvanian and former railroad financier, who "enjoyed legislative bribery as a game." There was also T.J. Mackey, a close friend of Governor Scott's, who used his proximity to collect all sorts of offices and positions, despite a loud outcry even within his own party. Richard B. Carpenter, a white Republican judge who would bolt the party in 1870 because of its corruption, called Mackey a "reckless revolutionary", and "the worst and most unprincipled man" in the den of decadence, Columbia.

Robert Brown Elliott, the black Assistant Adjutant and Inspector General, was so disgusted with the legislature that he resigned in December 1870. Richard Realf felt the same way, and warned Scott that "the whole matter lies in a nutshell. We are ashamed of them ... and unless this accurst folly and bigotry can be overthrown ... our present power will at the next election slide from our grasp into the hands of our Enemies...."

Those enemies grew more bellicose and determined with every act of the new legislature. For instance, Republicans hoped that black jurors and black judges would eliminate some of the injustice that plagued state courts. White sentiment would not change, as demonstrated by Edward Lipscomb, who admitted that "when I go to court & see

...
negroes on the jury & on the stand as witnesses it makes me glad that I am so near the end of my race - to sit on a jury with them I don't intend to do, but we have a law that exempts a man at 65 & I take the advantage of it." Other whites chose the opposite approach by continuing to pack juries. In March of 1869 a self-appointed committee from Edgefield notified Governor Scott that not a single black had sat as a juror in the town of Edgefield Court House, even though blacks had a voter majority of over 1800 in the county. As for judges, William de Saussure complained of the "great humiliation" of the "placing of a negro upon the Appeal Bench." He informed William Porcher Miles that a mutual friend had to argue a case in the court, and "as you may readily suppose, there has been no increase of love upon his part." 21

The same applied to a great many whites, and the violence and hostility that characterized the 1868 election continued through the winter and spring. With Democratic defeat in the fall, the South, in the words of Robert Hemphill, was "likely to remain indefinately under Nigger and Carpetbag Laws." 22 The only recourse seemed an extralegal one, or what Miss Amie Young called "a Second Rebellion upon us by those Everlasting Democratic principles ...." In the summer of 1869 she told Governor Scott that "the Seceptionist [sic] party had become ... a deadly weapon to the Republican Party," and included several accounts of
night visits, shootings, and murders in New Pickens. "Those assassins" tied John Garner to a tree and riddled his body with bullets because "he deserted his country and would not fight against the Republican people." James Brisco might face the same fate, for he had refused to join the Klan and now had "so many days to leave and if I did not leave they would kill me." Brisco knew they could reach him at any time; the Klan had poisoned his two dogs to prove his vulnerability.

The Ku Klux Klan, which had appeared for the campaign of 1868, actually expanded its operations in 1869. A sheriff in Edgefield County - a native white - reported that "every day colored men would come in and report the death, also whipping and abusing of persons...." "I heard fully twenty such cases," he said, "and have seen the wounds on the parties." During one trial of suspected Klansmen at Edgefield Court House, a brother of one of the prisoners offered to inform on the local Klan den. He was attacked by several townspeople, and fled, but "the young men of the town with Colts Pistols and even guns went after the informer firing twenty of thirty shots at him...." Internal Revenue Agent Richard Realf also knew the wrath of the Klan; he reported that he was marked as a target, and swore that "if I am attacked, as I expect to be, I shall make as good a fight as I can."
Frustration - and the violence that accompanied it - spread to counties that had been relatively quiet in 1868. In Abbeville, the abuse of Republicans increased in spring and summer, and Constable Lew Guffin feared that "an outbreak is daily expected." The officer told Governor Scott that investigations were stalled, and that the presidents of the Abbeville and Willington Democratic clubs had warned him that if he issued warrants "they would not responsible for the consequences." Guffin believed local whites "would not let those old matters to be investigated if I attempted it it would inaugurate civil war here at once." In Sumter, whites who "sympathized" with blacks fell prey to a new form of economic pressure. Disguised men rode through the night, burning the stores and businesses of anyone who traded with the freedmen. T.B. Johnson and William Gardner wrote to Governor Scott for help after learning that they were the next victims. The men informed Scott of the "disturbed condition of our township," and merchant John Fereter informed the governor "that the parties committing these outrages were comprised at least in part by some of our first families."29

Among the chief tasks facing the new legislature was finding a solution to curb white violence and intimidation. The state and federal courts were largely ineffective, for it was nearly impossible to procure witnesses and testimony for trials. Whites were as a whole uncooperative or
dishonest, and blacks - even when victims - refused to testify from fear of retribution. The Klan had sufficiently proven that the state was incapable of protecting its citizens, so blacks and Republican whites rarely pressed a case. It was also unlikely that the U.S. Army would intervene, for Major General Henry Wager Halleck, commanding the newly created Division of the South, was a stalwart opponent of military interference in civil affairs. The Department of the South, which included South Carolina under General Alfred Terry, was under Halleck's authority. His report to the Secretary of War estimated the "amount of crime [to be] no greater that was reasonably expected," and he stated that "very few [outrages] have any partizan character or political significance." As for the Ku Klux Klan, Halleck was "of the opinion that no such general organization now exists in the southern states." Therefore, Halleck ordered, "no such military interference should be permitted, except on requisition of the governor of a State, and by order of the President." Recalling the impotence of the military from his days as Assistant Commissioner of the Freedmen's Bureau, and afraid of exacerbating tensions, Governor Scott did not request military action.

Instead, Scott and the legislature planned on controlling white violence through the same device by which they controlled the state: the black Republican majority. Leading Republicans believed that if blacks were armed,
whites would be less prone to respond with extralegal and illegal forms of abuse; conservative opposition would be channeled in more peaceful, political pursuits. But the black militia was an enigma. Deemed a necessary device for the protection of black lives and property, its existence increased white hostility. Designed to shore up Republican morale, it brought a violent reaction from conservatives. Intended as a symbol of equality, the militia quickly became a politically partisan tool which provided incredible spoils for Republican insiders. As with other Reconstruction measures, the creation of the militia was, in the end, counterproductive; it fostered and emboldened forces and feelings - outside of its party as well as in - that damaged the Republican cause.

The idea to arm blacks in order to deter white harassment and persecution was not new. The movement for a new state militia began during the chaotic campaign of 1868, but the Reconstruction Acts of March 1867 had made standing militias illegal in the southern states. Violence continued after the election, and so too did interest in the militia. Northern Republicans believed state militias might be able to quell the lawlessness in the South, so once states were readmitted Congress repealed the provision barring the creation of militias. South Carolina immediately established a "Militia Committee" to began preparations for a state force. On March 16, 1869, Governor Scott signed the
militia bill into law, organizing the National Guard Service of South Carolina. All males, white and black, between the ages of 18 and 45 were eligible. Whites, however, refused to serve with — and possibly under — blacks, so the force very quickly became a "black militia" (although most officers were white). Conservatives offered their own all-white militia companies, but Scott refused to accept them for state service. Some followed the lead of Charleston's Carolina Rifles, which changed its identity to a "social club" in July 1869; its members, however, continued to drill regularly.31

Black Carolinians, on the other hand, greeted the formation of the militia with unbridled enthusiasm. Freedmen flocked to the rolls in overwhelming numbers, for reasons ranging from self-defense to a sense of duty to the Republican party, from financial compensation to the appeal of the uniform and pageantry. Black women even promoted enrollment; some refused to do laundry — or refused certain marital pleasures — if their husbands did not join. Other pressures were at work as well, for an avowed Republican who spurned service might find his principles under suspicion. Some historians have estimated the total force to number close to 100,000 men by the fall of 1870.32

The state government set out to make the militia at least appear to be a serious force, capable of deterring white violence. Few Republicans, and Governor Scott was not
among them, believed that former slaves, even armed and trained, could confront confederate veterans. But leaders hoped the knowledge that blacks had guns might make whites rethink their strategy of intimidation. Therefore, Scott was determined to arm militia units as quickly as possible. In the summer of 1869 scalawag Franklin J. Moses, the scion of an old Jewish Carolina family and currently state Inspector General, went to Washington and managed to convince the War Department’s Militia Bureau to issue the state’s quota of arms for the next ten years to the state immediately. (In 1878, the state’s Adjutant General, John Scoffin, would lament that “we cannot obtain any [guns] from U.S. Gov’t as they have a claim for 88,000 for those issued to Scott and Co. in 1869 and illegal as that issue was the War Dept can not erase it from their books...”33) Scott and Moses also concluded contracts with the Roberts Breech-Loading Company (totaling $44,250), C.H. Pond (for $45,000), and the American Metallic Ammunition Manufacturing Company ($37,000). The militia was to have the finest in rifles - all converted Springfields or new Winchesters - bayonets, accoutrements, and uniforms.34

Not all Republicans approved of arming the black population. Knowing that freedmen were not as skilled - or perhaps as ruthless - as conservatives, some Republicans questioned the sanity of arming the black population. When John Haymond learned that Scott intended to ship a hundred
rifles to a militia unit near him, he warned the governor that local whites will "misconstrue any action having a tendency to place the negro, armed and equipped for war, in an antagonistic position to them." If the whites believed they are threatened, Haymond stated, the blacks will "be crushed by an uprising of these miserable misquieted people here, which with the arming of this number of freedmen would almost a certainty follow." When F.J. Moses moved in March to arm the black militias in Charleston, Mayor Gilbert Pillsbury advised against it. Pillsbury told Moses not to send arms "unless it could be done in perfect secret (which is hardly possible), the excitement, and danger, would be rather enhanced, than allayed, just at this crisis." 

Republicans in South Carolina were coming to the conclusion that the militia, in the words of Alrutheus Ambush Taylor, "tended to make matters worse." The militia system was corrupt and inefficient; officers were either elected or appointed by the governor, and he used commissions to curry favor and reward friends. Elected or appointed, officers had little ability and usually less interest. The department, like so many others, was prone to waste and fraud, as men like Moses made thousands of dollars off dealings with arms manufacturers. The militia itself, while accused of depredations and assaults, had an exemplary record; but of course its drills, parades, and assemblies came under harsh conservative criticism. Furthermore, the
militia existed to assist and protect the Republican party, and was largely supported by white tax dollars! Ultimately the militia's crime, like that of the carpetbag governor and the hybrid General Assembly, was not in anything it had done, but lay in the mere fact of its existence on South Carolina's soil.

Looking like an armed camp - both parties having thousands of men drilled and organized for war - South Carolina entered its next political contest for control of the state. The offensive measures of the General Assembly, and the growing evidence of political abuse in government, drove whites to new extremes in their effort to defeat their rivals. In 1876, Conservatives had the luxury of following a dual course in their struggle for control. As before, whites resorted to intimidation, economic pressure, and outright violence, but they also had some unlikely allies. Fraud and corruption in the Republican party split their ranks, and many Republicans bolted the organization. Seeking to restore honest government, the "reform" Republicans sought refuge with 'moderate' conservatives. But what reformers saw as political realignment these 'moderate' conservatives saw as political expediency; the 'moderates'
were only using the Republican division to gain a foothold in the government, wielding dissenters as another weapon in the struggle for control.

Rumours of a Republican bolt had been circulating for months, and in the spring of 1870 a new political movement began to take shape. Governor Scott received word of the "Citizen's Party" composed of disaffected Republicans who planned on uniting with members of the Democratic Party "in order to put the present leaders out of power." In April the Citizen's Party found a leader, Judge Richard B. Carpenter, a Vermont Republican and one of the most respected men in the party. News that Carpenter was "in full sympathy with the movement to destroy the Republican Party" worried Republicans, who feared his message of reform might lure away other important figures - and their followers. For example, Richard Cain, an influential black leader and editor of the Missionary Herald, bolted the party soon after.

Eager to depose the Scott government any way possible, state conservatives quickly embraced the Citizen's Party. A victory for the bolters promised two important changes; first, it might establish a more honest government, and second, if conservatives joined the new party, it would insure a Democratic foothold in the new government. Near the end of April Governor Scott received the news he was
dreading; some leading conservatives were pledging their support to Carpenter, and had unofficially offered him the nomination for governor.

By June, just in time for their convention, "Union Reform" had replaced "Citizen's Party" as the party designation, and it was clear that many Democrats favored cooperation. The Union Reform Convention, not unlike the fledgling party it hosted, was a mockery of democratic party politics. The convention gathered together leading reformers seeking honest government, leading conservatives seeking their own government, and a large number of blacks seeking the two dollars a day that Democrats promised them. The convention did accept the Fifteenth Amendment and the "political equality" of the two races, but the proceedings were largely manipulated by conservatives intent on winning black votes and allaying Northern suspicions. As Eric Foner has shown, these alliances - the southern New Departure - were wholly politically motivated, and conservatives had not really accepted the spirit of the new constitution. 42

The Union Reform ticket exhibited this disparity between the conservatives' alleged intentions and their underlying motives. By prearranged agreement, the nomination for governor went to Richard Carpenter. The nomination for lieutenant governor took longer, also by prior arrangement. Conservatives named various blacks for the position, until finally blacks themselves responded with
the name of Matthew Calbraith Butler. His nomination — especially having been done by blacks — exposed the farce, and served no purpose other than to reassure conservatives that the Democratic party retained its purpose. Anyone interested in reform would have followed the party without Butler's nomination. Prior to the war M.C. Butler had been a successful planter and slaveholder, and had served gallantly in the Confederate Army, finishing with the rank of general and one less leg. He had opposed the state government, and never even bothered to rid himself of his disqualifications on voting and holding office; at the time of his nomination he was still disqualified! 43

Conservatives' grand gestures of compromise and conciliation were only a performance, for they sought no permanent allegiance with Republicans of any sort. To be sure, issues of honestly concerned Democrats, but they had opposed Reconstruction and the Republicans long before such matters had arisen. In 1870, the corruption dispute had created an opening, a chance to secure a foothold in the government as a stepping stone to assuming full control. Discussing the Reform movement with James Conner, arch-conservative Wade Hampton declared that "we must by steady, patient, and persevering work, get possession of the State Government. This we can do if we determine to accomplish it, and after that all the way is plain and easy." On the subject of an alliance with Republicans, Hampton explained
that "we must work out our own political salvation and work it out with such instruments as we find at hand." Wilmot de Saussure summarized the situation for William Porcher Miles in Virginia by telling him that an "effort is being made to overturn that party & Hampton, Butler, Kershaw & gentlemen of that character are earnestly at work, I hope for success." Accepting the alliance but nonetheless embarrassed by it, de Saussure explained that the conservatives "have been obliged to work with the best tools at their command, & one of the adventurers, & probably one of the best of them, Judge Carpenter, is the candidate for Governor." "You will readily perceive," de Saussure acknowledged, how disgusted Carolina's great sons "must be with the tools they are obliged to use."

Some conservatives, however, opposed any compromise and conciliation with the Republicans, even to defeat other Republicans. There was no compromise in the Edgefield Advertiser's call "On with the Revolution." South Carolina was nearing the place, the editor exclaimed, "where liberty and despotism will make the last struggle for the mastery."

According to the author,

the revolution [']s ... culmination in the smoke and blood of battle is but a question of time ... for it is only through the ordeal of fire and sword that they can restore constitutional government and resume their liberties.
The slightest hint of compromise must be avoided, T.P. Bailey informed his friend and physician Thomas Jefferson McKie. Bailey declared "I wish no affiliation with niggers & a platform acknowledging the right of the negro to vote & hold office simply disintegrates the Democratic Party." Bailey lectured McKie on the delicate distinctions concerning suffrage, and explained that "the privilege may be allowed the negro at this time to vote but it is certainly not a right." Richard Springs felt the same way, and confided in his nephew A.B. Springs that he had no interest in the campaign, since Carpenter and Scott "were both carpetbaggers."

At the same time, many "regular" Republicans saw through the conservative plan, and realized it was another tactic designed to weaken the Republican party. For instance, Robert Brown Elliott, the black who had resigned as Assistant Adjutant and Inspector General because of the abuses in the government, rejected alliance with the reform party. An opponent of political corruption, Elliott warned fellow blacks to be wary, for "today we are welcomed by those who have always declared that we were not fit to occupy a position entrusted to us." "It behooves us to be careful of these men," Elliott advised, "whether they come in the name of the Democrats, Conservatives, or Citizen's Party." At a speech two years later, black state Supreme Court Justice Jonathan J. Wright explained why the Union
Reform party found so little support among freedmen. The answer, Wright claimed was "simply because we so highly prize our liberty." Wright openly admitted that there was "corruption in the Republican Party," but the Union Reform party would bring about "the destruction of our liberties, which we value higher than life." Justice Wright quoted the Union Reform platform, which embraced "local self-government, with impartial suffrage, [to] guard the rights of all citizens more securely than any centralized power," and "a return to the ... constitutional limitation of power." In other words, according to Wright, the platform demanded "let us alone and permit us to do as we choose," the classic battle cry of South Carolina.50

Realizing that the Reform platform may not attract enough support, conservatives used other means to undermine their opponents. Soon after the Union Reform Convention, state constables informed Governor Scott that several hardline conservatives had suddenly taken an interest in joining the "regular" Republican party. Some of Scott's agents were suspicious, and warned Scott to avoid letting them into the party. According to one officer in Columbia, such men were planted by the conservatives, "to bring Democratic influence to bear on our nomination." One aspirant was described as being a "Ku-Klux," "violent, outrageous and insulting," and was charged with drawing a knife on a constable during the 1868 campaign.51 Government
agents also learned that state Democrats had hired northern blacks of questionable character to win over the freedmen. B.F. Whittemore alerted Scott from Washington that one, George Natter, "is a dangerous man so watch out for him." Natter was headed to South Carolina "to work in the interest of the Union Reform Party," and had been given 1300 dollars to use in his efforts.\footnote{52}

Conservatives hatched another plot in June, involving the candidacy of congressional Republican incumbent Christopher Columbus Bowen. Among the worst of the Republicans, Bowen was a slippery fellow of ill repute. He was a native white, and had served in the confederate army before deserting (after being accused, probably justly, of complicity in his commanding officer's death). A true opportunist, he joined the Republican party after the war, and was elected sheriff of Charleston County.\footnote{53} Elected to Congress in the April 1868 election, he fully expected to be renominated in 1870. By the Republican Convention, however, party patience had worn thin with his antics, and a growing push by blacks for more participation in government had brought up name of Robert C. DeLarge in his place. In late June Martin Delany, another black political leader, informed Governor Scott that Bowen had "numerous" friends who were "evidently conniving covertly against the state government." Chief Constable John Hubbard confirmed this, and reported that Bowen had met clandestinely with leading conservatives.
who "intend to spread if necessary $50,000 to secure Bowen's nomination." Once nominated, Bowen "will sell out to the Reform Party" and throw the Republican ticket and party into confusion.54

Leading Democrats knew that such plots were not enough to carry the state in the elections, and even the Union Reform party was probably incapable of toppling the Republicans. The black vote was the key to victory, and indications were that the Union Reform movement would not be able to lure away enough blacks to tip the scales. The state had 82,547 white voters compared to 85,475 black ones, and the number of conservatives rejecting the Union Reform ticket for its complicity with "radicalism" probably outweighed the number of blacks the movement would win over. As a result, the oldest, easiest, and perhaps most effective instrument - physical intimidation - again emerged as a factor in South Carolina politics. Conservatives saw no hypocrisy or contradiction in applying such divergent tactics in the campaign, for they were continuing a tradition stretching back to secession and further: the use of any and all means to achieve their singular goal.55

By late summer it became clear that terrorism and political violence would once again play a role in Carolina politics. The governor and his Chief Constable were buried under a deluge of complaints and requests for help as whites set out to intimidate Republicans. The constable in
Newberry, James Leahy, reported to Chief Constable John B. Hubbard that large groups of well-armed whites were threatening blacks, but had declared that "they would begin by killing all the damned white Republicans first." Leahy asked for an increase in men for "the preservation of peace and the protection of Republicans." Other state officials echoed Leahy's remarks. S.A. Swails in Kingstree claimed "you cannot speak without a guard if you are a Republican, I see plainly that the Reformers wish to raise a row...." Like Leahy, he also asked for more officers to keep the peace, for "things are getting desperate. They follow Republicans to their homes at night and curse and abuse them. Yesterday I had a knife drawn on me twice ... we are having a large meeting on Sept 1 and I have heard threats...." Some Republicans, such as James Bonsall, decided that caution was the better part of valor; after suffering numerous visits and a near-ambush, Bonsall withdrew from the local race in Union County. Tension there continued, and Bonsall feared that "we will have trouble here, I am confident," for conservatives were well armed - they even guarded their arsenal at the depot - but Republicans were not.

Republicans found that even when authorities could respond, public action - another revered Carolina tradition - was an effective obstruction. An incident in Laurens convinced constable F.D. Leahy that "it appears to be the
intention of the White People to resist us in making arrests." The remark grew out of an unprovoked stabbing of a black man by a white in the middle of the street. Leahy and another constable tried to arrest the man, but "a large crowd of whites gathered up some with Revolvers drawn and assisted him in getting away...." In Kingstree James Kelly experienced the same feeling of helplessness after trying to apprehend a man who killed a black "over a difference of political opinion." Here again, deputies were "prevented from arresting him by the violence of an armed mob." Kelly requested assistance since the murderer was "protected by the White citizens." This solidarity reached into the courtroom as well. William Wright, who had his house burned down by Klansmen, identified Abraham Sapoch as taking part in the raid. At the trial Sapoch produced a dozen men who confirmed his alibi, and Wright was convicted of perjury and sentenced to the penitentiary.

Continued political violence, and the dismal outlook for normal legal remedies, had prompted the creation of the state militia in 1869. Since white terrorists seemed beyond punishment, Republicans had hoped that arming blacks would force conservatives into peaceful opposition. Leading Republicans were playing a precarious bluff, trusting that Klans would not openly engage the militia for fear of incurring federal wrath and alienating the North. Republicans hoped that whites would see that continued
violence might provoke a black response, and the ensuing bloodshed would damage the Democratic party. But as an attempt to suppress white violence, this was a dangerous and complicated maneuver. Even with the rise of the Union Reform movement, however, overt hostility by Democrats against Republicans was still rampant. As a result, interest in the militia increased, with new companies appearing throughout the upcountry where violence was most prevalent and state constables less numerous (they were concentrated around larger towns). The proliferation of companies in 1870 was astounding; three new units appeared in York County, three in Fairfield, Chester, Union, and Spartanburg, and other Piedmont counties added one or two each. E.L. Mann reported nine companies in Abbeville alone, and Laurens had eight. 62

As with the franchise, however, the effort to protect blacks and Republicans through the militia fostered, rather than deterred, white aggression. As the election approached, it appeared that the militia policy might backfire as conservatives grew more antagonistic and less patient. The Unionville (Union County) Times declared "In Peace Prepare for War!" The governor, the paper suggested, would not be "happy until he has brought about a collision of the races." Therefore, the article concluded, "it would be our surest policy to hold ourselves prepared to accommodate him to the utmost of his desire." 63 A contributor to the Edgefield
Advertiser declared in September that "one man, and one man alone, is responsible for whatever blood may be shed in this State up to the time for holding the October elections. That man is Robert Kingston Scott." Isaao Witherspoon claimed that for most Carolinians arming the blacks "was accepted as a declaration of war between the races." W.R. Robertson of Winnsboro sent a similar message to A.B. Springs. Robertson was certain that the "stupid leading darkies are determined to provoke a conflict with the white race." His advice was to "meet it promptly and terribly and make the issue short and quick." "We should," explained Robertson, "by all means let them inaugurate the movement, and when they do we should strike fast and quick, and can soon settle it."

With membership in the militia increasing and thousands of whites — in and out of the Klan — already armed, South Carolina was dangerously close to moving beyond a 'low-intensity' conflict into open warfare. York County was so fraught with violence that Chief Constable Hubbard sent his own men there to form a militia unit. Deputy Constable William Littlefield arrived and found the "county completely in the hands of an organized band of men, commonly known as Ku Klux, who have been committing depredations of the most horrible character, taking men and women (white and colored) from their homes at night, whipping and otherwise abusing
then, and in some instances killing them." He estimated that some of the bands had as many as two hundred riders! Littlefield verified that victims were attacked "in all cases for their political opinions, in several instances giving as the reason for their action because the man had voted a Radical ticket." He and his men organized a militia unit in the township, and gave standing orders to "fire into all parties of disguised men seen travelling after night." No sooner had he and his men left than Klansmen raided militia officers' homes and confiscated all the guns and ammunition. John Faris, the white captain, received a letter warning him to formally disband his unit. He complied, and after all the effort and expense, the company abruptly ceased to exist.\textsuperscript{67}

As the election neared, the state assumed the posture of war, with armies preparing to take the field. Across the state, whites formed their own companies at the same time they pledged conciliation through the Union Reform movement. Deputy Constable J.W. Anderson warned Chief Constable Hubbard that "the Democrats are quiet now but are playing possum. Some of them say they intend to organize all over the State against Scott's militia. I have it from good authority that whites are receiving guns through the merchants and are secretly organizing."\textsuperscript{68} J.A. Jackson's report a few weeks later seemed to confirm this. "The Democrats are organizing companies, I hear, in several
counties against the militia." The Democrats, Jackson assured his superior, "are working on the quiet to fool us all, and are getting guns all the time...." Jackson believed that the "colored people ... will be ruined and driven out of the party if the whites organize." Deputy Constable Benjamin Yocum also notified Hubbard that "the opposite party make no secret of thier [sic] intention of arming against our militia." With the threat of white retaliation looming large, Deputy Constable Benjamin Yocum questioned the wisdom of arming blacks, asking, "does he [Scott] think a lot of ignorant colored men with clumsy muskets in their hands can catch a squad of experienced soldiers on blooded horses?" Conservation organization was so extensive that the state constabulary was unable to prevent the organization and arming of white companies. In September, Chief Constable Hubbard received news from Union that a "regular company" of men had left for Laurens after hearing rumors of black rowdiness. The officer on the scene reported that the whites had been receiving guns for some time; in fact just recently "one of the principal firms received a very large invoice of pistols and guns - so large that it does not look all right." In early October J.P. Wharton informed Hubbard that a secret shipment of guns was making its way across Newberry. Wharton's informant was convinced "the guns were shipping about for no good, as they were in the
hands of the Democrats."  

From Chester came a report that "there are Winchester rifles being received here almost every day, but in such a way as they cannot be easily detected." Buyers were up North, and they shipped guns into the state "in packages of dry goods." "The people are very well supplied with them now," a constable in Chester said, "they are playing a pretty smart game...."  

James Bonsall, the Deputy Constable for Unionville who dropped out of politics after receiving threats, summed up the feelings of many Republicans: "There is no hope for carrying the County unless we have more protection."  

The outbreak Republicans had been fearing occurred in Laurens County in September when whites moved against the local militia companies. In the town of Clinton, a minor disturbance between the races - probably instigated deliberately by whites - provided the excuse for white townspeople to call for help from surrounding paramilitary companies. When news spread that Democrats were coming to suppress the riot, black militia companies responded as well, and within hours three hundred blacks and over one thousand whites converged on the town. But whites were better organized and equipped, and completely cut-off the towns of Clinton and nearby Laurensville, the county seat. Democratic preparation was extensive, dispelling any beliefs that the fray was spontaneous; wagons loaded with guns and
ammunition arrived shortly after the men, and reports circulated that more men and munitions were on the way. H.H. Wilson, sent by Chief Constable Hubbard to investigate, found Laurens virtually under white military control. On his way to Clinton, Wilson found "all roads leading to and from the Railroad, and all the stations on the line of the road ... a distance of about twenty-five miles, guarded by armed bodies of white men." Arriving at Clinton, he discovered the town in the possession of between eight hundred and one thousand armed whites, many of whom were mounted. In Laurensville, Wilson noted armed white patrols in the streets, and was present when a wagonload of guns rolled in. Sneaking around behind a store, Wilson observed men opening crates of new Winchester rifles and handing them out to eager whites.

The extent and sophisticated organization of the whites convinced Wilson that state authorities faced more than just a crime wave. The investigator claimed that the men in Clinton "came in organized companies from the Counties of Abbeville, Union, Spartanburg, and Newberry." He noted a structure of command and the smooth operation that only came with experience and discipline. A command structure even existed; a guard encountered along the road said he was positioned there "by the man in command at Clinton." Women Wilson questioned told him their husbands and sons "had all been ordered off to Clinton to the war."[emphasis original]
Clearly, their purpose also was well thought-out; at both Clinton and Laurensville whites ordered blacks to hand over their militia guns and disband their companies. As Wilson concluded, "this is no mere disturbance of the peace ... it is a complete military organization, armed and equipped for the purpose of defying the Laws and menacing the authorities of the State."  

Wilson's report capped a series of investigations carried out under Hubbard, and prompted the Chief Constable to warn the governor about imminent war. "I am satisfied," Hubbard informed Governor Scott, "that a complete organization exists from the Savannah river to Chester, a distance of nearly two-hundred miles in length, and embracing and including all the counties above Edgefield, and that its object is to intimidate Republican voters on Election day and if necessary murder leading Republicans." Hubbard also reported that "large numbers of the citizens of Georgia and North Carolina are employed ... with the object of voting and aiding in this organization." The Chief Constable forwarded the accounts of his deputies, as well as information regarding the importing of arms into the state. He advised the governor that only the most vigorous efforts would ensure a fair election.  

Hubbard urged Governor Scott to convince the federal government to take a more active role in the state. Troops could only be made available if the governor declared
martial law, a move Scott refused to take, or if marshals called upon them directly, which Army commanders discouraged. But in 1870 the federal government had seemed to take a renewed interest in protecting suffrage. On May 31st, 1870 Congress had passed the Enforcement Act, designed specifically to discourage fraud at the upcoming fall elections. Under the act, it became a federal offense to bribe a voter or to punish any voter because of his voting behavior. The law made it a felony to conspire or to go in disguise for the purpose of infringing upon a citizen's voting rights, and authorized the President to the military to enforce its provisions. In order to enforce the needs of the new Constitution and its new laws, the U.S. Department of Justice formally came into being in June of 1870, under the direction of the U.S. Attorney General.

From the standpoint of Scott and Hubbard, however, the developments in Washington had little impact. Neither the new law nor the new department had any significant effects on South Carolina during the campaign of 1870. The first Attorney General of the Justice Department, E. Rockwood Hoar, was a carryover in the position before the creation of the new department. Less than a month after its inception, the Justice Department got a new director, Amos Tappan Akerman, an advocate of stronger civil rights enforcement in the South. Unfortunately the enthusiastic enforcer from Georgia was hamstrung by strict budgets, cabinet infighting,
and weak laws. Nor was the military ready to assist in law enforcement. General Henry Halleck, commanding the sprawling Division of the South, blatantly told his officers in the fall of 1870 to avoid intervention in civil affairs. If called to serve by a marshal, the marshal must present a court order declaring he was unable to call on civilians to execute his posse comitatus. Halleck believed such "embarrassing" duties "can hardly be said to legitimately belong to the military service." Even the Hay Enforcement Act left much to be desired, since it was aimed as much at northern Democrats as southern ones. In fact, a bulk of the expenditures and most of the marshals went to the North during the campaign and election. As Allen Trelease has observed, the law's effect on southern violence was "wholly negligible."

Republicans in the North expected their southern counterparts to contend with the conservative challenge. Considering the legislative assistance already rendered, including the Fifteenth Amendment and the Enforcement Act, northern Republicans assumed no further intervention would be necessary. In addition, the northern public was growing weary of the constitutional and racial agitation caused by Reconstruction. James Harrison, president of the Blue Ridge Railroad, wrote to Governor Scott from New York City that the North had tired of the black question. "There is not only no sympathy for them here," Harrison wrote, "but actual
hostility and contempt. I don't allude to this city, but all through the North and West. In other words, the Negro is played out, and other more practical and exciting subjects will soon be brought on the political boards...."

Left to defend against what amounted to armed insurrection, state Republicans frantically sought means to protect their constituents at the election. Scott and Hubbard were forced to rely on temporary deputies, much as they had done for the 1868 election. Untrained and inexperienced, the makeshift guardians were nevertheless in great demand as conservative intimidation intensified before the 19th of October. William Taft, commissioner of elections for Charleston County, demanded at least two deputies at each of his forty-eight polls "to preserve the peace." O.C. Folger in Pickens alerted Hubbard to the "considerable excitement" in his region and also wanted men to protect Republicans on election day. Frantic activity filled the days prior to the election, as requests came to escort groups to the polls, to guard the ballot boxes after the election had finished, and to watch out for counterfeit tickets. But while the threat of violence created a need for protection, it also made that protection difficult to find. Not enough men volunteered to serve as deputies and managers of elections, forcing the administration to offer compensation and opening the Republicans up to further charges of graft. The meager efforts to stave off the
conservative onslaught made A.J. Ransier's comment on the
election all the more appropriate: "Our Thermopalae [sic] is
to be here."^5

The election, however, had none of the noble splendor
of that ancient battle, and abuses occurred on all sides.
Both Republicans and those under the Union Reform umbrella
resorted to fraud - and worse - in an attempt to carry the
day. The 19th of October was not as bloody as the 1868
election - or even the summer of 1870 - but reports of
midnight visits and armed bands did filter down from the
upcountry. Officers' accounts claimed that in several
townships "Republicans were driven from the polls and some
were compelled to vote the Demo ticket," while others
refused to leave their homes for fear of attack or economic
retribution. But Republicans, possible resorting to fraud
in order to counter conservative abuses, were also guilty of
fraud. Isaac McKissick contested the victory of Republican
A.S. Wallace in the 4th Congressional District, claiming
black militia units threatened freedmen who voted for
McKissick. He also alleged - probably correctly - that
Republicans moved the polls at the last minute without a
public announcement. C.C. Bowen also contested his defeat,
and gathered evidence showing that managers erased his name
from ballots and wrote in DeLarge's name in its place. Some
witnesses even claimed they saw women voting the Republican
ticket!^8
Once the dust had settled, Republican numbers had held firm, defeating the dual drives of both the Union Reformers and the conservatives partially allied with them. As with previous elections, "racial and party lines were, for all practical purposes, the same." Robert K. Scott garnered 85,071 votes, while his opponent, the Union Reform candidate Richard Carpenter, received 51,537 votes; the black electorate at the time was 85,475, and the white numbered 62,547. This indicated party-racial loyalties still held, and, if the numbers are accurate, showed that a minimal of voters were denied the ballot. As in 1868, most of the violence and aggression occurred well prior to the election, with whites avoiding disturbances on the day of the election.

Governor Robert Scott recognized by the election returns that most of the native white population, and many Republicans, still opposed him. His second inaugural address was an attempt at conciliation and a proposal to start anew. Scott publicly apologized for the corruption of his first administration, but found ways to shift the blame nonetheless. According to the governor, it was the hurried nature of that new government, and the refusal of many gifted native whites to serve, that produced the miserable conditions. The bulk of his message, however, was a call for peace. "There cannot be prosperity in the State unless there is peace," Scott stated, and "there cannot be peace
unless there is respect for law and for the rights of all...." "A little forbearance," Scott said, "will save us from the dangers which threaten the peace and prosperity of the State." 88

Forbearance in the face of another alien-and-black administration was too much to ask for from conservative South Carolinians. The alliance with reformers had failed, and the intelligent native white population was still denied the position and control they desired. Failure of their multi-faceted approach in 1870, combined with the realization that state Republicans were hesitant to take forceful action, drove conservative whites to launch into the most devastating campaign of terror yet seen in the state. The "dangers" Scott feared became a reality immediately after the election. The twelve months following the election of 1870 would test the determination - and cunning - of conservatives, the strength of state Republicans, and the will of the federal government in enforcing the Reconstruction program.
1. W.W. Tucker to Governor Scott, May 17, 1870, Robert K. Scott Papers, Box 5, Folder 2, OHS.

2. Edward Crosland to "Mother," February 27, 1869, Edward Crosland Papers, SCL-MD.

3. Martha Schofield Diaries, January 22, 1869, Folder 3, SHC, UNC.


5. Benedict saw the Fifteenth Amendment as the conclusion of a policy of conservativism, and believed that the so-called retreat in 1870s was a natural consequence of this limited, restricted program, "Preserving the Constitution," 87.


8. Edgefield Advertiser, April 28, 1870.


10. As mentioned earlier, contemporaries did not do justice to the members of the General Assembly. While blacks did have a majority in the House, and because of it a majority in the legislature overall, the image of hordes of ignorant savages destroying the assembly hall is not quite accurate. For instance, most black senators were non-natives, and had not been slaves; included among their numbers was a preacher, lawyer, tailor, barber, newspaper editor, teacher, and clerk. White carpetbaggers were also largely professional men, such as lawyers, planters, ministers, and professional politicians. Most whites had ties to either the Army or the Freedmen's Bureau (or both) and had been in the state since the war; their is no evidence to support the accusation that these men flooded the state after the war lusting for political pillage. Thompson, "Blacks,

11. The Reconstruction fiscal policy so alienated whites in the South that J. Hills Thornton saw it, and not racism, as a driving force behind poor white opposition to the Republicans; J. Hills Thornton, "Fiscal Policy and the Failure of Radical Reconstruction in the South," in J. Morgan Kousser and James M. McPherson, eds., Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward (New York: Oxford University Press, 1982), 351-352, 382. Michael Les Benedict agreed - to a point - and argued that by the 1870s the ory of white supremacy had given way to criticism of class legislation, demagogery, and corruption. In particular, whites were tender on the subject of taxation, especially when taxes were laid upon one segment of the society for the sole benefit of another. The argument correctly approximates white sentiment, but does not realistically describe the South at the time. Historians are seeing only the superficial arguments, without noting that the reason, openly attested to by whites, for such poor management was that blacks controlled the government. Racism remained central, and each state came to embrace this for redemption; no state overthrew Republicanism on the basis of taxation or corruption. Regardless of the universality of suffering under poor financial conditions, only the call of white supremacy was able to unify the population and defeat Reconstruction. As for the fiscal policy, taxes fell upon those with land, and that was the most reasonable commodity to tax. Furthermore, tax rates differed little from those in the North. The difference was that many whites had been spared the burden earlier, so now they had to readjust. Thomas Holt has refuted the notion that black legislators held no property, and thus taxed whites to their heart's content. According to Holt, 78% of black legislators from 1868 to 1876 held taxable property. Finally, with the exception of corrupt individuals and the militia, taxes went for the benefit of all. It is difficult to argue that a state asylum or a state hospital was for the benefit of one party. Even the grandest programs, such as the Land Commission and the public school system, were open to whites and blacks; whites deliberately refused to take part, and openly attempted to sabotage measures intended for the good of all. Benedict, "Reform Republicans and the Retreat from Reconstruction, in Anderson and Moss, eds., The Facts of Reconstruction, 75-78; Eric Foner, Nothing But Freedom: Emancipation and its Legacy (Baton Rouge: Louisiana State University Press, 1989), 67; Thomas Holt, "Negro

12. Summers noted the potential of the economic program, but did not overrate its failure, unlike some historians mentioned above. Even with the corruption and abuses, Summers still held to the centrality of race, stating that "clearly the race issue still kept its power; clearly, many whites thought more about it than they did the Republican economic program...," Summers, Railroads, Reconstruction, and the Gospel of Prosperity, x, 32, 35, 70-71, 112-117, 144-145, 308.


15. Williamson, After Slavery, 387-388. See Thompson for details on the Financial Board and the Bond Ring, Ousting the Carpetbagger, 32-45; Report on Public Frauds, 54-55, OHS; Robert K. Scott Papers, Box 11, Folder 4, OHS.

16. For a look into the interesting career of T.J. Mackey see T.J. Mackey to Governor Scott, July 11, 1869, Governor Scott Papers, Box 8, Folder 10, SCDAH; Secretary [to the Governor] Hart to Honorable W.J. Whipper, August 3, 1869, Robert K. Scott Papers, Box 3, Folder 6, OHS; Governor Scott to T.J. Mackey, August 7, 1870, and no author to Governor Scott, August 18, 1870, both in Robert K. Scott Papers, Box 5, Folder 5, OHS. Robert K. Scott Papers, Box 6, Folder 4, OHS.

17. R.B. Carpenter to Governor Scott, February 22, 1870, Robert K. Scott Papers, Box 4, Folder 4, OHS.

18. Richard Realf to Governor Scott, October 26, 1869, Robert K. Scott Papers, Box 3, Folder 6, OHS.

19. Edward Lipscomb to "Brother," June 30, 1869, Lipscomb Family Papers, Folder 8, SHC, UNC.
20. Ned Simkins to Governor Scott, March 13, 1869, Governor Scott Papers, Box 6, Folder 11, SCDAH.

21. William de Saussure to William Porcher Miles, February 9, 1870, William Porcher Miles Papers, Box 4, Folder 55, SHC, UNC.


23. Miss Amie L. Young to Governor Scott, July 8, 1889, Governor Scott Papers, Box 6, Folder 6, SCDAH.

24. James M. Brisco to Governor Scott, June 8, 1889, Governor Scott Papers, Box 6, Folder 34, SCDAH.


26. P.A. Eichelberger to Governor Scott, June 19, 1869, Governor Scott Papers, Box 7, Folder 40, SCDAH.

27. Richard Realf to R.J. Hunter, July 1869 (no day), Richard Realf Papers, SCL-MD.

28. Lew Guffin to Governor Scott, July 22, 1869, Governor Scott Papers, Box 8, Folder 17, SCDAH.

29. T.B. Johnson and W.H. Gardner to Governor Scott, October 26, 1869, Governor Scott Papers, Box 8, Folder 29, SCDAH; John Fereter to Governor Scott, November 9, 1869, Governor Scott Papers, Box 9, Folder 35, SCDAH.

30. War Department, Annual Report of the Secretary of War for 1869, House Executive Document No. 1, Serial 1412, 41st Congress, 2nd Session, 75, 77-78; Sefton, The United States Army and Reconstruction, 190.


32. In her dissertation Lou Williams put the number enrolled at between 90,000 and 100,000, and Joel Williamson estimated that 80,000 names were on the rolls by the election of 1870, Williams, "Ku Klux Klan Trials," 54; Williamson, After Slavery, 261. The most thorough works on the militia are Otis Singletary, Negro Militia and Reconstruction (Austin: University of Texas Press, 1957), see especially 24, 101, 103, and Singletary, "The Negro
Militia during Radical Reconstruction," in Military Affairs (Winter 1955), 179.

33. John Scoffin to Benjamin S. Williams, August 7, 1878, Benjamin Stuart Williams Papers, SCL-MD.


35. John W. Haymond to Governor Scott, June 20, 1869, Governor Scott Papers, Box 7, Folder 41, SCDAH.

36. Gilbert Pillsbury to Franklin J. Moses, March 16, 1869, Robert K. Scott Papers, Box 3, Folder 1, OHS. On the need for "discretion" also see P.A. Eichelberger to Governor Scott, June 19, 1869, Governor Scott Papers, Box 7, Folder 10, SCDAH.


39. J. Donaldson to Governor Scott, April 22, 1870, Robert K. Scott Papers, Box 4, Folder 7, OHS.

40. For example, see the consternation in T.J. Mackey to Governor Scott, April 24, 1870, Robert K. Scott Papers, Box 4, Folder 7, OHS.


42. Foner, Reconstruction: America's Unfinished Revolution, 417. For information on the convention, including a complete list of participants, see Reynolds, Reconstruction in South Carolina, 139-143; Simkins and Woody, South Carolina during Reconstruction, 448-450.

43. J.H. Morris to Governor Scott, March 27, 1870, Robert K. Scott Papers, Box 4, Folder 7, OHS; Charleston Daily Courier June 18, 1870; Lamson, The Glorious Failure, 101-104; Current, Those Terrible Carpetbaggers, 225. Eric Foner cited one instance that summed up Butler's take on Reconstruction. Testifying before the congressional committee investigating the Ku Klux Klan, Butler had
described the body politic as "I mean the white people." KKK Report, IV, 1190; Foner, Reconstruction: America's Unfinished Revolution, 412, 417.

44. Wade Hampton to James Conner, April 11, 1869, Hampton Family Papers, Box 5, Folder as dated, SCL-MD.

45. Wilmot de Saussure to William Porcher Miles, September 21, 1870, William Porcher Miles Papers, Box 4, Folder 55, SHC, UNC.

46. Edgefield Advertiser, January 27, 1870.


48. Richard Clark Springs to A.B. Springs, September 17, 1870, Springs Family Papers, Box 12, Folder 202, SHC, UNC.


51. P. Connell to Governor Scott, June 1870 (no day), Robert K. Scott Papers, Box 5, Folder 3, OHS.

52. B.F. Whittemore to Governor Scott, June 17, 1870, Robert K. Scott Papers, Box 5, Folder 5, OHS.

53. Simkins and Woody, South Carolina during Reconstruction, 118, 458.

54. Martin Delany to Governor Scott, June 28, 1870, Robert K. Scott Papers, Box 5, Folder 3, OHS; Delany to Governor Scott, July 18, 1870, and John Hubbard to Governor Scott, July 18, 1870, both in Robert K. Scott Papers, Box 5, Folder 4, OHS.

55. Simkins and Woody, South Carolina during Reconstruction, 450; Michael Perman also discussed the hypocrisy of the Democratic movement of 1870, which offered compromise while at least tacitly supporting the Ku Klux Klan. Perman argued, and I agree, that many conservatives saw no contradiction in following such an approach. I will go even further, and argue that any dissension that did arise from southern conservatives was due to the
collaboration policy, not the violence. This will be discussed in the chapters dealing with the campaign of 1876. Perman, *The Road to Redemption*, 63-64. See also Eric Foner for another view of what I call the "inside/outside" strategy: using the Union Reform party to operate within normal political boundaries, but calling on illegal devices as well to dismantle the Republican party and subvert Reconstruction. Foner, *Reconstruction: America’s Unfinished Revolution*, 424-425.

56. James Leahy to J.B. Hubbard, August 18, 1870, Chief Constable’s Papers, Box 1, Folder 10, SCDAH.

57. S.A. Swails to J.B. Hubbard, August 23, 1870, August 27, 1870, Chief Constable’s Papers, Box 1, Folder 11, SCDAH.

58. J. Bonsall to J.B. Hubbard, August 28, 1870, Chief Constable’s Papers, Box 1, Folder 11, SCDAH.

59. F.D. Leahy to J.B. Hubbard, October 5, 1870, Chief Constable’s Papers, Box 1, Folder 13.

60. James Kelly to J.B. Hubbard, October 14, 1870, Chief Constable’s Papers, Box 1, Folder 14, SCDAH.


62. Reynolds, *Reconstruction in South Carolina*, 137; Thompson, *Outing the Carpetbagger*, 47; E.L. Mann to Governor Scott, June 13, 1870, Robert K. Scott Papers, Box 5, Folder 3, OHS.

63. Unionville Times, no date, quoted in the Edgefield Advertiser, September 15, 1870.

64. Edgefield Advertiser, September 29, 1870.

65. KKK Report, V, 1515.

66. W.R. Robertson to A.B. Springs, August 23, 1870, Springs Family Papers, Box 12, Folder 201, SHC, UNC.

67. William Littlefield to J.B. Hubbard, January 28, 1870, Chief Constable’s Papers, Box 1, Folder 6, SCDAH.


69. J.A. Jackson to J.B. Hubbard, July 3, 1870, ibid., 27.
70. Benjamin Yocum to J.B. Hubbard, September 2, 1870, ibid., 28.

71. J.C. Bonsall to J.B. Hubbard, September 19, 1870, printed in *Report on Public Frauds*, 28, OHS.

72. J.P. Wharton to J.B. Hubbard, October 7, 1870, ibid., 28.

73. John Burke to J.B. Hubbard, October 10, 1870, ibid., 27-28.

74. J.C. Bonsall to J.B. Hubbard, September 29, 1870, ibid., 58.


76. H.H. Wilson to J.B. Hubbard, September 21, 1870, Chief Constable's Papers, Box 1, Folder 12, SCDAH.

77. Ibid. Even a month later, armed bands continued to patrol Laurens county. In October James Leahy in Newberry even reported refugees coming in from the stricken county. They told of an attack on a black church that left fifteen blacks dead or wounded, James Leahy to J.B. Hubbard, October 24, 1870, Chief Constable's Papers, Box 1, Folder 14, SCDAH.

78. J.B. Hubbard to Governor Scott, September 21, 1870, Chief Constable's Papers, Box 1, Folder 12, SCDAH.

79. "An Act to Enforce the Right of the Citizens of the United States to Vote in the Several States of this Union, and for other Purposes" in *United States Statutes at Large*, volume 16 (1870).


83. William N. Taft to J.B. Hubbard, October 10, 1870, printed in *Report on Public Frauds*, 61, OHS.

84. O.C. Folger to J.B. Hubbard, October 13, 1870, Chief Constable's Papers, Box 1, Folder 13, SCDAH.
85. Governor Scott to E.W. Seibals, September 30, 1870, Robert K. Scott Papers, Box 6, Folder 1, OHS; King, *The Great South*, 457; Alonzo Ransier to Governor Scott, October 15, 1870, Robert K. Scott Papers, Box 6, Folder 2, OHS.


89. Robert K. Scott Papers, Box 6, Folder 5, OHS.
CHAPTER VI

"A PERFECT REIGN OF TERROR...."

Defeated on the battlefield, defrauded at the ballot box, we have but one remedy - The dagger that was made illustrious in the hands of Brutus....
- from a Ku Klux Klan posting, late 1870

The election of 1870 brought no peace to South Carolina. The passage of time and the victories of the Republican party only increased conservative hostility and reinforced conservatives' desire to regain control of the state. Whites were also encouraged by Governor Robert Scott's persistence in refusing to take forceful action. After years of lawlessness, legislation, and investigation, the federal government finally stepped in to suppress the rebellion against state and federal authority. In 1871 the Grant administration attempted to make an "example" of South Carolina by destroying the Carolina Klan. The federal 'crackdown,' however, demonstrated the enforcement program's
weaknesses rather than strengths, and ultimately damaged Reconstruction more than it did the Klan.

The need for federal assistance became clear in the days immediately following the election of 1870. Although the election had passed off with only minor disturbances, the defeat of the Union Reform ticket had created an atmosphere of anger and frustration. The slightest provocation could shatter the brittle calm.

In Laurensville, that provocation came the day after the election, as a scuffle broke out between a local white and a state constable. Pushing and shoving escalated, and several shots rang out. Fearing a slaughter, blacks who had joined in to help the constable ran to their armory for their militia guns. A few of the militiamen searched around town for the judge and sheriff, but neither could be found. A crowd of whites followed and surrounded the armory, and began firing into the building. When it appeared that an assault was coming, the militiamen dove out the back windows and bolted for the nearby woods. Fifteen minutes after the riot began, three blacks lay dead; two were killed inside the armory, and another shot while fleeing.²

The bloodletting in Laurensville continued through the evening and into the night. The mobilization accomplished for the election came into play as the chaos of the early hours coalesced into an organized white response. One witness recorded that whites flooded into the town and
"formed themselves into squads and took different roads to hunt for the leaders of the radical party."3 Dawn the next day revealed the grisly fruits of their rides. Travellers and constables found the bodies of at least nine Republicans who had been killed during the night, many of whom were murdered on the open road. Included among the dead were a white Probate judge, a black member of the legislature, and a state constable. The town itself was in the hands of between 2,000 and 2,500 armed whites, who guarded against reprisals from the militia. Reprisals were unlikely, as other bands had quickly confiscated all the guns from both the armory and a nearby barn where Joe Crews kept them.4

As usual, Governor Scott was unwilling to challenge the conservatives. Instead of forcing action, the bloody display of white power seemed to further convince the governor to tread softly. He immediately ordered all the militia guns in the county handed over for transfer to Columbia. Then the governor declared martial law in the counties of Laurens, Newberry, Union, and Spartanburg.5 The proclamation was an empty threat, for conservative forces had shown time and again that they could best the state militia and constables. Whites took scant notice of the governor’s declaration, and post-election violence spread throughout the up-country. Across Laurens and Union new organizations appeared which paralleled the Klan. Calling themselves "councils of safety," these groups served as an
information network between townships and counties, reporting on the movements and activities of black militia units.⁶ The November report of Captain Felix Torbell, 18th U.S. Infantry, documented a state of affairs in Union deserving of more than just the proclamation of martial law. He confirmed at least two Klan murders, the victim of one being a trial justice, and a score of beatings and whippings; even J.D. Goings, a Probate Judge, had been visited and whipped by "ku klux." Torbell believed "the ulterior objects of the Ku Klux party to be against the U.S. Government ... in the mean time they mean to break the spirit of local loyalty, so that control of the state may be first secured...."⁷

Trouble was not restricted to Laurens and Union, and reports came in from across the upcounty showing the Republicans could not control the state. In Chester, just east of Union, Constable Benjamin Yocum learned of a planned attack on Chester Court House by armed bands, and mobilized a group of men to defend the town.⁸ Similar reports came from Spartanburg, where constables called for more men and guns, since "difficulty may occur momentarily and we will be the first persons subjected to violence."⁹ James Leahy, to the south in Newberry, feared less for himself and more for the recently elected officials, for "bets are offered that some of the elected officers will not get their places." Like so many other state officers, Leahy saw the
ineffectiveness of state law enforcement, and told Chief Constable Hubbard that only the U.S. Army could suppress the lawlessness.10

York County, along the North Carolina border, also became more turbulent after the election. As with its neighboring counties, the racially and politically motivated violence in York carried a sense of retaliation and a promise of continued defiance. In the words of J.W. Anderson in Yorkville, the whites "are not well pleased about being beaten so bad in the Election...."11 This was his explanation for the attack on the home of County Treasurer E.H. Rose, who, luckily, was not at home when the Klan riddled his house with bullets. Nor were politicians the only targets. In Rook Hill, three whites stabbed a black man in the middle of the street while Constable Warren Hart looked on helplessly. Another constable, "afraid of offending his white friends" did nothing, and the sheriff also refused to be involved. Among the murder victims in Rook Hill was Tim Black, who was shot 18 times and had his throat slit. In all these cases, a constable reported, there was "no offence given except that the murdered men were leading Republicans."12

Facing a rebellion against his almost non-existent authority, Governor Scott pleaded with Washington for assistance. Scott informed President Grant that "an organized force" was "creating a general reign of terror and
lawlessness" throughout the piedmont region. Black and white Republicans were being beaten and murdered because "they dared to exercize their own opinions upon political subjects." Scott explained the weaknesses of the civil courts and the militia, and reasoned that "if the State is powerless the duty clearly devolves upon the National Government" to quell the disorder. State forces could not oppose bands "largely composed of those who were engaged in the Confederate Armies, accustomed to the use of fire arms, thoroughly drilled, and armed with the most improved weapons...." "Humanity," the imperiled governor stated, "as well as every sound principle of policy would dictate, that regular troops should be employed in this service." 13

Governor Scott also notified General Alfred H. Terry of the situation in the state. Terry, commanding the Department of the South under Henry Halleck's Division of the South, was more sympathetic to military intervention than his superior (and Terry had studied law at Yale). Scott informed Terry that a "reign of terror" existed in the up-country, with scores of outrages reported and hundreds of blacks sleeping in the woods for safety. To use the militia, Scott explained, would be a "signal for a general uprising and slaughter of those not in sympathy with the marauders." Scott had the same request for the commander as he did for the Commander-in-Chief: South Carolina needed federal soldiers. 14
As if to vindicate Governor Scott, the Ku Klux Klan chose to demonstrate its power in Union County in the winter of 1871. One of the most dramatic Klan actions occurred in response to perhaps the only verified attack by the militia upon whites in South Carolina. On December 31, 1870, a one-armed confederate veteran named Matthew Stevens had been transporting whiskey to Unionville when he came upon a unit of militia bound for Spartanburg. After exchanging a drink and some words, the militia opened fire on Steven's wagon, forcing Stevens and his companion, Ben Roberson, to run into the woods. Roberson escaped, but the blacks caught Stevens and shot him to death. A sheriff and posse arrested about a dozen black militiamen soonafter, although one deputy was killed in a gun battle before the men surrendered. 15

Many whites believed incarceration and trial - and the chance of acquittal - were not fitting punishments for such an atrocity. On the night of January 4, two days after the arrests, a band of 40 or 50 mounted, disguised men rode into Unionville, chopped down the jail door with axes, and removed five of the prisoners. The Klan led them away from the town and shot all five; two died, while three others were wounded and later returned to the jail. When news of this reached Columbia, Judge Thomas of the District Court sent word to have the prisoners transferred to the capital for holding and trial. The Sheriff of Unionville received the order on Thursday night, February 9, and was unable to
make arrangements for the Friday train; the next available train was on Monday. Some of the prisoners would never make that trip, for at midnight on Sunday the Klan struck again. A vast mounted force—estimates place it between 800 and 1500 men—seized the town, blocking all exits, and posting guards along the streets. Operating in complete silence—they used only hand signals and whistles—the Klan surrounded the jail and demanded the keys. When the deputy sheriff refused, masked men promptly displayed his wife, in the company of a disguised man who held a gun to her head. The Klan removed ten prisoners, and tied up the deputy and the jailer. Searchers found eight dead blacks the following morning, but two never surfaced again. In the opinion of Robert Wallace Shand, the discovery "had a most quieting effect on the negroes." 18

Following the show of force by the Klan in Union, state authorities redoubled their efforts to attract federal aid. On February 14 Scott again wrote to Grant to "earnestly demand the interposition of the Federal Government for the protection of the lives and persons of our people." Without federal troops, Scott believed he would be forced to rely on the militia, and thus "inaugurate a war in which the loyal people would be sacrificed." 17 At the same time, the General Assembly sent a delegation to Washington with facts and figures designed to sway the administration. Despite evidence that a "bloody war of extermination" was imminent,
the delegation had difficulty getting any commitments for assistance. But while the delegation roamed the capital seeking a sympathetic ear, conservatives in South Carolina pushed on with their assault upon the Republican party.

Once again, this time in March, an 'outrage' by the militia led to overwhelming white retaliation. The riots that rocked Chester County for the first week of March began with a group of militiamen protecting a suspect wanted for stealing cotton. Armed whites set out to find the militia captain, Jin Wilkes, and capture both the suspect and him. Wilkes called for help from other units, and by the next day over one hundred armed blacks had pitched camp in Chester Village. Trying to prevent a confrontation, the Colonel of the militia for the county, John Reister, a white man, and the Mayor convinced the militia to leave the town. Instead of disbanding, however, the militia only retreated into the cover of the nearby woods. By this time hundreds of armed and mounted whites had arrived, some bands coming from as far as Rock Hill and Winnsboro. During the night the main force of whites, under command of Joseph Gist of Union, set up a skirmish line around the militia camp. The following morning the whites advanced, but were repelled by heavy fire. Changing his tactics, Gist ordered a flanking attack, which succeeding in driving the blacks out of the woods. Pursuit continued for a short while, but the black men scattered quickly and escaped. At least five blacks were
killed and several wounded; Gist reported one dead from his forces. A few days later Scott disbanded several of the county's militia units, and suggested to Colonel John Reister that he leave the county. 10

These events indicated that a widespread, organized paramilitary force was gaining control over a large portion of the state. General Alfred Terry believed that such a display of power could not go unanswered, and he ordered an advance detachment from the 18th Infantry into Chester Village as soon as news of the riot reached him. Terry told Scott that although the force was small - 26 men - he was arranging for more troops to be sent into the up-country shortly. 20 Sensing a glimmer of hope, Scott again appealed to Grant: "I must call for more troops, an actual state of war exists in York and Chester counties ... I will be compelled to declare martial law - legislature not in session." Scott knew that another declaration would mean little, and trusted that his threat would convince Washington that matters were out of control. 21

If Scott's appeals and Terry's troops had any impact at all, it was only to shift the focus of violence away from Chester to York County. Captain John Christopher of the 18th Infantry, part of Terry's reinforcements, arrived with his company in Yorkville just as part of the Carmel Hill militia escaped into York. Their escape, however, was narrow; Christopher reported that they "were closely tailed
in this county, and ... I believe they would have been murdered were there no US Troops in this vicinity...." The blacks were indeed lucky, for the train carrying Christopher and his men was delayed by an explosion that destroyed a section of railroad track. The officer believed either the Klan or the local "council of safety" was responsible for the operation, as well as the whippings, visits, and murders that were occurring in increasing numbers in York.22

As in other counties, Klan violence in York was organized and well-directed. Although any and all Republicans were potential targets, the bands often selected persons important to the functioning of the Republican party. Demonstrating the vulnerability of party leaders was a good way to convince the rank-and-file of their own susceptibility to Klan attack. Among the victims of Klan violence was militia captain Jim Williams, who was found hanging from a tree with a note reading "Capt. Jim Williams on his big muster" pinned to his chest. The County Commissioner Henry Roberts was forced to leave the county or "they would have me."23 County Treasurer E.M. Rose, was also Klan quarry; the organization posted notices that Rose was wanted for trial for incendiarism. In early March the Klan raided his home and office, and again, as with an attack several months earlier, Rose was not home. It seemed the Klan fully intended to live up to the warning contained in a posting found about the same time: "we do intend that
the intelligent, honest white people of this county shall rule it! We can no longer put up with negro rule, black bayonets, and a miserably degraded and thievish set of lawmakers.... We are pledged to stop it; we are determined to end it, even if we are forced, by force, to use force."84

Force was the element that the conservatives had and that Scott wanted, and by March it was clear the Republicans were losing the war over control of South Carolina. Again in mid-March the governor pleaded with Grant, informing the Chief Executive of the latest round of outrages, raids, and murders. The "organized combinations," according to the besieged governor, were so well trained and equipped that they "render the power of the State and its officers unequal to the task of protecting life and property."23 As before, while the governor appealed on paper, politicians appealed in person. In the middle of March another delegation from the state arrived in Washington, composed of twenty prominent white and black Republicans, including Lieutenant Governor Alonzo Ransier. They brought boxes of evidence and volumes of horror stories, all in the hope of convincing the administration to take decisive action.23

While state authorities waited for a response from Washington, the Klan kept up its campaign of terror, often forcing Republicans to resign under the threat of violence. As with the recall of militia guns, the Scott administration would rather concede defeat that push the issue; the
administration would often appoint Democrats to vacant positions to avoid further violence. Considering the fate of the previous official, Democrats were probably the only available men. County officers resigned in York, Union, and Fairfield under fear for their lives. The Commissioner of Union County told Scott to hold a new election there, as the other two commissioners had resigned under pressure; only H.R. White remained, and he planned to leave his post to avoid complicating the election. Resignations became so frequent that Scott adopted a policy of not accepting any resignation given "under the influence of intimidation or fear," hoping that rejecting the resignations would dissuade the Klan. The policy did not last, however, for violence continued and Republicans themselves opposed it. Some Republicans believed certain resignations might help restore peace, and others were the individuals trying to leave office to protect themselves.27

Perhaps more surprising than Scott's sudden - albeit brief - stand against the Klan was the announcement that more troops were headed for South Carolina. In March General William T. Sherman ordered a major reshuffling of the regiments out West to free up companies of cavalry for service in the South. In mid-March Scott received word that four companies of the 7th U.S. Cavalry would arrive shortly, and more could follow. These forces would serve alongside
the five companies of the 18th Infantry already in the state, and provide much-needed mobility and speed.29

Although the presence of troops brought calm to a local area, there were not enough troops in the state to garrison it completely. Only decisive action could counteract Klan violence, and such action was not forthcoming. With the legislature not in session, Governor Scott faced a situation he had faced before; he could declare martial law, he could unleash the militia, he could capitulate. The governor sought the best bargain possible under the circumstances. Scott hoped to bring peace by appeasing the conservatives through apparent capitulation, all the while careful to surrender only what he had already lost.

On March 13 Governor Scott met privately with seventeen of Carolina's "best citizens," in hopes of finding a solution to the disorder in the state. An informal "deal" emerged from the meeting, which called on Governor Scott to desist from declaring martial law, disband many of the up-country militia companies, and replace selected local officials. In return, conservatives pledged to use their "utmost influence" to end the violence and preserve peace. At first glance, Scott appeared to have ceded a great deal. But in reality Scott did not relinquish anything that the Klan would not have taken by force. Resignations were already a problem for Scott, and, since he could not protect his officials, they continued to leave office. After the
meeting, both Edward Lipscomb and R.H. Hemphill recorded that the governor recalled many blacks and corrupt whites and replaced them with "respectable white men." As for the militia, Scott had already disbanded several units following the tumultuous events of the past few months. In January he had disbanded the Union militia, in February many of the York companies, and in March the Chester companies had been eliminated. Disbanding a few other units meant little, since Scott was well aware that the militia did more harm than good. Besides, there was no chance of using it against the Klan. Disbanding it merely prevented the bloodshed that would have ensued had the Klan done it instead.

The federal government supplied the stick to Governor Scott's carrot. Or, the government provided the threat of the stick, as it increased the number of troops in the state without really altering their mission. Companies B, E, and K of the 7th cavalry were in South Carolina by the end of March (stationed at Unionville, Spartanburg, and Yorkville respectively), and companies C and D arrived in April. With the transfer into the state of companies G, L, and H in May and June, cavalry forces numbered nearly 400 officers and
men. Nearly five hundred other troops from the 18th Infantry and 3rd Artillery already garrisoned the state.\textsuperscript{31}

But the stick remained small in comparison to the task at hand. As long as Congress and the administration restricted the army from an active role — and such limitations were appropriate under civil law — the size of the force meant little. The army could only react to crimes in progress, and it was highly unlikely that the Klan, with its information network and knowledge of the region, would be caught unawares. Nor were the numbers themselves impressive; eight or nine hundred soldiers garrisoned South Carolina, but the Klan had mobilized that number in one town in a matter of hours. In late March \textit{The Nation} made these observations in an article that mourned the "failure" of the "social revolution" in the South. The forces of conservatism "have taken the field against the new regime," the author wrote, and the government's reaction was lackluster at best. A European power, the article continued, would have sent 100,000 men to crush any insurrection and "strike terror" in the hearts of the rebels. In the United States, "we vote a regiment of cavalry and two companies of infantry ... about enough men to make one county tolerable safe." "We cannot interfere effectively," the author believed, "and had better not interfere at all."\textsuperscript{32}
This is not to say that the army was completely inactive, or that its presence served no useful purpose. On the contrary, the appearance of the federal blue brought peace with it, and however limited the range of that effect, at least some Republicans slept better at night. In the few cases when victims filed charges and swore out affidavits, soldiers provided escorts for sheriffs and marshals serving warrants. Cavalry units patrolled regions of Klan activity, and infantrymen guarded jails and court houses.

No one understood the dilemma facing the army better than Major Lewis Merrill of the 7th Cavalry. Merrill, who arrived in Yorkville on March 28 to assume command of the cavalry in the state, had a background that prepared him for service in the state. South Carolina was caught up in a hybrid of civil war, rebellion, and insurrection, requiring the careful touch of a military man familiar with civil law and general jurisprudence. A graduate of West Point, Merrill had earned four brevets for service during the Civil War, finishing as a Brevet Brigadier General. He had also commanded pacification operations in Missouri and Arkansas, and had served as a Judge Advocate (he came from a family of lawyers) and headed military commissions. Even more frightening for Carolinians were rumors about previous actions. In one case, General Schofield told Merrill to try one "Colonel Poindexter" by military commission; Merrill
replied that "I had intended on having him shot Friday, but you are probably right."  

Personally capable of severe action, but understanding the limitations under which he operated, Merrill pursued a "carrot-and-stick" policy of his own. Like *The Nation*, the cavalry officer knew his meager force was incapable of restoring peace to the beleagured state. More importantly - and not unlike Governor Scott - he realized that any significant change would have to come from the population itself. So Herrill followed a dual strategy. First he constructed an apparatus that could - if the decision was made - do direct damage to the Klan. He conducted an exhaustive investigation into the York County Klan. Merrill and a battery of secretaries, some paid directly by him, conducted interviews and took testimony from anyone who had a story to tell. He created a vast file which cross-referenced all outrages, victims, and suspects, so as to verify names and events. To encourage and protect victims, he opened his camp at Yorkville as a refuge, and anyone fearing danger could stay within its boundaries. He also used sympathetic native whites and disillusioned former Klansmen as spies to infiltrate Klan dens. In a speech given a year later, District Attorney David T. Corbin applauded Herrill as the man who broke the organization's "veil of secrecy" and made federal intervention in the fall of 1871 possible.
The other half of Herrill's policy involved making Carolinians take an active role in stopping the violence. Merrill believed relying on influential locals was a logical course of action, considering the limits on military action and the southern tradition of community responsibility. When the Major arrived on March 26 he found a local movement against lawlessness already underway, probably in response to the recent meeting between Scott and the state's conservative leaders. Local merchants and planters had hosted town meetings on March 13 and 16, and their resolutions had been printed in the Yorkville Enquirer. Merrill drew on this sentiment, and although he kept identities and vital information confidential, made sure prominent men knew he was investigating the Klan. After compiling a good deal of material, he began holding his own conferences with local people. Merrill hinted at the incriminating evidence he held, commented on the growing restlessness in Washington and among his troops, and made allusions to federal action.

Merrill's involvement spurred on the reaction against lawlessness. Informers reported that local leaders held meetings of their own, and many bands and "committees" decided to curtail activity. As more cavalry units entered the state through the spring, Klan meetings became more frequent, and "resolutions" and "warnings" appeared in local papers urging calm. "We earnestly raise a warning voice,"
one resolution read, "that force, if persisted in, will be suppressed by the power of the Federal Government." The Carolina Spartan and the Yorkville Enquirer also published "cards" with signatures of those urging peace, some of which carried over 500 names. Participation by the Spartan showed that the movement had spread beyond Merrill's York County; by June meetings were occurring in Spartanburg, Clarendon, and Sumter.37

Some historians believe this activity represented an earnest attempt to stem the tide of violence and avert federal intervention. John Reynolds believed that because of the disbanding of the militia, the increase in federal activity, and the active role played by influential locals, "the Kuklux ceased their operations, so that after the middle of May, 1871, there was nowhere any complaint of them."38 While Reynold's cessation of hostilities may be premature, Allen Trelease at least agreed that there was a "reaction" against violence.38 So does Francis B. Simkins, although he places the movement a bit later, after the federal government took a more aggressive stance. According to Simkins, it was when "Federal authorities had made it known that their intentions were serious, in the late spring of 1871, [that] the local white leaders began to make their influence felt against lawlessness...."40

The growing interest of the federal government, to which both Major Merrill and Professor Simkins alluded,
certainly influenced conservatives. Rumblings from Washington made the presence of troops take on a whole new meaning. In the first week of March President Grant sent a signal that indicated southern violence was a top priority: at the end of the regular session of Congress, he called a new one immediately rather than allow southern hostility to fester until fall. A week later, after reviewing War Department reports on outrages in "Seecessia," the Senate issued a call for tougher legislation to combat the "organized bands of desperate and lawless men ... [who have] subverted all civil authority" in parts of the South. The Judiciary Committee produced a bill which passed the Senate, but was defeated by moderate Republicans in the House who worried about a concentration of power in the hands of the Executive. On March 23, hoping to save the bill, Grant made a personal appeal to the House. He declared that "a condition of affairs now exists ... rendering life and property insecure ... [and] the power to correct these evils is beyond the control of State authorities...." Grant called for a bill not unlike the one just defeated, but suggested that the authority to suspend the writ of habeas corpus - a critical stumbling block in the last bill - expire at the end of the next session of Congress. The situation in the South called for action, not more legislation. Between the Enforcement Act of May 1870 and the Civil Rights Act, enough legislation already existed to
authorize federal intervention in the South. The problem was not necessarily one of legitimacy or legality, but one of nerve and will. Even without further legislation, decisive action was possible. Congress could have increased the budget for the Justice Department, or Grant could have authorized a concentration on the South instead of northern cities, thus providing more marshals for duty. Laws already provided that soldiers could be used as *posse comitatus*, and Grant need only order General Halleck to stop obstructing this cooperation. The Enforcement Act of May 31, 1870 provided for federal action in lieu of state performance, and even authorized the President to use the military to enforce the law. In February 1871 Congress had added a Second Enforcement Act. This law placed congressional elections under federal supervision, but otherwise added little of substance to the first.43

The events surrounding the new bill indicated that the federal government was not willing to respond to the crisis in the South as some hoped they might. For instance, one option was for the President to declare martial law, or unswervingly support a governor who did. Although the legal and constitutional basis of such a move was questionable, it was not without precedent. Grant might reach back to Dana's "Grasp of War" idea to show that even with readmission and the return to civil law, the late rebel states continued their defiance of the Union and its principles. Congress
and the Supreme Court could temporarily suspend civil law, and military officers and courts would take matters into their hands. If the President and Congress truly felt that a "rebellion" was in progress, Grant could invoke General Orders No. 100, "Instructions for the Government of Armies of the United States in the Field." Written by Francis Lieber during the Civil War for the War Department, "Lieber's Code" offered only one justification for martial law: necessity. Furthermore, the one-time Professor at South Carolina College argued, everything from relocation to the starvation of civilians was fair game. When caught, "rebels" and "partisans" should be executed. Speedy, severe action was the only way to respond to an insurrection, which Leiber defined as "the rising of a people in arms against their government, or a portion of it, or against one or more of its laws, or against an officer or officers of the government."44

While such steps might appear extreme, they were not wholly without precedent. Although not common, the use of federal force - or federally supported forces - to preserve the peace was not unknown; the Whiskey Rebellion and Fries Rebellion of 1789 are two examples. Lincoln's call for volunteers in 1861 was perhaps the greatest example.45 A more recent, and perhaps relevant, example of federal action was the experience of wartime Reconstruction. Tennessee, for instance, was the site of a vicious guerrilla war which
brought a severe reaction from Andrew Johnson and General William S. Rosecrans. Measures included the use of a military police force, banishment, holding hostages, and a system of community-directed retribution (if a unionist was attacked, five confederates would be jailed, and so on). Johnson used a secret detective force, censored the mails, instituted a system of passes and permits, and allowed military commissions to function.48

Yet the federal government opted for what Michael Les Benedict has called "the bare minimum." On April 20, 1871, Congress passed the Third Enforcement Act, also called the Ku Klux Act, which demonstrated how conservative and tentative Congress was. 1 1871 was not 1861, and the North, weary from years of war and Reconstruction, had scant interest in blacks and southern Republicans. The new law did not provide for martial law, military commissions, or any other of the harsh responses that rebellion seemed to demand. But it was crafted with the South in mind, and specifically targeted the "unlawful bands" that denied persons the "equal protection of the laws." The framers skirted the question of how to punish state crimes, such as

1 The act as passed was called the "Ku Klux Act," not the Ku Klux Klan Act. Although I use 'Klan' throughout this work, contemporaries did not. The organization was the "Ku Klux," and a member was a "Ku Klux." "Klan" was not a common part of the name, and as such did not appear in the act.
murder, without violating traditional state jurisdiction by creating a new federal crime. The offense was "the deprivation of any rights, privileges, and immunities secured by the Constitution." 47

Perhaps the biggest difference between this law and its predecessors was the controversial Section 4, which allowed the President to suspend upon his own discretion the privilege of the writ of habeas corpus in a finite area. Habeas corpus was the constitutional guarantee against arbitrary arrest, for it prohibited holding a suspect who has not been charged or against whom no indictment is pending. Not the equivalent of martial law, a suspension would only affect holding procedures, not arrest procedures. Law enforcement remained in the hands of civil authorities and warrants were still required for arrests, but suspects could be rounded up and detained without habeas corpus to release them. As Grant had suggested, Section 4 would expire in the spring of 1872, at the end of the next session of Congress. The same day that it passed the Ku Klux Act, Congress created the Joint Select Committee to Inquire into Conditions of Affairs in the Late Insurrectionary States. This signified that Congress was not yet ready to plunge into any radical operation, and wanted even more information. Members would begin receiving testimony in Washington in May, and in June would start their tour of the South in South Carolina. 48
Although the passage of the Ku Klux Act, and even the creation of the Joint Committee, might be seen as victories for pro-enforcement forces, decisive action did not follow. Conscious that it must act to retain a hold on the South, the government nonetheless feared alienating white southerners and white northerners. The Grant administration and Congress were caught on the horns of a dilemma; with evidence piling up on the chaos in the South, a passive stance could cost black votes and Republican governments. Yet a firm stand and decisive action might lose white support among northerners bored with the Reconstruction issue and suspicious of Grant and the southern Republicans.

As a result, no substantial federal activity came on the heels of the Ku Klux Act. Not unlike the measures taken by Governor Scott in South Carolina, Republicans in Washington expected the mere existence of the new law to intimidate wrongdoers and bring peace to Dixie. On the 3rd of May President Grant issued a proclamation that was representative of Republican languor. Grant declared that if the southern people did not see fit to end the lawlessness, the federal government would step in. The President addressed federal marshals and attorneys across the South, and called their attention to the new federal law. He ordered authorities to arrest all transgressors, and reiterated the use of soldiers as posses. Stirring as it may have sounded, the proclamation did nothing. Federal
authorities were already authorized to do all of this under the 1870 Enforcement Act; but a lack of marshals, court terms, and witnesses ready to testify stopped investigations in their tracks. Grant, confident that the new law and his proclamation would bring peace, retired for the summer to Long Branch, New Jersey.  

Neither the Ku Klux Act nor the May Proclamation had a significant impact on South Carolina. Troops continued to enter the state, but this was part of the earlier buildup, which ended with the last cavalry companies arriving in the summer. No additional forces were transferred into South Carolina to help carry out Grant's proclamation. Upon receiving a copy of Grant's order, Major Merrill informed E.D. Townsend, the Adjutant General of the Department of the South, that he was both confused and disappointed. The order gave the military no additional power, and so did not differ from the current operating procedure. Merrill also complained that the army could not be blamed for any lack of activity, for officers had to follow the civil authorities, and marshals, attorneys, and judges were irresponsible and apathetic.

Major Merrill was justified in his doubts about the ability to punish offenders under civil law. Reports indicate that arrests did increase slightly after the May proclamation, but as before, the prosecution was usually unable to convict due to a lack of evidence or a refusal of
witnesses to testify. James Bryant of Spartanburg suggested that Governor Scott offer rewards for information and testimony; Bryant reasoned that if victims had the money to leave, they would not be afraid of testifying. The administration followed his advice, and on July 28 Scott announced a $200.00 reward for each conviction secured. Of course other problems remained, sometimes ones that even caught Merrill off guard: in the summer Merrill began to suspect that the sheriff of Yorkville was in league with the Klan! Complaints reached Scott and the Department of the South that trial justices were corrupt, marshals were constantly absent, sheriffs were incompetent, and warrants and arrests never seemed to materialize. The results of the District Court in Greenville in late August seemed typical. A Grand Jury had found several true bills against men for conspiracy and intimidation. With Judge George Bryan presiding, a native South Carolinian, all cases ended in mistrials or not-guilty verdicts. Enforcement failure fed conservative contempt. As the EdgefieldAdvertiser put it after the court had adjourned: "This is delightful to record. For what had been the condition of this up-country if the ku-klux had not gently tweaked the noses of certain aggressive negroes and scalawags?"

This open disdain for private rights and public policy grated on the nerves of General Alfred Terry, the commander of the Department of the South. For months Terry had been
receiving reports of outrages and Klan depredations from all over the Southeast. Always in contact with his key officers, including Major Merrill, Terry tried to keep his finger on the pulse of the region. By summer his finger was telling him that the federal government's policy - if it could be called that - was a failure. Stunned by Merrill's latest report on the inner workings of the Klan and the difficulties of operating under civil law, Terry took the initiative and wrote to the commander of the Division of the South. The only way to crush the "insurrectionary movement", Terry declared, was through the use of military force. Terry knew the entire South could not be reconquered, and he found such a proposal unnecessary. "If in a single state it [Klan] could be suppressed, and in that State exemplary punishment meted out to some of the most prominent criminals," Terry argued, "I think that a fatal blow would be given to it everywhere...." The commander suggested South Carolina as the target, for there the organization seemed most dangerous and active, and a respectable military force was already present.\(^5\)

The congressional subcommittee investigating illegal organizations in the South came to the same conclusions as Major Merrill and General Terry. Republicans John Scott and Job Stevenson and Democrat Philadelphia Van Trump arrived in South Carolina in late June. For three weeks they heard testimony from conservatives and Republicans, whites and
blacks, during interviews conducted in Columbia, Unionville, Spartanburg, and Yorkville. At Yorkville Major Merrill supplied them with a copy of his material concerning the organization and its activities. Senator John Scott, the chairman of the subcommittee, was so struck by the group's findings that he suggested that the President declare martial law and use the army to break up the Klan. The Charleston Courier responded with an investigation of its own in Spartanburg, which revealed that although lawlessness had been rampant earlier, "the county is in a state of profound peace and quiet," and had been for some weeks. The paper collected a list of persons, Democrats and Republicans, who supported the view that calm prevailed.  

If conservatives in South Carolina were backing down, Republicans in the Federal City were acting up. Back in Washington, President Grant received the Congressional subcommittee's report - including Major Merrill's files - in late August. On September 1st he met individually with cabinet members, hoping to find a solution. The consensus was for action along the lines provided in the Ku Klux Act, but the administration was still hesitant. Grant held a full cabinet meeting a few days later, and all consented to sending Attorney General Amos Akerman into the state for an
expert opinion. Akerman would confer with leading state and federal officials to get their input on possible intervention.87 Akerman's stand on the government's responsibilities was clear. He wrote to a friend in Mississippi just before leaving for the state that "the Government is there by right, and not by the tolerance of the population. This disaffection is a thing not to be won by wooing. Enough of that has already been done in vain."se

The Attorney General's visit to South Carolina confirmed his opinion that federal intervention was necessary. Akerman met with U.S. District Attorney David T. Corbin, Major Merrill, and Governor Robert Scott. The governor approved of the "intended operation," pledged his full support, and even suggested the counties where the habeas corpus should be suspended. In Yorkville, Akerman met with Major Merrill and discussed how the War Department and Justice Department would cooperate. It was probably during this visit that Akerman made certain that military officers served only as escorts, with the exception of Major Merrill. Akerman had such esteem for Merrill that he authorized the Major to make arrests as the District Attorney directed. In the beginning of October Akerman tracked down the President, now in Dayton, Ohio, and advised him to invoke the power of the Ku Klux Act. Grant immediately sent his Attorney General back to South Carolina to oversee preparations.59
Once federal marshals and troops had been briefed and received their assignments, Akerman telegraphed Grant that all was ready. According to the Ku Klux Act, before the habeas corpus could be suspended, the Executive had to allow the "illegal combinations" an opportunity to disperse on their own. So on October 12 Grant called for all bands to disperse within five days, and demanded they turn in all the weapons, disguises, and paraphernalia of the organization.

On October 16 Akerman contacted the President, but made no direct mention of the Proclamation or the Klan's compliance. Instead, he delivered up one of the great indictments of the Klan, its effects, and its extent. Drawing on information supplied by Merrill, Corbin, and other sources in the state, Akerman estimated that the Klan dens "embrace at least two-thirds of the active white men of those [up-country] counties, and have the sympathy and countenance of a majority of the other third." By his calculations, the "instances of violence perpetrated by these combination within the last twelve months ... could be reckoned by thousands." The purpose of the violence was to "prevent all political action not in accord with the views of its members" and eventually "reduce the colored population to a condition closely akin to that of slavery." Akerman based his report on information collected months earlier, and although Grant's proclamation seemed to imply that the combinations were still active, the distinction was
irrelevant to Akerman. Whether the federal government sought to restore peace or punish past transgressors, the operation would be the same. As a result, in his communication of October 16 Akerman called for a suspension of habeas corpus and immediate arrests.61

On October 17, President Grant officially suspended the privilege of the writ of habeas corpus in nine counties of the South Carolina up-country "during the continuance of such rebellion." The counties were York, Chester, Spartanburg, Chesterfield, Laurens, Newberry, Fairfield, Lancaster, and Marion. Marion was included by clerical error. The selected county was Union, and the President made the correction on November 3. Luckily, no arrests were made in Marion during that time. Elsewhere, however, the 'crackdown' had begun; marshals with military escorts had begun rounding up suspects on October 19.62

If arrests were an indication of success, the federal operation appeared to have an auspicious opening. The months spent accumulating evidence and the smooth cooperation between marshals and their cavalry escorts resulted in scores of arrests within just a few days. Numbers of prisoners grew rapidly, outstripping the capacity of many of the small village jails. A preliminary report in early November listed dozens of suspects who had been apprehended, and within a month the number had passed one hundred.63 On January 8th District Attorney Corbin informed Akerman that
472 persons had been arrested thusfar. In April 1872, the time of the Attorney General's annual report, the figures had grown to the following:

- Spartanburg: 230 arrests, all by civilians
- York: 183 arrests, all by military
- Chester: 43 arrests, all by civilians
- Laurens: 40 arrests, all by civilians
- Union: 36 arrests, all by civilians
- Newberry: 1 arrest, by a civilian

**TOTAL: 533 arrests**

As the numbers above indicate, the operation was firmly in the hands of the federal civil authorities. Martial law was not in effect in South Carolina, and the military was completely ancillary and subordinate to the civil power. Only in York County did the military actually make arrests, and even there Merrill took action "by the direction of the Attorney General, of people ... [he] had such evidence, and made arrests where [he] directed." After taking statements and vital information, Merrill turned all prisoners over to the civil authorities. Nor were the civil courts disrupted. The writ of **habeas corpus** concerns the detention of a suspect, and does not affect arrest procedures or requirements. Although suspects in York County were arrested without warrants on the orders of the Attorney General, in most cases judges worked around the
clock issuing warrants. The suspension then allowed authorities to detain suspects indefinitely, allowing for speedy mass arrests without concerns about working up indictments. 

Along with the arrests, a great many Klansmen surrendered to federal authorities, further swelling the number of men in jail. Merrill claimed that "unbelievable numbers" turned themselves at Yorkville. Crowding was so bad that he allowed many of the "lesser" criminals to go home on bail. Louis Post, a 'carpetbagger' who worked as Merrill's chief secretary, believed that the fear of punishment - hanging seemed to be on the tips of many tongues - convinced Klansmen to give up and seek clemency. 

A New York Evening Post correspondent estimated that three hundred men had surrendered at Yorkville in the two weeks after the suspension. Across the piedmont jails filled to capacity and beyond, and locals marvelled, and authorities gaped, as confessed murderers were allowed to return home to make room for "bigger fish." The rush to surrender - and avoid punishment - was "like the sudden breaking of a flood," according to Mary Davis Brown. At Yorkville, Louis Post and his fellow stenographers worked 12 hours a day, every day, to record all the confessions. These confessions, District Attorney Corbin declared, revealed "a state of things quite as bad, if not worse, than any of
us then anticipated." It was, in Corbin's words, a catalog of crime "never surpassed, if equalled, in the history of any country."72

While the horrors of the Klan grew larger, the portrayal of federal intervention as its own "reign of terror" was far off the mark. A correspondent for the New York Herald did report that a "perfect reign of terror exists" in the up-country, with several counties under "martial law" and soldiers "taking persons from their beds at midnight."79 But even the ultra-conservative Edgefield Advertiser noted that warrants were used, marshals operated only in daylight, and there was no "undue harshness" by authorities it characterized as "kind and mild."74

The treatment of the prisoners might have been described the same way, for incarceration presented little hardship for members of one of the most violent and dangerous organizations the country had ever seen. Iredell Jones' letters from the Yorkville jail showed that prisoners were well treated, well fed, received many visitors, and had all sorts of books and papers to read. They also had free reign of the jail itself; the building was locked and well-guarded, but prisoners were not confined to cells. Those jailed also exercised outside daily, with cavalry nearby "in case any nimble fellow should run the guard and take to his heels." With the exception of one poor fellow who sat in a corner mumbling "I shall be hung! I shall be hung!,"
the men appeared in good health and in good spirits. John A. Leland, arrested in Union in March of 1872, drew a similar picture. He commented in particular on the outpouring of local support - especially from the ladies of the town who brought food - and had such an easy time that after his transfer to the capital he recorded it as "one of the most pleasant visits I have ever paid to Columbia!"

Not everyone from Merrill and Corbin's lists were arrested, however. A large number of suspects managed to escape the federal crackdown altogether. Robert W. Shand believed that with few notable exceptions, only "low elements" surrendered and were arrested. Shand claimed that most of the important figures had fled the state. In fact, Mary Brown Davis recorded that the President's initial proclamation had caused "great excitement," and that by October 16 - before the suspension - "a good many of the men left York" to avoid arrest. The correspondent for the New York Evening Post claimed to have evidence that hundreds had left the state as early as September; their cue was the visit of Akerman to the state. Local newspapers confirmed this, openly bemoaning that so many good men were in jail or had fled the region for their own safety. Once the crackdown began, a shortage of marshals provided the opportunity for many suspects to flee, causing one officer to complain that "many of the members are now leaving the State" before he could arrest them. One judge estimated
that over fifteen hundred of his "neighbors" had "absconded." The problem became so acute that Merrill requested Akerman explain extradition guidelines to him, since the Major knew of fugitives in Mississippi, Georgia, Arkansas, Virginia, Maryland, and even Pennsylvania. Two of the most important suspects had fled all the way to Canada. James W. Avery and J. Rufus Bratton were both suspected of complicity in murder and of holding important positions in the Klan. Avery had fled to Ontario, and Bratton followed him there; their haven was the home of expatriot Edward Manigault.

Prosecutions for those the government did arrest commenced in the federal circuit court in Columbia in late November. From the outset, however, it was evident that the trials would not be the decisive blow the government had intended. Days before the trials opened, the chief prosecuting attorney, District Attorney David T. Corbin, laid his doubts before Attorney General Akerman. The fact that most of the alleged crimes "were committed prior to the Act of April 20, 1871," worried the District Attorney, for Corbin believed that the passage of time worked in favor of the defense. This also indicated that the emergency had passed, a factor which might again work against the prosecution. In addition, Corbin believed that a "conspiracy" would be difficult to prove, and that pressing violations against the right to bear arms or the right to be
secure in one's own house would indicate weakness in the government's case. It was weak, as Corbin knew, and he openly solicited advice from Akerman, since he had no library on hand.33

The head of the Justice Department shared Corbin's doubts. Writing to an old friend, Attorney General Akerman admitted that "indeed it seems to me that it is too much for even the United States to undertake to inflict adequate penalties through the courts." Akerman confessed that he had too few men, too little money, and too little time to punish all the perpetrators. "Really these combinations amount to war," Akerman declared, "and cannot be effectively crushed on any other theory."34 As Robert Kaczorowski pointed out, the "chances of complete success would probably have been greater if Congress and the President had recognized Klan terrorism as rebellion and used the military to quash it. Legal officers instead were directed to put down insurrection through judicial process."35

Making matters worse was the organization and determination demonstrated by the opposition. Conservatives in South Carolina had struggled on the battlefield for the right to control their own society as they saw fit. From the halls of legislation to the rural routes and cabins, state conservatives had sought to shape their own society. Now, in the courtroom, they had an opportunity to strike a blow at the entire enforcement system, an open the way for
local control again. State leaders realized that if they could split the two-headed Circuit Court they could eventually force a stand by the U.S. Supreme Court. In their dreams, conservative leaders saw the Supreme Court overturning all enforcement legislation as unconstitutional.

A week after the habeas corpus suspension, conservative leaders began a campaign to secure the best defense counsels money could buy. On October 22 Wade Hampton suggested to Armistead Burt that they should hire northern lawyers "to defend our Ku Klux cases ... they would have more weight than our own advocates & could speak more freely." Hampton, Burt, Matthew C. Butler (the Union Reform nominee for lieutenant governor) and others estimated that $15,000 would be needed to procure the finest men, and assessed each county a particular amount.

The campaign raised nearly $10,000 and secured two of the most capable lawyers in the country, Reverdy Johnson and Henry Stanbery. Reverdy Johnson of Maryland had argued for the defense in *Dred Scott v. Sanford*, served as Attorney General of the United States, and had been a member of the Joint Committee on Reconstruction. (Ironically his son was a U.S. Marshal in South Carolina, so Johnson knew more than most about the horrors of the Klan). Henry Stanbery of Ohio had also been Attorney General, and had defended President Johnson at his impeachment trial. Corbin's confidence slipped further when he learned the identities of his
countparts, but Akerman reassured him that "the very fact of sending far off for celebrated counsel often strik[es] the jury as evidence of a cause inherently weak." 30

The results of the Columbia trials confirmed Akerman's earlier doubts about the efficacy of prosecuting the Klan. Nearly 500 men awaited trial in November, but when the term closed in early 1872, only fifty-four men had been convicted and sentenced. Of these, only five had actually been found guilty by trial, while forty-nine had pled guilty. Thirty-eight men were acquitted, and thirty cases thrown out. 31

The Circuit Court's April 1872 term at Charleston faced a carryover of 278 cases involving over 400 persons, in addition to new cases from ongoing arrests. In terms of convictions the government fared better in April, and eighteen men were found guilty, while eighteen pled guilty. George Williams, who replaced Amos Akerman in January 1872 as Attorney General, complained that hundreds of cases remained on the docket, with hundreds of men indicted and awaiting trial. 32

The federal government's intervention had produced a judicial overload that became an embarrassment for the court system and the Justice Department. Even before the Columbia trials, Akerman had realized the impossibility of trying all the offenders. Lacking men, money, and time, Akerman had turned to a policy of "selective prosecutions." The Attorney General ordered District Attorney Corbin to prepare
cases only for those suspected of being leaders of the Klan, and those involved in crimes of "deep criminality."

Prisoners who fell into neither category were to be released on light bail. Those whom the District Attorney believed had played "a reluctant part" because of "compulsion" should be released altogether. "Don't even prefer bills against these," Akerman advised. A week later Corbin replied that all prisoners had been classified, and "all but the first class will be set at liberty."
The first trials would target the Klan chiefs, and then if time permitted move on to prosecute those suspected of "deep criminality." The government would deal with the hundreds of remaining suspects only if time and money remained.

Considering the focus on Klansmen of highest standing and crimes of the most serious nature, the punishment meted out at Columbia was less than impressive. The need to prosecute in the federal courts under the Enforcement Acts minimalized the seriousness of the crimes and therefore the ensuing sentences. For instance, since murder is a state crime, the charge brought against Robert Hayes Mitchell, suspected of involvement in the premeditated murder of militia captain Jim Williams, was "a conspiracy to deprive a citizen of his right to vote on account of race and color." Because of such indictments, sentences often involved short prison terms and small fines. Five years in prison was the most severe single sentence handed down.
during the Columbia trials. Most sentences ranged from six to eighteen months, with fines running from ten to one hundred dollars.

Another explanation for the leniency is that most of the Klan's leadership had escaped the federal sweep, and prosecutions only dealt with the lesser members. Historians generally agree that the Klan drew its membership from all strata of white society, and those prominent in the community were often leaders in the organization.

According to District Attorney Corbin, the "saddest aspect" of "the whole affair" was that "many of the most intelligent and wealthy men, even ministers of the Gospel of Christ, have been active, energetic members of these Klans." Ann Eliza Marshall concurred, and noted in her journal that "the original Ku Klux was composed of the gentry - they were particular with who they admitted." It was not long, however, before "the common people took it up."

Investigations by the Secret Service at Albany Penitentiary, where most of South Carolina's convicted Klansmen were sent, found men of no social importance or position. The inquiry, conducted in the summer of 1872, revealed men from the lowest social classes, many of whom were completely illiterate. Attorney General Williams believed these men took the blame for outrages "that were planned and executed by men of intelligence ... [who] are responsible for the sentiment and action of the
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communities." Large numbers of Carolinians had fled the state before and during the suspension, and it appears that the best informed and most intelligent persons were the first to hear of coming trouble. As a result, according to one historian writing at the turn of the century, "the leading men in the great orders were never reached." Among those singled out by Major Merrill as Klan leaders were J. Banks Lyle, believed to be the chief in Spartanburg County, James Avery, alleged chief in York County, and J. Rufus Bratton. None of these men, as was probably the case with many leaders, were ever brought to trial. Instead of permanently decapitating the movement — one of the surest methods of crushing insurrection — the federal operation only temporarily dispersed the leadership.

It was the overload on docket, however, that most concerned Justice Department officials. Akerman bluntly reported in early January that the number of cases "exceed the present capacity of the courts of the United States." "It is obvious," the outgoing Attorney General stated, "that the attempt to bring justice, through the forms of law, to even a small portion of the guilty in that State must fail, or the judicial machinery of the United State must be increased." "If it takes a court over a month to try five offenders," Akerman asked, "how long will it take to try four hundred, already indicted, and many hundreds more who deserve to be indicted?"
Corbin raised the subject with the new Attorney General, George Williams, in late winter of 1872. Commenting on the five cases completed during the Columbia trials - a term which lasted from November 27 to January 11 - Corbin told his superior that "Congress ought to afford some more speedy and effective means. It must do so or permit most of the prosecutions to fail." Congress did not act, however, and a year after the initial crackdown Major Merrill observed the same problems. "The machinery for the execution of the these [laws] ... is wholly inadequate to the task." Echoing the remarks made by Corbin, Merrill stated that the "United States courts are choked with a quantity of business which amounts practically to a denial of a hearing of four-fifths of the cases." The enforcement operation in South Carolina was already slipping towards failure when Attorney General Akerman resigned on December 12. His resignation dealt the enforcement program another serious blow. Amos Akerman had been a driving force behind the Grant administration's 1871 southern policy, and a constant advocate for the federal protection of civil and political rights in the South. He departed under mysterious circumstances, and could not even explain his reasons to Corbin "without saying what perhaps, ought not to be said." His replacement, George Williams, had been a "radical" for some time; he had sponsored the Tenure of Office Act, helped to frame the Reconstruction
Act, and had voted against Andrew Johnson at his trial. His record, and the political benefits of having a West-coaster in the cabinet (Williams was from Oregon), made him acceptable to many in Washington. The only complaints might come advocates of a strict enforcement policy, since Williams had no background or experience in enforcement.  

Williams' lack of exposure to civil rights enforcement may have been indicative of the future direction of the administration and the North. Williams' lack of experience was surely noticed upon his appointment, yet he was selected to head the Department of Justice nonetheless. Before leaving office on January 10, Akerman openly commented on the fading interest in the North for protecting political and civil rights in the South. To an old friend in Cartersville, Georgia, Akerman wrote that "the feeling here [Washington, D.C.] is very strong that the Southern republicans must cease to look for special support to action."  

To a member of Georgia's Republican party Akerman said that "our friends" in the South must learn "to stand on their own feet. They must not depend always on propping from Washington, and might as well learn the lesson now."  

To Benjamin Conley in Atlanta, Akerman confessed that "the real difficulty is that very many of the Northern Republicans shrink from any further special legislation in regard to the South. Even such atrocities as Ku Kluxery do
not hold their attention.... The Northern mind, being full of what is called progress runs away from the past."^{109}

Even discouraged and embittered, Akerman was as perceptive as ever. In terms of punishing Klansmen, the federal government's record left much to be desired. After a wave of political terrorism unprecedented in the history of the United States, a handful of low-ranking members had been sentenced to a few years in jail. To be sure, hundreds had been arrested, indicted, and now awaited trial. But many more had avoided arrest, and most of those arrested were walking around free - and would never see the inside of a courtroom.

Nor did federal intervention cut short the Klan’s wave of terror or break the back of the organization. The timing of the outrages catalogued in the KKK Report indicate that the Klan’s 'reign of terror' had subsided before the President suspended the writ of habeas corpus. For instance, the following chart presents dates for outrages that can be verified by cross referencing witnesses in the KKK Report (outrages consisting of physical attacks such as whippings and murders, as well as 'visits').

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A similar pattern emerges from Major Merrill's report on York County, which is also included in the KKK Report:

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In fact Corbin knew that Klan activity had declined. He informed Akerman before the Columbia trials that charges needed to come under the Enforcement Act of 1870, since most crimes were committed before the Ku Klux Act had passed. The indictment charts for the Columbia trials listed the dates of the crimes, and confirmed Corbin's information.

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Men on the scene also reported a decline in Klan activity well before the federal 'crackdown.' Sergeant Winfield S. Harvey, a 7th Cavalry farrier, arrived in Yorkville on March 28 and recorded in his diary that "plenty of Ku Klux" were in the area. He continued to record Klan activity until about mid-June, when his entries started sounding like the one for June 15: "no further news of the KKS, 'all have settled down and gone home to stay." By the end of July the comments were the same, that "the K.K.K. have all gone home and no more heard of them [sic]." The 7th Cavalry's Major Marcus A. Reno established the post
of Spartanburg on July 19, and reported in September that not a single outrage had occurred since he had arrived. Reno attributed the calm to "the active part taken by some of the men of property, to show the folly of such deeds & the harm it might bring the county...." Even Major Merrill noted in August a "lull of acts of outrages" in his region.

What accounted for the decline in violence before the federal government intervened? As Major Reno observed, and as has been discussed earlier, local whites took the initiative in curtailing Klan activity. The Ku Klux Klan was a product of the community, designed to enforce community values and fight for community goals. If the community believed the organization had outlived its usefulness, the local population - including Klan leaders, members, and sympathizers - would simply shut the system down. In the spring and summer of 1871, the Klan had already achieved a great deal. Klan activity had resulted in the disbanding of several militia companies, the removal of Republican officials, and the general intimidation of the black population. At the same time, the federal government was focusing new attention on South Carolina. The increase in troops, the passage of the Ku Klux Act, and the May proclamation of President Grant indicated that federal intervention might not be far off. Rather than risk losing
what it had gained, the Klan itself - i.e. conservative whites across South Carolina - opted for peace.

Suspensions that the federal operation did not destroy the Klan came from those often credited with the Klan's destruction. On December 3 - less than two months after the suspension - Corbin informed Akerman that new Klan dens were being formed in Laurens County. Corbin learned this from men who had refused to join and so were driven from their homes. In January, both Major Merrill and the state's General Assembly advised Washington against removing soldiers from the state. According to Merrill, it would be folly to withdraw troops "before the results of what has been already done are assured and confirmed." Merrill did not believe peace was permanent, for the cause of turmoil still existed in "the dissatisfaction of the white leaders with the results of the war and their determination to nullify these as far as possible...." District Attorney Corbin shared the Major's doubts. Although he believed that the prosecutions had a "demoralizing effect" on the Klan, he did not think they were responsible for the calm. Corbin told Attorney General Williams that he had information showing that "orders were given last summer" to stop the violence "for the present." The Klan would then wait out events "until the storms blew over," and then "resume operations." [emphasis original]
Some historians contend that the federal efforts in South Carolina were successful at restoring peace, destroying the Klan, and bolstering the administration's enforcement program. Herbert Shapiro argued that the federal government's "limited" steps (true enough) were enough to "destroy the organization," while Joel Williamson saw "a crushing imposition of federal power" necessary to stop the violence.\textsuperscript{110} James Sefton stressed the army's role, arguing that "the application of military force broke the Klan in South Carolina," and Allen Trelease, who did recognize that whites moved against the organization in the summer, still maintained that "it finally ended as a result of federal intervention."\textsuperscript{120} Even Robert Kaczorowski, who saw Klan violence as the rebellion it was, believed that "federal prosecutions in South Carolina so demoralized members of the Ku Klux Klan that its leaders issued orders to stop all Klan activity."\textsuperscript{121} All evidence for the termination of hostilities, be it white meetings, army reports, or the timing of outrages, shows that prosecutions began months after peace had been restored.

Yet the myth remains, its strength evident by its appearance in the most important Reconstruction synthesis of our time, Eric Foner's \textit{Reconstruction: America's Unfinished Revolution}. Foner accurately depicts the 'crackdown' as a tactical failure; the immediate results were negligible, and the problems of the trials and speed of the retreat
outweighed any short-term gains. But Foner sees the federal government scoring a strategic victory. In his opinion, in regards to the "larger purposes - restoring order, reinvigorating the morale of Southern Republicans, enabling blacks to exercise their rights as citizens - the policy proved a success."122

It is precisely this notion that the remainder of this dissertation means to challenge. The federal enforcement effort in South Carolina failed to achieve any of its goals, whether they were to punish Klan members, to destroy the Klan, to restore peace to the state, or to send a message about violence to conservatives across the South. The federal operation in the state only came after months of investigations, reports, and petitions from private citizens, public officials, army officers, and Congressmen. The operation itself was conducted under the restraints of civil law, and did nothing more than harass hundreds of people that the government ended up sending back to their homes anyway. The prosecutions, according to W. McKee Evans, "were largely a matter of sweeping the dirt under the rug." The government failed "to understand that conditions of war still prevailed in the South," and relied on "gestures" instead of acting quickly and forcefully, "to convey convincingly the message that it would not tolerate a renewal of terrorism."123 William Gillette offered similar criticism of a "pitiable" enforcement program that did
little to combat violence that was "so persistent, so widespread, and so formidable as to constitute civil disobedience and guerrilla warfare." The failure of the government to meet such a threat swiftly and adequately did irreparable damage to the Republican cause in the South. It is quite possible that an all-out assault by the administration on the Klan may have damaged Republican support in the North. But possibilities aside, it is clear that the fiasco that grew out of Grant's attempts to make an example of South Carolina encouraged conservatives. The problems that beset the operation, the time it took to decide to execute it, and the doubts about its success from within the government itself provided convincing evidence that the federal government would not again interfere in such a way. Soon conservatives would again mount a campaign aimed at wresting control from carpetbaggers and blacks. Of course the Klan of 1868-1871 had disappeared, and with it the devils' masks and white sheets. But the Klan was only a tool, a manifestation of the conservative drive to regain control of their society and their future. When the tool no longer served its purpose - for whatever reason - it was discarded in favor of some other device. It was the Klan that scored the strategic victory. By sacrificing itself, by forcing federal action, the Klan revealed the inadequacies of the enforcement program for all to see - and for some to use.
1. Posting in Robert K. Scott Papers, Box 10, Folder 3, OHS.

2. William Dunlap Simpson Papers, Box 3, Folder 25, SCL-MD; John A. Leland, A Voice from South Carolina, 58-59; Reynolds, Reconstruction in South Carolina, 150.


4. In the words of John Leland, "the severe lesson taught our colored fellow-citizens on the 20th of October, 1870, had proved most salutary. They then found out, that however forbearing and long-suffering the white man had shown himself to be, there was a limit beyond which they could only go at the peril of their lives; pass that limit, and he would not only resist, but he would kill." John A. Leland, A Voice from South Carolina: Journal of a Reputed Ku-Klux (Charleston, S.C.: Walker, Evans, and Cogswell, 1879), 61, 63-64, 91; Edgefield Advertiser, October 27, 1870; Trelease, White Terror, 352; KKK Report, I, 558; III, 336; Files of the Office of the Adjutant and Inspector General, Letterbook, page 52, SCDAH.

5. Robert K. Scott Papers, Box 6, Folder 2, OHS. John A. Leland reacted to the declaration of martial law by saying "old Laurens could boast of one day, at least, under a white man's government," Leland, A Voice from South Carolina, 60.


7. Captain Felix Torbell to U.S. District Attorney David T. Corbin, December 3, 1870, Governor Scott Papers, Box 13, Folder 18, SCDAH.

8. Benjamin Yocum to J.B. Hubbard, October 29, 1870, Chief Constable's Papers, Box 1, Folder 14, SCDAH.

9. C.H. Bankan to J.B. Hubbard, October 30, 1870, Chief Constable's Papers, Box 1, Folder 14, SCDAH.

10. James Leahy to J.B. Hubbard, November 12, Chief Constable's Papers, Box 1, Folder 15, SCDAH.

11. C.H. Bankan to J.B. Hubbard, October 30, 1870, Chief Constable's Papers, Box 1, Folder 14, SCDAH.

12. Report Compiled by Colonel R.B. Elliott, Acting Adjutant and Inspector General, South Carolina National Guard, Military Affairs File, "Reports of 1870 and 1871," SCDAH; J.S. Watson to Governor Scott, December 9, 1870, Governor Scott Papers, Box 13, Folder 23, SCDAH.
13. Governor Scott to President Ulysses S. Grant, n.d., but by context either November or December, 1870, Robert K. Scott Papers, Box 8, Folder 5, OHS.


15. KKK Report, I, 549-550; III, 98; IV, 969.

16. KKK Report, I, 36-37, 550-551; III, 64, 74, 88; IV, 971-972, 975-977, 979-980, 984; Robert Wallace Shand Journal, 144, SCL-MD; Edgefield Advertiser, February 23, 1871; Reynolds, Reconstruction in South Carolina, 185; Thompson, Ousting the Carpetbagger, 55; Lester and Wilson, The Ku Klux Klan: Its Origins, Growth, and Disbandment, 193.

17. Governor Scott to President Grant, February 14, 1871, RG 94, MC 666, Reel 4, NA.

18. Warren Wilkes and Samuel Nickles to President Grant, March 2, 1871, RG 94, MC 666, Reel 43, NA.

19. KKK Report, I, 563-573; III, 38-41; IV 1028-1029, 1035; V, 1428-1443, 1580-1580; Yorkville Enquirer, March 9, 1871. Trelease provides an account that does not match any testimony, conservative or Republican, in the KKK Report. Among his claims are that "Woods" was the militia captain at the center of the fray and that Colonel Roister provided the militia with ammunition in Chester, White Terror, 355-356.

20. Major James Van Worst to Governor Scott, March 8, 1871, Governor Scott Papers, Box 15, Folder 13, SCDAH.

21. Governor Scott to President Grant, March 9, 1871, RG 94, MC 947, Reel 1, NA.

22. Captain John Christopher to Governor Scott, March 12, 1871, Governor Scott Papers, Box 15, Folder 16, SCDAH; Captain Christopher to Governor Scott, March 15, 1871, Box 15, Folder 16, SCDAH.

23. H.R. Roberts to R.H. Glenn, March 6, 1871, Governor Scott Papers, Box 15, Folder 16, SCDAH.

25. Governor Scott to President Grant, March 16, 1871, Robert K. Scott Papers, Box 8, Folder 7, OHS.

26. Ellison Keitt Clips, March 28, 1871, SCL-MD.

27. An example of a Klan resignation warning is "General Order No. 97, KKK" in Governor Scott Papers, Box 15, Folder 38, SCDAH; W.B. Peake to Governor Scott, May 3, 1871, Robert K. Scott Papers, Box 6, Folder 8, OHS; John W. Martin to Governor Scott, April 28, 1871, Governor Scott Papers, Box 15, Folder 36, SCDAH; H.R. White to Governor Scott, May 31, 1871, Governor Scott Papers, Box 16, Folder 14, SCDAH; John Tinsley to Governor Scott, March 16, 1871, Governor Scott Papers, Box 15, Folder 20, SCDAH; R.M. Stokes to Governor Scott, April 24, 1871, Governor Scott Papers, Box 15, Folder 34, SCDAH.

28. General Alfred Terry to the Adjutant General of the Army, March 25, 1871, RG 94, MC 666, Reel 6, NA.

29. Edward Lipscomb to "Brother," April 11, 1871, Lipscomb Family Papers, Folder 6, SC, UNC; R.H. Hemphill to William Hemphill, May 9, 1871, Hemphill Family Papers, Box 4, SCLRR, Duke.

30. In his excellent work on the southern politics and Redemption, Michael Perman's characterized Scott as a "centrist." This only partly explains the situation in South Carolina. His refusal to declare martial law, for instance, was not completely due to a desire to win white approval. As we have seen, Scott had already declared martial law once before, and its effects were negligible to the point of embarrassment. Scott chose the course he did--avoiding martial law, disbanding the militia--because it was the most direct course to achieving his object, the restoration of peace. Had Scott wanted to conciliate conservatives, he would have disbanded the militia much earlier, removed local officials more readily, and not applied over and over to President Grant for aid. Perman, The Road to Redemption, 34-35. For the disbanding of the militia see KKK Report III, 215; IV, 705-711; V, 1366-1370, 1395, 1556; Trelease, White Terror, 365, 387, 378-380; Shapiro, "The Ku Klux Klan during Reconstruction," 47; Thompson, Ousting the Carpetbagger, 55; Ellison S. Keitt Clips, March 30, 1871, SCL-MD; Williamson, After Slavery, 265; Yorkville Enquirer, February 16, 1871; Governor Scott to "The Ku Klux in South Carolina," no date, Robert K. Scott Papers, Box 10, Folder 3, OHS.

32. The Nation, March 27, 1871, 192-193.

33. Reynolds, Reconstruction in South Carolina, 197.

34. Merrill's files found many interested readers: the congressional subcommittee that visited the state in July used them during their interviews, Attorney General Amos Akerman found them vital in convincing Grant to suspend the writ of habeas corpus, and Corbin himself utilized them during the famous Ku-Klux trials in November 1871. For Merrill's reports on the inner workings of the Klan see his letters to E.D. Townsend, Adjutant General, Department of the South, June 9, June 10, June 11, July 17, September 14, 1871, RG 94, MC 996, Reel 28, NA; Swinney, Suppressing the Ku Klux Klan, 228; Trelease, White Terror, 370; "Speech of the Honorable D.T. Corbin," 10, SCL-BD.

35. Sheriff R.H. Glenn to Governor Scott, March 13, 1871, Governor Scott Papers, Box 15, Folder 17, SCDAH; Yorkville Enquirer, March 16, 30, 1871.


37. Major Lewis Merrill to the Adjutant General, Department of the South, June 9, and July 17, 1871, RG 94, MC 996, Reel 28, NA; Trelease, White Terror, 354, 361, 368-73.

38. Reynolds, Reconstruction in South Carolina, 190-191.


41. Senate Miscellaneous Document No. 16, Serial 1467, 42nd Congress, 1st Session;

42. House Executive Document No. 14, Serial 1471, 42nd Congress, 1st Session.

43. 16 Stat. 433; Trelease, White Terror, 387.


45. To be sure, the argument over who has the power to declare martial law, the Congress or the President, complicates matters. But there is precedent for executive
jurisdiction. It can be argued that the authority to declare martial law is part of the War Powers, or that it fell under the Constitution’s direction that the Executive "take care that the laws be faithfully executed" (Article II, Section 3). Both Martin v. Mott and ex parte Field support the presidential declaration of martial law, and even Luther v. Borden, which grew out of Dorr’s Rebellion in 1842, provided that the President had the obligation to protect states from domestic violence. In the decision, Roger B. Taney indicated that domestic violence could comprise a "state of war," and require the federal government to take extraordinary steps. Bennet Milton Rich, *The Presidents and Civil Disorder* (Washington, D.C.: The Brookings Institution, 1941), 18-20, 21-27; 63; Robert S. Rankin, *When Civil Law Fails: Martial Law and its Legal Basis in the United States* (Durham, N.C.: Duke University Press, 1939), 28-32, 181-183, 195-197.


49. President Grant to Secretary of War William Belknap, May 13, 1871, RG 94, MC 666, Reel 13, NA; General E.D. Townsend, Adjutant General, Department of the South, to Alfred Terry, May 13, 1871, RG 94, MC 666, Reel 17, NA.


51. Brigadier General Alfred Terry to Governor Scott, May 15, 1871, Robert K. Scott Papers, Box 6, Folder 8, OHS; Major Lewis Merrill to Townsend, May 26, 1871, RG 94, MC 666, Reel 17, NA.

52. James Bryant to Governor Scott, June 5, 1871, Governor Scott Papers, Box 16, Folder 19, SCDAH; Reynolds, *Reconstruction in South Carolina, 216-217.

53. Sergeant John Webb to Lieutenant T.M. McDougall, August 6, 1871, RG 94, MC 666, Reel 28, NA. For examples of the obstacles and difficulties presented by operating under the civil law in the state see Major H.A. Reno to Major J.H.
Taylor, August 7, 1871, RG 84, MC 666, Reel 28, NA; Warren Driver to President Grant, September 1, 1871, RG 84, MC 666, Reel 29, NA; D.H. Farmer to Governor Scott, July 3, 1871, Governor Scott Papers, Box 17, Folder 8, SCDAH. Williams, "Ku Klux Klan Trials," 108-111.

54. Edgefield Advertiser, August 31, 1871.

55. Brigadier General Alfred H. Terry to the Assistant Adjutant General, Division of the South, June 11, 1871, RG 84, MC 666, Reel 17, NA.

56. Charleston Courier, September 9, 1871, in Ellison Keitt Clips, SCL-MD.

57. Trelease, White Terror, 401-403; Swinney, Suppressing the Ku Klux Klan, 212-213; New York Tribune, September 2, 1871.

58. Akerman to R.A. Hill, September 12, 1871, Akerman Letterbooks, Book 1, UVA.

59. Akerman to General Terry, November 18, 1871, Akerman Letterbooks, Book 1, UVA; Trelease, White Terror, 403; Swinney, Suppressing the Ku Klux Klan, 213.

60. President Grant, Proclamation of October 12, 1871, RG 84, MC 666, Reel 35, NA; Edgefield Advertiser, October 19, 1871. According to Lou Falkner Williams, "as expected, the proclamation was ignored by Klansmen in South Carolina." This conclusion is not supported by the facts, for as I have hinted, and will soon demonstrate, the Klan had already ceased activity in the state, Williams, "The Ku Klux Klan Trials," 86.

61. House Executive Document No. 288, Serial 1515, 42nd Congress, 2nd Session. For further views of Akerman's on the Klan see Akerman to Terry, November 18, 1871, Akerman Letterbooks, Book 1, UVA.

62. President Grant, Proclamations of October 17 and November 3, both in RG 84, MC 666, Reel 35, NA; Swinney, Suppressing the Ku Klux Klan, 213-214. For the confusion over the Marion mistake see U.S. Marshal E. Perry Butts to A.J. Falls, Chief Clerk, Department of Justice, October 17, 1871, RG 60, MC 947, Reel 1, NA.

63. L.E. Johnson to Attorney General Amos Akerman, November 4, 1871, and Merrill to Akerman, November 27, 1871, both in RG 80, MC 947, Reel 1, NA.
District Attorney D.T. Corbin to Akerman, January 8, 1872, RG 60, MC 947, Reel 1, NA.

The chart is compiled fromorrents Merrill to E.D. Townsend, January 17, 1872, RG 94, MC 686, Reel 26, NA; House Executive Document No. 55, Serial 1510, 42nd Congress, 2nd Session; and House Executive Document No. 288, Serial 1515, 42nd Congress, 2nd Session.

Merrill to Townsend, January 17, 1872, RG 94, MC 686 Reel 26, NA.

Akerman reported to Grant that by Dec 2, 166 arrests were made without warrants. These were mostly done in York County by Major Merrill, on orders of the Attorney General. Governor Scott had claimed the number to be at around 600; the Governor had mistakenly used the 'total arrests' figure. Akerman to President Grant, December 2, 1871, RG 60, MC 702, Reel 1, NA. For the cooperation between civil and military officials see "Instructions to U.S. Attorneys and Marshals, RG 60, MC 701, Reel 3, NA.

Merrill to Townsend, January 17, 1872, RG 94, MC 686, Reel 26, NA; Swinney, Suppressing the Ku Klux Klan, 232.


Mary Davis Brown Dairies, November 18, 1871, Book 3, SCL-MD.

In fact as they secured more confessions, authorities learned that the reign of terror had been worse than they realized. For instance, there were several cases of men confessing to murders that no one knew had been committed; men had simply disappeared, and were assumed to have left the state, when in fact they were dead. Corbin to Akerman, November 13, 1871, RG 60, MC 947, Reel 1, NA.

New York Herald, October 25, 1871, quoted in Keitt Clips, SCL-MD.

Edgefield Advertiser, November 2, 1871.

Iredell Jones to "Wife," October 22, 30, 1871, Iredell Jones Papers, SCLRR, Duke; Iredell Jones to "Mother," November 1, 1871, Iredell Jones Papers, Folder 17, SCL-MD; Iredell Jones to "Wife," November 3, 1871, Iredell Jones
Papers, Folder 18, SCL-MD; New York Daily Tribune, November 23, 1871.

76. Leland, A Voice from South Carolina, 91, 97, 101-107.

77. Robert Wallace Shand Journal, 145-146, SCL-MD.

78. Mary Davis Brown Diaries, October 15, 16, 1871, Book 3, SCL-MD.

79. Edgefield Advertiser, November 2, 1871; Army and Navy Journal, November 18, 1871, 224.

80. L.E. Johnson to Akerman, November 4, 1871, RG 80, MC 847, Reel 1, NA.

81. Merrill to Akerman, November 13, December 10, 1871; Corbin to Akerman, November 13, 1871, all in RG 80, MC 847, Reel 1, NA.

82. J. Newton Lewis to Dr. John Anderson, November 30, 1871, Bratton Family Papers, Box 7, Folder 86, SCL-MD; Akerman to B.D. Silliman, November 9, 1871, Akerman Letterbooks, Book 1, UVA.

83. Corbin to Akerman, November 13, 1871, RG 80, MC 847, Reel 1, NA.

84. Akerman to B.D. Silliman, November 9, 1871, Akerman Letterbooks, Book 1, UVA.

85. Kaczorowski, The Politics of Judicial Interpretation, 72, 112.

86. Under the Judiciary Act of 1869 nine independent circuit court judgeships were created, each one for an existing federal court circuit. These judges would be residents of their circuit, and hold the same authority of a Supreme Court Justice riding the circuit. When the Supreme Court Justice did take to the circuit, the two held court jointly. This led to the conservative plan of dividing the judges. 16 Stat. 44; Williams, "The Ku Klux Trials," 105. In November 1871 the Circuit Judge of 4th Federal Circuit was Hugh Lennox Bond, appointed by President Grant in 1869. Bond was an avowed Unionist and Republican, but often viewed the Constitution through a narrow lens, especially in regards to states' rights. The other judge present at Columbia was the "resident" circuit judge, George Seabrook Bryan. President Johnson had named the Democrat and former slave-owner as District Judge in South Carolina in 1865. Louis Post, Merrill's secretary, described Bryan as "weak, vacillating, ignorant, and old-womanish ... his whole
bearing as associate justice is marked by bad taste in the highest degree." Earlier in the year Corbin had told George Edmunds of the Senate Judiciary Committee that he had avoided bringing Enforcement Act cases before Bryan, for they would inevitably fail. Williams, "The Ku Klux Klan Trials," 105 -109; Richard Fuke, "Hugh Lennox Bond and Radical Ideology," in Journal of Southern History 45 (November 1979), 588-586; New York Tribune, December 18, 1871; Kaczmorowski, The Politics of Judicial Interpretation, 68-70.

87. Wade Hampton to Armistead Burt, October 22, 1871, Wade Hampton Papers, SCLRR, Duke; "Circular" on the Ku-Klux Assessments, in Wallace - Gage Papers, Folder 1, SHC, UNC.

88. Mary Davis Brown Diaries, December 1, 1871, Book 3, SCL-MD.

89. Charleston Courier November 25, 1871; Williams, "Ku Klux Klan Trials," 111-114.

90. Akerman to Corbin, December 6, 1871, Akerman Letterbooks, Book 1, UVA.


93. Akerman to Corbin, November 10, 1871, RG 60, MC 701, Reel 3, NA; Swinney, Suppressing the Ku Klux Klan, 185, 184-188, 233; Trelease, White Terror, 406-407.

94. Corbin to Akerman, November 17, 20, 1871, both in RG 60, MC 947, Reel 1, NA.


97. For opinions on the leadership of the Klan see Rable, But There Was No Peace, 94-95, and Fitzgerald, The Union League Movement, 216. Sympathetic southerner Francis
B. Simkins believed that it was impossible for noble southern gentry to take part in such atrocities. "One must lose complete faith in Southern chivalry," Simkins, argued, "to believe that South Carolinians of standing could have committed the horrible crimes of which the Klan was actually guilty." One needs to look only at South Carolina's history of dealing with blacks to see that Simkin's view is difficult to accept, Simkins, "The Ku Klux Klan in South Carolina," 618.

88. Speech of David T. Corbin, 7-8, SCL-BD.


100. Attorney General George Williams to Secret Service Agent H.C. Whitely, August 2, 1872, RG 60, MC 688, Reel 14, NA; Williams to Alexander Stephens, September 18, 1872, RG 60, MC 688, Reel 14, NA; New York Tribune, December 28, 1871.


104. House Executive Document No. 1, Serial 1558, 42nd Congress, 3rd Session, 90.

105. Akerman to Corbin, December 15, 1871, Akerman Letterbooks, Book 1, UVA. Historians continue to debate the causes behind the resignation. Akerman may have been prompted to resign because the administration no longer shared his gusto for enforcement. This is difficult to prove, as his replacement, George Williams, was a "radical" Republican who had a hand in much of the party's legislation, including the Reconstruction Act. Yet Williams also followed the administration when it began dismantling the enforcement program after 1872. Other theories focus on personality conflicts with more important cabinet members, such as Secretary of State Hamilton Fish, and problems generated by unfavorable Justice Department rulings against prominent railroads, McFeely, Grant, 373-374; Kaczorowski, The Politics of Judicial Interpretation, 91-93; Trelease, White Terror, 411. See also William S. McFeely, "Amos T. Akerman: The Lawyer and Racial Justice," in Kousser and McPherson, Region, Race, and Reconstruction, 395-415.

107. Akerman to the Honorable J.R. Parrott, December 8, 1871, Akerman Letterbooks, Book 1, UVA.

108. Akerman to "Mr. Atkins," December 12, 1871, Akerman Letterbooks, Book 1, UVA.

109. Akerman to Benjamin Conley, December 28, 1871, Akerman Letterbooks, Book 1, UVA.

110. The author has compiled a rather complicated index of all outrages in the *KKK Report* for South Carolina. I include the race of the victim, the motive for the attack (if known), the date of the attack, the location of the attack, and the page number where the testimony may be found. The chart is too cumbersome (and poorly drafted) to be reproduced here, but I can provide a copy if desired.

111. Corbin to Akerman, November 13, 1871, RG 60, MC 947, Reel 1, NA.


114. Major Marcus A. Reno to Senator John Scott, Chairman of Congressional Subcommittee investigating the condition of the South, September 6, 1871, RG 60, MC 947, Reel 1, NA.

115. Merrill to E.D. Townsend, August 7, 1871, RG 94, MC 688, Reel 26, NA.

116. Corbin to Akerman, December 3, 1871, RG 60, MC 947, Reel 1, NA.

117. The South Carolina petition is *House Miscellaneous Document No. 180, Serial 1526, 42nd Congress, 2nd Session; Merrill to E.D. Townsend, January 17, 1871, RG 94, MC 688, Reel 26, NA.*


CHAPTER VII
STEPPING BACK: FEDERAL RETREAT, CONSERVATIVE CAUTION
AND THE ELECTION OF 1872

It is my individual opinion than nothing is more idle than to attempt to conciliate by kindness that portion of the southern people who are still malcontent. They take all kindness on the part of the Government as evidence of timidity, and hence are emboldened to lawlessness by it.

- Attorney General Amos T. Akerman

The joint civil-military operation in 1871 represented the climax of the federal enforcement program in South Carolina - and in the South - and in a way the climax of Reconstruction itself. But the road to the pinnacle had been long and slow, while the descent afterwards was sharp and rapid. Already in 1872 intermittent violence was evident across the state. In addition, both the national and state Republican parties were rocked by schisms, and while the elections of 1872 demonstrated the permanence and strength of the parties, they also highlighted their weaknesses. More important was the realization that the
federal government's interest in the enforcement of civil rights was declining rapidly. State Republicans - and conservatives - recognized that the national party and national government were cutting loose from the southern imbroglio.

In the opening months of 1872, the government gave no indication of abandoning its enforcement effort. Civil and military officers of the federal government continued their sweep through the South Carolina up-country, since the habeas corpus suspension would not expire until June. Major Merrill was still in the state, ordered by President Grant to control the military side of "operations against the Ku Klux." In late winter Merrill and District Attorney Corbin redirected their enforcement efforts. Since manpower was not wholly adequate to operate across all nine of the targetted counties at once, marshals had concentrated on the most afflicted counties first, such as York, Spartanburg, and Union. In late winter, officials began shifting their forces to the counties of Newberry and Laurens, while continuing to maintain some presence in other counties. Andrew Cornish reported on the buildup of "Grant's cohorts" in Laurens and Newberry, and it was during the March sweep that John A. Leland was taken into custody. The results were not very different from those achieved elsewhere; marshals apprehended a large number of suspects, but perhaps a larger number escaped. The Laurensville Herald estimated
that 500 men had fled Laurens county alone, fearful of implication in the riot of 1870 and other outrages.4

Although not as devastating as Republicans might have liked, the November 1871 trials and the ongoing arrests demonstrated that federal power - and for the time being Republican power - could reach into the heart of the state and take control. As with the Military Reconstruction Act and the accession to power by a Republican party largely composed of blacks and carpetbaggers, the enforcement operation was a physical and psychological blow to conservatives. Once again, conservatives were reminded of how little control they had, how far from the position of power and control they had slipped. In the words of one contributor to the Charleston Courier, this accounted for white anger and violence. "One of the primary causes of this disaster, " the author contended, "is now clearly perceived in every section of the country. It is the interference by the Central Government at Washington in the control of the local affairs of the States."5

Now more than ever Carolinians tasted the bitter reality, all at once caught under the rule of blacks, outsiders, and the federal government. "I am sorry to know that my old State is in such a bad condition & I fear you have but little chance for improvement," wrote J.H. Crosson from Texas to William Dunlap Simpson in Laurens. "It appears to me," Crosson observed, "that the gov't wishes to
make a negro colony of the State." It also appeared so to the editors of the Edgefield Advertiser, who ran a list of definitions in a July issue. According to the Advertiser, "Ku Klux Outrages" meant being disrespectful "to the negro who steals your last shirt." "A Loyal and Constitutional Act" was declaring "Martial law where nobody is fighting." And lastly, the theory and practice of "Equality" in South Carolina meant "the nigger on top."

Not all Carolinians saw their state as a hopeless case. Alfred Huger, waxing sentimental as he lay dying, told his close friend William Porcher Miles in April that "my last thought will be for our 'Country,' and my last prayer will be for her deliverance from the wickedness and mis-rule which now prevail. I shall never witness the reformation. God grant that you and your children may do so." J.J. Pringle was similarly miserable but also not without hope. He admitted to Miles that he deeply regretted "the terrible circumstances under which young men come into active life here." Like Huger, however, he too saw light at the end of the tunnel, and believed that eventually "the supreme race will assert itself."

In many areas of the state, the alleged supreme race was doing just that, even while the federal enforcement operation was still underway. Despite the supposed success of the autumn operation, white hostility surfaced again as early as winter 1872. In February reports filtered into
Columbia about disguised white riders calling themselves “regulators” in Abbeville. Charles Wright accused the bands of scaring off black laborers, attacking a black Sunday school, and breaking into and searching blacks’ homes. In Union, even with the presence of troops and marshals, the Columbia Phoenix claimed that there was “a perfect reign of terror throughout the County.” In a plea demanding permanent military posts in Laurens County, the state senator and several representatives claimed that a “state of terror still exists” and “Republican citizens are not safe in life or property.” Joseph Crews, the former leader of the county militia — and a refugee from the county since 1870 — reported that many Republicans who had fled the county could not return “unless it is garrisoned.” Major Merrill added his endorsement to the petitions concerning Laurens, and offered suggestions for moving units around and transferring men in order to free up enough soldiers. The South Carolina General Assembly, increasingly unsure about the results of the federal crackdown, became concerned when rumors drifted down from Washington about plans to begin moving troops out of the state. Fearing that “any withdrawal would jeopardize peace,” on March 11 the legislature passed a resolution urging its congressmen and senators to do everything in their power to keep soldiers in the state.
Republicans in the state hoped that the upcoming April Circuit Court in Charleston would reiterate the message of enforcement and nip the renewed violence in the bud. District Attorney Corbin expected the federal government to make a better showing than in November, when constitutional questions and high-priced defense counsels wreaked havoc with the enforcement cases. To a small extent, the April term was an improvement; the government secured eighteen convictions, as opposed to only four the previous November. But the problems encountered earlier persisted, and the overcrowding on the docket grew worse as the arrest rate far outpaced the rate of trials and convictions. Corbin wrote to Attorney General Williams and Senator George Edmunds, trying to force some change in the court system, but Washington turned a deaf ear. Corbin even had difficulty procuring a capable stenographer for the trials. The man Williams sent to do the job never attended a day's proceedings, and preferred to lay around drunk all day.19

Adding to the government's woes was the realization that many important persons had escaped arrest. Even though the quantity of arrests had resulted in a vast judicial bottleneck, in early 1872 officials began pushing for the extradition of fugitives. Major W. Harry Brown of the 18th Infantry learned that some Klan leaders were hiding out locally, kept safe from detection by other citizens. He was most interested, however, in going after men who had fled to
Georgia, Tennessee, and Mississippi. But knowing their whereabouts was only half the battle; extradition was no easy task. For instance, in late May District Attorney Corbin sent marshals, with federal warrants, to Arkansas to nab two high-ranking Klansmen. When authorities in the state refused to honor the warrants, a dumbfounded Corbin found himself seeking the intercession of the Attorney General; there is no evidence he was successful.

The most famous extradition attempt symbolized the enforcement operation as a whole. As with the October crackdown, the capture of Dr. J. Rufus Bratton began with noble intentions, but an uncanny inability to foresee consequences lead to embarrassment and failure. Suspected as being leaders in the up-country Klan, Bratton and James W. Avery had escaped in late October to Ontario. S.B. Cornell, a spy for Governor Scott, tracked Bratton to Canada and reported his whereabouts to state officials in South Carolina. An operation was underway by early 1872 to capture the refugees; three Secret Service agents had taken up positions in a local post office, where they were able to keep tabs on the two until a plan of action was ready. One day in May two cabs approached Bratton from opposite directions as he walked down the street. As the cars passed several men jumped out, covered Bratton's face with a handkerchief soaked in chloroform, and tossed him into one of the cabs. The agents then smuggled Bratton out of Canada.
to Detroit, where they presented him with a warrant for his arrest. On June 10 Merrill reported to Williams that Bratton was safely tucked away in the Yorkville jail.20

It was Dr. Bratton, however, who had the last laugh. Upon discovering the "kidnapping," the Canadian government and the British Minister immediately lodged a formal protest with Washington for a breach of national sovereignty. The Canadians themselves began proceedings against constables who had assisted the U.S. agents.21 Meanwhile Secretary of State Hamilton Fish confronted Williams about the capture, and Williams relayed the administration's orders to South Carolina. By the beginning of November, President Grant, Secretary of State Fish, and Attorney General Williams had formally apologized to Canada, and Dr. J. Rufus Bratton was making his merry way back to Ontario.22

If the crowding on the docket and the poor extradition record weakened morale, congressional activity nearly destroyed it. Already by the spring of 1872 Congress had taken steps indicating its new interest in conciliation and the North's desire for sectional rapprochement. Arch-radical Charles Sumner's civil rights bill had been watered-down, and then defeated, in the spring, while a confederate amnesty bill had passed easily.23 At the same time, Congress began debating an extension of the President's suspension of the habeas corpus in South Carolina, which was due to expire in June. In his last annual report as
Attorney General, Amos Akerman had urged Congress to extend the suspension, and to apply it on an individual basis to suspects who escaped from the "insurrectionary districts."24 But in the first week of June the House — and many Republicans who had favored the original Ku Klux Bill — refused to suspend the rules and allow a vote on an extension.25

With lawlessness already resurfacing in the state, enforcement officials in South Carolina feared Congress's decision would embolden whites. In early July Major Merrill warned that the trend in Washington sent the wrong signals to conservatives in the South. "Affairs are getting into a very bad condition," Merrill wrote, "by reason of hopes excited by refusal of Congress to extend suspension of habeas corpus." There is also a "belief," the Major reported that "all proceedings are to be abandoned." "If this impression is confirmed" by such signs as "the present inaction in pushing proceedings, there will most certainly be renewal of serious trouble before the election. It is vital to the interests of peace that there shall be no relaxation or appearance of it as yet."28 Akerman had expressed similar thoughts to a friend earlier in the year. "It seems to be impossible for the Government to win their affections," Akerman told B.P. Jacobson. "But it can
command their respect by the exercise of its power. It is the business of a judge to terrify evildoers, not coax them. "27

As Kerrill and others had anticipated, a hostile spring blossomed into a violent summer, and it seemed that the Ku Klux Klan was again on the rampage in the up-country. The Klan of 1872 may not have been a direct descendant of the organization of 1871 - or of 1868 - but the relationship is irrelevant. The point remains that the enforcement effort did not cow conservatives, or if it did the effect had already worn off by the spring and summer of 1872. Even with prosecutions continuing and the U.S. Army still in the state, conservatives were already testing the mettle of the enforcement program and the will of the administration.

Reports from marshals, army officers, constables, and private citizens depicted a situation not unlike that of the previous spring and summer. As before, some Republicans received notices to leave, signed by the "KKK." As before, some men ignored them, and suffered the consequences; W.W. Davis stayed after receiving a Klan warning, and awoke one night in June to find his house aflame. Although he, his wife, and his four children escaped, they lost everything they owned. 28 Republicans were in such danger in the counties of Newberry and Laurens - where arrests had really just begun in the late winter - that District Attorney Corbin himself applied to Merrill for military aid. Corbin
had information that a "a number of leading K.K." were reorganizing their dens in the region, and that only the presence of cavalry could preserve the peace. Corbin also reminded the Major about several other requests sent him earlier, including one from Joseph Crews, concerning the dangerous conditions in Laurens. Although Merrill had endorsed Crews' (and Corbin's) request for troops, it had been the Department Commander, none other than General Alfred Terry, who had rejected the application for further soldiers. Five companies of cavalry, totaling 290 men, were still in the state, along with 110 soldiers of the 3rd Artillery and 366 men of the 18th infantry. With the enforcement effort waning, Terry saw no need to ship more troops into the state.

Having no luck with the military, the District Attorney turned back to the court system and the Department of Justice. Still facing an incredible backlog of cases carrying indictments, Corbin called on the Attorney General to arrange an extra court term to meet in August. In his letter to Williams, Corbin reported that "the K.K's are becoming very much emboldened and their organizations are coming together again. They talk fiercely and there is great reason to apprehend that outrages will again commence." Corbin reported "alarm among the colored people," especially among "those who have testified against the K.K." "I see no peace or safety," the District
Attorney said, "and no end to this business, unless the Govt proceeds with a steady hand to met out justice to these people." But the Attorney General, intent on cutting costs and looking toward conciliation rather than confrontation, refused to support an extra court.  

Congressional inactivity and waning support by the War and Justice Departments drove Major Merrill to challenge the federal government's drift toward leniency. Having played a leading role in exposing the organization and its atrocities, Merrill was not ready to stand idly by while it embarked on another reign of terror. When he learned that the Attorney General declined to initiate a new court term, preferring instead to allow state courts to pick up the slack through more conventional charges of murder and assault, Merrill warned that "it is idle to expect for a long time to come that the State laws will be enforced in any Ku-Klux cases." The officer cited a recent case of a "Ku Klux" charged with murdering a black man. Despite clear and nearly incontrovertible evidence, the all-white jury acquitted the defendants "with scarcely any hesitation." "I doubt the possibility," Merrill said, "of bringing any offender to justice before the state courts."  

Major Merrill admitted that his earlier optimism was "premature," and that a spirit of defiance and rebellion still pervaded the state. Merrill had expected a "severe lesson to be learned from the sudden collapse of the
organization [Ku Klux Klan], and the flight or arrest of its leading men, would have a very wholesome effect on silencing bad counsel." But, the Major continued, "either through ignorance or prejudice or both combined, the majority of whites here learn but little by experience." Still stationed in Yorkville, Merrill reported that "such a state of things exists here and elsewhere in large sections of this state is so hopeless of any promise of good for the future." "In my experience," the veteran of four years of civil war stated, "it has no parallel, either in wanton and brutal cruelties inflicted ... or in the utter deadening of the moral sense in large parts of white communities reputed and believed to be far removed from the barbarism of savages."  

After venting his feelings to the Adjutant General, Merrill turned his attention to the Justice Department. Still fuming over the apparent neglect of Washington, Merrill caught the scuttlebut that Attorney General Williams was about to institute a more selective prosecution system and begin evaluating prison sentences. On September 30 Merrill sent a frantic plea to Williams warning against any type of leniency. The Major pointed out that a selective system was already underway, too few suspects had been tried, and only a smattering had been convicted. Hundreds of suspects were out on bail, living at home, and going about their everyday business unpunished for their crimes!
"The causes from which Ku Kluxism sprung are still potent for evil," Merrill told the Attorney General. "The blind, unreasoning, bigoted hostility to the results of the war is only smothered, not appeased or destroyed," Merrill reminded Williams, "and whenever there appears anything which can be construed into weakness or releasing of purpose in enforcing that protection the head of the snake may be instantly seen." Be warned, Merrill said, for the Ku Klux are viewed here as "heroes" who deserve "martyrdom," not criminals who deserve punishment.35

In a similar way, District Attorney Corbin attempted to dissuade his superior from a policy of leniency. Corbin informed Williams that the Klan was still alive, "quietly clinging together" in the up-country counties. Corbin believed that the bands were not as large or well-organized as in the previous year, "but there still remains ... much of the feeling and sentiment which has heretofore, and could hereafter, under favorable circumstances, become developed, into Ku Klux organizations." As he had done many times in the past, the District Attorney urged the Attorney General to call new court terms, and pleaded with him to avoid discharging cases already on the docket. Corbin wanted to hold and try all offenders, and believed only through punishment would peace return to the state.36

As with the years previous to 1871, the pleas and protests from inside South Carolina had negligible effects
on the course of the administration's policy. The first
cavalry companies had begun leaving the state in March 1872,
despite evidence that violence was on the rise. In June the
House of Representatives had refused to extend the habeas
corpus suspension, and it expired later that month. The
Department of Justice followed along, and in September and
October Attorney General Williams conducted a review of all
prisoners serving sentences under the enforcement acts.
In late October Williams contacted Amos Pilsbury, the
Superintendent of the Albany Penitentiary, and notified him
of reductions to be made in prisoners' sentences.37

Disregarding Corbin's advice, Williams also curtailed
enforcement activities within South Carolina. The Attorney
General took a new interest in examining the files of
persons awaiting trial, as well as the petitions and pleas
for clemency that accompanied them. Beginning in October
Williams interceded directly for individual suspects, often
bluntly ordering Corbin to abandon a case or release a
suspect. For example, John A. Leland had been arrested in
March for his involvement in the Laurens riot of 1870.
After reviewing the case, in which a Grand Jury had indicted
Leland for murder and conspiracy, Williams told Corbin to
"let the case pass along the docket without trial."38 In
December he called on Corbin to ease off all enforcement
cases, requesting that "prosecutions be pushed only as far
as appear necessary to preserve the public peace...."39
By the closing of the Circuit Court's November 1872 term, the statistics appeared as follows:

<table>
<thead>
<tr>
<th>TERM</th>
<th>CONVICTED</th>
<th>PLED GUILTY</th>
<th>ACQUIT</th>
</tr>
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<tbody>
<tr>
<td>Fall 71</td>
<td>4</td>
<td>54</td>
<td>1</td>
</tr>
<tr>
<td>Spring 72</td>
<td>18</td>
<td>18</td>
<td>1</td>
</tr>
<tr>
<td>Fall 72</td>
<td>3</td>
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<td>1</td>
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Corbin tallied that of the 1355 indioements, the government convicted 27 men, while 75 pled guilty, 5 were acquitted, and 54 cases fell nolle prosequi. Two weeks later, at the year's end, Attorney General Williams counted 1,207 cases pending under the enforcement acts, while only 96 cases had been terminated since prosecution began in 1870. Williams provided a revised - although not very different - estimate in late January, which placed the number of cases at 1,188, involving 831 persons. Regardless of the tally, the message was the same. The government could not complete the prosecutions, and it had no intention of trying.

Just as the War Department collaborated in enforcement, it shared in the retreat. With prosecutions dwindling and new arrests at a standstill (ever since the suspension had expired), the War Department gladly increased the rate of withdrawal from the state. Cavalry units in particular were required out West as the Indian Wars grew in intensity. Two more companies of the 7th Cavalry left in December 1872,
leaving only six in January 1873. By March 1873, all of the 7th Cavalry would be out West, serving in the Department of the Dakota.42

There is no single explanation for the movement away from a policy of civil rights enforcement in 1872. To be sure, Robert Kaczorowski's emphasis on waste in the Department of Justice and the need to control expenditures explains much, but does not address the root of the problem.43 If Congress - or the administration - really favored an enthusiastic enforcement effort, they could have found the means to supplement the department's fiscal needs. Or, perhaps a sense of success pervaded the federal government, and authorities felt that further action was an unnecessary waste of energy and money. The opposite is also possible, that officials in Washington believed the operation a failure; there is little evidence that the President or Republicans in Congress saw the intervention as anything but successful.

A more likely explanation for the decline in enforcement fervor comes from events outside of the program itself. Northern interests had shifted, just as Akerman had warned they would a year earlier. The enforcement program seemed to embody all the antagonisms, controversies, and corruptions that citizens wanted to leave behind. The waning of federal enforcement represented hope for conservative Carolinians. So too did two other developments
which symbolized changing public and political attitudes: the fractioning of the national Republican party and the South Carolina Republican party.

State conservatives welcomed these developments - the retreat from enforcement, the Liberal Republican movement, and a Republican schism in South Carolina - as they provided a new opportunity to weaken Republican control of the state. If the federal government was distracted, the North disinterested, and the Republican party divided, the chances of conservatives reclaiming their state grew tremendously. But Carolinians had learned the lessons of 1870: 'divide and conquer' was easier said than done, and a premature conciliation, or open Democratic support, might only heal the enemy's divisions. As a result, Conservatives were shrewd and cautious. Although white violence erupted in 1872, it was more to test federal resolve than topple the state government; the election itself was relatively quiet, as whites avoided backing the government into a corner. As for participation, for the first time during Reconstruction the greater part of white Carolinians abstained from the political campaign, watching from their delicate perch above the fray, content to allow their enemies to exhaust their strength against one another.
The split in the national Republican part grew in part out of the stresses of Reconstruction and the controversies it spawned. The "reformers" who broke away to create the Liberal Republican party in the spring of 1872 stood for honesty and liberty in the broadest sense. Although southerners cheered the Liberal Republican's bitter denunciations of the corruption associated with the Grant administration, the new party's pro-conciliation stance was its most appealing feature. Among the reformers' targets were southern Republicans, noted for their corruption and selective, exclusionary legislation. Following the precepts of a 'new thinking,' one founded upon the nascent principles of "natural law" and "laissez-faire," the "best men" moved away from artificial, made-man devices intended to disrupt the natural order of things. To a Liberal Republican, this represented the most good for the best people; to a southerner, this principle, put into practice, represented redemption.44

To oppose Ulysses S. Grant and the regular Republicans, the Liberal Republicans chose New York Tribune editor Horace Greeley. Greeley was a national figure, a household name, a man whose eclectic past might make the perfect candidate - or the worst. Although an early Radical, Greeley had openly opposed confiscation in the South, and favored allowing former Confederates into local and state governments to ease the transition to civil rule. Yet at the same time Greeley
was an outspoken critic of the Ku Klux Klan, and called for severe enforcement measures. Perhaps most importantly for southerners - Republicans and Democrats - Greeley had no patience for the corruption and fraud characteristic of southern Republican regimes. Such practices alienated the local population and ruined the chance for outside investment, necessary for regional and national growth.45

Northern Democrats did not find Greeley's sudden about-face entirely convincing. Their options, however, were hardly encouraging. The Democratic party could, of course, run an independent ticket, but by 1872 recent defeats and hard demographic facts had forced the party to think realistically. Since 1870 northern Democrats had embarked on their own "New Departure," not unlike the policy followed by the ill-fated Union Reformers in South Carolina in 1870. Moving away from issues of race, New Departure Democrats focused on economics, sectional conciliation, and corruption in an effort to win votes and shed old baggage. By 1872 the party had finally accepted the Fourteenth Amendment, and after failing to defeat the Fifteenth Amendment, turned its attention to less divisive issues. Similarly, although many Democrats agonized over supporting a man who spent most of his life assailing them, they had little choice if they wanted to defeat Grant. The July Democratic National
Convention, with its banners pushing reform instead of racism, endorsed the Greeley ticket and the entire Liberal Republican platform.48

Historically, South Carolina's whites had chosen their own goals and taken their own paths to meet them. Once again, in 1872, Carolinians deemed themselves the best judges of what course of action they would pursue. Although state conservatives did send a delegation to the Democratic convention in Baltimore, many disagreed with the decision to participate at all. Earlier, during the Liberal Republican Convention in May, Wade Hampton had written that "it would be folly for the Dem. Con. to place a ticket in the field, as our only hope to defeat Grant is in supporting the Liberal nominations." "Of course," Hampton continued, "we hope that Greeley's letter of acceptance will be satisfactory, and that he will above all avoid all reference to "Civil Rights.""47 Thomas Magrath agreed that the Democratic party should not run independently, but argued that the decision was wholly in the hands of the northern party. In fact, Magrath maintained, South Carolina should not even attend the Convention, for its presence might be counterproductive.48 Even Hampton came to agree with this viewpoint. Since southern delegates could not exert any real power, and the northern party would bear the brunt of the election, northern delegates alone should decide on the platform and candidates. "Our true policy," Hampton
announced, "is to abstain altogether from all participation in the next National Democratic Convention."49

Following the devastating defeat of the Union Reform ticket in 1870 and a wariness about conciliation and cooperation, few whites in the state supported Greeley. But although the 1872 election did not mobilize whites as the 1868 one had done, some nonetheless followed the maxim that "the enemy of my enemy is my friend," and saw Greeley as "an instrument in the hands of Providence to work out our destiny in the path of virtue and peace." As T.P. Bailey put it, the "South had almost better vote for Satan himself rather than allow Grant to be reelected."50 Such prominent men as Benjamin F. Perry and Matthew C. Butler took the stump for Greeley, and called on voters to take a stand on the "question of liberty, of local government, of civil as against military rule."51 Most county committees seemed ambivalent, but a few counties held campaign meetings in the summer, and some endorsed the Greeley ticket.52

Oddly enough, the other segment of the 1872 campaign, the state elections, generated scarcely more enthusiasm. As in 1870, the state Republican party split, with a bolt of "reformers" challenging the regular Republicans. As with the national election, the issues were corruption and honesty in government, and, as with the national election, South Carolina's conservatives played a conspicuously small part.
The two years since Governor Scott's reelection had only made the fissures in the state Republican party more pronounced. The reforms promised by Scott had not materialized, and the fraud and swindling had only gotten worse. Party in-fighting reached a climax in December 1871, when, at the height of the Ku-Klux crackdown, members of Scott's own party tried to impeach him and his Treasurer, Niles G. Parker. One legislator claimed that Scott survived the vote (by a narrow margin) by bribing members of the Assembly!53 Conservatives took full advantage of the cracks in Republican solidarity, and called for investigations into Scott's administration, especially the bond dealings, the railroad bills, the Armed Force Fund, and Republican taxation policy.54

The state Republican convention furnished the blow which formally divided the party. The convention opened on August 21 in Columbia, and was chaotic from the outset. Incumbent Governor Scott had given a half-hearted nod to former Speaker Franklin J. Moses, Jr., a native white from an old Jewish Carolina family. But other candidates were discussed, and in some cases counties had their own contesting delegations and competing nominees!55 Late in the afternoon on August 22 Franklin Moses secured the nomination, with Richard H. Gleaves, a black lawyer from Pennsylvania and former state legislator, selected as lieutenant governor. Immediately upon hearing the vote,
former governor James L. Orr, now a delegate from Anderson, rose and walked out of the convention. Moses' close relationship to Scott, and his well-known affinity for extra 'perks,' indicated that no reform would be forthcoming from this new governor. Realizing this, nearly a third of the delegates left the convention and followed Orr back to his hotel.

The next day, James L. Orr called for a "bolter's convention" to nominate an opposition ticket. Orr had become a major figure in the Republican party, but his presence had not brought many conservatives into the fold. Even now, his opposition to Scott and Moses was based on abuses under their rule, while most whites opposed their rule altogether. The delegates who had stormed out the day before reconvened on August 23 at the Richland County Court House. Prominent faces included B.F. Whittemore, Christopher Columbus Bowen, William J. Whipper, and even the District Attorney, David Corbin. Their nominee for governor was Reuben Tomlinson, a Pennsylvania quaker who had served as Superintendent of Education under the Freedmen's Bureau. James H. Hayne, a native black teacher from Barnwell, was the nominee for lieutenant governor. The bolters, like their national counterparts, stressed 'reform and retrenchment,' and promised to remedy the ills brought on by years of political mismanagement. Yet they did not
endorse the Liberal Republican ticket, and instead promoted Grant and the regular Republicans, just as the Moses ticket did.\textsuperscript{87}

The two factions of the Republican state party shared more than just the support for the team of Ulysses S. Grant and Henry Wilson. Unlike 1870 when bolters and conservatives forged the Union Reform party, reformers in 1872 made no advances to state conservatives. Even though an alliance seemed a natural consequence of the bolt, the Republican reformers were quite clear that they had no intention of allying with Democrats. Reform nominee Tomlinson was heard to say that "we have not now, and will not make any alliance with the Democratic Party."\textsuperscript{88} Nor did the regular Republicans seek to bolster their position by recruiting conservative numbers.

For their part, most conservatives stayed out of the race altogether. On August 27, hardly before the smoke had cleared, the Conservative Executive Committee met in Columbia and decided to abstain from the gubernatorial contest. Having considered the condition of the Republican party, the Committee announced that it would be "unwise to nominate a Democratic State ticket," and therefore no convention would be held.\textsuperscript{88} Conservatives declined to formally endorse either Republican ticket, and offered no third alternative. Party leaders were not convinced that reform was on the horizon; both branches of the Republican
party were filled by men of dubious character and questionable morals. For most conservatives, reform was not the issue, control was. It seemed better to allow divisions to fester than to risk alliance which might heal them. As at the national level, an independent ticket was out of the question, for it might drive the warring Republican factions into one another's arms. In the words of the Aiken Journal, if the Democratic party could organize in time, "all schisms in the ranks of the Radicals would at once be healed." If conservatives voted at all, they would follow their hearts, a tendency that worried bolter B.F. Whittemore. Although Tomlinson was probably an honest man (perhaps the only one in either faction), Whittemore did not think that qualification was enough. He asked Orr rhetorically, "Do you think an honest Northern man will triumph over a dishonest Southern man when you remember the hatred entertained towards the carpetbaggers?"

As a result, state conservatives followed a policy that Francis Butler Simkins characterized as "inaction." According to John Reynolds, whites "took little interest" in the campaign, which in actuality pitted Republicans against Republicans. "We shall support neither," declared the Orangeburg Times. "We have a preference for both party and color," the editorial stated, "[but] a cowardly policy of temporary self-degradation to prostitute their sacred rights of ballot, we never shall, nay, never can believe." Self-
respect is the virtue of life," the author contended, "and the man who once bows his neck to the yoke, will ever after carry the bend of the neck though the weight be taken off." The Charleston News had the same advice. "Down with the Carpetbaggers," read the headline. "The death of the carpetbagger is the life of the State," one article declared, while another professed that "if we cannot vote for those worthy of our suffrage, we will not vote at all." 

The state election took place on October 16, a day unmarred by the violence of past elections. Since conservatives had no candidate in the field, there was no reason for violence or intimidation. Just to be on the safe side, some local papers had warned against outbreaks around election time, since "a good square, atrocious piece of lawlessness and violence in the South would just now be a God-send to the Grant party." The Edgefield Advertiser titled its article "A Warning to Southern Men," and called for whites to avoid any activities that would "inflame old wounds" and provide political grist for the propaganda mill.

As in 1870, the regular Republicans withstood the reformer's challenge. Franklin J. Moses, Jr., became governor with 69,838 votes, outdistancing Reuben Tomlinson's 36,533. As in previous elections, the midlands and heavily-black low county allowed the regular Republicans to
carry the day. Tomlinson carried eight up-country counties, where the white voter count outweighed the black, and placed eight candidates into the state legislature (a gain of three). The count showed that over 30,000 less votes were cast in 1872 than in 1870, reflecting the policy of abstention followed by the Democrats. Richard Carpenter, the Union Reform candidate in 1870, had garnered 51,537 votes, over fifteen thousand more that Tomlinson. The bolter’s poor showing in 1872 allowed the regular Republicans to sweep the congressional positions and most of the county offices.

The state and national campaigns had followed parallel lines, and their outcomes were also similar. In the national election held a few weeks later, Grant and the regular Republicans crushed Horace Greeley and the Liberal Republican movement. In the contest, South Carolina went overwhelmingly for Grant. As in the state elections, the state’s total turnout was low, with one historian estimating that 40,000 registered voters did not attend the polls. South Carolina’s support of Grant was due in part to the unswerving loyalty of black voters. As in South Carolina’s state elections, the prospect of reform could endanger much-needed programs, especially considering the growing movement against “class legislation.” In addition, southern black Republicans viewed conciliation differently from northern white Republicans; for black voters, conciliation might be
the difference between life and death, and they were not yet ready to trade safety for honesty in government and sectional harmony.70

The failures of the bolting Republicans at both the state and national levels did not bode well for conservatives. As Eric Foner has commented, Grant's reelection indicated that Reconstruction had not become a political encumbrance, and the desire to protect freedpeople in the South still existed.71 This was doubly depressing for conservatives, who had to come to grips with both the seemingly indestructible nature of the opposition and the fact that its program continued to have support in the North. Had the bolters assumed power, or at least posed a serious challenge, conservatives might have been able to increase their power by providing a swing vote in a balanced competition. But the bolters were beyond help, and the regular Republicans needed no assistance. For many whites in the state, the promise of deliverance seemed dimmer than ever. "The story of tuesday is black," one correspondent wrote after hearing the election returns, "but hope throws over the sable page some faint gleams of light." Hope was all that remained, the author offered, hope in "some evolution of good for those who keep their souls white against the day of deliverance." The writer's not-very-
subtle use of black and white images (note four in this quote) perhaps provided some indication of his social and political tendencies.\textsuperscript{72}

In addition to delivering a considerable blow to conservative morale, the second failure to 'divide and conquer' discredited the entire cooperation policy. In the campaign of 1870 whites had sought cooperation, and in 1872 had deliberately eschewed open opposition, but with the same results. Consequently, the strategy of conciliation-cooperation, advocated as a means of weakening the Republicans to secure a small but important hold on the government, was thrown into disarray.\textsuperscript{73} A lack of success made more "confrontational" opinions seem less outrageous, especially in light of the diminished interest in civil rights enforcement. After receiving word in Baltimore that Moses had been elected governor, Wade Hampton delivered a speech that all but called his fellow southerners to unravel their flags and pick up their guns. Hampton enjoined his brethren "by the graves of your fathers, by your duty to your children, by the love of all these noble women who will share your fate, by all the hallowed memories of the past, by all the sacred duties of the present, by all your dearest hopes for the future, to dedicate yourselves to the redemption of the South." Characteristically dredging up some allusion from the classics, Hampton claimed that one when barbarians had destroyed Rome, one centurion had halted
the panic by telling a soldier "Plant your colors; we will remain here." "So be it with us!!" shouted the cavalryman, "The South now, the South forever!" On the heels of Grant's and Moses' victories, the Fairfield Herald called on whites to stand against "the hell-born policy which has trampled the fairest and noblest States of our great sisterhood beneath the unholy hoofs of African savages and shoulder-strapped brigands - the policy which has given up millions of our free-born, high-souled brethren and sisters - to the rule of gibbering, louse-eating, devil-worshipping, barbarians, from the jungles of Dahomey, and peripetetic buccaneers from Cape Cod, Memphremagog, Hell, and Boston." 

Although the 1872 elections proved that white intransigence and black safety in the South still stirred northern interest, the administration persisted in moving away from the enforcement of civil rights. As had been the case in early 1872, declining federal interest and growing federal leniency in late 1872 and 1873 did not co-op southerners into a benign state of acquiescence. Instead governmental laxity encouraged conservatives to begin probing the limits of federal patience.

The removal of federal soldiers from South Carolina was the clearest indication that the administration no longer
favored a strenuous enforcement policy. Several cavalry units had already departed the state in the spring of 1872, bound for the Department of the Dakota. Arrests had all but ceased, and Washington saw no need for cavalry troops in the state, especially considering the demand for such units on the frontier. Two companies of the 7th Cavalry left the state in December 1872, and the remaining units - three companies in all - followed in March 1873. Soon after the War Department formally closed the posts of Laurensville, and Chester, with Spartanburg and Sumter following in the summer. Ten companies of the 18th Infantry continued to garrison the state, but with the exception of one company at Newberry and one at Yorkville, they were located in major cites, such as Greenville, Columbia, and Charleston, and were not deployed around the state to keep the peace.78

State Republicans were understandably concerned to see the troopers go. Notified by legislators in Washington a few days before the Army's announcement to remove the 7th Cavalry, the General Assembly passed a resolution warning that the transfer would be "detrimental to the permanent establishment and maintenance of law and order."77 General-in-Chief William T. Sherman believed that the cavalry was required on the frontier "for defense of life and property," and that "to interrupt" the transfer "will involve expense and entail great confusion." Sherman would not stay the withdrawal, and Congress and the administration concurred.78
By this time Sherman and others in Washington may have agreed with the Charleston News and Courier, which commented on the Assembly's resolution by saying: "Is it not a cowardly act to admit that the whole State Government of South Carolina is incompetent to maintain the public security and preserve the public peace?" By August only the 18th Infantry remained in the state, bolstered by a single artillery company in Charleston harbor.

The removal of the cavalry was a devastating blow to Republican morale. Political and racial violence was still rampant in large sections of the state, and Republicans saw the withdrawal of the mounted troops - the only ones capable of reacting swiftly to lawlessness and meeting whites bands on their own terms - as abandonment and betrayal. In March, just after the cavalry had departed, S.E. Lane of Chesterfield told Governor Franklin Moses of a "state of things in our County as reported to me that is alarming." Instead of being destroyed, Lane argued, the Klan had "grown defiant." "The withdrawal of U.S. Troops, I fear, will prove disastrous," Lane confessed, and already "intimidation is daily practiced" with "leading K.K.s" stirring up the whites and recruiting new members. Henry Wall, the sheriff of Edgefield, also argued that without a "sufficient number of United States Soldiers," he would be "totally unable to execute" the law.
The Justice Department's disengagement from South Carolina paralleled the War Department's retreat. After a year and a half of prosecutions, the government had only dispensed with a sliver of the cases on the docket. Like the War Department, Justice officials—caught between conflicting emotions on the uselessness of their mission and the idyllic hope that they had in fact succeeded—believed men and money could be better spent elsewhere. In April of 1873 Attorney General George Williams effectively ended the government's short-lived and poorly-fought war on the Klan by suspending all cases already carrying indictments. Although several batches of conflicting numbers exist, clearly over one thousand enforcement act cases never made it to the courtroom. The government convicted four men in 1873, but dismissed 540 cases. In 1874 there were no convictions, but 555 dismissals. By 1877, 162 men had been convicted, but approximately 1,233 cases were dismissed.62

The Attorney General did more than ease off from prosecutions. In July of 1873 George Williams announced that all refugees from the state could return to their homes without fear of prosecution.63 Since he was moving rapidly to clear the docket, it only made sense to curtail arrests as well. Although he had already told Corbin to exercise strict judgment in making arrests, in late 1873 Williams made it known that arrests for enforcement act violations should be confined to outrages involving murder. In fact in
March 1864 the Attorney General reacted angrily when he discovered that arrests had been made in York County. Williams questioned Corbin as to "how is it that my instructions not to make arrests of persons charged with offenses of this kind, except in flagrant cases of murder, have been disregarded." After hurriedly learning the details of the case, Corbin informed his superior that he would have prevented the arrest had he known of it, since the charges were only conspiracy and the illegal seizure of arms. The District Attorney assured Williams that no more arrests will occur, and that he would officially "discontinue, at the coming [April 1874] term of the Circuit Court, most of the indictments against K.K.'s." The administration, seemingly recanting completely its previous enforcement enthusiasm, became even more sympathetic with convicted Klansmen. In July 1873 a delegation of William D. Porter, James Kershaw, and William R. Sims left South Carolina for Washington to seek clemency for some of the convicted Carolinians. The three first met with Attorney General Williams, and later discussed the prisoners' situation with President Grant. The delegation returned to the state with positive impressions, soon confirmed by a letter from the Attorney General. Williams notified the gentlemen that the President had decided to pardon or shorten the sentences of many convicted klansmen - an acceleration of Williams' action of the previous year.
A year and a half later - at end of 1874 - the last convicted Ku Klux left prison; all other men had been pardoned, had their sentences shortened, or had already served their terms.

It is likely that concern over the validity of the enforcement acts played a role in the administration's decisions. Although Robert Kaczorowski maintained that fiscal problems, "not changing judicial theories," cut the legs out from under the enforcement program, both were symptoms of a growing distaste for federal activism.87 Like the Justice Department and the administration as a whole, in 1873 and 1874 the Supreme Court grappled with the issues at the heart of Reconstruction, and reflected back the changing interests of American society.

The first major blow to Reconstruction and the enforcement system struck at the core of each, the Fourteenth Amendment. The Amendment had been shrouded in controversy since its ratification in 1868, but its general acceptance - even Democrats gave in, grudgingly, during their New Departure days - had formed the basis of the enforcement platform. The Amendment allowed for the federal protection of civil rights as it distinguished between the rights proceeding form national citizenship and those related to state citizenship. The Butcher's Benevolent Association of New Orleans v. The Crescent City Live-Stock Landing and Slaughterhouse Company shattered this delicate
balancing act by rejecting much of the national citizenship argument. In April 1873 the Supreme Court reached a decision in the Slaughterhouse Cases, as they came to be called, which rendered the privileges and immunities clause of the Amendment "impotent in protecting the rights of United States citizens." The Court severely limited the power of the federal government in protecting the rights of citizens, for it determined that the "fundamental rights of freemen" are guaranteed by the states, not the national government. 69

Reactions to the decision demonstrated how far along the shift in northern thinking had already come. For instance, The New York Tribune and The Nation both supported the Civil Rights Bill in 1866, a then-unprecedented expansion of federal power. By 1873 both papers had left radicalism far behind; The Tribune had been Horace Greeley's paper (Greeley died shortly after the 1872 election), and The Nation was a leading critic of southern Republicans and federal interference on their behalf. The Tribune, which had called the Civil Rights Bill "excellent," now praised the Supreme Court for securing rights "legitimately belonging to State tribunals and legislatures." The Nation had claimed the extension of federal power in 1866 was "justified," but now rejoiced that the Court was "finally recovering from the War fever." 69
While the ruling in the *Slaughterhouse* cases dealt a devastating blow to the national protection of civil rights, other cases were pending that would strike at loopholes left untouched. Two more important cases arose in 1874, *United States v. Cruikshank et. al.* and *United States v. Hiram Reese and Matthew Foushee*. Although the Supreme Court did not hand down rulings until 1876, the cases hung like swords of Damocles over the Justice Department. Everette Swinney argued that while the cases were pending, Williams deliberately held back on any operations that might be found unconstitutional not far down the road. As many suspected, when the rulings came down they cut deeply into the federal government's efforts to protect civil rights. Taken together, these two cases largely emasculated the 1870 Enforcement Act and so narrowly defined the Fifteenth Amendment that it made the federal government little more than a bystander when it came to voting rights and privileges.

So although the election of 1872 left the party of Reconstruction in power, it had quickly adopted a plan taken from the pages of its rivals. Buffeted by charges of graft and corruption, the northern elements of the Republican party eager sought to disengage from the liabilities of their southern counterparts. With many areas of the South seemingly pacified, and with troubles on the frontier intensifying, the government rushed to protect white
settlers. Fiscal matters also played a role, with the Justice Department trying to make the best out of a meager budget. Complicating the situation was the Depression of 1873, which began in September and pushed affairs in the South further down the list of priorities. To be sure, Grant's withdrawal from Reconstruction was not altogether a linear progression; the administration had an ad hoc approach through the mid-1870s which oscillated between sharp intervention and total neglect, but the overall pattern was unmistakeable. 82

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The federal government's pullout from South Carolina, however, was accompanied by none of the waffling associated with the policy across much of the South. Prosecutions continued through 1872, but already the government had begun dismantling its enforcement apparatus in the state. Troops had begun leaving in the spring of 1872, and the Justice Department demonstrated such leniency as to make a mockery of the enforcement effort. While stunned Republicans cried for a halt to the federal retreat, state conservatives began to see a ray of hope.

By late 1873 the federal government's pullout from South Carolina was nearly complete. The cavalry had left in March, and pardons were on the increase just as prosecutions
declined. J.D.H. Duncan, the deputy U.S. marshal for York County, summed up Republican doubts concerning the administration's maneuver. In November of 1873 he told Attorney General Williams that "I fear your clemency to the Ku Klux will be too liberal to suite [sic] this section of the country." "There is a goodly number here," the officer continued, "that has the Ku Kluck or Rebellious principal in them just as strong as ever ... they should be tried and punished." Hoping against hope, Duncan pleaded, "we have seen a great deal of trouble from that party here do let us Crush them down completely."83

After trying for years to regain control of their state, conservatives sensed the dawning of a new era. Speaking of South Carolina, an editorial in the South Carolinian promised that "it is but a question of time how long it will take the prostrate figure to rise in its former strength, and resume its broken sceptre."84 To do so required organization, the Winnsboro News reminded its readers, for "the undisciplined mass, if it succeeds, is not able to reap the full fruits of its triumph, and if it fall the first time, becomes hopelessly demoralized. The organized body, on the other hand, has its objective point toward which it steadily advances; it takes advantages of any blunder of the enemy; it is undismayed by disaster ... it is sustained by its discipline and by the knowledge that
if it perserves it must win, and by the further knowledge that every day some short step is made towards the desired goals."

More daring battle cries accompanied the relatively innocent calls for organization. One front page article disputed the charge that Lee really surrendered anything of value at Appomattox. According to the author, Lee "simply surrendered the military forces under his command." He never surrendered honor, southern principles, southern rights, or southern ideas. "It was simply a physical surrender. The physical power and policy of resistance - not the principle of resistance was given up." And so "the Rights, the Ideas, the Sentiments, and Traditions of the South retired in Honor from the field of battle - but with all their supremacy preserved, re-entered the souls and consciences of the defeated, to hold their mastery their beyond the reach and range of force."

It was time, many conservatives believed, that these honored southern ideals once again came into the open. "The South has Tried Cringing and Fawning Long Enough!" cried the Chester Reporter. Openly eschewing conciliation, the paper claimed that "whatever the politicians seeking place may say, the heart of the people is as true now to that cause for which they gave and suffered so much as it was when the colors of the South were floating most bravely." Taking up a claim made popular by none other than Jefferson Davis in
the mid-1870s, the paper argued the South had been tricked into surrendering, and was not conquered. If Southerners had known that defeat "meant that they would be the slaves of slaves, can there be any doubt that there would have been such an uprising as would have carried the Southern Cross to the top of Bunker Hill Monument."  

The Southern Cross had been solemnly folded and put away, but voices now declared that the time for its unraveling was not far off. "THE PEOPLE," declared the Advertiser, "the long-suffering patient but OMNIPOTENT PEOPLE - will ere long rally around the glorious banner of "STATE SOVEREIGNTY, WHITE SUPREMACY, AND A UNIVERSAL OVERTHROW OF USURPERS AND THIEVES," and sweep the "nigger-exalting, state destroying ... mob o'liars to a figurative hell ... THE PEOPLE ARE MOVING!"  

"T.J." a contributor to the paper, agreed with the platform presented, and reminded readers of the utter failure of conciliation and cooperation. All attempts to win over blacks "have proved futile," he stated, and "there is no use in attempting to disguise the fact, the blacks will not cast in their lot with us." The alternative was clear: "The truth is often unpalatable but it is always expedient to know it. We must make the political issue an issue of races. We must vote for A.B. because he is a white man, simply and nothing more, provided, always, he be honest and capable." In addition, "T.J." called on whites to "eschew ... every leaning towards
equality in society, or union in politics, for the last but leads to the first...." For any superior race that casts away the "high and upright position which God has given it, must sink into debasement, degradation, and irrevocable ruin."99

Not long after this plea appeared occurred an event which symbolized whites' desire to maintain an orderly society based upon white guidelines. In October 1873, Henry Hayne, the black Secretary of State, enrolled in the medical school of South Carolina University. Leading whites noted that "a wise regard for the welfare of the University had, until now, prevented that attempt at a mixing of the whites and blacks which must destroy any institution" by forcing out intelligent whites. Prominent conservatives pleaded and demanded, arguing with Republican state officials that since blacks had their own state-sponsored university, there was no reason why Hayne should be admitted. Nevertheless Hayne took his place at the school, prompting nearly the entire faculty and student body to withdraw (the second time this had happened - the university closed in 1861 when the entire student body and most of the faculty volunteered for service).100 In fact, many students erased their names from the "roll of honor" kept by the school to avoid any connection with the establishment.101 Using language which would become more and more common in the coming years, the
Advertiser warned that "the laws of God and of Nature cannot be changed or abrogated by the edict of a carpet-bag administration."¹⁰²

The Haynes affair - and the whites uncompromising approach to it - reiterated the central themes of South Carolina history. Whites demanded the right to control their own society, and would react emotionally - and perhaps violently - to any force which threatened their domination. For the better part of a decade that control had been denied them, and the values they sought to protect and foster - white supremacy, control of labor, local republicanism - seemed only a memory. But in the mid-1870s the tide began to turn as the Republican party, both inside and outside of the state, struggled to keep intact, and the issues of Reconstruction became less and less pressing. These two factors - internal Republican weaknesses and a waning interest in Reconstruction - would encourage conservatives in the coming years. Cooperationalists, discredited but still trying, saw new opportunities to divide and conquer, while a new brand - those who favored a more violent strategy, believed the time had come for a fight to the finish. By 1874 only one thing seemed clear, that Republicans in South Carolina were on their own.
1. Akerman to E.P. Jackson, no date (probably December 1871 or January 1872), Akerman Letterbooks, Book 1, UVA.

2. Adjutant General of the Army to General Terry, January 20, 1872, RG 84, MC 666, Reel 48, NA.

3. Andrew Cornish to James Hamilton Cornish, April 10, 1872, John Hamilton Cornish Papers, Box 3, Folder 37, SHC, UNC.

4. Laurensville Herald, April 12, 1872.


8. Huger was correct that he would not see the reformation; he died later that year. Alfred Huger to William Porcher Miles, April 9, 1872, William Porcher Miles Papers, Box 4, Folder 58, SHC, UNC.

9. J.J. Pringle to William Porcher Miles, April 12, 1872, William Porcher Miles Papers, Box 4, Folder 58, SHC, UNC.

10. Charles Wright to Governor Scott, February 13, 1872, Governor Scott Papers, Box 19, Folder 28, SCDAH.


12. RG 94, MC 666, Reel 63, NA. The petition, addressed to the Adjutant General of the Department, is also in House Executive Document No. 30, no serial, 44th Congress, 2nd Session, 69.

13. Joseph Crews to the Honorable A.S. Wallace, April 14, 1872, RG 94, MC 666, Reel 63, NA.

14. Merrill to the Assistant Adjutant General, Department of the South, May 28, 1871, RG 94, MC 666, Reel 18, NA. Merrill also rearranged units because he was concerned that some of his suffered from a "lack of sympathy with the wish of the Executive to execute the law," and wanted only the most responsible men in the dangerous areas. Merrill reported later on other difficulties regarding his troops, including too much drinking, bad manners, and "unduly frequent" desertions. Merrill was sure that everything from access to liquor to the opportunity to desert was "encouraged and facilitated by Ku-Klux and their sympathizers." "No effort has been spared by these


16. Corbin to Williams, January 27 and February 10, 1872, both in RG 60, MC 947, Reel 1, NA; Corbin to Chief Clerk Falls, April 18, 1872, RG 60, MC 947, Reel 1, NA. Corbin kept the Chief Clerk well informed as to the trial's proceedings, writing to him nearly every other day. For complete reports on the April trials see Corbin to Falls, April 18, 20, 23, 25, 26, 28, May 1, 5, 1872, RG 60, MC 947, Reel 1, NA.

17. Major W. Harry Brown to R.M. Wallace, April 13, 1872, and Wallace to Attorney General Williams, April 19, 1872, both in RG 60, MC 947, Reel 1, NA.

18. Corbin to Williams, June 1, 1872, RG 60, MC 947, Reel 1, NA.

19. Doctor J. Rufus Bratton, suspected in the murder of Jim Williams and of being a leader of the York County Klan, escaped during the suspension to Ontario. Correspondence from South Carolina kept him informed of court proceedings and military movements through the fall and spring. Included in the letters from "C.D. Helton" and "T.L.J." are warnings about the danger of writing, and advice to "keep out of the public eye." See C.D. Melton to Bratton, December 14, 1871, Folder 96; "T.L.J." to Bratton, January 23, 1872, Folder 97, both in Bratton Family Papers, SCL-MD.

20. Edgefield Advertiser, June 20, 1872; "Truth" (author), Statement of Dr. Bratton's Case being an Explanation of the Ku-Klux Prosecutions in the Southern States (London, Ontario: "Free Press" Steam Book and Job Printing Company, 1872), 18, SCL-BD; Merrill to Attorney General Williams, June 10, 1872, RG 60, MC 947, Reel 1, NA.


22. Williams to Secretary of State Hamilton Fish, November 2, 1872, RG 60, MC 702, Reel 2, NA; Corbin to Williams, November 5, 1872, RG 60, MC 947, Reel 2, NA.

23. Foner, Reconstruction: America's Unfinished Revolution.

25. The decision not to renew the suspension, and the reasons for that decision, are the subject of a seminar paper completed by the author for Michael Les Benedict in 1989. "Congress and the Habeas Corpus Suspension Bill: A Study of Influences on the Congressional Decision-Making Process" revealed that many Republicans acted out of a concern for their party and their seats when they voted against the bill. Success or failure against the Klan was secondary to protecting the party from charges of corruption, class legislation, and tyranny, especially in light of the Liberal Republican Bolt and the campaign of 1872.

26. Herrill to the Adjutant General of the Army, July 11, 1872, RG 80, MC 947, Reel 1, NA.

27. Akerman to E.P. Jacobson, no date (but late winter 1871), Akerman Letterbooks, Book 1, UVA.

28. W.W. Davis to Governor Scott, June 2, 1872, Governor Scott Papers, Box 20, Folder 44, SCDAH.

29. Corbin to Merrill, June 30, 1872, RG 94, MC 866, Reel 16, NA.

30. Merrill to the Assistant Adjutant General, Department of the South, RG 94, MC 866, Reel 16, NA; Joseph Crews to President Grant, July 28, 1872, RG 94, MC 866, Reel 16, NA; Merrill to the Adjutant General of the Army, August 13, 1872, RG 94, MC 866, Reel 16, NA. For information on the forces in the state see "The Annual Report of the Secretary of War for 1872," House Executive Document No. 1, Serial 1558, 42nd Congress, 3rd Session, 22, 24, 25, 30.


33. Ibid., 89.

34. Ibid., 91.

35. Merrill to Williams, September 30, 1872, RG 80, MC 947, Reel 1, NA.
36. Corbin to Williams, November 2, 1872, RG 60, MC 947, Reel 2, NA.

37. Williams to Amos Pilsbury, October 21, 1872, RG 60, MC 699, Reel 14, NA.

38. Corbin to Williams, November 21, 1872, RG 60, MC 947, Reel 2, NA; Williams to Corbin, November 26, 1872, RG 60, MC 701, Reel 3, NA.

39. Williams to Corbin, December 7, 1872, RG 60, MC 701, Reel 3, NA.

40. As the reader may notice, the numbers do not add up to those in the chart, which were also taken from his report. Attorney General Williams' figures do not match the total listings either. The difference of one or two convictions is irrelevant, however, because it does not alter the fact that a vast majority of cases never came to trial. Corbin to Williams, December 15, 1872, RG 60, MC 947, Reel 2, NA.


42. War Department General Orders No. 2, February 8, 1873, RG 391, MC 744, Reel 71, NA.


46. Gillette, Retreat from Reconstruction, 82, 70; Perman, The Road to Redemption, 10, 19-20; Foner, Reconstruction: America's Unfinished Revolution, 505-506.


49. Letter of Wade Hampton, printed in the September 19th issue of *Southern Home*, in Ellison Keitt Clips, SCL-MD.


52. Ellison Keitt to unknown, June 5, 1872, Ellison Keitt Clips, SCL-MD.

53. Simkins and Woody, *South Carolina during Reconstruction*, 465; Charleston *Courier*, December 28, 1871; Ellison Keitt Clips, December 28, 1871, SCL-MD. Allegedly Senator "Honest John" Patterson took 48,000 dollars from the "Armed Force Fund" and used it to swing votes among members in the General Assembly. One account even claimed that Robert B. Elliott - who had once resigned a position die to corruption - received $10,500 alone! *Report on Public Frauds*, volume VII, 7-8, OHS.

54. Broadside dated Dec 26, 1871, "Call by James R. Chesnut for a public committee to raise funds to do an investigation of fraud in the Republican State Government," in Rare Books Room, Perkins Library, Duke; *Edgefield Advertiser*, July 25, 1872; Charleston *News*, no date, quoted in *Edgefield Advertiser*, July 28, 1872. Michael Les Benediot has argued that by the 1870s most southern conservatives had replaced their cries of white supremacy with that of 'reform.' Benediot, "Reform Republicans," 75, 76. Although this appears to be the case on the surface, I am not convinced this was not merely done for appearances; the substance beneath the cover remained the same. Conservatives had violently opposed Reconstruction and southern Republicans before corruption had become an issue. It does not make sense that the reasons for opposition changed. More likely, conservatives were searching for some platform to avoid being tainted by their past, and possibly win over Republican votes. Even in their 'reform' arguments, the real nature of their position becomes clear. Conservatives readily argued that the corruption and decadence was a natural result of having blacks, carpetbaggers, and scalawags rule instead of the intelligent white gentry. In other words, the only way to clean up government was to clean out government.


60. From the Aiken *Journal*, no date, quoted in the Edgefield *Advertiser*, August 8, 1872.

61. B.F. Whittemore to James L. Orr, September 9, 1872, Orr-Patterson Papers, Box 1, Folder 5, SHC, UNC.


64. From the Orangeburg *Times*, no date, quoted in the Edgefield *Advertiser*, October 3, 1872.

65. From the Charleston *News*, no date, quoted in the Edgefield *Advertiser*, October 10, 1872.


68. Perman, *The Road to Redemption*, 122, 298.


71. Ibid., 509.

72. Edgefield *Advertiser*, November 14, 1872.


74. Edgefield *Advertiser*, November 7, 1872.

75. Fairfield *Herald*, November 20, 1872.
76. Many men of the 7th Cavalry had looked forward to the transfer to the Department of the Dakota. Tired of the boring mission of law enforcement - which usually meant riding around now and then and doing nothing else - troopers wanted the chance to fight Indians out West. Unfortunately they got their wish. Many of the men who had served in South Carolina died in 1876 at the Battle of the Little Bighorn with Colonel (Brevet General) George Armstrong Custer. RG 391, MC 744, Reel 71, NA; RG 94, MC 665, Reel 194, NA; "The Annual Report of the Secretary of War for 1873," House Executive Document No. 1, Serial 1597, 43rd Congress, 1st Session, 46-49. Not all troopers left the state in 1873; Major Merrill stayed behind at the bequest of District Attorney Corbin, Corbin to Williams, February 14, 1873, RG 80, MC 947, Reel 2, NA; Williams to Secretary of War William Belknap, February 18, 1873, RG 80, MC 702, Reel 2, NA.

77. The resolution is contained in RG 94, MC 666, Reel 104, NA, and printed as Senate Miscellaneous Document No. 81, Serial 1548, 42nd Congress, 3rd Session.


80. S.E. Lane to Governor Franklin J. Moses, Jr., March 15, 1873, Governor Moses Papers, Box 3, Folder 11, SCDAH.

81. Henry Wall to Governor Moses, October 16, 1873, Governor Moses Papers, Box 5, Folder 30, SCDAH.


83. Trelease, White Terror, 417.

84. Williams to Corbin, March 17, 1874, RG 80, MC 701, Reel 4, NA.

85. Corbin to Williams, March 28, 1874, RG 80, MC 947, Reel 2, NA.

86. Charleston News and Courier, July 31, August 1; Edgefield Advertiser, August 7, 1873.


91. For a complete discussion of the cases see Kaczorowski, *The Politics of Judicial Interpretation*, 175-184, 200-218.


93. J.D.H. Duncan to Williams, November 13, 1873, RG 60, M1 947, Reel 2, NA.

94. From the *South Carolinian*, quoted in the Edgefield Advertiser, May 29, 1873.

95. From the Winnsboro *News*, no date, quoted in the Charleston *News and Courier*, June 23, 1873.

96. Edgefield *Advertiser*, August 7, 1873.

97. Edgefield *Advertiser*, September 4, 1873.

98. Edgefield *Advertiser*, October 18, 1873.


100. Charleston *News and Courier*, October 9, 1873.


102. Edgefield *Advertiser*, October 23, 1873. In response the state legislature hired northern professors, abolished the tuition, and created a preparatory program for incoming students. The white reaction brought about what they had feared, for the student body at the formerly all-white
CHAPTER VIII

THE TIDE TURNS: THE ELECTIONS OF 1874 AND 1875

Good government indeed was now restored in our State, and by their assistance could be maintained. But it was not a government under their own auspices, or those of the democratic party; and while it continued they could hope neither to be heard at Washington nor to practice their cherished traditions at home.

Belton O'Neal Townsend on South Carolina under Governor Daniel Chamberlain.

By 1874 South Carolina conservatives sensed that the tide was turning, and that the Republican hold on their state was becoming more tenuous. Clearly, northern - and federal - interest in the South was on the wane, and the Republican party at the state and national levels was having severe internal problems. To be sure, South Carolina Republicans still managed to retain control, and the years 1872-1874 saw the worst corruption and abuse of any state during Reconstruction. But political disgrace for the Republicans brought political opportunity for conservatives; again Republicans became determined to repair the fiscal and
political damage, but their efforts failed to win over stalwart conservatives and undermined Republican unity. In the end, the failure of reform only divided Republicans and buttressed conservative convictions that an alien-and-black government was irresponsible, incompetent, and unfit to rule South Carolina.

Even among conservatives, the call for reform was never louder than during the administration of Franklin J. Moses. As we have seen, native whites did not oppose the Reconstruction government because of corruption—they opposed Republicans before such problems existed—but mismanagement served as a powerful rallying point to show that blacks and carpetbaggers did not deserve their positions. The reform and retrenchment promised by a host of candidates in 1872, including Franklin J. Moses, Jr., never materialized. Instead, despite new state officers and a new legislature, the improprieties swelled until the stories and figures made the corruption of the two Scott administrations pale in comparison. Edward King, working on his southern series for Scribner's Monthly, described the workings of the state government as "mighty theft; colossal impudence like this was never surpassed ... never was a revolution, originally intended as humane, turned to such base uses. Never were thieves permitted to go unpunished after such bold and reckless wickedness. Never before were a people crushed to earth, kept down and throttled so long."
Paul Hamilton Hayne mourned for poor "South Carolina, where millions have been stolen from the People ... in order to support rogues & negroes, and alien blackguards in political power - where every trace or fragment of "States Rights" was long ago obliterated under the heel of the most vulgar, upstart tyranny that ever defiled the honor of a gallant nation."³

As Hayne admitted, the galling points were the sources and beneficiaries of that corruption. To be sure, wanton waste should upset any taxpayer or upstanding citizen, but the fact that "negroes, and alien blackguards" were the ones making the laws, levying the taxes, and reaping the rewards could not be tolerated in South Carolina. For former confederates, the decay and decadence that accompanied the Reconstruction government was proof of the inability of blacks to exercise political power. Furthermore, according to Benjamin Perry, corruption revealed the same about the northern "adventurers" and locals who "betrayed their race and country," since blacks were, after all, under their "spell."⁴ Not only were conservatives denied that control which they sought, they were being actively exploited by the forces they wished to dominate.

One particularly galling example involved the rewards offered by Governor Scott for the conviction of Klansmen. On July 28, 1871, Scott had offered $200.00 for each arrest which led to a conviction, but the General Assembly did not
furnish funds until March 1873. In conservatives' eyes, not only were honest locals harassed by soldiers operating under unconstitutional laws, but now civil and military personnel were to be rewarded - by taxpayers' money - for doing a job they are already paid to do!

Although many marshals applied for the reward, the real controversy began in early 1873 when news spread that Major Lewis Merrill had applied for money. In the U.S. Senate, Thomas Bayard, sensing an opportunity to expose Republican corruption and denounce the enforcement program all in one breath, called for an investigation to see if any commissioned officer had received funds from the South Carolina legislature. Governor Moses of South Carolina provided a copy of the original notice, which clearly showed it was intended for all officials, civil or military. Moses also supported Merrill's claim for the money, since the Major was the "chief and real agent of the ends accomplished." Merrill admitted that he had applied for the reward, but only after seeking legal counsel and being assured by several lawyers, including the state's Harvard-educated Attorney General, Daniel H. Chamberlain, that such action was legal and appropriate.

For South Carolinians, the reward issue was another example of corrupt Republican policies running roughshod over innocent local whites. But since Republicans had controlled the governor's chair and legislature for the past
six years, conservatives were helpless to oppose the Klan rewards - or any other program or scheme. In the spring of 1874, with another election only months away, opponents of the Reconstruction government decided to discard their 1872 strategy of non-involvement, a plan that Benjamin Perry argued had allowed the Hoses faction to win the election. With the failure of abstention staring them in the face, state conservatives tried one last time to use legal means to break the Republican monopoly on power.

The state elections and Republican corruption were the central topics of the second "Taxpayer's Convention," held in late February 1874. In 1871 conservatives had begun forming state "tax unions," a network of cells that replaced the onerous "Democratic" title but performed the same function. The first "Taxpayer's Convention" was held in May of 1871, at the height of Klan activity, during Governor Scott's conciliatory stage. In addition to disbanding militia units and removing some state officials, he also endorsed the convention, and promised to consider all of its recommendations. Poor planning and internal dissensions resulted in negligible gains for conservatives, and even vindicated some of Scott's policies.

Unlike the 1871 convention which sought to reveal the unfairness of the state's taxation system, the 1874 meeting had higher goals. To be sure, many whites were dubious, like T.P. Bailey who hoped that "there may be some good in
the Taxpayer's Convention this time!" 10 Conservatives knew that the only way to remedy the ills of the state was to regain control of the government. The Taxpayer's Convention of 1874 was in some ways a pre-Democratic State Convention, with state leaders discussing options for the upcoming campaign. Some speakers hoped for another Republican schism, while others, lead by Richard Lathers, favored a more direct - though less legal - approach. Lathers called on county leaders to "make such combinations, even outside the domain of peace" which would topple the Republican government. 11

Most discussion centered around a tactic proposed by the President of the Convention, William Dunlap Porter, and Edgefield's cavalry hero, Martin Witherspoon Gary. The plan was simple, legal, and fairly inexpensive: import white immigrants into the state to shift the voting balance and bring a Democratic victory. 12 Gary, chair of the convention's Committee on Immigration, calculated that 18,000 "honest Germans," distributed across counties having a racial balance, would defeat the "radicals." Gary had no doubts that the Germans would make good Democrats, for he believed the difference between Democrats and Republicans was "race, not party." 13 Gary, his committee, and others who favored drawing the "white line" in society and politics were already hard at work; $5,000 had been accumulated thusfar, and Gary's right-hand man, Major F. Melchers of
Charleston, had hired an agent in Germany. Gary reported to the convention that it cost forty-eight dollars to bring an immigrant into the country, and then an additional twenty per adult and fifteen per child for transportation to South Carolina. Immigration and the trip south was to be handled by an agent in New York, Tilman R. Gaines. Gary argued that since ten counties had white majorities, and twelve were split rather closely, "the introduction of a few hundred immigrants" into each of the marginal ones would bring Democratic control of the legislature, and possible even the executive.

Gary's immigration plan had many supporters, but his open emphasis on race was the spark that electrified the whites. The Editor of the Charleston News and Courier - perhaps Francis Warrington Dawson or one of his associates - after describing the failures of the past years, concluded that the Republican party will not self-destruct, and blacks will not vote with the whites. The only solution was to overcome the Republican voting majority, and the Editor agreed with Gary, that "it was entirely a question of race." The paper quoted Gary's convention speech at length, and voiced its approval with the belief that "God had destined the caucasian race to rule the other, and if the white men of this state would be true to themselves, they could speedily release themselves from their troubles. The great trouble was that the white men did not unite among
themselves." The News and Courier applauded the war hero for vowing to restore "the dominance of the white race" and attempting to "protect his self-respect and restore his race to their natural rights."18

Other papers agreed, both with the philosophy and the tactic. Commenting on Gary's speech, the Constitutionalist claimed that "a more sensible speech in the main, had never been uttered in the Palmetto State." The author concurred that divided ranks were the problem; defections and compromises were to blame for conservative failure. The only solution, the author believed, the only way to solidify white support and prevent defection, was to focus on race. Whites must accept that "the race question is the mighty problem in this State, and that any compromising with or any evasion of it is the secret of every disappointment in politics." "White immigration and white consolidation," the column proposed, "are the two forces advocated by Gen. Gary. We believe he has hit upon the absolute and only perfect methods of deliverance...."18

Yet by the close of the convention, delegates had decided that Gary's plan was neither absolute nor perfect. Although the record of the convention shows that the proposal met with wide approval, nothing significant ever came of the immigration scheme. Instead, conservatives opted for a safe and conventional plan of action, albeit one proven ineffective over the years. Delegates composed a
memorial to Congress, but the august body, fully aware of
the state of South Carolina's government and tired of such
petitions, did not even bother to draw up a response. 17

Another petition, this one more complete and containing
details of the outrageous behavior of state officials, was
prepared for President Grant. In March a delegation of
leading conservatives, among them William D. Porter, Matthew
C. Butler, and James Kershaw, presented the information to
Grant in person. While Grant "sympathized" with the
citizens of the "ill-governed" state, he took refuge behind
growing constitutional conservatism and state's rights. The
President explained to the delegation that since South
Carolina was a "sovereign state," it was wholly unacceptable
for the federal government to interfere in such internal
state matters. 18

Perhaps a tactical victory for Republicans, Grant's
statement nonetheless encouraged conservatives. For many
conservatives - in particular men of the Martin W. Gary
crowd - this was a direct acknowledgment by the Executive of
the policy of non-intervention. To be sure, there were
situations that the federal government could not ignore, but
by and large, true federalism seemed reborn. Republican
state officials could not disregard its ominous
implications. Would Grant intervene if violence erupted
during the fall election? How would the federal government react if conservatives resorted to fraud and intimidation to win at the polls?

Perhaps the report of Grant's audience, and certainly the commotion over the tax convention, prompted state Republicans to begin preparations for the fall campaign. Knowing they could not rely on federal assistance, and sensing that conservatives were gearing up for a serious race, state Republicans focused on protection and party mobilization. The memories - and scars - of the campaigns of 1868 and 1870 were still fresh, and party leaders wanted to nip any conservative trouble in the bud. Unfortunately they turned to a device of dubious quality, the militia.

The new militia system was not a rehabilitated version of the one under Governor Scott; in many ways it was far worse. In 1873 the General Assembly began slowly reorganizing the state militia, and by the spring of 1874 new companies existed across the state. Again, the whole system was noxious to whites, who supported, with their tax dollars, a political machine composed of Republican cronies and gun-toting former slaves. Exacerbating the problem was the act of February 20, 1874, "Providing for the Granting of Certain Charters," which allowed "groups of men" to apply to the Clerk of the Court in any county for a charter to be a military organization. With most clerks Republican appointees, the legislature saw this act as a solution to
its militia woes; it would provide armed Republican units, yet since they were not part of the state militia, the party would be spared the cost of salaries, as well as criticism and charges of political graft.18

In the spring of 1874 blacks flocked to both 'militias,' eager to prove their loyalty, protect their homes, and - in the case of the regular militia - pick up a paycheck. Only five days after the act's passage, Adjutant and Inspector General Henry Purvis told Governor Moses of the "alarming" number of companies applying for charters and requesting state arms. Since the "independent" militia was composed of poor blacks, the legislature insisted that state arms be furnished to the companies. Purvis objected to the contradiction in all of this, and notified Moses that it was impossible to arm them all anyway, since the militia department barely had enough guns for the regular militia (yet by his Annual Report in October, Purvis counted 827 Winchesters and over 22,000 cartridges "in the hands of sundry persons," his term for the "independent" militia units).20 Purvis also questioned the sudden growth of the regular militia, especially the need for a whole new regiment in Beaufort and cavalry units in Edgefield.21 Purvis reported that the militia expansion - up to nearly eighteen regiments - would soon bankrupt his department.22

Instead of fretting over fiscal matters - which never seemed to bother Republicans before - state officials should
have been concerned over the conservative response to the reorganization of the militia. Under the Scott administration, the militia was intended to serve as a deterrent to white violence, which at the time took the shape of the Ku Klux Klan. As it turned out, the Klan—which had predated the militia—easily routed the state companies through force and intimidation; Governor Scott disbanded some up-country units, a decision which probably saved many black lives. 1874 presented a eerie dea-vu, for again Republicans turned to the militia, and again conservatives turned to their armed organizations in response. This time, instead of the Klan, the agents of force were the rifle clubs.

Rifle clubs, or gun clubs as some were called, had made their appearance even before the disappearance of the Klan in 1871 and 1872. Early clubs usually formed in the larger cities, allegedly for "recreational" purposes. One of the first, the Carolina Rifle Club, formed in Charleston on July 30, 1869, while the Klan was still active. In the words of Irvine C. Walker, long-time member and one-time leader, the club existed "ostensibly for social intercourse and amusement," but he admitted that "as the weapon which was adopted was not a sporting or target rifle, but a sixteen shooter Winchester, it is not hard to appreciate that its hidden defensive object was not so peaceable as its constitution professed." Even their attire had
significance; they wore a "hideously ugly gray hunting shirt, as worn by our Revolutionary ancestors, during their struggle, in the swamps of South Carolina." Major Theodore Barker, the first captain, saw its purpose as the "prevention of the aggressions on the part of the negro race, under the vile leadership of Northern Adventurers, which would have led to bloodshed." 83

As with the Carolina Rifles, the military nature of many clubs contradicted their professed social functions. For instance, the Sally Rifles, formed in Columbia in 1870, had its drill routines specified in its constitution, and had its members - ranked as Captains, Lieutenants, and Sergeants - divided into squads. A Quartermaster was in charge of the arms and ammunition, and there were even specified punishments for an untidy uniform, a dirty rifle, or an unshined bayonet (nearly all clubs were equipped with bayonets; one may well wonder why a recreational club needed such accoutrements). 24

The victory of Franklin Moses in the 1872 election and the reorganization of the state's 'regular' militia sparked the formation of more clubs. Unlike the dozen or so clubs of the first wave, these new ones were located in smaller towns, with many appearing across the up-country region. Organization in Edgefield County, for example, began in late 1872 and carried enthusiastically into 1873. Several rifle clubs grew out of the "agricultural clubs" that
conservatives had relied upon to control black labor (along with more legitimate agricultural functions), including the Palmetto Sabre Club and the Sweetwater Sabre Club. The Sweetwater Sabre Club of Edgefield, under the leadership of Andrew Pickens Butler, put up no pretenses about its purpose. The club aimed to control, and if necessary destroy, the nearby militia units under local blacks Richard Bullock and Ned Tennant.

Slowly but steadily white mobilization proceeded, and rifle clubs became the local operational unit for the Democratic party. Like the Klan, leadership was drawn from the elite, the finest of gentry culture, a who's who of the politically and socially powerful. Unlike the Klan, Rifle Clubs appeared in public and were involved in a host of social functions. Clubs held parades and picnics, orchestrated festivals and balls, and wined and dined with politicians from both parties. Hardly a day passed without a leading a paper having some rifle club news; one club may be holding elections, another deciding on new uniforms, a third planning a shooting match. The clubs were popular and powerful, and growing moreso every day. In the words of D.E. Huger-Smith in Charleston, "I think every respectable white man in the city must have belonged to the 'organization for mutual protection.'"

Try as they may to cover up the purpose of these companies with parades and balls, their goals were obvious.
In the first place, frequently clubs used the same constitution, practically admitting that the statement of purpose was meaningless. For example, the 182 men who created the Richland Rifle Club in Columbia in 1873 declared its objects were the "promotion of social intercourse, and the enjoyment of the Members by means of target shooting and such other amusements as they may determine." Over a year later, the Georgetown Rifle Guards Club professed the same objects, word-for-word, in adopting their constitution. Other similarities included regular reports on arms and ammunition that seemed out of place in a social club. In August 1874, the Committee on Arms of the Richland Rifles reported that a shipment of guns "had been secured and distributed, ammunition purchased and ready for distribution." A month later, the Georgetown Rifles met in the Indigo Society Hall to decide whether to buy Winchesters or Remingtons, and prepared an announcement that poorer members need not contribute toward a rifle as long as they owned a shotgun.

The proliferation of armed, all-white clubs in the midst of a campaign alarmed state Republicans. On September 3, congressman Robert M. Wallace wrote to Attorney General Williams about Democratic attempts to "excite the people" and incite a "war of races" in South Carolina. Wallace also informed the Attorney General that rifle clubs were growing in number and size, and were observed drilling at all hours.
The congressman claimed that the clubs held themselves "ready for any emergency, and such language among a people who are easily excited to rashness has a comprehensive meaning." Wallace predicted that "outrages will be committed which will intimidate men from going to the polls, [but] it will be made to appear ... that the poor victims were breathing death and destruction to the white race and that politics had no connection with it." The next day another letter arrived for the Attorney General, also warning him of coming collisions in the state. Lewis Cass Carpenter, the editor of the Columbia Daily Union, reported that rifle clubs were drilling "day and night ... with the thermometer in the nineties," and he too warned an outbreak was imminent.

State conservatives, again gearing up for the struggle over South Carolina, were also prepared to defend their latest agents of intimidation. Democrats were better informed than Republicans knew, or were excellent at anticipating Republican moves. The Attorney General must have been perplexed, for the day before he received Wallace's letter, he received word that the Columbia Board of Trade, calling his attention to "agitators" in the state who sought to stir up trouble among the black population. In fact the letter mentioned once such troublemaker by name - "R.M. Wallace." The Board informed Williams that all was calm in the city, and assured him that rifle clubs were "not
military organizations in any sense," but were "merely social, for the purpose of training our young men in the use of arms which, by the Constitution of the United States, they are entitled to bear."\(^{35}\)

Such reassurances convinced few when white clubs began moving against black militia units and Republicans in late summer. An outbreak in Georgetown in August was especially traumatic for Republicans, for it seemed to indicate that the federal government was standing by its policy of non-intervention. For reasons unknown - except maybe basic terrorism or to test federal and state resolve - a white band seized control of the town, set several buildings afire, shot into homes, and even attacked the stage carrying the U.S. Mail! When the Intendant of the town applied to the commanding officer at Charleston for assistance in suppressing the disorder, the officer refused, stating it was a matter "for the state authorities."\(^{36}\) A few days later a similar event occurred on the opposite side of the state. In Ridge Springs, along the Georgia border, a group of black militiamen refused a white company's order to stop drilling, and soon "three of four hundred men armed and equipped" rode into town, "carrying terror wherever they went." Arson and injury followed, and the white sheriff was nowhere to be found. According to Lewis Cass Carpenter, the pretext of "negro insurrection" was given to excuse the "deeds of blood committed" by the whites.\(^{37}\)
There is no evidence that federal troops were sent to any of these disrupted areas, even though soldiers remained in the state. As of August 31, about the time of the above troubles, the 1st and 2nd Artillery and the 18th Infantry still had companies in the state. Units of the 1st Artillery were stationed around the port of Charleston, but elements of the 2nd were located at Barnwell, Marion, Spartanburg, and Unionville. The 18th Infantry was also spread about the state, with companies at Yorkville, Abbeville, Edgefield, Newberry, and Columbia. All tolled, nearly seven hundred soldiers resided in the state. White clubs were playing a dangerous game; at any time federal forces might get the word to step in and buttress the ineffectual state forces.  

That word came at the end of August, when federal troops intervened in Edgefield to prevent what could have been a bloodbath. Plagued by racial conflict throughout the Reconstruction period, Edgefield drifted closer to all-out civil war when whites formed rifle clubs to counter the black militia in the area. By late August, 1874, whites had had enough of the drilling and arrogance of Ned Tennant's militia company, and showed their displeasure by shooting into his house one evening. The 'First Ned Tennant Riot' erupted when Tennant sent his emergency signal, the loud beating of his drum. Militiamen rushed to Tennant's house on Glover's Plantation, and fearful locals, white and black,
rushed to Edgefield Court House to alert the federal officer there. Lieutenant Matthew Leahy set out for the plantation with eleven men, but before reaching the site met a large armed band of whites who informed him that "everything was settled" with Tennant. Luckily Leahy insisted on his own inspection, which revealed that indeed, nothing was yet settled. Upon arrival the officer discovered between seventy and eighty blacks facing over three hundred whites. Acting quickly, Leahy set up negotiations for the following day, hoping tempers would ease overnight. Leahy, a few leading whites, and Tennant spoke the following morning, and all parties agreed to disperse, a decision accepted "rather reluctantly on the part of the whites." Leahy let go a sigh of relief, and noted in his report that the whites were more than capable of handling any state forces. "In fact," the Lieutenant admitted, "the whole [white] county is perfectly organized, and ready to take the field at any time." 30

For local whites, however, the issue was not settled. Ned Tennant still controlled the militia, and it was still allowed to practice as usual. So a few days after the initial confrontation, a meeting of prominent whites decided that the militia would have to either hand their guns over to authorities, or leave the county. Blacks got wind of the meeting, and by evening Tennant's company had gathered around his dwelling to make a stand. As usual, white intelligence proved formidable, and by midnight white units
had surrounded the entire camp. Tennant decided to gamble; he stole a march on the whites by driving his men through the woods all night, arriving at Edgefield Court House the next morning. The events of the previous evening convinced the militia to surrender their arms to Colonel Lawrence Cain, the commander of the county's militia. Lieutenant Leahy provided escorts for the militiamen as they returned home, but feared that "this is a prelude to like disturbances," as "whites evidently intend to disarm the negroes in order to carry the ensuing election by intimidation." 40

With state and congressional elections only a few months away, Attorney General Williams began sending signals that the federal government would not sit idly by if new violence erupted. The state of affairs in Edgefield, combined with increasing violence in South Carolina and other southern states, prompted Williams to contact the Secretary of War William Belknap. The Attorney General provided Belknap with a list of towns most likely to see disorder, and requested that a detachment of soldiers, "say twenty-five or fifty," be stationed at each place. 41 A few days later, Williams alerted his marshals in the South to the "bodies of armed men, sometimes in disguise and with the view, it is believed, of overawing and intimidating peaceable, and law abiding citizens, and depriving them of the rights guaranteed to them...." The chief law
enforcement officer ordered marshals to "proceed with all possible energy and dispatch to detect, expose, arrest, and punish the perpetrators," and "spare no effort or necessary expense" in doing so.42

As was often the case in Reconstruction, no serious action followed the tough words. U.S. marshals were either incapable, apathetic, corrupt, or genuinely concerned about the constitutional implications their actions, especially in light of cases decided and under scrutiny by the Supreme Court. The army could neither arrest nor detain suspects, and, unless directly attacked, could only serve in a symbolic role (or one close to it, as Leahy had done). So despite rumblings in Washington, white arrogance and defiance grew. Barely two weeks after Williams' announcement, Governor Moses complained of the situation in Edgefield and ineffectiveness of the federal troops, who "can do nothing about dispersing disturbers of the peace." White clubs continued to terrorize blacks, the governor stated, and the presence of soldiers "has availed nothing so far towards the restoration of peace."43 Also concerned over the declining respect for the blue uniform, Major General Irwin McDowell, commander of the Department of the South, asked General of the Army William T. Sherman if military officers could act on their own when civil officers were unavailable. McDowell reminded Sherman that standing orders were to take no independent action, and inquired if
this should persist in the face of such disturbances. Sherman's reply - if he made one - has not been found, but since no new action followed McDowell's request, it appears the standing orders remained unchanged.  

2

The dangers posed by conservative rifle clubs may not have been the most pressing problems facing South Carolina's Republican party in 1874. At two previous elections, the Republican party had proven to be its own worst enemy; in 1870 and 1872 the party had ruptured over questions of honesty, integrity, and policy. In 1874 Republicans faced a similar dilemma. With corruption under the Moses administration reaching epic proportions, and the governor a central figure in many of the schemes, the party jettisoned Franklin Moses. But as late as September, with the Republican convention fast approaching, the party still had no gubernatorial candidate. Confronted by dangers without and troubles within, the state Republican party faced losing control of South Carolina.

Many Republicans hoped that 1874 would be a year of change, which would cleanse them of the onerous stain of corruption. Moses and the legislature elected in 1872 had pledged themselves to reform and retrenchment, but the "carnival of fraud and extravagance" that followed rivaled
anything in the nation's history. A.O. Jones, the Republican Clerk of the House of Representatives, had receipts for "supplies" that included "groceries, clocks, horses, carriages, dry goods, furniture of every description ... [and] the finest wines, liquors, and cigars." Jones tallied up the liquor bill for one session, which amounted to $125,000 for sherry, brandy, and whiskey (all of which were purchased by the gallon). One of the greatest outrages to conservatives was the state printing system, which allowed the party in control to use the printing facilities at state expense. The printing fund supported the Charleston Daily Republican and the Columbia Daily Union, which by this time had become the Columbia Union-Herald. From 1872 through 1873, the printers cost the state $450,000; in comparison, the State of Ohio spent $63,000 for printing during the same period.

Although Republican leaders agreed that Moses would not be renominated, they could not reach an easy decision on an acceptable candidate. Josephus Woodruff, a member of the Republican Printing Company and the Clerk of the Senate, commented in August on the confusion in the Republican ranks. In the thick of the corruption - which he openly protested - and the factional infighting, Woodruff could only remark, "wish I was with the democrats." He even expressed hope that "the democrats would put out a liberal man and elect him." Woodruff did not trust any of the
Republican factions, and in writing showed equal disdain for all suitors, including Francis Cardozo, T.J. Hackey, C.C. Bowen, and Daniel Chamberlain. Later, as secretary during the Republican Convention in September, the Woodruff observed that "the Republican party are in a perilous condition [sic]." 47

With corruption rampant and the Republican party in disarray, leading conservatives hatched a plot that would deliver the coup de grace and restore native white rule. Learning that the state's entire Republican party received a stern reproof from President Grant in August, a delegation left from South Carolina to convince Grant to endorse the Democrats in the state elections. Hugh Magrath, Francis W. Dawson (editor-in-chief of the Charleston News and Courier), James Conner, and George Trenholm met with the President and tried to get a few public words of support for General James B. Kershaw. Armed with findings concerning the state finances, some of which implicated Republican front-runner Daniel Chamberlain, conservatives wanted Grant to endorse Kershaw as a "reform" candidate, or at least rebuke Chamberlain for his earlier misdeeds. Although Grant appeared interested at first, the conservative plan failed. The combination of Republican counter-arguments (provided by South Carolina's Senators) and conservative outrages - in particular the Edgefield disorders - convinced Grant to remain quiet. 48
The conservative plot foiled, Republicans were still in disorder when their nominating convention opened on September 8th in Columbia. For five days delegates argued, threw chairs, punched one another, and cut back-room deals in efforts to promote one name or another. Amidst the fortune seekers and careless adventurers were men genuinely concerned about the future of the Republican party in the state. They understood, as put succinctly by lawyer William Heath, that if the party did not select and elect better people, then "the State of South Carolina in 1876 will go back in the hands of the Democrats as sure as fate." After countless hours of wrangling, Daniel H. Chamberlain, a Massachusetts-born, Harvard-educated lawyer, won the nomination for governor (Francis W. Dawson, who had met earlier with Grant, again tried to spoil the nomination, but "they beat me out by using more money that I had").

A founding member of the state's Republican party, Chamberlain had changed since coming to South Carolina in 1866. A former abolitionist, he now backed away from "radical" policies, and was thought to be able to lure white voters to the party. As Attorney General during the Scott administrations, Chamberlain had also played a significant part in many dubious state scams; yet lately he had made dangerous enemies as a proponent of honest government and
fiscal reform. For the second time, incumbent Richard Cleaves edged Martin Delany for the lieutenant governor’s position.8

As many Republicans feared, the nomination of Chamberlain led to another party bolt. The delegates who left the convention were lead by Judge John T. Green, a native white Republican who narrowly missed the nomination for governor. On October 2, two weeks after the Republican convention closed, the "Independent" Republicans held their nominating convention in Charleston. Delegates chose as governor and lieutenant governor two men who came close to carrying the regular convention: John T. Green, and the well-educated native black Martin Delany. The platform of the "Independents" was similar to the regular one - both stressing fiscal reform - with one major difference. Unlike the bolt of 1872, the "Independents" formally appealed to conservatives for support. Promising "good government" and a native white governor, the "Independents" hoped to woo enough conservatives to tip the balance against Chamberlain and the regulars.82

In a campaign reminiscent of 1870, state conservatives again turned to a dual strategy to weaken the Republican party. While gun clubs continued to terrorize black and white Republicans, some of the key figures in the forming of the most prestigious clubs - including James Kershaw and James Conner - moved to ally with the "Independent"
Republicans. As in 1870, the bolters looked to conservatives for numerical strength and assistance in running an honest government. Conservative whites, however, saw the "Independents" as an inroads to power; honesty in government and a retreat from 'class legislation' were certainly considerations as well, but past experiences had convinced many that only through conservative control would the state ever be free of such problems. On October 8, conservative delegates gathered in Columbia and endorsed the "Independent" platform and candidates.\textsuperscript{53}

With only a month to go until the elections, the participants settled in for what would be a hard fought campaign. Fistfights erupted at picnics and speeches, with Republicans more often than not fighting other Republicans. One particularly nasty brawl broke out at a county meeting in Chester following accusations of corruption; witnesses noted how well the aging T.J. Mackey fought, probably drawing on some of his experience filibustering with William Walker in Nicaragua.\textsuperscript{54} Violence and outbursts attested to the closeness of the campaign, which Josephus Woodruff believed could go either way. The diarist noted that several newspapers predicted Green and Delany to win on the strength of the white vote. Woodruff, hoping for an "Independent" victory but trying to remain "pragmatic," hedged his bets and deliberately avoided alienating any of the candidates.\textsuperscript{55}
Adding to Republican woes was a new wave of violence. Conservatives allied with bolting Republicans while at the same time embracing violence and intimidation to topple the 'regular' Republicans. While Republicans were thrashing each other at the convention in September, Senator John Patterson was in Washington, telling tired ears that "he has never seen such a condition of affairs in the State before; that murders and outrages are of almost daily occurrence," and that "the ones who led in the Kuklux outrages are organizing and drilling rifle clubs all over the State...." Patterson asked for federal troops to suppress the disorder and arrest the offenders. 

Congressman Robert M. Wallace also argued that federal assistance was necessary to stem the tide of violence across the state. Congressman Wallace held the federal government responsible for the disturbed condition of affairs in the state, because "justice, in my opinion, has been too long delayed." But Wallace saw the bigger picture as well, and realized that southern violence, and the federal response to it, was an issue critical for the entire South. The congressman was alarmed over the recent developments in Louisiana, and told the Attorney General that the "welfare of the whole South is involved" in the events of that state. If Democrats "are permitted to violently overthrow a State government which has the sanction of Law," Wallace warned, "... the rebel Democracy will exult over it ... and in Sixty
days the same scenes will be reenacted in every State...."
"We would have peace and quiet," he concluded, "but it would
be the peace of death."57

South Carolina saw no peace, and once the campaign was
formally underway violence only became worse. Governor
Moses and Attorney General Williams received so many pleas
for help in September that Williams tried to convince
Secretary of War Belknap to return cavalry units to South
Carolina.58 Much to Williams' chagrin, Belknap forwarded
an inquiry from department commander McDowell asking if it
was possible to remove infantry units from the state.
Needless to say, Williams' reply was terse: "I have to say
that I do not think it advisable to remove any troops from
that State."58 Since cavalry was out of the question, B.L.
Brisbane of Port Royal had another solution. He wrote to
Williams that "these rebels, without fault on my part, are
persecuting me and my family to death," and advised the
Attorney General to "send Ben Butler."59

J.G. Winnsmith of Spartanburg was not so concise in his
lengthy letter to President Grant. "South Carolina is now
passing through a bloody ordeal" the 'scalawag' informed the
President. But this was not the first such ordeal,
Winnsmith reminded Grant, nor his first letter. During the
Klan's reign of terror in 1871 Winnsmith had written to
Grant and asked that General Phillip Sheridan be sent into
the state to wipe out "the hideous monster - Ku Kluxism."
Instead, Winnsmith continued, the government sent "a committee from Congress on southern outrages, at an enormous cost to the Federal Government," and then involvement ended with "a few trials and convictions in the U.S. Courts; and then the pardoning of the criminals." But the government did not recognize that "it was necessary not only to cut off, but to sear, the hydra-heads of Secession, Rebellion, and Murder." Because of federal hesitation and conservatism, Winnsmith argued, Republicans in the South now suffered under a "third rebellion" waged by "white leagues, rifle clubs, and a secret police," composed of men who vow "never to acknowledge the results of the war." Do not look for a fair election, the Carolinian informed the Executive, for "the Ku Klux are organized to murder, and the Republicans are not."81

This indeed seemed to be the case in the final weeks before the November election. One letter arrived for the Attorney General that contained the all-too-familiar call for "protection" and "advice," and something different. The plaintiff, James L. Strain of Union County, enclosed the warning he had received a few days earlier, which gave him until the election to renounce your principles. after that day you will meet the doom which awaits you for your persistence and obstinancy you did conspire against the people of this country and you shall suffer sooner or later you have proposed to bring in the troops bring them on and the war will open

- Last Notice82
Conservatives had been waging this "war" for years, and they had more weapons at their disposal than just physical intimidation. William Heath, a northern lawyer now living in Edgefield, informed Attorney General Williams that some conservative leaders were considering using economic blackmail to influence the election. Heath learned that employers planned to discharge workers who favored Chamberlain, but would use an economic ruse to cover their political motives. Whites will argue, Heath stated, that they discharged their hands "because it pays better to keep fewer hands. And you see there would be no colliding with the General Government, for there is no law either in State or National, to compel a man to employ hands to his own disadvantage."

A meeting held just days later confirmed Heath's suspicions. On October 28 whites held a "tax union meeting" at Edgefield Court House to resolve the financial and agricultural difficulties facing the planters. Those present, including chairman Martin W. Gary, concluded that the one of the best solutions to troubled times was to cut labor by two-thirds. Each township would create a committee to decide which laborers would leave, and once selected, they could not rent or occupy land in that township. The notice in the paper carried one hundred and thirty-seven names, men who were, according to Gary, "ready to strike for white supremacy." Such proscriptions were not to be taken
lightly. Following the Ned Tennant riots, Meriwether township whites circulated a pledge that no one was to rent land to any militia member. A prominent planter, Joshua McKie, ignored the notice and rented a dwelling to none other than Tennant himself, who had left Glover’s Plantation for safety. McKie found himself totally isolated, ostracized by his friends and even his own family; he soon after committed suicide.65

Conservatives hatched other plots in their desperate drive to weaken the regular Republicans and gain a foothold in the government. In his private journal, Robert Wallace Shand admitted that conservatives sought a short-cut by simply buying the pre-printed Republican tickets! "We did try to purchase all the printed Republican tickets from their county chairman by offering him 500 for them," Shand confessed, "but he demanded 1000, and we did not purchase." The episode reveals as much about Republican integrity as it does conservative probity. Shand also helped concoct another plan to lower the Republican vote. For a fee (of course), election managers at one poll had agreed to leave a few ballot boxes overnight and count them the following day. "A party had been chosen to raid the room and carry off the boxes," but the plan collapsed, because "the hearts of the chosen raiders failed them and the boxes were counted the next day."66
Unfortunately, not all rowdies were overcome by a sudden wave of humanity - or fear - and November 4th was bloody as a consequence. Reflecting growing conservative desperation and the belief that federal interest had sufficiently waned, whites did not refrain from violence on election day. The day after the election, reports flooded in of shootings, riots, and visitations. In Laurensville, Lieutenant John Anderson reported an election day "difficulty" between "the whites and the blacks" in which two blacks were shot. With no local authorities around, the Lieutenant arrested the men he suspected of instigating the "altercation," and turned them over to the Sheriff (who curiously reappeared once the fighting had ended). Anderson believed that without his intervention "a very serious riot" would have resulted, for "a plan had been arranged to murder the leading Republican Politicians, and negroes." 07

From around the state came reports that confirmed that the election had not passed off quietly. A lieutenant from the 18th Infantry described a riot that took place in Winnsboro and left at least three blacks wounded. 08 So many offenses took place in Edgefield that officers of the 18th Infantry spent day after day in November accompanying U.S. Marshals serving warrants under the Enforcement Acts. 09 Benjamin Ryan Tillman, reflecting on the campaign years later, recalled how at Shaw's Mill, event though the precinct had five times the number of black voters as white
ones, "democrats" carried it in 1874 "by some manipulation which nobody ever clearly understood except those who performed it...." "It was an object lesson," wrote Pitchfork Ben, "in the possibilities of what white nerves and brains can accomplish when desperation and necessity prompt." James Strain learned on "object lesson" for not heeding the warning he had received and forwarded to Attorney General Williams. The warning was no jest, and Strain was attacked by a band of men as he made his way home from the polls. Recovering from wounds, Strain wrote that "I am satisfied that politics was the motive...." Strain informed Williams that "a free man cannot be safe, even in his own house ... the civil law is too weak to effect anything upon such bands and Unions as exist in this county." Just as the campaign paralleled that of 1870, so too did the results. Despite attempts to force the election through fraud and violence, Daniel Chamberlain and the regular Republicans were victorious. Chamberlain received 80,403 votes to Green's 68,818, a wide margin but one not so vast as in previous elections; conservatives were again becoming politically active. Ironically, had the "Independents" won, South Carolina may well have had the nation's first black governor; John T. Green died in January 1875, which would have elevated Lieutenant Governor Martin Delany to the executive chair.
Disappointing as the state returns were, the national congressional elections filled conservatives with hope. Eighteen seventy-four brought a definite shift in northern interests, with voters more interested in reform, the West, and the depression than southern issues. This was evident in the state elections, with Democrats taking control of the governorship or the legislature in several states, including New Hampshire, Connecticut, Ohio, and Indiana. Out of 25 gubernatorial races, Democrats won 19. The trend continued through the congressional elections in November, and for the first time since before the Civil War the Republican party lost control of Congress. Republicans, going into the election with a majority of 110 in the House of Representatives, received a stunning public rebuke. The Republican majority was wiped clean, replaced by a Democratic majority of 60.

Scholars still debate the meaning of such a stunning turnaround. Eric Foner, always conscious of economic motivations which others may miss, has argued that the depression combined with agricultural distress in the South was responsible for the Republican defeat, downplaying the Reconstruction issue altogether. Other historians disagree, and firmly place Reconstruction at the center of the election disaster. William Gillette claimed the depression had a minimal effect on the election, which he called a "referendum on Reconstruction." Gillette saw the
results as a direct repudiation of Grant, his administration, and his Reconstruction policies. 75
Regardless of the motivation behind the vote, the effect of the vote was clear; the Republican party no longer controlled the federal government, and the likelihood of major federal action in the South withered. As George Rable put it, the 1874 elections were the "turning point" in Reconstruction, or, to be more accurate, another turning point; for the first time Democrats had leverage, and a fresh path was about to be hewn. 76

Historical debates aside, contemporaries in South Carolina believed the election signalled the dawning of a new era. To be sure, once the new Congress convened in 1875, conservatives in the South might rest a bit easier and feel considerably more optimistic. For Carolinians, however, the change came instantly. Carolina conservatives were not northern voters, Republican or Democratic. Carolinians lived with the reality of Reconstruction every day, as they had done every day for nearly a decade. For them, issues of local control, self-determination, and black subjugation, issues that shaped their lives, their society, and the destiny of their state, far outweighed the passing trauma of depression. Economic woes came and went, but in South Carolina, white civilization was at stake. This was their view in 1874, and so there was only one way to interpret the election results: voters rejected federal
interference in the South and spurned the entire program of Reconstruction. Belton O'Neal Townsend, writing as "A South Carolinian" to the Atlantic Monthly, spoke for countless conservatives when he said that the Democratic victory was "hailed with Thanksgiving in South Carolina, as an indication that the North had determined to protest against the oppression of the southern whites by their old slaves and the carpet-baggers." 7

As 1874 drew to a close, many Republicans in South Carolina realized that their position had become precarious. The federal government, for years the omnipresent - although often times reluctant and usually tardy - defender of the state government, had been castigated by the electorate. The Supreme Court had gradually frittered away at the laws that enabled state authorities to hold would-be redeemers in check. Violence and Democratic organization were again making their appearance, and it seemed doubtful that the cavalry would literally ride up to protect party members. Making the situation all but untenable was the fact the state Republican party had just suffered its worst schism ever. Daniel H. Chamberlain, sworn in on December 1st, presided over a party and a state that were tearing themselves apart at the seams.
As if to demonstrate the impotence of the new state government, or perhaps to underscore the significance of the Democratic victory, the Edgefield gun clubs again lashed out at local blacks. The proximates causes of the latest outbreak in that county were twofold. First, considerable frustration and anger lingered over Chamberlain's victory in the recent election. Secondly (and more importantly), the militia commander for the county, Lawrence Cain, had returned to the militiamen the arms confiscated several months earlier. In early December concerned citizens had enlisted Senator John Patterson to prevent the withdrawal of troops from Edgefield Court House, for "armed men [are] constantly seen" and people were in danger "because of their political opinions."  

Tensions continued to mount, and opposing companies continued to drill, but no violence was reported until the evening of January 12th. That night, a dwelling caught fire on the planation of Matthew C. Butler, former Union Reformer and current captain in a local rifle club. Whites captured a black man, who quickly admitted that Ned Tennant, the black captain of the local militia, had paid him to commit arson. A warrant was issued for Tennant's arrest, but the militia leader, guarded by his men, defied the constable sent to bring him in. Before long M.C. Butler and his gun club caught up with the militia company, only to come under fire from concealed blacks. Soon reinforcements appeared -
Ben Tillman placed the number at over one thousand - and "they began to sour the whole region...." Sporadic firefights continued for days, several blacks were captured, and both sides had its share of wounded. Once again the slippery Tennant eluded pursuit, and by the 20th he and the bulk of his men had reached Edgefield Court House and deposited their guns in the jail. But Tennant would not reclaim them again; a few nights later whites raided the jail, "and all of the arms disappeared."  

In the face of such mass, organized hostility, the new governor discovered how little power he really wielded. Like his predecessors, Daniel Chamberlain was reduced to issuing proclamations and calling for federal help. On the 28th of January the governor called for all Edgefield militia companies to turn in their arms, and all companies "not being part of the regular State militia" to disband (there is no evidence they complied). Chamberlain also contacted Attorney General Williams, and alerted him to the "disturbed condition of affairs" in Edgefield, and his fear that "further collisions may occur" if a permanent garrison of troops is not made available. Cognizant of the effect such a request could have, both among northerners and southern whites, Chamberlain implored that "no unnecessary publicity should attach to this action, if it can be taken."
As it turned out, the Secretary of War complied, and a company of infantry made its way from Columbia to the turbulent county.\textsuperscript{81}

Governor Chamberlain, no newcomer to South Carolina, was probably justified in his fears. Far from placating whites insistent upon reform, Chamberlain's victory over the "Independent" Republicans seemed to crystallize white anger, frustration, and paradoxically, a new sense of hope. Reflecting on the latest Ned Tennant disturbance, T.P. Bailey may have spoken for a great many fellow whites when he opined that "a unanimous cooperation in this way is the true solution of our political difficulties."\textsuperscript{82} (So offensive was the militia - and so important was race control - that after Redemption, the General Assembly passed a law forbidding the beating of drums, the device used by Tennant twice to gather his men.\textsuperscript{83})

In May of 1875 George Williams turned over the problem of the South to his successor, Edwards Pierrepont, who learned quickly about the extent of white respect for civil rights and the activity of the Justice Department in their state. Only a week after taking office Pierrepont was told by J.M. Payne of Newberry that "the State laws will give us no protection whatever & we are in consequence grievously [sic] wronged & outraged every day." Payne explained to the new Attorney General that it is impossible to know "the
animous of the Southern people" unless you live among them; if Pierrepont wanted the real story, Payne could supply it "ad nauseam."84

As with Republicans in other states, J.M. Payne recognized a growing restlessness among conservatives. Earlier in Reconstruction, anger and hostility poured forth openly, until it became clear that the combined forces of the federal government, the northern populace, and the state Republican party could not be overcome by terror and fraud. Changing strategies, some conservatives sought conciliation and cooperation, hoping to at least get a 'foot in the door.' In the mid-1870s, the Republican structure showed signs of stress and fracture; both the state party and the northern party underwent schisms, which were symptoms of a growing distaste for Reconstruction and its tumultuous - and often dishonest - side-effects.

In light of this, southern conservatives became bolder, and began to express themselves more freely than anytime since 1865. Certain events associated with the Carolina Rifle Club help demonstrate a growing impatience and defiance. In the summer of 1874, for instance, the Carolina Rifle Club held a grand celebration, during which it received the gift of "the old Secession Flag." One member called it "a relic of South Carolina as she was in the days of her purity ... it should incite us to bring the future up to the same high standard."85 In June of 1875 veterans
presented the club with the battle flag of the 10th South Carolina Volunteers, and the club responded by marching through the streets of Charleston carrying the confederate banner. The following November the club was given a plaque inscribed with the confederate flag. According to the inscription below the flag, the gift was intended to "help to keep alive those sentiments and principles, which once thrilled through the whole Southern people and have been the mainspring of every great and noble action of which they were capable in the past and which e'en now I trust are not 'dead but sleepeth' and will yet shine forth with greater lustre for being temporarily smothered."

While the results of the congressional election of 1874 encouraged Carolinians to allow their sentiments freer reign, the rebuff did not prevent the lame-duck legislators from pressing on with Reconstruction measures. Congress may have sensed the upswing in southern opposition, or, as William Gillette has offered, legislators may have taken the 1874 defeat as evidence that they needed to do more, not less, for the southern Republican party. Congress drafted a new civil rights bill, and some Republicans pressed for a new enforcement act, the Force Bill. The lame-duck Congress also overturned the Democratic government of Arkansas, tried to bring in two new Republican states (Colorado and New Mexico), and began another investigation into southern outrages.
By and large, however, the Congress was engaging in what Gillette has called "empty ritualism." Although signed into law in March, 1875, the new Civil Rights Bill suffered from the same flaw as other Reconstruction measures; citizens did not need more rights, they needed to be protected in their existing rights. Enforcement of rights, not enunciation of rights, was necessary - and lacking. The Force Bill, which might have partially filled in this gap, never became law, showing that although Congress was willing to promote the facade, it would not venture into providing the substance.

There were other omens that worried southern Republicans while encouraging southern conservatives. A critical 'test case' came for President Grant when five Democrats seized their disputed seats in Louisiana in January 1875. Under orders from Grant, General Phillip Sheridan, commanding the department, had his troops enter the legislative hall and forcibly remove the five Democrats. The South Carolina General Assembly sent Grant a formal letter of appreciation, thanking the President "for his prompt and efficient action" in preventing disorder and protecting the legal government.

The rest of the nation, however, did not ascribe to the view held by Carolina Republicans. Both Grant and Sheridan came under fire for their decision, seen by many - Democrats and Republicans - as a serious breech of civil-military relations. The
controversy over the disputed seats was eventually solved by a bit of political manipulation called the Wheeler Compromise, but it did not erase the memory of Grant's action - or of the public and political response. The embarrassment and clamour that followed the military's intervention cast doubts over the future of federal activity in the South.\textsuperscript{82}

Events in the fall of 1875 confirmed what Republicans suspected and conservatives anticipated. Northern opposition to interference in the South - another manifestation of the "laissez-faire" attitude that was taking hold in economic and social circles - did not begin with Louisiana.\textsuperscript{83} The outcry stemming from Grant's response to the crisis, however, may have finally convinced the President, in the words of the Spartanburg Herald, that the southern Republican party "must stand upon its own merit."\textsuperscript{84} His neutral stance during the August disorders in Georgia reflected the acceptance of a more circumscribed federal role in the South. Georgia whites, using the by-now classic excuse that blacks were preparing "to open a war of races," struck with gun clubs and other volunteer military companies against militia units, arresting and injuring scores. Whites in South Carolina fully supported mob action to control the black population, and it appeared that the northern public, and President Grant, did as well.\textsuperscript{85}
The Mississippi campaign, however, was the single most
telling display of the administration's - and southern
white's - new policy. The struggle for control of
Mississippi reached its climax in 1875, when the "White
Man's" (or People's) Party waged a campaign characterized by
violence, fraud, and open intimidation. Numerous riots
occurred in August and September, and the death toll among
black and white Republicans grew as the election approached.
Governor Adelbert Ames pleaded with Washington for federal
assistance, but to no avail. According to one Carolina
paper, Grant informed Attorney General Pierrepont that "the
annual autumnal outbreaks and calls for troops are getting
to be nauseating to the American people."
In turn, Pierrepont instructed Governor Ames that the state resources
should be used to quell any disturbances. The result was an
overwhelming victory for the Democrats. Republicans lost
control of the legislature, which then impeached the
Lieutenant Governor and forced Ames to resign and return to
his native Massachusetts. Writing to his wife who remained
in the North, Ames said, "yes a revolution has taken place -
and a race are disenfranchised - they are to be returned to
a country of serfdom - an era of second slavery."

Conservatives in South Carolina, chaffing under their
own Massachusetts governor, paid close attention to events
in the Southwest. Carolinians read of the blatant use of
force, and the notable lack of federal interposition, from
South Carolina correspondents in Mississippi covering the campaign. The Spartanburg Herald's correspondent, explaining "How It Was Done In Mississippi," reported that the election itself was "as quiet an election as ever I attended. When every man knew that every White man was armed ... there was great circumspection of conduct." "I would not have believed," the correspondent wrote, "that so many colored people could have been got to vote the Democratic ticket as I have seen do it here today."

Mississippi whites drew the line in 1875, and blacks, recognizing that the state party was defunct and the federal government indifferent, had to "accept the inevitable."90

The redemption of Mississippi further encouraged those in South Carolina who wished to wage a "straight-out" campaign to take possession of the state government. By the same token, white victory discredited conservatives willing to cooperate with Republicans to create a coalition party. In the end, in the words of historian Joel Williamson, "South Carolina consciously and deliberately took its cue from Mississippi."100 South Carolina papers continued to parade the success of white-line politics, and kept up a constant barrage of "reconciliation" material, assuring whites that neither the North as a whole nor the federal government were willing to intercede for southern Republicans.101 But what convinced many whites to challenge the Republican government was neither the success of
Mississippi whites nor the absence of the federal
government. Instead, as had happened before, the state
Republican party would prove to be its own worst enemy. The
actions of South Carolina Republicans, not Mississippi
Democrats or northern politicians, finally drove state
whites to confront the Republican party head-on.

Although the forecast was gloomy, Governor
Chamberlain's administration was not doomed from the start.
To be sure, the Republican party still labored under the
divisions that had accompanied the 1874 campaign. For a
brief period in 1875, however, it seemed as though the
Republican party might survive; while rifle clubs continued
to flex their muscles and internal squabbling continued to
plague the party, some conservatives were embracing
Chamberlain as a harbinger of change, an honest Republican
who fought for reform. For a small group of conservatives
and Republicans, Chamberlain offered a glimmer of party
realignment, an escape from the pitfall of Republican
debauchery on the one hand and violent revolution on the
other.

Daniel Chamberlain, a veteran of South Carolina
Reconstruction politics, believed the only way to save the
Republican party in the state was to eliminate corruption
and ally with moderate Carolina whites. Chamberlain oversaw spending cuts and militia reform, heavily curtailing the activist tendencies of previous administrations. The governor also removed dozens of state and local officials whom he believed to be incompetent or corrupt, often replacing them with native whites. Chamberlain also wrestled with the state legislature, and used his veto power generously against unwarranted or irresponsible legislation. Chamberlain won over several leading conservatives with his reforms, including Francis Warrington Dawson, the editor of the Charleston News and Courier. Carolinian John C. Davis applauded Chamberlain's efforts in March, telling the governor that "I see and approve much your endeavours to reform the vile practices of Public officers. In this you have any thinking man's sympathy." If this were true, the state Republican party had a dearth of thinking men, for some of Chamberlain's most vociferous critics came from within his own party. Many of his loudest detractors were dishonest individuals who found themselves justly displaced. Chamberlain was well aware that his programs were creating enemies of former friends, but as he explained to newfound ally Francis W. Dawson, "my evils have been heretofore come from the friendship of bad men. Perhaps I shall fare better if I have their hatred. At any rate, I'm ready to try it." Others, however, objected to Chamberlain's course for other reasons. The governor's
downsizing of the militia and the subsequent reduction in pay dealt many black families a severe economic blow. Chamberlain also sought to reduce school expenses, which would affect mostly black children who studied under the state-sponsored system. As Michael Perman has argued, Chamberlain’s efforts to redefine South Carolina politics resulted in his abandoning of the old Republican constituency. Chamberlain began to find himself cut off from the Republican party, and yet unable to embrace fully the Democrats. In the end, the defiant opposition his policies evoked from Republicans brought about the final rupture of the state’s Republican party.108

The rupture came on December 15, 1875, a day Carolinians refered to as "Black Thursday." Six months earlier, arch-conservative A.P. Aldrich, watching Chamberlain’s progress with growing interest, warned a friend that "Chamberlain will have a harder fight next winter that he has yet had, with the Radical Ring - and his hardest fight will be in the election of the Judges."107 Aldrich was right, for the circuit court judges could spell victory or disaster for Chamberlain’s entire endeavor. The General Assembly elected the circuit court judges, positions traditionally regarded as plum rewards for cronies and insiders. Corrupt or unqualified judges could do irrevocable damage to Chamberlain’s programs, while the
right men could insure justice and honesty at the bench. The General Assembly and the governor were locked on a collision course over policy and power.

On December 15, Chamberlain left the capital and traveled to Greenville, to present the Whitsitt Awards for excellence in Greek to students there. The governor's trip was announced beforehand, which gave his rivals time to prepare. Once he had left Columbia, the General Assembly held its elections for the state's eight circuit court judgeships. Among the elected were two of the most notorious and debased men in the state, the former governor Franklin J. Moses, Jr., and William J. Whipper, a northerner of similar character. Whipper was chosen for the First Circuit (Charleston), and Moses for the Third (Sumter). Chamberlain returned to Columbia to counter the attack on his reform policy and his administration. The governor signed the commissions for six of the eight judges, but refused to sign the commissions for Moses or Whipper, calling their election "a horrible disaster" and "a calamity." His legal justification for refusing to sign was that the two judgeships were not set to expire until the following General Assembly, so the election for those circuits was invalid.

Chamberlain's greatest concern, however, was that this "terrible crevasse of misgovernment and public debauchery" would force the Democratic party to reorganize. The
governor knew that such a callous abuse of power would threaten the meager gains he had made with conservatives. Writing to President Grant, Chamberlain believed that "no act of mine, if I were the greatest living traitor to my party, could be so fatal to that party as the election of Whipper and Moses has been and will be."\textsuperscript{111}

The governor's concerns were well-founded, for Democrats made clear that this last outrage eliminated any chance of cooperation between the parties. While some of Chamberlain's converts remained true, including F.W. Dawson, most of his Democratic supporters returned to the conservative fold. On December 27, Democrats held a mass rally in Hibernian Hall in Charleston to protest the election. Former General James Conner opened with the rousing declaration that "the question is not, how can you live here, but whether you can live here at all. You have to either redeem the State or quit it." "There are two courses open," explained the General, "abject submission to this and the worse yet to come, or a firm, determined resistance." Conner called for "organization, thorough, complete over the whole State, to sweep from power those who have betrayed the trust which was confided to them." Knowing that his audience was interested in more than just honesty in government, Conner reminded that "secure the election, and the rest will follow!"\textsuperscript{112}
Other leading conservatives endorsed Conner's views, while at the same time applauding the stance taken by Chamberlain. At the Hibernian Convention, Colonel B.C. Pressley praised the carpetbag governor for his refusal to sign the commissions, and even vowed to protect him from impeachment. If the General Assembly moved against Chamberlain, Pressley threatened, "well - I wouldn't like to be the insurance agent that held policies on their lives."

But Chamberlain's resistance was not enough, Pressley stated, and "the time has come for action."

Whites in Orangeburg held a meeting to voice their support for Chamberlain's attempts "to check the ruin that threatens to undo the work of ages and to blot out civilization." But they also accepted that reform was finished, for the Republican party was too powerful for Chamberlain and too corrupt to be reformed.

Even Chamberlain's friend and ally, Francis W. Dawson, realized that the election spelled doom for cooperation. On account of the foolhardy act of the legislature, the Republican party would soon learn that "no man, no party, no State can resist the awful power of public opinion." Although Dawson did not personally abandon Chamberlain, the News and Courier became more racist and conservative in tone. One editorial, titled, "The Conspiracy to Africanize South Carolina," argued that the election of Moses and Whipper was "evidence of a determination to Africanize, by
and through the Black Thursday Judges, the low country of South Carolina, and, by and through the majority voting of the whole voting population in the low-country, to rule the State.”

From across South Carolina came peals of protest and calls for action. In early January, a public meeting at Marion announced that the election "has brought the people to the point beyond which forbearance ceases to be a virtue." Whites present produced a resolution which declared that "Moses shall never take his seat as Judge in our Courthouse unless placed there by Federal bayonets." The Charleston Rifle Clubs - cooperating under the command of James Conner - stood ready to oppose any attempt by Republicans or the black militia to try and seat William Whipper. Horry County whites drafted a resolution that formally thanked Chamberlain for his "resolve," but openly admitted that "we will take such actions as shall result in the overthrow and banishment of the faction which has so long ruled, robbed, and degraded us." A similar meeting in Williamsburg County thanked Chamberlain and called for political organization. From Spartanburg came the declaration that the election was "the last feather to break the camel's back." The Herald called for whites to stop talking and start acting; "something more than out-bursts" was needed to redeem the State.
Other conservatives agreed, and the voices became more bitter and more determined. One letter to the *News and Courier* asked "what of the God-given, the American right of Revolution? What of manhood and honor?" The author stated that the "American people had better understand now" that if whites were called on "to give up South Carolina to the negro, scalawag, and the carpetbagger ... we will bridge every old field in the State with dead first." A.P. Aldrich called for Carolinians to "drive these brigands, these banditti, out at the next election" or else "form a committee of vigilance and safety from our best citizens ... who will give them a fair trial and swift justice." Aldrich appealed to tradition and honor when he told his fellow Carolinians that failure in 1876 meant "you are a disgrace to your ancestry; you commit a crime against your posterity; your mothers will weep that you were born; your sisters blush that you live." 

So as early as January, state conservatives were looking forward to the fall election. State politics had assumed a different appearance, especially in light of the fracturing of the Republican party, and the fresh anger and determination among native whites. These developments combined with a changed national environment - evident in the redemption of other southern states - to create an atmosphere of tension and anticipation not heretofore felt.
in South Carolina. As the nation approached its centennial celebration, South Carolina whites carefully and diligently set out on a revolution of their own.
1. Townsend ("A South Carolinian,"), "The Political Condition of South Carolina," 182.


4. Meats and Arnold, eds., The Writings of Benjamin Franklin Perry, volume I, 419-423.

5. During the legislative session of 1872-1873 the General Assembly appropriated 35,000 dollars to fill the claims. Report on Public Frauds, volume IX, s; Charleston News and Courier, March 29, 1873.

6. RG 94, MC 666, Reel 104, NA.

7. Governor Moses to Lieutenant Colonel Henry Black, March 23, 1873, RG 94, MC 666, Reel 104, NA; Merrill to Lieutenant J.N. Jones, Acting Assistant Adjutant General, Department of the South, March 27, 1873, RG 94, MC 666, Reel 104, NA. In Washington, opinions were divided on the issue of rewards, especially when the amount of Merrill's reward - over $10,000 - became known. After struggling with the case for weeks, the Attorney General turned the matter over to the Judge Advocate General in August of 1873. The Judge Advocate General decided that no laws had been broken, for the states can disperse their funds any way they please. But the Adjutant General of the Army disagreed, arguing the law was not the issue. Although the Adjutant General could not block the payment, he maintained it was "unbecoming" of an officer to accept any such reward, for "professional pride" and regular compensation should suffice. War Department Memorandum of August 21, 1873, RG 94, MC 666, Reel 104, NA. Merrill's troubles continued, however. The Army and Navy Journal reported that the House Military Committee was investigating Merrill in 1876 for receiving 21,400 dollars from the state of South Carolina, Army and Navy Journal, April 6, 1876, 569. Another issue contained Merrill's counterattack, as he claimed that the recent charges were wholly political, brought up by a man named "Armves" who Merrill had prosecuted successfully nearly a decade earlier when the Major was the Judge Advocate of a court martial, Army and Navy Journal, May 6, 1876, 629.

8. Meats and Arnold, eds., The Writings of Benjamin Franklin Perry, volume I, 419-423.


11. No author, Proceedings of the Taxpayers Convention, n.p., 1874, 72, SCL-BD.

12. Proceedings of the Taxpayers Convention of 1874, 17, SCL-BD.


14. From the Charleston News and Courier, February 21, 1874, located in Martin Witherspoon Gary Collection, Folder 65, SCL-MD.

15. From the Charleston News and Courier, February 21, 1874, located in Martin Witherspoon Gary Collection, Folder 65, SCL-MD.

16. From The Constitutionalist, April 7, 1874, located in the Martin Witherspoon Gary Collection, Folder 65, SCL-MD.

17. Simkins and Woody, South Carolina during Reconstruction, 469.


19. Henry W. Purvis, the State Adjutant and Inspector General, disagreed with the law, and warned that having armed bodies "entirely separate and not under the control of the laws that govern the militia" was "injurious to the perfection and good government of military bodies, and also one of the most dangerous elements of good and safe society." His protests fell on deaf ears, and the party approached the campaign with a two-tier militia defense, "Annual Report of the Adjutant and Inspector General," in "Reports for 1870/1874," Military Affairs File, SCDAH.

20. Henry W. Purvis to Governor Moses, February 24, 1874, Governor Moses Papers, Box 6, Folder 35, SCDAH; "Annual Report of the Adjutant and Inspector General," no page, SCDAH.

21. Entries for May 28, October 17, December 3, 1874, Office of the Adjutant and Inspector General, Letterbook, SCDAH.
22. Henry W. Purvis to Governor Moses, March 23, 1874, Governor Moses Papers, Box 7, Folder 4, SCDAH.


24. Sally Rifles Record, SCL-MD.


27. For instance, on March 7, 1873, the News and Courier contained news about the Sumter Rifle Club, the German Rifle Club, the Irish Rifle Club, and the Palmetto Guards, Charleston News and Courier, March 7, 1873. This was not unique, but typical of the large number of clubs and the attention constantly paid them.


31. Governor's Guards/Richland Rifle Club, "Minutes and Pictures," August 24, 1874, SCL-MD. The Governor's Guards had existed in the antebellum period, but died out during Reconstruction. The company was re-established in 1878, and then the Richland Rifles assumed its title. This collection includes material through 1879, and so bears the dual heading.

32. Georgetown Rifle Guards Club, "Minute Book," August 20, September 18, 1874, SCL-MD.

33. R.H. Wallace to Williams, September 3, 1874, RG 60, MC 947, Reel 2, NA.

34. L. Cass Carpenter to Williams, September 4, 1874, RG 60, MC 947, Reel 2, NA.
35. Board of Trade of Columbia, S.C. to Attorney General George Williams, September 2, 1874, RG 60, MC 947, Reel 2, NA.


37. L. Cass Carpenter to President Grant, August 26, 1874, RG 60, MC 947, Reel 2, NA.


39. Lieutenant Matthew Leahy to the Assistant Adjutant General, Department of the South, September 1, 1874, RG 94, MC 666, Reel 170, NA. His report was printed in the "Annual Report of the Secretary of War for 1874," 49-50. Future governor Benjamin Ryan "Pitchfork Ben" Tillman, was a member of the Sweetwater Sabre Club, which participated in the 'riot.' His account is useful for its social and ethnic commentaries, but contains many factual inaccuracies. For instance, Tillman places the riot in July 1874, when it occurred at the end of August and into September, Benjamin Ryan Tillman, "Autobiography," 3-7, SCL-MD.

40. Lieutenant Leahy to the Assistant Adjutant General, Department of the South, September 16, 1874, RG 94, MC 666, Reel 170, NA.

41. Williams to Secretary of War William Belknap, September 3, 1874, RG 60, MC 702, Reel 2, NA.

42. Williams to U.S. Marshals in the South, September 5, 1874, RG 60, MC 701, Reel 5, NA.

43. Governor Franklin Moses to Williams, September 26, 1874, RG 60, MC 947, Reel 2, NA.

44. Major General Irwin McDowell to General of the Army William T. Sherman, September 28, 1874, RG 94, MC 666, Reel 170, NA.


46. Report on Public Frauds, volume III, 6-7, OHS.

47. Josephus Woodruff Diary, August 2, 17, September 10, 1874, SCLRR, Duke.

49. William M. Heath to Attorney General Williams, October 24, 1874, RG 60, MC 947, Reel 2, NA.


53. Charleston *News and Courier*, September 17, October 9, 10, 1874; Simkins and Woody, *South Carolina during Reconstruction*, 471-473.


57. R.M. Wallace to Williams, September 18, 1874, RG 60, MC 947, Reel 2, NA.

58. Williams to Belknap, September 30, 1874, RG 94, MC 666, Reel 170, NA.

59. Williams to Belknap, October 9, 1874, RG 60, MC 702, Reel 3, NA.

60. B.L. Brisbane to Williams, September 22, 1874, RG 60, MC 947, Reel 2, NA.

61. J.G. Winnsmith to President Grant, October 5, 1874, RG 60, MC 947, Reel 2, NA.

62. James L. Strain to Williams, October 24, 1874, RG 60, MC 947, Reel 2, NA.

63. William M. Heath to Williams, October 24, 1874, RG 60, MC 947, Reel 2, NA.
64. Originally in the Edgefield Advertiser, but reprinted in the Columbia Daily Union-Herald, October 29, 1874, located in Martin Witherspoon Gary Collection, Folder 85, SCL-MD.


67. Lieutenant John Anderson to the Assistant Adjutant General, Department of the South, November 4, 1874, RG 94, MC 666, Reel 172, NA. County officers wrote to Anderson's superiors in support of his action, and warned them against removing any troops from the area, for "serious disturbances would follow." "County Officers of Laurens County" to unknown, but eventually endorsed by the Adjutant General of the Department of the South and Major General McDowell, November 5, 1874, RG 34, MC 665, Reel 171, NA.


69. Captain R. Morris to the Assistant Adjutant General, Department of the South, November 22, 23, 25, 1874, RG 94, MC 666, Reel 172, NA.


71. James L. Strain to Williams, November 4, 1874, RG 80, MC 947, Reel 2, NA.


73. Gillette, Retreat from Reconstruction, 189, 247.

74. Foner, Reconstruction: America's Unfinished Revolution, 524, 528.

75. Gillette, Retreat from Reconstruction, 246, 250, 252-254.

76. Rable, But There Was No Peace, 121.

78. Members of the General Assembly from Edgefield to Senator John J. Patterson, no date (first week of December by context), RG 94, MC 666, Reel 172, NA.


80. Reynolds, Reconstruction in South Carolina, 301-302; Walter Allen, Governor Chamberlain's Administration in South Carolina: A Chapter of Reconstruction in the Southern States (New York: G.P. Putnam's Sons, 1888), 68-69. Allen's work, while suffering from some of the flaws typical of the period, is a gold mine for primary evidence on Chamberlain's administration; printed in it are scores of letters, messages, declarations, and military orders. No evidence exists that the rifle clubs disbanded; only fourteen months later, Orville Vernon Burton estimated, no less than 30 rifle clubs existed in Edgefield County alone, Burton, "Race and Reconstruction," 42.

81. Governor Chamberlain to Williams, January 27, 1875, RG 80, MC 947, Reel 2, NA; Secretary of War Belknap to Major General McDowell, February 3, 1875, RG 94, MC 666, Reel 173, NA; Attorney General Williams to Governor Chamberlain, February 2, 1875, RG 60, MC 899, Reel 15, NA.


83. Parades and the like were excepted. The only private establishment exempted was the Bettis Academy, founded in 1881 by Alexander Bettis. Very active during Reconstruction, Bettis had founded nearly forty Baptist churches, and many became important sites for black education. During the Tennant riots Bettis had used his influence as a preacher to call many militiamen - many of them among his congregation - out of the fights. Burton, In My Father's House, 156, 254-255.

84. J.M. Payne to Attorney General Edward Pierrepont, June 20, 1875, RG 60, MC 947, Reel 2, NA.

85. Walker, "Carolina Rifle Club," 45, SCL-BD.

86. Ibid., 47.

87. Ibid., 49.

88. Gillette, Retreat from Reconstruction, 260-262.

89. Gillette, Retreat from Reconstruction, 278.
90. For a complete discussion of the Force Bill see Gillette, *Retreat from Reconstruction*, 290-299.

91. General Assembly of South Carolina to President Grant, February 20, 1875, RG 85, M.C. 247, Reel 2, NA.


94. Spartanburg Herald, September 29, 1875.

95. Spartanburg Herald, September 1, 1875.


97. Spartanburg Herald, September 22, 1875.


99. Spartanburg Herald, December 11, 1875.

100. Williamson, *After Slavery*, 266.

101. For instance, see the Spartanburg Herald of September 29, and the Fairfield Herald, no date, quoted in the same edition of the Spartanburg Herald, September 29, 1875.


103. The best study of Chamberlain remains Allen, *Governor Chamberlain's Administration*. For his struggles with the General Assembly, and details on some of his nineteen vetoes, see 80-114.

104. John C. Davis to Governor Chamberlain, March 5, 1875, Conway, Black, and Davis Family Papers, Folder 15, SCL-MD.


A.P. Aldrich to William Dunlap Simpson, June 30, 1875, William Dunlap Simpson Papers, Box 4, SCLRR, Duke.

Although Allen stated that Moses was chosen for the Charleston Circuit and Whipper for Sumter, primary evidence, largely from the mass meetings held by whites after the election, shows that the seats were reversed. Moses was elected for the Third Circuit, and Whipper for the First. Allen, Governor Chamberlain's Administration, 193.

Allen, Governor Chamberlain's Administration, 195, 187; Thompson, Ousting the Carpetbagger, 86; Sheppard, Red Shirts Remembered, 39-43.

Charleston News and Courier, December 20, 1875.

Governor Chamberlain to President Grant, no date, quoted in Spartanburg Herald, April 12, 1876.

Allen, Governor Chamberlain's Administration, 203.

Allen, Governor Chamberlain's Administration, 205-207.

Charleston News and Courier, January 7, 1876.

Charleston News and Courier, December 20, 1875.

Charleston News and Courier, January 21, 1876.

Charleston News and Courier, January 5, 1876.

Walker, "Carolina Rifle Club," 52-53, SCL-BD.

Charleston News and Courier, January 7, 1876.

Spartanburg Herald, January 6, 1876.

Charleston News and Courier, January 7, 1876.

Speech of A.P. Aldrich at Barnwell Court House on January 4, 1876, printed in the Charleston News and Courier, January 6, 1876.
CHAPTER IX
"IT IS IN EVERY SENSE A MILITARY CAMPAIGN"

Was all this justifiable? Yes - for unlike elections at other times our very civilization was at stake. We could not live in South Carolina if negro rule continued.... We had to fight as we could. Our plan of campaign was an evil, but its success overcame a greater evil.

- Robert Wallace Shand on the campaign of 1876

Even though the state conventions were months away, the Circuit Court elections had signaled the opening of the political campaign of 1876. For nearly a decade conservatives had lived under an alien and black government, and all their efforts to overturn it - by way of violence, fraud, or conciliation and alliance - had come to nothing. But 1876 would be different, for rifts in Republican ranks and changes in the North created a new environment for conservatives. Fully aware of the coincidence with America's centennial, whites in 1876 responded with a grim determination, calling forth the two weapons for which they
were most noted: the doctrine of white supremacy, and the paramilitary citizen force. Carolina whites, trading in their 'conservative' label for the Democratic one, embarked on the most violent and dangerous phase of their struggle for local control since the waning days of 1865. By October, J.G. Winnsmith would be justified in saying "it is in every sense a military campaign which they have been conducting."²

With a voting minority, conservatives knew that complete unity was vital for any attempt to reclaim the government. While Republican in-fighting grew worse following the election of December 1875, conservatives came together (some hold-outs, like Francis W. Dawson, continued to give Chamberlain the benefit of the doubt for the early months of 1876). Most important for white solidarity was the return to the great unifying factors of the South, white supremacy and fear of the black.³ As 1876 opened, the Rock Hill Grange declared "Let the last Southern State, one of the thirteen that declared herself free one hundred years ago, be again a white man's State."⁴

Opinions not heard since the turbulent times of 1867 and 1868, except perhaps by the occasional klansman, became a battle cry for conservatives no longer interested in cooperation or compromise. One such individual, Professor W.J. Rivers, spoke in May 1876 to the South Carolina Historical Society on the destruction of republican
government by the power of the uneducated "numerical majority." Among the many mistakes of Reconstruction, the Professor argued, was the Fourteenth Amendment, for now "so cheap and indiscriminate has become this right of citizenship that even women are claiming participation in it." Rivers assured his audience that "the faithful historian" will decide that "an hereditary appreciation of constitutional liberty" led Carolina whites "to attempt, in that memorable year, to frame a new government, in order to preserve our rights as a state from the control of inimical majorities." The Barnwell Sentinel presented the same determination. "We can, and will, resolve," the editorial exclaimed, "that the Fourth of July will find us armed and equipped for another great struggle even as our forefathers were an hundred years ago [sic]."

Many of those challenging the Republican party in 1876 framed their opposition around racial views. Alfred Brockenbrough Williams, who as a gun club member participated in at least one riot during the campaign, wrote years later that "a few years more of the government of that kind ... would make the Low County far worse than Haiti or Santo Domingo." Matthew Calbraith Butler, the former cooperationist who became a commander of the forces of redemption, asked "did not the mere fact of our migration to this land of freedom from the Mother Country presage the establishment of a pure white man's government? Did not the
red man go to the wall before the superior race?" "The prime need for the body politic," Butler explained, "is to get to first principles & stick close to them; they will prove not only a check to degenerating tendencies of the times but a panacea for all of our ills." 8

Others were just as vocal and vehement in their defense of 'white civilization.' In a speech in March, A.M. Speights, the editor of the Greenville News, lectured that the "instincts of the white race" demand "that it will not be negroized, but will perish foot by foot, inch by inch, before it will consent to be mongrelized." "Let the men of the North of our own race know," Speights announced, "the solemn vow of Southern Society: WE WILL NOT HAVE THESE PEOPLE TO RULE OVER US!" 9 For Benjamin Ryan Tillman, it was a battle between "civilization and progress" and "barbarism and the forces which were undermining the very foundations of our commonwealth." Of course the white race represented civilization, since, according to Tillman, "the Creator made the Caucasian of a better clay than he made any of the colored people." 10

White superiority meant white control over all aspects of blacks' existence. Be it paternalism or pure racial dominance, white control had to extend from the political realm into the economic and social when blacks were concerned. This belief, lying dormant since 1868, exploded on the scene again in 1876. Alphonso B. Taft, who succeeded
Edwards Pierrepont as Attorney General in May 1878, believed that "the spirit of insurrection in South Carolina ... seems to be founded upon the idea that the Fifteenth Amendment ... was a blunder; and that the people of the South were not bound to recognize or submit to it." Carolinian Belton O’Neal Townsend wrote in 1876 that "everyone thinks, and every child is trained up in the belief, that the negro is meant for the use of the white people, was brought here and thus should stay here for no other purpose." White Carolinians, Townsend claimed, believe that a black "should be ruled in all things political, social, and industrial by the white man, should be kept in his place, and decisively suppressed if he tries to put on airs." As a result, "whites do not think it wrong to shoot, stab, or knock down negroes on slight provocation. It is actually thought a great point, among certain classes, to be able to boast that one has killed or beaten a negro."

An example of this violent superiority complex—evidence of white control in action—occurred in Abbeville County in May. Local officials arrested six black men for the robbery and murder of a white couple, and all six were convicted of murder. Upon leaving the courthouse, however, the prisoners were stopped by a throng of whites, estimated at close to 600 people. Whites grabbed and blindfolded the sheriff, and hauled away the six blacks to be executed. Eyewitnesses claimed scores of whites fired over one hundred
shots into the convicted men. For locals, and probably many whites across the South (and parts of the North) it was an appropriate response to the challenge those six presented to white supremacy and control.\textsuperscript{13}

Conservatives knew, however, that raw sentiment and emotion was still no substitute for organization. Since December 1876 the conservative press, local clubs, and state leaders had been trying to mobilize the population, and these efforts intensified in early 1876. No statewide "Democratic party" structure existed, as conservatives had either abstained or been a weaker partner in all of the gubernatorial elections during Reconstruction. But now, as one contributor from Orangeburg told the Charleston \textit{News and Courier}, conservatives needed "thorough organization, and a stubborn, persistent, uncompromising, unyielding, fight from now till next fall."\textsuperscript{14} In fact, the designation 'Democrat' had rarely been used in the past because of its negative associations. But whites returned to the 'Democratic' name, just as their behavior denoted a return to old-time Democratic principles. There was "magic in the name of Democrat," one author commented, and "the union of the white people of the State is a prime necessity. Cost what it may, that must be had."\textsuperscript{15}

The State Democratic Executive Committee had reappeared after the December elections, and they quickly set out to mobilize their followers. On January 6, the Chairman,
Alexander C. Haskell, released an address declaring that "defeat cannot be borne." The state party had to reorganize immediately, for only "unity" and "discipline" could "ensure the prompt and efficient execution of [the Committee's] policy when declared." He called for the creation of a "political army" from the bottom up, organizing at the ward, precinct, township, and county levels. Careful preparation was necessary "in the struggle to prevent South Carolina ... from becoming as barbarous as Ashantee and as negro-ridden as San Domingo."17

Before long, in front of dazzled and anxious Republican eyes, "Organization the Watchword" became a reality. The Spartanburg Herald, from where the headline was drawn, claimed that "there seems to be a general uprising of the people who will no longer 'down at the bidding' of the corrupt majority." Bills were posted around the county calling on men to "devote whatever of his time, energies, and means as may be necessary to redeem the State in the coming campaign."18 The story was the same in Darlington, where a mass meeting resolved that the "time has come for bolder and more vigorous measures than have hitherto been adopted to rescue the State from disgrace and misrule."19 The Charleston News and Courier carried reports of rallies and club meetings in Greenville, Spartanburg, Newberry, Marion, Sumter, and Union.20 From the Abbeville Medium came the announcement that "the people are thoroughly aroused on
this subject and are determined to succeed by fair or foul means, the next campaign will be short, sharp, and decisive." If money and persuasion will not bring victory, the paper declared, then whites must "resort to another and more terrible appeal. The Democrats must carry the next election at every hazard."  

On May 5, 1876, state conservatives gathered at their convention to nominate the ticket that they believed would redeem South Carolina. Five months of preparation had not sufficed, and delegates could not decide on a campaign strategy. The central question, still unresolved at the convention's end, was whether to run a "straight-out" ticket comprised wholly of conservative Democrats, or to open the ticket to renegade Republicans. "Straight-out" advocates, including Martin W. Gary and Matthew C. Butler, argued "the man who dares wins; not he who holds back." E.M. Murray agreed, stating there should be "no cringing and no more compromising with principle." But Hagood Johnson, another former confederate general, argued the black majority would snuff out any chances for a "straight-out" victory.  

Unable to reach a consensus, delegates decided to meet again in a few months, once Democratic reorganization was more complete. Advocates of each strategy felt they had won a victory; straight-outers hoped the break would give their cause added momentum, while cooperationists wanted to wait until after the Republican convention in September to form a
ticket. Those favoring cooperation planned to endorse Chamberlain if he was renominated. But the straight-outers had an ace-in-the-hole: the Chairman of the State Democratic Executive Committee was responsible for calling the new convention, and that was Alexander Haskell, an avowed straight-outer.24

Democratic mobilization continued after the convention adjourned, and news of meetings and the formation of clubs filled the newspapers.25 There also appeared a fresh newspaper to carry these accounts, one whose existence testified to the importance and nature of the campaign. On May 1, 1876, the first issue of the Charleston Journal of Commerce rolled off the presses, a conservative paper meant to counterbalance the News and Courier, which many whites believed favored Chamberlain. The Chief Editor of the Journal was none other than R. Barnwell Rhett, Jr. and the paper promised to be as fire-eating as Carolinians expected.28

By summer, both parties had had their share of accomplishments and problems. Republicans, as usual, were suffering from factional fighting; their April convention for the selection of delegates to the national convention had even erupted into open brawling.27 The Democratic party, behind its growing network of clubs and its onslaught of propaganda, was united in sentiment, but had not yet created an overall policy or ticket acceptable to all. But
the Democratic party had its advantages, and some were on
display on the 28 of June, as Democrats and Republicans
gathered in Charleston to celebrate the centennial of the
battle of Ft. Moultrie. Governor Chamberlain attended the
gala event, and dined with leading conservatives at
Hibernian Hall; he sat to the left of the Master of
Ceremonies, while the leading conservative, Wade Hampton,
sat on the right side. The Governor was also treated to a
an only slightly veiled display of Democratic force.
Entertaining the crowds were various rifle and sabre clubs
from the city and surrounding environs, demonstrating their
drills. The night represented the calm before the storm,
for within a week such clubs would carry with them terror
and dread, and within months Hampton and Chamberlain would
be opposing commanders in the war over South Carolina.28

On July 4, 1876, while the country celebrated its
centennial, a campaign thusfar characterized by propaganda,
rhetoric, and organization gave way to a campaign based on
bloodshed, terror, and force. In Aiken County, in the
sleepy village of Hamburg on the Savannah River, a chain of
events began which resulted in the solidification of white
opinion, the demise of cooperation, and the triumph of the
straight-out strategy. On July 4th, Henry Getsen and Thomas
Butler were passing through the nearly all-black town of
Hamburg, when a local militia company blocked the street.
The captain, Doc Adams, was a former slave from Georgia who
had served in the Union Army. Adams was deliberately hostile to the white men, but after an exchange of threats the company opened and allowed the travelers to pass. Thomas Butler enlisted none other than local dignitary Matthew C. Butler (no relation to Thomas) to serve as his attorney, and filed suit against Adams for blocking a public highway. Adams countersued, charging the whites with interfering with a militia drill. After several postponed hearings, tensions came to a boil Saturday, July 8.29

Several hundred rifle club members appeared on Saturday morning, indicating that whites would have their justice, one way or another. The Trial Justice, Prince Rivers, had escaped from Carolina - and slavery - during the war and enlisted in the Union Army. Sensing trouble, he offered to collect the militia's guns and send them to Governor Chamberlain. M.C. Butler refused, stating that he alone would accept them. Knowing that the whites would probably do as they pleased anyway, Rivers asked if handing over the guns would guarantee the safety of the town; according to one witness, "his answer was no."30 By midafternoon the whites had grown belligerent, so Trial Justice Rivers told the militiamen to lock themselves in the Sibley Building, an old brick warehouse. Sometime in the late afternoon Rivers disappeared (perhaps being warned away), and hundreds of whites took up positions around the warehouse. Around seven o'clock they began firing into the building. Seeing their
small arms had little effect, they sent across the river to Augusta for a cannon. A few rounds from the cannon created a breach in one wall, and whites stormed inside. Some militiamen escaped by diving out windows and crawling out of the cellar; one was killed running out the back, but most others, between 30-40 men, surrendered inside.31

Unfortunately, the night was not over the militia. During the exchange around the Sibley Building, one white was killed by return fire from the militia inside. According to several witnesses who were hiding in the town, as well as participant Benjamin Ryan Tillman, the whites were angry that a white lay dead, but only one black was killed in the fight (although several were wounded). After some discussion, some men called out the names of six blacks - who were known to them - from among the group of prisoners. They were lead away, and summarily executed; Tillman was proud that he lent a pistol to one of the killers. The rest were then told to run, and as they bolted for the nearby woods whites again opened fire. One account claims another black was killed, but most record the group escaping to safety. In the words of Tillman, "we were all tired but more than satisfied, with the result." Unconfirmed reports stated that a few days later whites, with no apparent provocation, broke into homes in Hamburg, robbing the inhabitants and killing some with hatchets and bayonets.32
A coroner's inquest lead to murder charges against many of the prominent men of the area, while as many as 78 others were charged with "aiding and abetting" in the murders. Over the next month many of the accused surrendered themselves to authorities, including A.P. Butler, who commanded the Sweetwater Saber Club in the attack. Martin W. Gary represented the defense, and secured bail for all of the defendants; by October no one was in jail. Nor would they be in the future, as the state Attorney General, William Stone, and District Attorney David Corbin decided to postpone all judicial proceedings in the case until after the election. The fear of intimidation and retribution, on top of an already tense political environment, convinced Justice Department officials that this was the safest course for those involved. The hostile campaign atmosphere, a creation of the whites, allowed them to escape the law; this did not bode well for a peaceful campaign.

Despite the finding of the coroner's inquest, many whites were quick to place the blame on the militia, the Republican party, or the state government. The Charleston Journal of Commerce called the fray "another addition to the long list of crimes against the peace and welfare of both races at the South for which the Republican party is responsible." The Journal even went so far as to claim that "General Butler deserves that thanks of the people of Edgefield and of the State for the service he performed in
this unhappy affair...." Butler himself added that "the negroes sowed the wind and reaped the whirlwind." The Democratic State Executive Committee saw the cause as the "arming and equipping of disorderly negroes, and the State Government is to blame for this...." Horatio R. Cook also believed that a "race of semi-barbarous with all their Blood thirsty, Brutal and vicious properties" should not have been armed, but whites must "look for and continue to expect such outbreaks as long as our political condition remains what it is." 

Francis W. Dawson, the conservative editor of the Charleston News and Courier, could not bring himself to place the responsibility on the shoulders of the militia or the Republican party. Although Dawson no longer actively sought cooperation (following the disaster of December), he still believed Chamberlain to be a man of integrity who could help the state. In the wake of Hamburg, Dawson hinted that Butler, Gary, and the gun clubs were to blame, rather than the poor victims. His defense of Chamberlain and criticism of leading conservatives so angered whites that both R. Barwell Rhett and Martin W. Gary challenged him to duels.

The Republican response to the massacre in Hamburg revealed the inadequacies of the state government. Only days after the killings Representative Joseph B. Rainey was making the rounds in Washington, trying to get a pledge of
assistance from the administration. U.S. Marshall R.B. Wallace, the officer for the Aiken and Edgefield region, wrote to Attorney General Alphonso Taft that troops were necessary to assure blacks that "they were not to be abandoned to the swift destruction which was meted out to some of their friends and neighbors." A few days later Chamberlain wrote to President Grant, warning him that "Hamburg is only the beginning" in the whites' drive for "the political subjugation and control of the State.

Chamberlain's request for federal aid received an enigmatic reply. Although Grant promised the Governor "every aid for which I can find law or constitutional power," and, indeed, ordered units to move out from Columbia into troubled areas, the latter betrayed a growing impatience. In a message fraught with double meanings, Grant explained that "the government that cannot give protection to the life, property, and all the guaranteed civil rights in this country ... is insofar a failure...." "Too long denial of the guaranteed rights," the President stated, "is sure to lead to a revolution, a bloody revolution...." The question is, was the President speaking about the blacks and the duty of the federal government, or about the failure of Chamberlain and the growing restlessness of the whites.

Wishing to avoid appearing tyrannical yet helpless, Chamberlain openly denied that he requested any troops for
the troubled county. The conservative press in the State, the New York World, the New York Tribune, and even Marshal Wallace all affirmed that Chamberlain personally applied for federal forces, and all criticized him for refusing to accept the responsibility. Wallace explained to Attorney General Taft that whatever the Governor's plan, it had backfired. By claiming that he had not called for soldiers, Chamberlain exposed the Grant administration to charges of "unjustified interference with the local affairs of the State." The Governor, Wallace contended, "shows a want of courage to meet the issue squarely." Such a man seemed ill-prepared to battle "opponents who are anxious to crush out him and his party, by resorting to violence and bloodshed if that be necessary to accomplish their ends."

The Democratic State Central Committee struck while the iron was hot, and issued a call for a new convention to meet in Columbia. The committee acted shrewdly, aiming to disarm the few cooperationists who favored the "watch and wait" policy and an alliance with reform Republicans. The new Convention would convene on August 15, well before the Republican convention scheduled for September; there would be no opportunity to see if Republicans nominated Chamberlain again. But the timing of the call was important for another reason. Chamberlain's reaction to the Hamburg outbreak - his placing the fault on whites, calling for troops, and then denying he had done so - inflamed white
opinion and discredited those who sought an alliance. Furthermore, the lack of any substantive federal response and the postponement of legal action convinced conservatives that force might be able to nullify the Republicans' numerical advantages. Alfred B. Williams believed that "the passion stirring event at Hamburg" made the straight-out policy "popular and possible," and historian Walter Allen agreed, writing that Hamburg was "the turning point in the course of political affairs in South Carolina...." 48

The 'formal' drive for the Redemption of South Carolina began with the gathering of delegates in Columbia on August 15. The cooperationists, fearing that an all-Democratic ticket could not succeed against a voting majority, did not collapse without a fight. But the memories of past defeats, failed reform movements, and unsuccessful alliances were too clear and too painful; as Michael Perman has shown, Democrats started stressing their distinctiveness from, rather than similarity with, the Republicans. The focus would be on race, the uniting factor for whites.

The signs pointed toward an all Democratic, straight-out ticket. Organization had continued across the state in July and early August, and newspaper accounts indicated that county conventions, clubs, and their voters overwhelmingly
preferred the straight-out policy. Richardson Miles, a delegate to the convention, claimed that "the people of the State are so sick at heart from the failure of every attempt that have hitherto made - and so disgusted with the Republicans with whom they were forced to make alliances that they revolted against any coalition." Commenting on convention debates, Miles told his brother William Porcher Miles that although a gamble, any policy which "commands itself to the instincts and feelings of our people and which will unite them and enlist their enthusiasm and earnest support is better for us than the wisest policy which statesmanship can suggest which the people are unwilling to accept...." For that reason, Miles also supported the straight-out approach.

At the same time, the North sent signals intimating that southerners were best left in charge of their own affairs. Carolina papers made sure to give ample room to a New York Herald editorial that blamed the "selfish, unscrupulous northern adventurers" for southern disorders, and asked that "non-interference have a trial. Let us see what will happen if these adventurers can no longer call upon the Federal power to maintain them. That is the only cure." State Democrats appeared to believe that the North would follow such advice. For instance, news came during the convention that Secretary of War Cameron had ordered the War Department to ready "all available forces" for duty in South
Carolina. One writer in the Charleston Journal of Commerce remarked that the movement of troops "is all 'bluff,' but it does not alarm anyone down here." Using troops to interfere in southern affairs, the journalist commented, "has been played until it is played out." So while additional companies of the 18th Infantry made their way into the Palmetto State, conservatives selected their ticket. The Greenville News announced that "a minority of white men, when united in a common purpose, never fails to drive from power a semi-barbarous majority." All that was missing, the paper declared, was "the apparition of some leader." The chosen leader was Wade Hampton III, member of one of Carolina's oldest and most prestigious families, confederate war hero, successful planter, and long-time opponent of Reconstruction. More moderate than many of his peers, Hampton made a back-handed effort to win black support and tried his best to control more violent factions in the Democrat party. Still he was a Carolina conservative, and his actions were merely tactics he deemed necessary to redeem his state. The Nation declared that Hampton was "neither a statesman nor a politician, nor a man of conciliatory disposition, nor any thing but a soldier and a Southern gentleman of the Old School, to who niggers, Yankees, schools, roads, free labor, and free speech are naturally almost as hateful as to the Pope himself." Even Democrat S.G. Welch of Newberry Court
House complained that Hampton was typical of the "old fire-eating secession spirit we are tired of." Nominees for other positions were also former confederate officers and native conservatives. Delegates chose General William Dunlap Simpson for Lieutenant Governor, General James Conner (who will command the state's gun clubs during the campaign) for Attorney General, and General Johnson Hagood for Comptroller General. Another Carolina Democrat wrote to Chamberlain from Italy to comment on the convention's selections. B. Odell Duncan regretted that the Democrats handed the campaign to "the most violent element of the party." If Hampton were to win, Duncan predicted, it would mark "the triumph of violence, of oppression, and of the virtual disfranchisment of a race."

The Republicans were also divided among themselves, but no promise of sudden solidarity awaited them. In April, the convention to choose delegates to the national nominating convention displayed the party at its worst; factions squabbled, fights broke out on the floor, delegates drew guns and threw chairs, threats and accusations flew. Divisions ran deep, with scalawags opposing carpetbaggers, blacks opposing whites, mulattoes opposing pure blacks, freed slaves opposing free blacks. Democrats, fully aware of Republican problems, wasted no time taking advantage of the party's internal weaknesses. As A.P. Aldrich proclaimed at a rally, the Democrats planned to "keep Chamberlain and
some of the carpetbaggers fighting, till they eat each other up all but the tails, and ... keep the tails jumping at each other, until Southern raised gentlemen slide in to office and take the reins of government."

Those tails were still jumping when the state Republican convention opened on September 13. But the combination of a unified Democratic challenge and certain back-room deals and promises paved the way for Chamberlain's renomination for Governor. It was clear that Chamberlain had bargained for the position, for he had to accept a leading rival, Robert B. Elliott, as his running mate. Chamberlain's compromising with men of ill-repute cost him the remainder of his moderate conservative support, and even Francis W. Dawson returned humbly to the Democratic fold.

Immediately after the nomination, Chamberlain received a congratulatory note from Frank Arum, a Trial Justice, and John Gardner, the Intendant of Edgefield. After first delivering congratulations, the letter then turned solemn, the authors "hoping that you will live long enough [to see] ... the expiration of the term. It would be idle words to express feelings, like Hope and wish of a Peaceful Administration, when we are on the very eve of war."
Once the Democratic convention adjourned, formal planning for the "war" got underway under the direction of Martin W. Gary of Edgefield. Gary and his followers represented the most dangerous element in the Democratic party, and their racist views and violent nature augured for a deadly campaign. Vehemently opposing any compromise on the issue of equality, Gary he believed that "inequality, dissimilarity, and difference are in conformity to the laws of nature...." One mistake of the North's was forgetting this, while another was "overlooking the fact that was proclaimed by the men who formed the Constitution: that they made this government a white man's government." Gary was prepared to put that belief into practice. "The glorious Palmetto has withered but not died," Gary proclaimed in one speech, "as it has been watered by tears of our women." "Should it become necessary," he warned, "it will be watered by the blood of the patriotic sons of South Carolina." 85

By and large, the Democratic strategy followed a plan drawn up by Gary and called "No.1 Plan of the Campaign." The plan listed thirty-three points, many rather mundane and obvious, such as making sure every Democrat was registered to vote. Many items concerned parades, rallies, and public meetings. But other points were more telling, especially ones left off from the publicly circulated copies and only
discussed in the privacy of Democratic club meetings. For instance, all clubs had to be armed and equipped, even going so far as to have a baggage wagon on hand - fully stocked - in case the club needed to be mobile or camp at a poll for a few days. Item Twelve stated that every Democrat had to "control" the vote of one black, "by intimidation, purchase, [or] keeping him away" from the polls. Numbers Fourteen and Sixteen were particularly interesting. The former reminded Democrats not to bother arguing with blacks, just "treat them as to show them you are the superior race, and that their natural position is that of subordination to the white man." Number Sixteen advised whites to "never threaten a man individually. If he deserves to be threatened, the necessities of the times require that he should die. A dead Radical is very harmless - a threatened Radical ... is often very troublesome, sometimes dangerous, always vindictive."68

When Lewis Cass Carpenter learned of Gary's "plan," he hurriedly penned a warning to President Grant. The former editor of the state's leading Republican paper informed Grant that the Democratic "plan is 'quiet intimidation' by a show of force...." These men, he insisted, are "more bitter" than ever, "simply because they think the Government will not punish them now any more than it did then. The leniency and clemency of the National Government has been mistaken for cowardice, and the longer they live the bolder and more outspoken they grow."67
The more enthusiastic they grew as well, especially following the convention and nomination of Hampton for Governor. Only days after the convention newspapers carried reports from Greenville, Richland, Sumter, and Charleston Counties of mass meetings and the organization of "Hampton clubs." Joshua Hilary Johnson, the county chairman in Marlboro County, called on whites to decide "if they wish to free themselves from African sway, or for years longer meekly toil on as faithful servants of their negro rulers." "Harmony can never exist while the negro controls the government," Hudson told his eager listeners, "because he is by nature incapable, insolent, and tyrannical in power." "The conflict is irrepressible," Hudson exclaimed, "so long as the white man is attempted to be held in subordination to the negro." 

As Gary noted in his "plan," party mobilization was only piece of the battle, for the Democrats also had to reduce the number of Republican votes. Of course the two went hand-in-hand, for a unified, well-organized front could exert pressure on Republicans that individual Democrats could not. For instance, among the tactics of conservatives were the boycott and the proscription. The boycott was an agreement or resolution (sometimes formalized, often not) to not patronize any establishment or business run by a known Republican. In Charleston, party officials posted the names of "Democratic butchers and stall-keepers," and local clubs
resolved to patronize no others. Across the low country
other towns followed suit, and Alfred B. Williams recalled
that "white men would walk rather than use a 'hack' drawn by
a Republican or go unshaven rather than patronize a
Republican barber."70

The "proscription" was a tactic conservatives had used
before, in a way the reverse of the boycott. Once again
committees and clubs drew up resolutions, this time refusing
to sell goods, rent land, lend money, or even provide
medical attention to any Republicans. The Pond Bluff
Democratic Club, resolving that "this is a white man's
country and as such has to be ruled by the white men,"
declared that no member would "employ in any way directly or
indirectly anyone who votes against us nor will we rent land
or houses to them."71 Scores of Democratic clubs drafted
similar resolutions, with some providing "certificates" to
blacks who agreed to vote Democratic. If they presented
their certificate, they were treated fairly; without one,
whites would "refuse favors and help of all kinds."72

Martin W. Gary had also suggested that purchasing votes
was a valid means of carrying the election. Robert Wallace
Shand confessed that the two best ways of getting blacks to
vote Democratic were "intimidation and bribery." Shand
claimed that fraud, "like stuffing ballot boxes," occurred
only rarely, and his club concentrated on buying votes, by
collecting and selling old clothes and shoes and borrowing
money from connections in New York. Shand claimed his "area" raised over one thousand dollars for the bribing of voters.\textsuperscript{73} John Calhoun of Abbeville had to rely on his own resources. "I feel sure that three out of four of my freedmen will not vote," Calhoun asserted, "it will cost me something, but their voting might cost me more."\textsuperscript{74}

Even Robert Shand admitted, however, that physical intimidation was the most efficient means of influencing a voter. Here too organization was helpful, for a carefully planned murder - while alerting Republicans to their vulnerability - would not necessarily gain federal attention. One particular tactic popular during the 1876 campaign was the prearranged 'scuffle.' A group of whites would start a fight among themselves, and shots would be fired or knives drawn. When the smoke cleared, however, it was a Republican bystander or one who had been pulled into the brawl that lay dead.\textsuperscript{75}

Considering the range of pressures applied, it is not surprising to learn that some Republicans did indeed "cross Jordan," and vote the Democratic ticket. Some may have traded allegiances because of Republican corruption or a concern for the economy of the state. Most, however, changed parties out of fear, or at least a desire to bring peace - regardless of how oppressive it might be - to the state. For example, Augustus Barton Knowlton of Orangeburg had supported the Republican party since before the Civil
War, but could support the state party no longer. Although he declared he would vote for the Republican presidential candidate, Rutherford B. Hayes, a victory for Hampton "offers the best opportunity for the peaceful and final solution of the political difficulties of South Carolina." Like some others, Knowlton would possibly trade political, economic, and social liberty for peace and stability.76

For some, the change in loyalty was anything but voluntary. In Greenville, for example, blacks were "compelled to buy red shirts, declare themselves as Democrats, in order to save their lifes [sic] and will be forced to vote the Democratic ticket...." The marshal and Trial Justice claimed they were powerless against the compulsion, for "the Cavalry of this county is thoroughly organized and uniformed."77 School Commissioner Joseph Clark observed similar activities in Lancaster County, and reported that "nine colored men were forced to join a Democratic club last Saturday night; some being paid; others threatened." With violence, threats, and intimidation rampant, Clark described his county as "a perfect hell here on earth."78

What is surprising, given the brutal choices facing Republicans - and especially blacks - was the small number of voters who did change sides. Alfred B. Williams recorded the existence of a few black democratic clubs, and even some black rifle clubs. Clubs and members may have
appeared more numerous than they were, for at every rally and parade black democrats were prominently displayed for all to see. The conservative press often exaggerated their numbers as well. For instance, a Carolina newspaper claimed over 200 mounted blacks were at an Edgefield parade, while a northern reporter counted nine. Another paper estimated 300 black Democrats attended a Sumter meeting, but a visiting correspondent saw only thirteen.\textsuperscript{70} Even a rifle club captain admitted at one rally that "I do regret that our colored friends are not here in larger numbers."\textsuperscript{80}

Most intimidation - and most violence - was in the hands of the feared Democratic rifle clubs. Rifle and Saber clubs had existed for years in the state, and had already earned a reputation for brutality. But past events would shrink into triviality compared to 1876; with the nomination of Hampton hundred of clubs formed across the state, most of them armed and many of them mounted. According to C. Irvine Walker of Charleston's Carolina Rifle Club, they were "the most powerful means by which the white men were enabled to quell negro \textsuperscript{sic} and his carpetbag masters, and, regain the political control of the State."\textsuperscript{81} Alfred Williams quoted Governor Chamberlain as saying that 240 gun clubs existed, with over 20,000 members; Senator John J. Patterson put the figure at 60,000.\textsuperscript{82} Alexander Haskell later testified that there were "three or four hundred clubs in the State during the campaign - at least that number." Using Haskell's
testimony, among others, Francis Simkins and Robert Woody estimated that at least 290 rifle or saber clubs were organized, with a membership of about 15,000 men.83

The speed of the Democrat's political and now military mobilization was frightening. In late August and early September reports of the formation of rifle clubs filled conservative newspapers.84 From Spartanburg and Yorkville down to Colleton and Charleston and from Orangeburg across to Aiken, white men, young and old, veterans and teens, turned out with their arms and enlisted in their local units. But these were not haphazard gangs roaming the countryside; most had written constitutions, and all were under the ultimate command of General James Conner (who was also candidate for Attorney General). The clubs were divided into an "upper" command, under Colonel Samuel Pickens, and a "lower" one under Major Theodore Barker, previously commander of the Carolina Rifle Club. The structure, according to Richardson Miles, created a "very efficient force available in a moment."85 The rifle clubs even adopted a "uniform," another symbol of the organization and uniformity of purpose among the whites. The outfit was the now famous "red shirt," a dyed red flannel outfit that became synonymous with the rifle clubs in general.86

With rifle clubs proliferating, Republican officials began clamouring for help from the federal government.
Only days after the Democratic convention adjourned, District Attorney David Corbin informed Attorney General Taft that the Ku Klux Klan "was not, consequently broken up in these counties, or so punished as to destroy it." Corbin claimed "these Ku-Klux Klans have reorganized under the names of rifle clubs and have entered upon and intend to pursue the purposes and general plans of 1871 and 1872 of the old organizations." U.S. Marshal R.B. Wallace wrote to Taft a week later, telling him that "combinations are rapidly forming ... [which will] prevent the republicans of this and other counties from casting their full strength in the presidential election...." According to Wallace, white leaders "openly declare that they intend to carry the coming election, and ostracize and threaten all leading men of the republican party." "I warn you," Wallace told his superior, "that there is certain danger ahead, and a liberal supply of U.S. Troops can alone prevent mobocracy and bloodshed."

Most Republican officials realized that federal help would be late if it came at all, so state Republicans examined other options. If a well-organized, well-trained militia force had existed in the state, whites may have refrained from violence; then again, such a force might only spur whites on to greater acts of belligerence. But no such force existed, and the black militia, while armed, was poorly trained and even more poorly led. Nor did Chamberlain try to create any auxiliary forces for the
election. James P. Low, the chief constable in Charleston, suggested creating a "Special Force" that would "insure the preservation of the peace during the excitement likely to prevail here during the next three months." But the mayor opposed the idea on financial grounds, proposing instead that federal troops be called in should trouble occur; Chamberlain concurred.

Instead the administration, facing a well-organized and highly motivated opponent, opted for ad-hoc, halfway measures. Chamberlain's primary action consisted of distributing state guns and ammunition in a rather careless manner to any Republican who asked. Some arms went to state officials, such as Henry E. Hendricks, Charleston's Chief of Police. Many more, however, went to citizens' groups and Republican political clubs who frantically tried to arm themselves in an attempt to impress conservatives and protect their lives and property. An investigation by the Charleston News and Courier alleged that at least 10,000 guns were in the hands of Republicans, many of whom belonged to "companies not organized as required by law."

Although Democrats complained about the number of guns in private (and mostly black) hands, they neglected to comment on the surprising number of guns that seemed to disappear from the rolls. Republicans would badger the Governor or the Adjutant General for arms, only to have them intercepted before arriving. In one case whites at a
Newberry railroad depot became suspicious about a box marked "Agricultural Implements," and upon opening it found a stack of Remington rifles (which they of course confiscated). In Edgefield, Sheriff James Richardson awoke one morning to find that a band of men had locked his deputy in a cell and taken some two or three hundred militia guns from storage.

While the rifle clubs were well armed — sometimes with Republicans' guns — they did not readily initiate violence. One of their major roles in the campaign involved careful intimidation, stressing presence and power, but abstaining from actual attacks. The tactic, which Richardson Miles termed "hacking," involved the open abuse and discrediting of Republican leaders in front of their supporters. Rifle club members would gather by the hundreds — armed, mounted, and uniformed — and surround a Republican rally. The whites would create such an uproar by shouting, calling, and firing weapons that the assembly would be forced to dissolve. Without outright violence, the federal government could not interfere; as Miles stated, the Republicans "cannot prevent our "hacking" and discrediting process." The goal, Alfred Williams stated, was to "destroy confidence of the Negroes in their [leaders'] courage and their characters."

Democratic leaders were not eager to take the risks inherent in a "Hamburg approach," and walked a fine line between latent aggression and actual violence. After Hamburg, the Charleston News and Courier ran articles from
other papers which derided violence as counterproductive. The Richmond *Dispatch* declared that such incidents "bode no good to the Democratic party." The *New York Herald* went further, stating that "these southern white madmen resolved to elect Hayes and Wheeler ... [since] one or two Hamburg riots will settle the business." The *News and Courier* (probably Francis W. Dawson by the tone) added that "the Hamburg regulators are murderers in a double sense: They stabbed the State in the back, while killing their supplicant prisoners."\(^7\)

As a result, campaign leaders eschewed bloodshed, wary of the reaction it might bring. Early in the campaign Johnson Hagood circulated a rumor that Wade Hampton would quit if rifle clubs initiated violence. Alexander Haskell, chair of the State Democratic Central Committee, met often with county representatives to warn them against using violence; strength was to be used for appearances only. The Executive Committee of Barnwell issued a warning of its own, declaring that "rioting before or at the polls, or race collisions brought about by the whites are deemed almost insane folly."\(^8\) Even C. Irivine Walker of the Carolina Rifle Club agreed with the decision. Although "in a square fight the Whites could easily have cleaned them out," Walker believed it "an eminently wise policy" for the gun clubs "to avoid, if possible, any race trouble...."\(^9\)
Charleston Journal of Commerce concurred, warning Democrats to "avoid being led into any collisions...." 100

Relying on 'force without violence,' rifle clubs exhibited their discipline and control through another Democratic tactic, the "division of time." Clubs would show up at a Republican speech or gathering, and demand that they receive equal time to address the audience. Refusal to give in would reflect badly on the Republican leaders, and result in an uproar resembling "hacking." 101 When Democrats were allowed to speak, they abused Republican leaders so badly that many stopped openly campaigning. Chamberlain claimed either choice "amounted to simply giving up the meeting to them; and you could not get quiet, peaceable Republicans to come out and expose themselves to such treatment after they had one or two experiences of it...." 102

Beginning in late August and continuing until the election, Democrats harassed Republicans at nearly every meeting and gathering that they held. Early in the campaign Chamberlain personally canvassed the state, but after being humiliated at speeches in Edgefield, Newberry, and Abbeville, the Governor ceased public speaking "because it was not considered safe...." 103 In late August, at a meeting at Strawberry Ferry just upriver from Charleston, Alfred B. Williams selected a black man - as all members of his gun club were told to do - and told him "you see this gun? It carries 16 balls and is loaded full. My orders are
to stick to you all day and if any trouble is started here to shoot until you're dead, first thing; and I'm going to do it." Thomas Pinckney Lowndes also attended, but had to use the same ferry as a black militia unit, much to his displeasure. He remembered feeling pity for "these American citizens of probably Baboon descent" who were "attempting to assert their rights to a citizenship which was no more theirs than that of the mule that ploughed their melon patch." But Lowndes seemed in the minority, for marshals and Republicans reported that most whites were hostile, aggressive, and defiant; as Congressman A.S. Wallace said, "intimidation is the order of the day and terrorism reigns supreme...."

While many rifle clubs were off harassing Republicans, others were providing support along the Democrat's campaign trail. Like the Republicans, Hampton and his party openly canvassed the state, but their experience was markedly different. Democrats held rallies and parades all over the state, featuring speeches by revered Carolina cavaliers and exhibitions by rifle clubs; no record exists of violence or Republican interruptions at any Democratic assembly. The campaign opened in Columbia on August 16, with a torchlight parade that included over a thousand "cavalry" and transparencies that read "Carolina, Home of the White Man." Some of the largest demonstrations - with thousands involved in the festivities - occurred at
Edgefield (with M.C. Butler and M.W. Gary speaking) and Yorkville. Speakers in Yorkville drew parallels between the current campaign and the nearby battlefield of King's Mountain, "where white men of the same kind and blood and breed as were assembled at Yorkville to overthrow the alien struck the blow at Tories and invaders that assured the victory at Yorktown." 

While the rallies were lively and important, the most impressive aspect of the canvass was Wade Hampton's march through the state. The tone of Hampton's trip across South Carolina was not that of a candidate or a challenger; it resembled rather the triumphant procession of a conquering hero. Nothing better expressed the unity of sentiment, the depth of organization, and the sheer determination of white Carolinians as the journey of Hampton and his entourage.

Beginning in Abbeville in mid-September, with a sendoff conducted by three thousand mounted guards, Hampton passed into Newberry, Laurens, Greenville, Spartanburg, and along the North Carolina border through Marlboro, reaching Marion Court House by early October. Dozens of gun clubs and hundreds of men escorted him from stop to stop, and each town welcomed him with fanfare fit for a king. By mid-October he had begun his trek back across the state, travelling through Sumter, across to Edgefield, then south to Barnwell and back east to Orangeburg. When Hampton arrived in Sumter on October 16 - accompanied by the
requisite rifle clubs - he found a woman lying in the square, wearing a ribbon with "South Carolina" written across it. Hampton raised her off the ground in front of a crowd that could barely restrain their excitement. The scene was repeated countless times, sometimes with "justice" looking on, or with thirty-seven other women standing by waiting to greet the risen state (the thirty seven representing other states). At Georgetown the cavalry hero was met by banners saying "Let Carolina be Governed by Carolinians" and "See, Our Conquering Chieftan Comes."

Hampton's procession ended with his spectacular entry into Charleston on October 31. James Conner, candidate for Attorney General and commander of the state's gun clubs, informed his wife of their progress along the way. He was so impressed with their success that he told her "if we do not scare the darkies and astonish the Governor more than ever, I am a Dutchman." "You can form no idea of the enthusiasm and excitement of the people," Conner wrote during their journey. But he admitted lacking the words to describe the entry into Charleston, the second largest procession ever held in the city; only the funeral of John C. Calhoun had more participants and attracted more people. The guest list at dinner was a Carolina who's who: Hampton was joined by James Conner, William Dunlap Porter, Louis de
Saussure, and even John B. Gordon, along with various members from the Manigault, Miles, and Simonton families.\textsuperscript{115}

The campaign had its darker side as well, for with so much at stake even leading conservatives were unable to completely restrain white excitement. Many Democrats feared that neither the spectacle of Hampton’s procession nor the tactics of harassment would be enough to bring victory. As a result, more extreme Democrats also resorted to violence to influence voters. Still wary of northern opinion, whites tried to avoid large-scale outbreaks and concentrated instead on low-profile assaults and discreet attacks. To their targets, however, the violence was just as real.

Reports of violence against white and black Republicans began soon after the Democratic convention, at the same time Hampton began his canvass. By the beginning of September Chamberlain had received detailed accounts of systematic, politically-motivated violence from the counties of Laurens, Edgefield, and Marlboro. "The Colored Citizens of Laurens" claimed that no one "dares to speak nor act with respect of his franchise privileges without being in extreme danger." Threats, the authors stated, "were being put into execution almost daily. No week passes without some of our people are
either whipped, shot at by the night riders don't know that
we can call them KKK but we are certain that they are
Democratic desperadoes...."118 Both John Gardner, the
Intendant of Hamburg, and George Wadell, sheriff of Marlboro
County, requested troops to help them enforce the law,
claiming Democratic bands were beyond their power to
control.117 S.C. Waller, an Abbeville native, was accused
of making "incendiary speeches" to blacks, and told:

We do not propose any violence nor do we encourage
any, but we are free to express our opinion of his
guilt & shall make no effort to shield or protect him
in the future from harm. That it is for the Peace of
our Community & S.C. Waller's Safety that he leave the
State." [emphasis original] 118

In late August the War Department moved several of the
remaining infantry units from Columbia to outlying regions.
The new commander of the Department of the South, Brigadier
General Thomas H. Ruger, took over from Brigadier General
Galusha Pennypacker on September 8 (Pennypacker, a Medal of
Honor recipient who had ended the war as the Union Army's
youngest general, had succeeded McDowell in July). Expecting
the worst, the War Department allowed Ruger to move his
headquarters and the rest of his regiment - the 18th
Infantry - to Columbia in preparation for the campaign.119

Again displaying its discipline, the Democratic state
organization was careful not to arouse the suspicions or
anger of the federal soldiers. In October, Wade Hampton told
listeners that federal soldiers are "no longer our enemies but the best friends we have in the North, treat them kindly." "I am glad they have come," Hampton announced, "for they will recognize and sympathize with our efforts in behalf of republican freedom." The Army and Navy Journal described a grand welcome received by troops as they entered Edgefield Court House; "if anything," the article read, the local whites "rather overdo the matter of enthusiasm."

Perhaps the whites were not as sly as they thought, for the Journal stated that "the soldiers are not as thoroughly assured as they might have wished to be as to the perfect sincerity of the demonstration...."

The presence of troops, however, did not bring peace to the state. Overzealous whites continued to wage a war of weapons rather than words, and Republican blacks became more desperate and more militant. A serious riot erupted in Charleston on September 6, one of the few such occurrences initiated by blacks. When several black Republican clubs began harassing the members of a black Democratic club, a rifle club appeared to escort the black Democrats home. The Republicans attacked, setting off hours of rioting that left at least one white dead and a dozen injured. Although the Democrats got home safely, black Republicans controlled the city streets for the better part of the night, assaulting unwitting passersby and looting stores.
In a remarkable display of discipline, whites did not stop the disturbance or retaliate. Both the police and the city's gun clubs assumed defensives stances, and while protecting people did not take an active part in suppressing the riot. The Mayor, George Cunningham, and the rifle clubs' commander, Theodore Barker, came under sharp criticism for their inaction. But the decision was shrewd; in the "King Street" riot, no one could accuse Democrats of killing Republicans. Barker replied to his critics that to use the rifle clubs "would have meant slaughter ... [which] would have hardened the North against the entire South and South Carolina especially." Barker admitted that he had even been told to take his clubs to the upper wards and attack Republican clubs there. "I decided not to bring on this fight," Barker said, "... but to postpone this encounter, in order that, when made, it will be more effectual, and that more white men may have the opportunity ... to engage in settlement of the issue...." [emphasis original]123

Whites did, however, take precautions afterwards, and Charleston took on the appearance of a city under siege. The county's chief constable, James P. Low, was greatly impressed with the whites' planning and organization.124 Gun clubs posted artillery pieces at key locations throughout the city, mounted men patrolled the streets at night, and a gunboat even patrolled the river, "to prevent
any influx of negroes from the outlying country." Rifle clubs slept in shifts, so that at any given time men were armed and ready. One club even ordered that "men not on duty at night must not take their clothes off, when they lie down at home."  

The "King Street" riot was not an isolated incident, and Charleston was not the only city to experience an outbreak. As with other campaigns, the months preceding the election were filled with reports of attacks and requests for protection. H.N. Bonney of Edgefield Court House declared that "all is not quiet in our hellish county" for the "Democrats are riding through the county striking terror in the hearts of Republicans." From neighboring Barnwell County came the report that Democrats "intend to kill every leader in the Radical party - and they are going around our houses every night more or less, way laying us." Another report from the same county described an attack by whites on a black church that left one man dead; blacks were sleeping in the woods at night to avoid detection. W.L. Mixons told the Governor that "not a day that passes but I am visited by colored people from all parts of this County anxiously enquiring what had been done to ensure them the right to vote as they wish...." The situation was so bad along these southwestern counties that Henry W. Ravenel
feared that "the excitement is now so high, that it would take but a trifle to produce a collision between the whites and blacks."130

The "collision" Ravenel feared came after two blacks were accused of breaking into a house and robbing and beating an old woman inside. The alleged crime - which was later to proven to be false - took place in early September near Ellenton, along the border of Aiken and Barnwell counties. Warrants went out for the arrest of two blacks, and by the 18th of the month local militias had gathered to protect the men from arrest. Sensing that blacks were prepared to defy the 'law,' rifle clubs arrived from surrounding townships, and calls went out to nearby counties as well. According to Johnson Hagood, who commanded one of the clubs, nearly 500 whites responded. For two days white gunmen scoured the region around Ellenton, playing a deadly cat-and-mouse game with the militia units.131

The engagement approached its climax on the 19th, at a place called Rouse's Bridge a few miles outside of Ellenton. Over three hundred whites had trapped about a hundred militiamen in a wooded cul-de-sac. Around nine-thirty in the morning, just as whites were positioning for a major assault, Captain Thomas Lloyd arrived with a detachment of U.S. infantry. Lloyd's report stated "there was undoubted evidence of a well-digested plan of attack, which, if carried out would have resulted in the slaughter of nearly
all the negroes in the place." After making sure the militia and rifle clubs headed their separate ways, Lloyd and his men continued to Ellenton, passing by dead blacks along the way. Although the infantry prevented a massacre, the final toll was still high; between thirty and fifty blacks had been murdered in the two days, and three whites also lay dead. Simon Coker, a state representative from Barnwell, was among the dead; he had been shot in the head at point-blank range while on his knees praying.

Governor Chamberlain had few options, and as usual he shunned extreme measures. The governor did not declare martial law, nor did he call the state militia into service (not that it would have brought peace). Nor did he take the advice of concerned observers, such as E.H. Saltiel in Colorado Springs. After hearing of the Ellenton outrages, Saltiel, the publisher of the *Alabama State Gazette* before that state's redemption, recommended hiring one thousand whites from New York, "men not afraid of a brush," enlisting them in the state militia, declaring martial law, arresting the Democratic leaders, and court martialing them. "If found guilty," Saltiel said, "shoot or hang them without delay." Chamberlain even received a letter from the Gatling Gun Company, suggesting he outfit his militia with their new machine-guns. "For the purpose of quelling riots," Edgar Welles, the company's secretary declared, "... these guns are especially suited."
Believing that harsh measures would only beget more violence, Chamberlain chose the path of least resistance. First Chamberlain wrote an angry letter to Alexander Haskell, directly accusing his clubs of breaking the law, rather than upholding it as they claimed. Democrats, the Governor asserted, were to blame for the disturbances in the state, and the notion that rifle clubs existed to protect people was absurd. Chamberlain compared using rifle clubs to enforce the law to setting "kites to watch doves, or wolves to guard sheep." A few days later, on October 7, the Governor issued a proclamation to "forbid the existence of all said organizations or combinations of men, commonly known as "Rifle Clubs"." Chamberlain ordered all clubs disbanded, and made their existence illegal "in any place or under any circumstances in the State." But like so many laws and proclamations during Reconstruction, it was action without action; there was no enforcement behind the strong words.

State Republicans also did what they did best: applied to the federal government for aid. Following his proclamation, Chamberlain contacted President Grant and described to him the condition of the state. "Insurrection and domestic violence exist in various portions of the State," the Governor complained, and "I am unable with any means at my command to suppress the same." Chamberlain called on Grant, as Chief Executive, to "aid me in
supressing said insurrection and domestic violence [sic]. J.G. Winnsmith, frequent correspondent to the President, pushed Chamberlain's opinions even further. "Nothing but the declaration of martial law," Winnsmith believed, "... and the exhibition of power and authority of the National Government can save South Carolina from a bloody revolution and the domination of Hampton and Gary and Butler." These men, he asserted, "have breathed nothing but rebellion since this campaign opened. It is in every sense a military campaign which they have been conducting."139

If Carolinians thought the federal government would look the other way, they were sorely mistaken. President Grant responded with a proclamation of his own, and also supplied the force to back it up. On October 17, citing that "insurrection" and "domestic violence" existed in South Carolina, Grant commanded all persons engaging in lawless activities to disperse to their homes within three days. While the proclamation appeared weak, the Chief Executive also ordered all available forces in the Division of the Atlantic to General Ruger in Columbia (Ruger's Department of the South was under the umbrella of the Division of the Atlantic). Secretary of War James D. Cameron stated boldly that "it is the fixed purpose of the Government to carry out the spirit of the proclamation, and to sustain it by the military force of the General Government...."140
A flurry of activity followed within the War Department, as officers strained to fulfill their Commander-in-Chief's order. Grant had stated "all available forces," and the War Department took that quite seriously. The Army transferred men from the artillery schools at Fort Monroe, Virginia, recruiting posts in New York City, posts in Rhode Island, Connecticut, Massachusetts, and as far away as Maine. The Department even dredged up men from Forts Niagara and Ontario, all for duty in South Carolina. The state would go into the election with more U.S. soldiers within its borders than any time since its readmission to the Union; more troops were in South Carolina for the election than there were during the Ku Klux crackdown of 1871. The entire 18th Regiment of Infantry was stationed in the state, along with companies from the 1st, 2nd, 3rd, and 5th Regiments of Artillery, and several companies of the 2nd Infantry. The total count came to 1144 officers and men.

Conservative leaders and the press were quick to defend the rifle clubs and argue that no insurrection existed. The State Democratic Executive Committee proclaimed the charges "false and libelous" and described Chamberlain's "threatened usurpation of power" as "tyrannical and unwarranted." The committee declared that unruly blacks were to blame for the recent disturbances. The News and Courier challenged Chamberlain to prove that "resistance to the law" had occurred; how would the Governor know, the editorial asked,
since he made no effort to enforce the law! James Rion, the editor of the conservative Columbia Register, argued the clubs only existed to "protect our houses, families, lives," and if they disbanded, "our lives and property are in imminent peril." But few really believed these clubs were wholly defensive in nature. For instance, Alexander Haskell discovered how difficult it was to justify the clubs during congressional hearings after the election. When asked "were these military companies?" Haskell answered "no, sir, voluntary rifle clubs, armed with rifles." The question was then repeated, "that is, military companies?" Haskell replied, "yes, sir, they had that form, though they were not military...."

Rather than continue to dispute the issue, some Carolinians did as they had done in the past, and adapted to the new conditions. James Conner told his wife that Chamberlain probably hoped whites would resist, "and he will be able to say to the President that the insurrection is too formidable." "But," Conner wrote, "we see the game and don't mean to play it to his hands." Whites interpreted the proclamations as narrowly as possible, and followed the letter of the decrees. For instance, in Spartanburg, clubs disbanded to avoid providing "grist for the outrage mill" but the members kept "vigilant and active." M.C Butler openly declared that "if there are any rifle clubs, let them disband and re-organize themselves
at one into Democratic clubs, without arms." He added, "God will furnish them with arms" to defeat the Radicals. Just below his announcement in the Herald was an article that 370 guns had been taken from the Edgefield jail.  

Feigning compliance, many of the rifle clubs changed nothing but their names. For instance, the "Columbia Flying Artillery" became the "Columbia Musical Club with Four Twelve Pounder Flutes." The Allendale Rifle Club informed Chamberlain that it had been disbanded, but failed to tell him it now existed as the Allendale Mounted Baseball Club! There were mounted sewing circles, mounted dancing clubs, and even mounted church groups!  

While federal activity may have lifted Republican morale in the short run, it reflected considerable Republican problems. As Democrats happily pointed out - and which many Republicans could not help but notice - the state was unable to deal with lawlessness. In a speech at Cheraw just after the Ellenton disorders, Wade Hampton said "it seems to me that a Governor who cannot feel that his seat is secured by the confidence and affection of the people ... would be untrue to himself ... if he did not resign." Although his demands may have been unreasonable, Hampton's message was clear: no governor can exist in power "unless he be sustained by the best sentiments of his people." An editorial in the Charleston Journal of Commerce raised a
similar point. "There can be no liberty where there is not self-government," it read, "and no free government without the consent of the governed."183

That message - that Chamberlain was not in control of the state - was brought home once again with bloodshed. On October 15, Republicans met for a rally at the "Brick Church" just outside Cainhoy, a small town about 30 miles inland from Charleston. Although it was a Republican meeting, at least two hundred Democrats attended. The Republicans, wary of any Democratic presence and by now familiar with Democratic tactics, had come fully armed, with several militia companies present. Democrats protested, so in order to avoid a confrontation, the militia stored their arms in several buildings nearby and settled in to hear the speeches.

It still remains a mystery as to what sparked the "Cainhoy riot." Some witnesses say a scuffle ensued between a Republican and a Democrat, while others contend that the whole event was pre-planned by vengeful blacks. At some point during the speeches a gun discharged, and blacks, fearing another massacre, ran for their guns. Not surprisingly, whites had already taken possession of some of the militia arms, and both groups began firing. Blacks seemed to have the better position, and eventually drove many of the whites to the river, where they boarded the steamer "Pocosin." The steamer left for Charleston, and
returned by evening with reinforcements from the Palmetto Guards and 'disbanded' rifle clubs. The battle was over and the militia had fled, leaving six dead whites and one of their own. As state Attorney General William Stone put it, "the negroes are learning the law of retaliation." 154

By and large, however, it was the whites who were the aggressors in the last weeks before the election. Alfred Williams, the Intendant of Beaufort (not the rifle club member and author), summed up black hostility well. "If the whites did not talk about [insurrection], the negroes would never think of it. The best evidence you can have of the disposition of the colored people is the fact that there are eight colored men for every white in Beaufort County, and that no violence has ever occurred...." 155 Even Carolinian Belton O'Neal Townsend admitted as much, saying that "the intimidation of the negroes is a stern and awful fact." "When a political crime is committed," Townsend explained, "they [whites] palliate over it, smooth over everything, charge the blame on the murdered victims, and indulge in loud generalities about their good feelings towards the negro...." 158

These "good feelings" were nowhere to be found as the election approached. Despite the state and federal proclamations and the presence of over one thousand U.S. soldiers, violence continued as parties wrestled for control of the state. Democratic clubs roamed the countryside,
harassed speakers, enforced economic proscriptions, and carried out more heinous acts. Reports of attacks and requests for protection flooded in from Colleton, Clarendon, Chester, Spartanburg, and Aiken. Republicanss were desperate, and hints of hopelessness and defeat had seeped into many of the petitions. Typical was the letter from an attorney in Greenville, in which he simply stated that "the object of the democrats is to keep them [blacks] away from meetings and away from the polls - I fear that if the election was to come off now that their labors in this district would not have been in vain." When the election did come off, the widespread violence and well-managed intimidation made it seem almost anticlimactic. The campaign had already demonstrated who was in control of the state. Chamberlain was ineffectual as a leader, the Republicans were disorganized as a party, and not even the threatened intervention of the federal government deflected the resentment against them. In a way, the election was the final coup de grace for the Republicans, or the final validation for the Democrats. The struggle for control of the state was nearly over, all that remained was a formal acknowledgement of conservative victory. In the words of Carolinian Alvin Hart, "they don't intend for any thing to keep them from it."
1. Robert Wallace Shand Journal, 150, SCL-MD.

2. J.G. Winnsmith to President Grant, October 14, 1876, House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 104.

3. Historians still debate whether race was a pure issue in itself, or if the upper classes brought up and used the race issue to control and manipulate those more susceptible to the threats inherent in racial equality. Some excellent discussion on this topic include Olsen, ed., Reconstruction and Redemption, 8; Barbara J. Fields, "Ideology and Race in American History," in Kousser and McPherson, eds., Region, Race, and Reconstruction, 143-189; George M. Fredrickson, "Aristocracy and Democracy in the Southern Tradition," in Fraser and Moore, eds., The Southern Enigma, 102-103; Roark, Masters without Slaves, 192-195.

4. Rock Hill Grange, no date, quoted in the Charleston News and Courier, January 15, 1876.


7. Alfred Brockenbrough Williams, "Eyewitness to 1876," January 23, 1927, SCL-MD. Williams, who participated in the redemption of South Carolina, wrote a series of articles commemorating the fiftieth anniversary of Redemption. The dates accompanying my citations are the date of the particular article within the manuscript collection, and do not refer to any particular historical event.


9. Speech of A.M. Speights at Beaver Dam in Laurens County, March 18, 1876, printed in the Spartanburg Herald, April 5, 1876.


12. "A South Carolinian" (Belton O'Neal Townsend), "South Carolina Morals," 470.

15. Charleston News and Courier, January 10, 1876.
16. Charleston News and Courier, January 8, 1876; Allen, Governor Chamberlain's Administration, 273.
17. Charleston News and Courier, January 10, 1876.
18. Spartanburg Herald, January 12, 1876.
20. Charleston News and Courier, February 8, 10, 15, 1876; Spartanburg Herald, February 23, March 29, June 7, 1876.
21. The Abbeville Medium, no date, quoted in the Charleston News and Courier, January 29, 1876.
22. For a listing of all delegates see Reynolds, Reconstruction in South Carolina, 340-343.
25. Allen, Governor Chamberlain's Administration, 399; Charleston News and Courier, June 23, 1876; Spartanburg Herald, June 21, 1876.
26. The only extant issues of the Charleston Journal of Commerce appear to be in the Book Division of the South Caroliniana Library at the University of South Carolina. For this reason, my citations will include the location reference, SCL-BD. I wish to express my appreciation to the staff of the SCL, who spent an entire afternoon searching the archives, tracking down the only existing volume of this paper.
27. Current, Those Terrible Carpetbaggers, 345-347; Thompson, Ousting the Carpetbagger, 97; Allen, Governor Chamberlain's Administration, 258-271; Beaufort Tribune, April 19, 1876, quoted in Holt, Black over White, 198-199.
29. Williams, "Eyewitness to '76," August 8, 1928, SCL-MD; Martin W. Gary Collection, "Notebook on 1876," SCL-MD; Foner, Reconstruction: America's Unfinished Revolution, 570, 572; Holt, Black over White, 78-79.
30. See the entry for Reverend Paul Jefferson, in Martin W. Gary Collection, "Notebook on 1876," SCL-MD.


33. Martin W. Gary Collection, "Notebook on 1876," SCL-MD; Williams, "Eyewitness to '76," August 29, 1926, January 2, 9, 16, 30, 1927, SCL-MD; Charleston News and Courier, August 12, 1876; Charleston Journal of Commerce, September 12, 13, 1876, SCL-BD; William Stone to Chamberlain, September 8, 1876, Governor Chamberlain Papers, Box 14, Folder 23, SCDAH.

34. Charleston Journal of Commerce, July 10, 1876, SCL-BD.

35. Spartanburg Herald, July 26, 1876.


38. Current, Those Terrible Carpetbaggers, 352. For information relating to the challenges, which Dawson declined to accept, see Francis Warrington Dawson Papers, Scrapbook I, SCLRR, Duke.


40. Marshal R.B. Wallace to Attorney General Taft, July 17, 1876, RG 60, MC 947, Reel 2, NA.

41. Allen, Governor Chamberlain's Administration, 323.

42. President Grant to Governor Chamberlain, July 26, 1876, printed in Spartanburg Herald, August 9, 1876, and Allen, Governor Chamberlain's Administration, 325; General William T. Sherman to General Winfield S. Hancock, commander, Division of the Atlantic, no date, but endorsements show July 20 and 24, 1876, RG 94, MC 686, Reel 276, NA.

43. Charleston Journal of Commerce, July 26, 27, 1876, SCL-BD.
44. Wallace to Taft, July 25, 1876, RG 60, MC 947, Reel 2, NA.

45. Allen, Governor Chamberlain's Administration, 331.

46. Williams, "Eyewitness to '76," August 15, 1926, SCL-MD; Allen, Governor Chamberlain's Administration, 312; Charleston News and Courier, July 28, 1876; Thompson, Ousting the Carpetbagger, 101.

47. Williams, "Eyewitness to '76," September 5, 1926, SCL-MD.


49. For news on political mobilization and the growing support for a straight-out approach see issues of the Charleston News and Courier for late July and early August, and Williams' "Eyewitness to '76" accounts dated during the month of August 1876.

50. Richardson Miles to William Porcher Miles, August 26, 1876, William Porcher Miles Papers, Box 5, Folder 63, SHC/UNC.

51. New York Herald, August 8, 1876, quoted in the Charleston Journal of Commerce, August 11, 1876, SCL-BD, and the Spartanburg Herald, August 23, 1876.

52. Secretary of War J.D. Cameron to Adjutant General E.D Townsend, August 15, 1876; Sherman to General W. S. Hancock, commander, the Military Division of the Atlantic, August 17, 1876, both in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 5-6.

53. Charleston Journal of Commerce, August 18, 1876, SCL-BD.

54. Greenville News, no date, quoted in Edgefield Advertiser, August 10, 1876.

55. Sheppard, Red Shirts Remembered, 122; Thompson, Ousting the Carpetbagger, 117.

56. The Nation, no date, quoted in Allen, Governor Chamberlain's Administration, 337.

57. S.G. Welch to Chamberlain, August 23, 1876, Governor Chamberlain Papers, Box 14, Folder 8, SCDAH.
58. All candidates for high office had been general officers during the war, and with the exception of Conner, all would be elected governor, Williams, "Eyewitness to '76," September 5, 1926, SCL-MD.

59. B. Odell Duncan to Chamberlain, October 8, 1876, quoted in Allen, Governor Chamberlain's Administration, 420-421.

60. Current, Those Terrible Carpetbaggers, 345-347; Thompson, Quoting the Carpetbagger, 97; Allen, Governor Chamberlain's Administration, 258-271; Beaufort Tribune, April 19, 1876, quoted in Holt, Black over White, 138-149.


62. A.P. Aldrich speech quoted in Holt, Black over White, 197.

63. Charleston News and Courier, September 14, 1876; Current, Those Terrible Carpetbaggers, 353.

64. Frank Arum and John Gardner to Chamberlain, September 18, 1876, Governor Chamberlain Papers, Box 14, Folder 34, SCDAH.

65. Edgefield Advertiser, October 19, 1876, located in Martin W. Gary Collection, Folder 66, SCL-MD.

66. Sheppard, Red Shirts Remembered, 47-50; Cox and Cox, eds., Reconstruction, 302-309; Simkins and Woody, South Carolina during Reconstruction, 564-569.

67. L. Cass Carpenter to President Grant, August 19, 1876, in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 95-96.

68. Williams, "Eyewitness to '76," September 19, 1926, SCL-MD.

69. "Address to the Citizens of Marlboro in 1876," Joshua Hilary Hudson Papers, SCL-MD.
70. Williams, "Eyewitness to '76," November 7, 28, 1926, SCL-MD.

71. "Resolutions of the Pond Bluff Club," August 5, 1876, James Davis Trezevant Papers, SCL-MD.

72. Williams, "Eyewitness to '76," September 5, 1926, SCL-MD.

73. Robert Wallace Shand Journal, 148-149, SCL-MD.

74. Quoted in Williamson, After Slavery, 344.

75. Allen, Governor Chamberlain's Administration, 400-401; New York Tribune, October 14, 1876, quoted in Taylor, The Negro in South Carolina, 244-245.

76. Charleston Journal of Commerce, September 5, 1876, SCL-BD.

77. "Citizens of Greenville" to Chamberlain, October 25, 1876, Governor Chamberlain Papers, Box 15, Folder 15, SCDAH.


80. Williams, "Eyewitness to '76," October 5, 1926, SCL-MD.


82. Williams, "Eyewitness to '76," January 9, 1927, SCL-MD.

83. "South Carolina in 1876," 828; Simkins and Woody, South Carolina during Reconstruction, 501.

84. For a sampling of news concerning the formation of gun clubs see the Charleston News and Courier, August 31, 1876; Williams, "Eyewitness to '76," August 29, September 29, 1926, SCL-MD; Charleston Journal of Commerce, August 22, 1876, SCL-BD; Black Oak Democratic Campaign Club, SCL-MD; Spartanburg Harald, October 4, 1876.

85. Thompson, Ousting the Carpetbagger, 121; Walker, "Carolina Rifle Club," 53, SCL-BD; Richardson Miles to William Porcher Miles, August 28, 1876, William Porcher Miles Papers, Box 5, Folder 63, SHC/UNC.
86. Charleston News and Courier, September 6, 1876. There are various stories about the origin of the "red shirt," but most claim it was designed to mock Senator Oliver Morton's "waving the bloody shirt." The originator is more of a mystery, but while Alfred Williams claims it first appeared in Newberry, the best evidence points towards its genesis in Aiken, by the Sweetwater Saber Club, after the Hamburg riot. Williams, "Eyewitness to '76," November 14, 1926, SCL-MD; clipping of article entitled "Red Shirt Revolution," no source, but dated 1911, located in "Scrapbook," Conway, Black, and Davis Families, SCL-MD.

87. David T. Corbin to Attorney General Alphonso Taft, August 21, 1876, RG 60, MC 947, Reel 2, NA, also printed in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 96-97.

88. Marshal R.B. Wallace to Taft, August 25, 1876, RG 60, MC 947, Reel 2, NA.

89. James P. Low to Chamberlain, September 7, 1876, Governor Chamberlain Papers, Box 14, Folder 25, and September 12, 1876, Governor Chamberlain Papers, Box 14, Folder 30, SCDAH.

90. H.W. Hendricks to Chamberlain, September 12, 1876, Governor Chamberlain Papers, Box 14, Folder 30, SCDAH.

91. For instance see D.R. Edwards to Chamberlain, October 12, 1876, Governor Chamberlain Papers, Box 15, Folder 9, and James G. Varn to Chamberlain, September 20, 1876, Governor Chamberlain Papers, Box 14, Folder 35, SCDAH.

92. Charleston News and Courier, October 11, 1876.

93. Charleston Journal of Commerce, August 16, 1876, SCL-BD; Williams, "Eyewitness to '76," September 5, 1926, SCL-MD.

94. James Richardson to Chamberlain, October 11, 1876, Governor Chamberlain Papers, Box 15, Folder 9, and September 14, 1876, Governor Chamberlain Papers, Box 15, Folder 10, SCDAH; Spartanburg Herald, October 18, 1876.

95. Richardson Miles to William Porcher Miles, August 26, 1876, William Porcher Miles Papers, Box 5, Folder 63, SHC/UNC.

96. Williams, "Eyewitness to '76," August 29, 1926, SCL-MD.

97. Richmond (Va.) Dispatch and New York Herald, no dates, quoted in the Charleston News and Courier, July 13, 1876.
100. Charleston Journal of Commerce, August 31, 1876, SCL-BD.
103. For details on the meetings consult the Edgefield Advertiser, August 17, 1876; Charleston News and Courier, August 14, 15, 1876; Sheppard, Red Shirts Remembered, 94-108; Williams, "Eyewitness to '78," August 29, September 12, 1926, SCL-MD.
104. Williams, "Eyewitness to '78," October 3, 1926, SCL-MD.
105. Thomas Pinckney Lowndes, "Reminiscences," 118-119, Box 2, Folder 21, William Lowndes Papers, SHC/UNC.
106. Honorable A.S. Wallace to Secretary of War J.D. Cameron, October 12, 1876, RG 94, MC 666, Reel 298, NA. For other complaints about gun clubs and calls for help see James Strain to Chamberlain, September 7, 1876, Governor Chamberlain Papers, Box 14, Folder 25, SCDAH, and R.A. Cummings to Chamberlain, October 20, 1876, Governor Chamberlain Papers, Box 15, Folder 12, SCDAH.
107. Lizzie Geiger to William Leaphart, August 15, 1876, Lizzie Geiger Papers, Folder 2, SCL-MD; Spartanburg Herald, August 23, 1876.
108. Charleston News and Courier, October 17, 1876.
109. Williams, "Eyewitness to '78," January 2, 1927, SCL-MD.
110. Charleston News and Courier, September 18, October 2, 3, 1876.
111. Charleston News and Courier, October 20, 1876; Williams, "Eyewitness to '76," January 16, 1927, SCL-MD.
112. Williams, "Eyewitness to '78," January 2, 1927, SCL-MD.
113. Williams, "Eyewitness to '78," February 6, 1927, SCL-MD.
114. James Conner to "Wife," October 10, 1876, Hampton Family Papers, Box 6, folder by date, SCL-MD.
115. James Conner to "Wife," October 31, 1876, Hampton Family Papers, Box 6, Folder by date, SCL-HD.

116. "Colored Citizens of Laurens" to Chamberlain, August 22, 1876, Governor Chamberlain Papers, Box 14, Folder 8, SCDAH.

117. John Gardner to Chamberlain, August 25, 1876, Governor Chamberlain Papers, Box 14, Folder 10, and George Wadell to Chamberlain, September 4, 1876, Governor Chamberlain Papers, Box 14, Folder 21, SCDAH.

118. S.C. Waller to Chamberlain, August 28, 1876, Governor Chamberlain Papers, Box 14, Folder 12, SCDAH.


121. Army and Navy Journal, November 4, 1876, 200.

122. Williams, "Eyewitness to '76," October 10, 1876, SCL-MD; Charleston News and Courier, September 7, 1876; Spartanburg Herald, September 13, 1876.

123. Charleston Journal of Commerce, September 8, 1876.

124. James P. Low to Chamberlain, September 8, 1876, Governor Chamberlain Papers, Box 14, Folder 27, SCDAH.

125. Walker, "Carolina Rifle Club," 60-61, 64, 67, SCL-BD.

126. H.N. Bonney to Chamberlain, September 7, 1876, Governor Chamberlain Papers, Box 14, Folder 25, SCDAH.

127. "Republicans of Midway [Barnwell County]" to Chamberlain, September 20, 1876, Governor Chamberlain Papers, Box 14, Folder 35, SCDAH.

128. "Colored Citizens of Blacksville" to Chamberlain, September 28, 1876, Governor Chamberlain Papers, Box 14, Folder 40, SCDAH.

129. W.J. Hixons to Chamberlain, September 27, 1876, Governor Chamberlain Papers, Box 14, Folder 38, SCDAH.

131. *Charleston Journal of Commerce*, September 27, October 14, December 5, 1876, SCL-BD; *Charleston News and Courier*, October 3, 1876.

132. Captain Thomas Lloyd to the Assistant Adjutant General, Department of the South, September 21, 1876, printed in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 82-83.

133. Ibid.; *Charleston Journal of Commerce*, September 18, 27, 1876, SCL-BD; District Attorney David C. Corbin to Attorney General Alphonso Taft, October 8, 1876, RG 60, MC 947, Reel 3, NA; Allen, *Governor Chamberlain's Administration*, 413.

134. E.H. Saltiel to Chamberlain, September 30, 1876, Governor Chamberlain Papers, Box 14, Folder 41, SCDAH.

135. Edgar Welles to Chamberlain, September 23, 1876, Governor Chamberlain Papers, Box 14, Folder 36, SCDAH.


137. Governor Chamberlain Papers, Box 15, Folder 4, SCDAH; "A Vindication of the People of South Carolina," in Pamphlets: Reconstruction in South Carolina Democratic and Republican, 1, SCL-BD; Spartanburg Herald, October 11, 1876.

138. Chamberlain to President Grant, October 11, 1876, RG 60, MC 947, Reel 3, NA.

139. J.G. Winnsmith to President Grant, October 14, 1876, printed in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 104.

140. Charleston *News and Courier*, October 18, 1876; *Army and Navy Journal*, October 21, 1876, 163; "A Vindication of the People of South Carolina," 7, SCL-BD.


142. The breakdown was as follows: 185 men of the 1st Artillery (at Columbia), 96 men of the 2nd Artillery (various cites and towns), 153 men of the 3rd Artillery (various posts), 159 men of the 5th Artillery (various
posts), 181 men of the 2nd Infantry (stationed throughout Edgefield and Aiken counties), and 370 men of the 18th Infantry. Taken together, U.S. troops were in Columbia, Lancaster, Marion, Blackville, Charleston, Summerville, Aiken, Edgefield, Yorkville, Abbeville, Newberry, Allendale, and Laurens, "Annual Report of the Secretary of War for 1876," House Executive Document No.1, part 2, Serial 1742, 44th Congress, 2nd Session, 61-63, 68.

143. "A Vindication of the People of South Carolina," 2, SCL-BD.

144. Charleston News and Courier, October 9, 1876.

145. Spartanburg Herald, October 18, 1876.


147. James Conner to "Wife," October 10, 1876, Hampton Family Papers, Box 6, folder as dated, SCL-MD.

148. Spartanburg Herald, October 18, 1876.

149. Ibid.

150. Columbia Union Herald, November 8, 1876.

151. Governor Chamberlain Papers, Box 15, Folders 10 and 12, SCDAH; Williams, "Eyewitness to '76," December 12, 1926, SCL-MD.

152. Charleston Journal of Commerce, September 29, 1876.


154. William Stone to Taft, October 21, 1876, RG 60, MC 947, Reel 3, NA. For contemporary descriptions of the riot itself see R.B. Wallace to Taft, October 18, 1876, RG 60, MC 947, Reel 3, NA, printed in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 104-110; Charleston News and Courier, October 17, 19, 20, 1876; Williams, "Eyewitness to '76," December 25, 1926, SCL-MD; Spartanburg Herald, October 25, 1876; Charleston Journal of Commerce, October 17, 18, 19, 20, 1876. A good narrative of the event is in Melinda Meeks Hennessey, "Racial Violence during Reconstruction: The 1876 Riots in Charleston and Cainhoy," in South Carolina Historical Magazine, 86 (April 1985), 100-112.

155. Alfred Williams to Chamberlain, November 3, 1876, Governor Chamberlain Papers, Box 15, Folder 23, SCDAH.
156. "A South Carolinian" (Belton O'Neal Townsend), "South Carolina Morals," 471.

157. Some examples of last-minute calls for troops are J. Henry Barnwell to Chamberlain, October 21, 1876, Box 15, Folder 12; Joseph Galluchat to Chamberlain, October 23, 1876, Box 15, Folder 14; T. M. Graham to Chamberlain, October 30, 1876, Box 15, Folder 17; the "Citizens of Aiken County" to Chamberlain, October 30, 1876, Box 15, Folder 17; A.C. Merrick (Auditor) and other local officials of Spartanburg County to Chamberlain, October 30, 1876, Box 15, Folder 18, all of the above in the Governor Chamberlain Papers, SCDAH.

158. A. Bly to Chamberlain, September 19, 1876, Governor Chamberlain Papers, Box 14, Folder 35, SCDAH.

159. Alvin Hart to Daniel Augustus Tompkins, October 24, 1876, Daniel Augustus Tompkins Papers, Folder 5, SHC/UNC.
CHAPTER X
THE REVOLUTION OF '76

[It was] for us a struggle for Republican government & for emancipation from negro and alien rule - God help the right!
-- Henry William Ravenel

Sixteen years ago this Union of equal States was practically destroyed by a proclamation calling for seventy-five thousand troops to coerce the Seceded States. To-day the use of the bayonet in the formation of a State Legislature is but the last act in the drama then begun.
-- Charleston News and Courier, December 6, 1876

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The revolution that had begun in December of 1860 came to its close a decade and a half later, when white South Carolinians finally secured for themselves the right to regulate their society as they wanted. The gubernatorial election of 1876 was close enough to be contested, but such a narrow race demonstrated just how far the Democratic party had come. Ultimately it was the cohesion, organization, and brutality of the conservative forces that brought victory, for the legal, political, and moral arguments of state
Republicans were no match for Wade Hampton and his Red Shirts. South Carolina's desperate struggle came to an end in the city where it began, when in April of 1877 the last Republican governor capitulated in Columbia.

Despite the numerical superiority of the Republicans, it was the Democrats who welcomed the election with high hopes. From the very beginning, whites had controlled the tempo and the tone of the campaign, and were able to maintain their momentum into the election. When compared with scholar Eqbal Ahmad's 'insurgency recipe,' the straight-out movement appeared destined for success. Ahmad posited seven factors for a successful revolution or insurgency, which were the following: 1) mass support among the population; 2) a well-structured focus on politics and political goals; 3) the "moral alienation of the masses from the existing government;" 4) the existence of problems and causes arising out of social change, rather than simply a creation of the revolutionaries; 5) a concentration on "outadministering" rather than outfighting the enemy, for a successful revolution must be constructive as well as destructive; 6) the selective use of terrorism, and 7) an external sanctuary, which is important for psychological support, not necessarily military or political aid. With the possible exception of the seventh point (unless one
considers the moral support of the other southern states), the Democrats appeared well on their way to sweeping the Republicans from office.

The Democrats' growing sense of optimism - or perhaps reckless desperation - was evident in the weeks prior to the election. The Charleston Journal of Commerce felt confident enough to tweak the federal government's nose by reminding it about the recent decisions in the The Slaughterhouse Cases and Cruikshank cases. "We beg leave to remind United States Marshals, likewise Deputy Marshals and other Federal officials in the South," one editor wrote, of the Supreme Court's "declaring the enforcement act unconstitutional and defining the manner in which federal soldiers may be called upon - that is through the State governments." The editor advised federal officials to "to ponder these things carefully...." Attorney General Taft, however, reminded his marshals that "no State law or State official" can interfere with a federal duty, and "if such interference shall take place ... you are to disregard it entirely. The laws of the United States are supreme, and so, consequently, is the action of the officials of the United States in enforcing them." Carolinians were unfazed; Alfred B. Williams stated that whites "had burned their bridges and could not be scared. Facing a 30,000 negro majority, hostile state and federal government, a promised horde of troops, election machinery in hostile and
even criminal hands, some hundreds of deputy marshals could
add little to the obstacles to be overcome...."

Williams's observation was not far wrong, for the
Democratic party had done an incredible job of organizing
and mobilizing for the election. Even hardened cynic Henry
William Ravenel was amazed at the "effort of our people to
throw off the incubus of corrupt negro government which has
been weighing upon our unfortunate State...." Elizabeth
(Grimball) Munro summed up the campaign when she commented
that "the Democrats in this county are as one." Perhaps a
notation by Daniel Augustus Tompkins best suggested the mood
of the Democrats: "Politics is all the talk and excitement
and today a lady told me if the white people succeeded her
husband would go crazy over the result and if they failed he
wd [sic] go crazy also." Newspaper headlines the day
before the election also rang with emotional content. "The
Day before the Battle" read one, while others were "The
Clock has Struck," and "Free Government on Trial To-Day!"

Unfortunately excitement and anticipation did not
replace the more violent characteristics of the campaign.
The backbone of the Democratic strategy remained a unified
display of force, a force which neither the state
government, the black population, nor - if used carefully -
the federal government could combat. Right up through the
election, whites continued to apply pressure on black and
white republicans, openly displaying their defiance and
disdain toward Chamberlain's government. Unlike other elections, there would be no 'truce' at election time; the odd combination of desperation and optimism - coupled with a strained trust in the neutrality of the federal government - drove whites to keep up their coercive tactics.

Just how neutral the federal government would stay remained to be seen, but whites exhibited the same attitude toward the Grant administration as they did towards Chamberlain. Over a thousand federal soldiers had been in the state since late October, but this did not deter some whites. The threat of violence hung heavy over the election, as attested to by one poll manager, Jonathan Nelson. Just before election day Nelson promised Chamberlain that "I shall do my part without fears of intimidation. I shall die to [sic] the polls, in the defence of the Republican Party - once we allow the Democrats in the State to get in power, then we will see a Second Georgia. What right had a colored man in Georgia today? None whatever, but on the other hand treated like a dog." Though he swore to fullfil his duties, Nelson worried about other managers in the face of Democratic tactics, which he called "a mass of deception - force, imposition, fraud." 10

Reports from Army officers confirmed Nelson's misgivings. As the election approached, some counties grew agitated. In Aiken County, a detachment of infantry
responded to a call for help from some Republicans holding a meeting outside of Hamburg. When the detachment commander arrived, he found that the deputy marshal only anticipated violence from nearby whites, none had actually occurred. The officer informed the deputy marshal that "unless some acts of resistance was [sic] first made to his attempts to preserve the peace," the military was unable to act. But just as the detachment prepared to leave, members of a rifle club began chasing a Republican speaker, and the troops found themselves running to interpose themselves between the two. Soldiers finally caught and surrounded "Mr. Palmer," and then escorted him to a waiting train. The officer was forced to admit later that "I sincerely believe that the intention was to assassinate him." Another officer discovered a trainload of whites that had come from Georgia "to help redeem the State." He also reported a great deal of rifle club activity the night before the election, with men riding, yelling, shooting, and parading through black districts.

Democrats did not discard their strong arm tactics when November 8 - election day - finally arrived. Many polls were quiet, and some officers stationed around the state were able to report that blacks voted freely and whites behaved themselves. But many officers - and Republicans - were not so lucky. At one poll in Edgefield, armed horsemen surrounded the cabin, allegedly to prevent more than ten
voters from approaching at a given time; the effect on the
blacks was obvious, and many merely stayed away. A nearby
poll also had its share of mounted men, these blocking the
stairway which led to the window holding the ballot box.\(^\text{14}\)
Captain William Falck came across the same situation at the
Shains Hill poll in Edgefield, but could do nothing as the
managers and marshal refused to call him into action. State
and federal officers present even refused to question voters
(many of whom Falck suspected were from out-of-state)
because they feared for their lives.\(^\text{15}\)

At some polls Democratic methods went beyond mere
physical presence. At Calhoun Hills in Abbeville,
Lieutenant Frank Barnhart of the 18th Infantry, who had
commanded black troops in the Civil War, drove off a band of
whites who had attacked the marshal, only to find them at
another poll, armed and ready; as long as he was present
they remained peaceful, so the lieutenant could neither act
nor leave.\(^\text{16}\) In Greenville, poll supervisors had built a
fence to control the influx of voters, but whites tore it
down and rushed the box. They set up their own "Police
Force" to guard the box, but it only admitted whites! When
a detachment of soldiers arrived, it found a "riotous scene"
of "violent and disorderly" men. A line of soldiers with
fixed bayonets finally cut a path to the box, then assembled
around it to prevent the "Police Force" from returning.\(^\text{17}\)
Federal soldiers could not, however, prevent every sort of intimidation and be present at every poll. For instance, troops arrived after a shooting at the Macedonia Church poll in Edgefield, and the commanding officer had "not the slightest doubt that scores of negroes would have been killed and wounded" had the army not appeared. Even so, Captain E.R. Kellogg reported, "several hundred negroes were not able to cast their votes [emphasis original]." At another poll members of a rifle club stood by the box, nonchalantly striking any black voter over the head with a pistol before he could reach the poll. Kellogg appeared here as well, but Democrats were not so easily put off. The manager, John Sheppard (the author mentioned earlier), took an inordinately long time to read the oath and rules to each voter individually, resulting in a long line and few votes actually being cast. At Robbins Precinct in Barnwell, whites shot at the depot housing the ballot box, driving off voters and managers. Deputy marshal Lawrence Mimms ran to a nearby poll to get soldiers, but was told by an officer that the troops could not be moved. When the Mimms returned to the depot, the ballot box was gone!

Nor were soldiers and state authorities able to deal with Democratic fraud. An English observer of the election described the use of "gossamer" paper for tickets, whereby several sheets were folded inside a single ticket, which was then shaken as it was placed into the ballot box. This
forced loose the inner 'tickets,' and a single voter might deposit a dozen or more votes! This was one explanation for why some counties - in particular Edgefield and Laurens - had more Democratic votes than total registered voters in the counties. Another explanation was the presence of men from Georgia and North Carolina; Lewis Cass Carpenter, now a U.S. Revenue agent, informed President Grant that some rail lines offered rates of less than half for trips from neighboring states into South Carolina. Historian Francis Butler Simkins claimed also that under-age voting was rampant, and some whites even boasted of having voted 18 or 20 times at different polls. Supervisors and managers were either sympathetic to the conservatives or too frightened to take steps to counter the abuses.

Democrats also capitalized on black illiteracy to garner votes. Secret Democratic presses printed thousands of tickets that had the heading "UNION REPUBLICAN TICKET," but listed only Democratic candidates! At times the tickets would have a single name that blacks might recognize, such as a well-known county official, but most state officers - and especially the governor - would be Democrats. James Canton, the manager of a poll in Chester, reported finding these, and Laura M. Towne noted their use on the Sea Islands; she wrote in her dairy that "Mr. Judd" confiscated over a hundred such tickets at his poll alone.
The worst election day incident, however, took place in Charleston, a city that had already seen serious rioting. About midday, several dozen black Republicans had gathered outside the Court House, waiting for news of the election. When the preliminary word came that the Hayes/Chamberlain ticket had won, the crowd moved down the street to the offices of the *News and Courier*, perhaps hoping for confirmation. Instead they ran across a large group of Democrats, and shortly a schuffle began. Soon whites started shooting into the crowd of blacks, forcing them to retreat down other streets. Infuriated rather than scared, the blacks began gathering whatever weapons could be found, picking up rocks, bricks, sticks, and breaking off fence rails.

The whites had quickly dispersed, but the mayor summoned soldiers to help break up the black mob. By early afternoon General Henry Hunt had arranged his artillery companies - backed by police and the city's rifle clubs - around the perimeter of the rioting mob. The rioters were in control of several city blocks, and were looting businesses and attacking unwitting whites who came into reach. The soldiers, firing into the air and brandishing bayonets, eventually squeezed the crowd into a stretch of Broad Street, where they laid down their makeshift weapons.
By evening, when the last rioter had dispersed, two whites were dead, and eleven wounded; the black casualties were one dead, and ten wounded.25

Racial and party anger did not subside overnight, and General Hunt received word early on the 9th that trouble was brewing. According to the Mayor, blacks had not appeared for work at the wharves and warehouses, prompting fears that they were assembling in the city. Hunt learned that that was indeed the case, and that blacks, armed with militia guns and various other weapons, had seized control of the Court House. Even worse, white gun clubs were already in their armories, preparing for action. Several tense hours followed, until Hunt finally got the go-ahead from General Thomas Ruger, commanding the Department of the South, to "do what is necessary to preserve the peace." Hunt proceeded to take control of the city away from the Mayor, who was clearly in cahoots with the Democrats and had hoped to use Hunt and the rifle clubs to destroy the city's Republican clubs. Hunt had his men escort the blacks out of the Court House, ordered James Conner to disperse his rifle clubs, set up military patrols throughout the city, and forbade any gathering that was large enough to block the city's sidewalks.28
For all the time, energy, money, and blood put into the campaign - on both sides - the election of 1876 did not settle the struggle over control of South Carolina. It was fitting that a single day, even at the end of a long and brutal campaign, not decide this issue. The problem lay with a dispute over election returns and vote counts, which not only threw the state elections into chaos but also disrupted the electoral count and thereby the presidential election. Carolina whites, however, paid little attention to the national arena, even though the election of Samuel Tilden might have meant automatic Redemption. Instead, as during the campaign itself, state Democrats followed their hearts, narrowed their vision, and focused entirely on securing a victory for Wade Hampton.

Trouble began when the county commissioners for Edgefield and Laurens reported that fraud had occurred during the election. The initial counts received in Columbia indicated Democrats had taken control of the General Assembly by a slim margin, and that Wade Hampton had been elected by a vote of 92,261 to 91,127. But when these counties sent their vote counts they also sent - as required by law - information that charged voting abuses. There was little doubt that fraud had occurred, since Democrats in both Edgefield and Laurens received more votes
than there were voters. The question then became what was to be done about the counties; the gubernatorial election was close, and including the returns would give the election to Hampton, while discarding them (on account of fraud) would secure Chamberlain the victory.

Adding to the confusion was a dispute over who was legally responsible for deciding the validity of the county returns. The State Board of Canvassers believed itself to be responsible, for a statute charged the Board with tabulating the votes and declaring the highest vote-getter elected. Democrats opposed this solution, as Republican members dominated the Board, three of whom - Francis Cardozo, Henry Hayne, and T.C. Dunn - were up for re-election!20 Another law, however, stated that the General Assembly held authority in a contested gubernatorial race, and implied that the General Assembly itself judged the validity of its members. Democrats supported this solution, for if the General Assembly could be swayed to allow the contested members in (from Edgefield and Laurens), then the Democrats would hold a majority and elect Hampton.28

Since both sides agreed that the General Assembly would elect the governor, the battle centered around the disputed representatives from Edgefield and Laurens. The State Board of Canvassers, ignoring protests from conservatives charging a lack of jurisdiction, began its deliberations during the second week of November.30 Conservative Daniel Augustus
Tompkins wrote to his fiancee in New York that the Republicans planned to "steal the election," while William Young was "afraid that our people would be swindled out of their victory."31

Rebuffed, Democrats took their case to the State Supreme Court. A bit cynically, one of the Grimball sisters asked, "what chance can Brains and Justice do in this country against Grant and his bayonets."32 Yet even though all justices were Republicans, the court decided unanimously that the Board could not invalidate the elections. The Board could only tabulate votes, leaving the decision on members to the legislature. The Court then issued writs of preemptory mandamus to the Board, ordering it to issue certificates of election to the disputed candidates. The Board refused, declared the county elections invalid, and adjourned. Infuriated, the Supreme Court retaliated by charging the Commissioners with contempt, and ordered the arrest of the Board members. The turn of events prompted Hampton to inform Armistead Burt that "we have been able so far to checkmate our opponents & I hope that we shall beat them thoroughly."33 Republicans quickly counterattacked, and Hampton's glee was short-lived. By this time, the 27th of November, the Circuit Court term had opened, and Hugh L. Bond - of the 1871 Ku Klux trials - ordered the prisoners released. Bond's objectivity in the
case was suspect; during the Columbia term he stayed at the
home of his good friend Daniel H. Chamberlain. With Democrats reeling from this latest blow, Republicans acted swiftly. Taking advantage of confusion among officers in Columbia, Chamberlain duped two companies of infantry into taking up positions inside the State House. The Governor provided officers with keys, and when legislators arrived on the morning of the 28th, they found soldiers already inside. Under orders from Chamberlain - who was still governor until the next inauguration - the soldiers only admitted men holding certificates from the Secretary of State or the State Board. The candidates from Edgefield and Laurens, although holding certificates from the Supreme Court, were turned away (General Thomas Ruger, commanding the Department of the South from Columbia, only learned of the army’s role later. He immediately ordered the soldiers out of the State House once he became aware of the situation).

When news of the exclusion became public, Columbia erupted in indignation. Hundreds of residents - among them several rifle clubs - stormed the State House seething with anger over this “barefaced usurpation” which had bid “defiance to the highest tribunal of the State.” Crowds forced the outer sentinels to retreat into the building, leaving the two infantry companies to prepare to defend the legislature from the steps. Having offices in another wing
of the State House, both Chamberlain and General Ruger witnessed the spectacle with growing anxiety. They finally decided on an ironic - but emminently practical - course of action. Ruger, with the Governor's consent, sent an officer to find Wade Hampton with the request that he calm the crowd and, if possible, disperse them. Hampton appeared, and once again demonstrated who really wielded power in South Carolina; after a few words delivered from the State House steps, the people reluctantly drifted back to their homes and armories. Hampton, not Chamberlain or Ruger, was responsible for restoring calm, and just as easily Hampton could have started a bloodbath.37

The conservative press was not so quick to let the matter drop. For weeks afterwards newspapers vilified Chamberlain, state Republicans, the military, and the Grant administration. The News and Courier saw the event as a breach of military conduct, when "the word of the soldier was law, and by that word bayonet-laws are to be made in South Carolina. It was the soldier, not the citizen, the bayonet, not the ballot, that determined ... who would constitute the General Assembly of South Carolina."36

Looking for northern support, the same paper later asked "Is the spirit of '76 gone? Did the men who fought at Lexington, at Bunker Hill, and at Quebec leave no love of constitutional liberty as a heritage to their children?"38

One headline in the Columbia Register read "The Hailed Hand:
The State in the Hands of the Africans," and described the soldiers with their bayonets fixed, ready "to plunge the instrument of war into the body of any representative of the people who might dare to cross the threshold ... without a pass."  

State whites quickly adopted another plan, but Republicans frustrated that one as well. Following the rejection of the Edgefield and Laurens members and the dispersing of the mob outside, the remaining Democrats - and one Republican - voluntarily left the hall where the state House of Representatives was meeting. Democratic leaders calculated that removing these members would prevent a quorum, so the House of Representatives would be unable to function, and unable to elect a Governor. The remaining Republicans, however, never swayed from their assertion that the two elections were void, and this reduced the total number of House members. Although a complete House would total 124 members, the invalidation of the two counties yielded 116 members; the remaining Republicans numbered 59 (54 blacks and 5 whites), which Republicans considered a quorum.

Democrats refused to submit to this bit of political chicanery, and organized their own House of Representatives in Carolina Hall. With a total enrollment of 65, the "Wallace House," named for the Speaker (and former confederate general, of course) William Henry Wallace,
claimed to be the constitutional body, since it did comprise a quorum if the full House was specified at 124 members. The Republican House, or the "Hackey House" for its Speaker E.W.M. Hackey, still presided in the State House, and proclaimed that the rival body was illegal and unconstitutional.42

Both Houses had been organized by the 29th of November, and the state seemed on the brink of civil war. State Republicans kept Washington informed of every Democrat move, and constantly reminded the administration of its duty to prevent insurrection and preserve domestic tranquility. Grant, now a lame-duck president in the midst of a national election with no clear winner, understood his responsibilities. While the military was to keep free from political interference, Grant reminded his commanders of the need to support and protect the established government. As Chamberlain was the legitimate governor until a new one was sworn in, the President instructed Secretary of War Cameron to order Ruger to "sustain Gov Chamberlain in his authority against domestic violence until otherwise directed."43 But this meant protection, not intervention, a fine shading of definitions that left Chamberlain in a precarious position.

The trouble that Republicans anticipated was not long in coming. On November 30th, only a day after the Wallace House organized, Alexander Haskell and James L. Orr (who, like many others, had returned to the Democratic fold) led a
group of Democrats over to the State House. Haskell, Orr, and others had been legitimately elected - in the eyes of the Republicans - and the sergeant-at-arms allowed them to enter. Just as they passed inside, the remaining Democratic members, including those from Edgefield and Laurens, rushed the doors, caught the guards by surprise, and surged into the assembly hall. In the words of one witness, "there was one sharp decisive struggle, and all was over, although at one time it seemed that bloodshed was imminent." Bedlam followed, with each party claiming control and ordering the other to submit; by evening, rival Houses were still in competition, only now they occupied the same floor.  

Republican Speaker Mackey immediately requested assistance from General Ruger. Initially, it appeared as though Ruger's soldiers would intervene and oust Wallace's Democratic invaders. Acting on his own, Ruger acceded to the Speaker's request, and notified Wallace that the Edgefield and Laurens representatives must leave by noon on December 1st. Ruger implied that military action might be necessary if the men had not departed the hall. Mackey, encouraged by the news, called for a vote on the contest for governor to take place at one o'clock, after the Democrats had departed.  

Republican mirth was short-lived, for Grant quickly clamped down on any questionable exercise of military authority. The administration learned of the status of
events from both Ruger and Chamberlain, both of whom sought clarification concerning the role of the army (Ruger admitted to the Secretary of War, however, that there was "no question" of the legitimacy of the disputed representatives). Orders from Washington sealed the fate of the South Carolina Republican party. Attorney General Taft informed Chamberlain that "the President does not think that the exigency has arisen that justifies affirmative action on his part...." Taft implored Chamberlain to use state forces for the execution of state laws; if Democrats resisted such forces, federal action might then be appropriate. Secretary of War Cameron sent a similar message to Ruger, counteracting the General's earlier decision. Cameron told the general that the governor must use his own resources to "purge the legislature," but, he added, "if he is resisted in this it will become your duty to enforce his authority." The next day, December 3rd, President Grant followed with his own warning to Ruger. The legislature dilemma was a state problem, Grant reminded Ruger, and the military must only act to "prevent unauthorized persons from forcibly interfering with the Governor and other authorized officers in the performance of their duties." "To be plain," Grant iterated, "I want to avoid anything like an unlawful use of the military...."

With the federal government taking a more aloof stance, Republicans turned to their own resources. In early
December rumors spread of a plan to use hired thugs and the black Hunki-Dory clubs to forcibly remove the Democrats from the hall. Reports circulated that ‘constables’ were already lurking in the building, sleeping in committee rooms or posing as spectators and maintenance personnel.51

Hoping a tremendous show of force would forestall any violence, which would only damage the Democratic cause, Hampton called for reinforcements. Club members across the state received the call, and scores of armed men flocked to the capital to defend their victory. Robert Wallace Shand woke at the sound of the messengers and boarded a waiting train for Columbia, which stopped at depots along the way to pick up other contingents of Red Shirts. Shand recalled that “there was a little army on hand” when he reached Columbia, and John Sheppard estimated that 3,000 men arrived within a day.52

Whether the plot was real or a cleverly crafted Republican bluff remains a mystery, but it did succeed in driving the Democrats from the State House. With so many paramilitary units present, Democrats made it clear neither fear nor intimidation were at work. Nevertheless, eager to avoid any outbreak that might alter the fragile neutrality of the federal government, Democrats backed down and left the hall on December 4th. They did not capitulate, however, and merely reconvened their House of Representatives in
Carolina Hall (it must be noted that this confusion related to the House only; the state Senate did not divide, and sat by passively watching).  

The dual Houses complicated matters further by electing dual governors. After the Democrats left the State House, Speaker Mackey called for a tabulation of the votes (without the Edgefield and Laurens members), and the body elected Daniel Chamberlain governor. Chamberlain was sworn in on December 6th, by a Probate Judge whose term had expired nearly a month earlier. The same day, however, the state Supreme Court ruled that the Mackey House was the legal House of Representatives, and the Democrats followed that ruling by holding an election of their own. On December 14th, the Mackey House added up the vote, and proclaimed Wade Hampton governor by a margin of 1,134 votes. The oath of office was delivered by none other that Judge Thomas Jefferson Mackey, long-time Republican and uncle of Speaker E.W.M. Mackey; Judge Mackey had defected to the Democrats during the campaign of 1876.  

The Republican position had become even more tenuous. As Chamberlain proved unable to stabilize his government, supporters' patience waned. William J. Balentine summed up the situation when he asked "is it not revolutionary for persons to attempt to exercise the functions of governor, legislators, and other state offices without authority? Have you not, as Governor, authority to command such
revolutionists to desist and to return to their homes?"
"As an American," Balentine continued, "I am tired of this
mexican style of government, and hope that a way will be
soon found to put a stop to it." 58

No one wanted a speedy end to the dispute more than
South Carolina whites and Wade Hampton. After struggling
for years against an intrusive federal government, alien
adventurers, and black legislators, their deliverance seemed
within reach. Following his inauguration, the chosen
savior, Wade Hampton, assumed the central role in overcoming
the resistance of Chamberlain and the Mackey House.

After first issuing a formal call for Chamberlain to
step aside - a request Chamberlain denied - Hampton embarked
on his plan to secure his position as governor.57 In late
December Hampton dispatched letters to both presidential
contenders, Rutherford B. Hayes and Samuel Tilden. He
described the "profound peace" that existed throughout the
state, and informed them that all courts were functioning,
and no resistance to law had occurred. At the same time
Hampton communicated a warning, for although the state was
currently at peace, "the people of this State are not
wanting either in the spirit or means to maintain their
rights of citizenship against the usurpers' power...."58
Hampton wanted the federal government to understand that even without the legal decisions and constitutional arguments, and even without control of the government, the Democrats controlled the state. As if to demonstrate this, Hampton and Wallace House made their shrewdest move thusfar. Before the year was out, the House passed a resolution allowing Hampton, as governor, to issue a special call for taxes (this was done by resolution as the unified Senate would not concur in passing a levy). Hampton called on citizens to pay one-tenth of their previous year’s taxes, all of which would be deducted from their dues once the Democrats formally controlled the government. The money, however, would be paid to men named only by Hampton; he told his followers to ignore completely the regular state tax collectors.  

Whites greeted the "Starve Them Out" policy with unbridled enthusiasm. Through the latter half of December and into the new year, the call of "Pay No Taxes!" rang throughout county meetings and township gatherings. "Disregard the Usurpers" read one News and Courier headline, while the Spartanburg Herald used the patriotic cry "Millions for defence, but not a cent for tribute." The Herald warned readers that anyone paying Republican collectors would be "giving aid and comfort to the enemy," and such funds would not be credited once the Democrats were in power.
The "starve them out" policy had its foundation in another shortcoming of Reconstruction. Whites still controlled the finances and property in the state, and regardless of black numbers, the state government could not function without white money. This the Republican legislators could not coerce, especially since the efficiency and extent of white military mobilization was so clear. Whites would have to contribute to the state voluntarily, and this they did not do. As early as January 17 the editor of the Spartanburg Herald was able to project that "the Chamberlain Government is bound to fall to pieces ere long if the tax-payers will only hold out in their determination not to pay a cent of taxes for its support." By early March Hampton's call had raised between 120,000 and 135,000 dollars, while three separate appeals by Republicans had accomplished little.

Hampton's control over the state's finances - a by-product of his control over the white population - doomed Republicans in the state. Even lame-duck President Grant, still in command of the nation's military, commented on Chamberlain's impossible position. Grant told a New York Tribune reporter that "the whole army of the United States would be inadequate to enforce the authority of Governor Chamberlain. The people of that State resolved not to resort to violence, but adopted a mode of procedure much more formidable and effective than any armed demonstration."
Unless Governor Chamberlain can compel the collection of taxes, it will be utterly useless for him to expect to maintain his authority for any length of time.\textsuperscript{65} The \textit{News and Courier} rejoiced over Grant's observation, and added that "the true and highest test of authority under a popular government is the power to levy and collect taxes. The argument of the purse is more convincing than the logic of the sword."\textsuperscript{68}

Aside from commentaries, however, Grant pursued a policy of watchful waiting, which meant watching the South while waiting to pass along such dilemmas to his successor. But just as Democratic fraud and intimidation had thrown the state elections into chaos, they also wreaked havoc with the presidential election. South Carolina was one of three states (the others being Florida and Louisiana) whose electoral votes were under dispute because of charges of Democratic abuses. Like the gubernatorial election, the presidential race was close, although Samuel Tilden had a lead in the electoral college; Democrat Tilden needed only one electoral vote to win, while Republican Rutherford B. Hayes required all the contested votes - there were 19 total - to carry the election.\textsuperscript{67}

South Carolina conservatives were more intent on their revenue battle than on the negotiations and political maneuverings taking place around Washington in the winter of 1877. As they had done in the campaign, Carolinians were
hedging their bets. On the surface, whites appeared to be throwing caution to the wind by concentrating on their state race instead of pushing for Tilden - and probable Redemption. But by focusing on the state conservatives were assuring themselves of home rule; if Tilden won, he would in all probability recognize the Hampton government, while if Hayes won, the Hampton government would be too entrenched to be removed by anything but the use of federal troops. State Democrats hoped a fait accompli, backed by an impressive military organization, the obvious support of the white population, and a sympathetic North, would prove too much for whoever became Chief Executive.

The upshot of the deliberations, negotiations, and manipulations was the election - by special commission - of Rutherford B. Hayes. Hayes’ inauguration on March 4, 1877, offered a spark of hope to the dying embers of the South Carolina Republican party. The election, according to one Carolina Democrat, "cut away the last hope and faith in the honest purpose of the republican party." "There seems a desperate & stern & quiet preparation" for a move by Hampton, "as well as for negro violence." The author noted that "many of our young men have resumed their pistols lest they be again caught unprepared [sic]."

President Hayes soon dispelled any myths that he had come to deliver Republicans in the South. On March 10 the new President met with a delegation of blacks from South
Carolina, including Francis Cardozo and congressmen Joseph Rainey, Richard Cain, and Robert Smalls. Hayes expressed a desire to "remove the antagonism existing between the races, especially the political differences resting upon the color line, that colored men and the Republicans might not need the protection of the Army." The President clarified the remark by adding, to the dismay of those present, that "the use of the military forces in civil affairs was repugnant to the genius of American institutions, and should be dispersed with if possible." 70

Hayes confirmed Republicians fears after he invited both Chamberlain and Hampton to Washington for private consultations. After conferring with Hayes, both politicians returned to South Carolina, and quickly put into writing - for the President - the substance of their oral meetings. Judging by the communications, Hayes had made his decision. Chamberlain sent the President a letter opposing the removal of troops from the capital, and detailing the grim future of blacks in the state. Hampton, on the other hand, forwarded Hayes a promise to preserve the peace and protect the lives and property of all citizens of the state (allegedly, in their meeting, Hayes had asked Hampton what would happen if he recognized Chamberlain as Governor. According to one source, Hampton replied, "the first thing would be that every tax-collector in the State would be hanged in twenty-four hours." 71 ) 72
On April 2 President Hayes yielded to the only reasonable course of action. At a cabinet meeting that evening, Hayes and his advisors discussed their alternatives, and agreed that removing the troops from the Columbia State House represented the most practical solution to the dilemma. On April 3, Hayes notified Secretary of War George W. McCrary that "there does not now exist in that State such domestic violence as is contemplated by the Constitution as the grounds upon which the military power of the national Government may be invoked for the defense of the State." The President ordered that all troops on duty in Columbia be removed and returned to their previous encampments — which were just outside the city limits. McCrary informed General Sherman of the order, and told him to execute it at noon on April 10.73

The action of state conservatives had deprived President Hayes of any room to maneuver. As Hayes knew, the withdrawal of soldiers from the capital exposed the Republicans to the threat of a white assault. Without federal protection, Chamberlain’s government would easily fall, so Republicans would probably capitulate before it came to open war. But President Hayes had little choice, for the decision had been forced upon him by state conservatives. The Republican party’s position was untenable, for conservatives had demonstrated since early 1876 their ability to harass and abuse Republicans without
incurring federal wrath. It was reasonable that Democrats could - and would - sweep Republicans from power, while a constitutionally-bound federal government looked on.

To be sure, other factors also played into the decision to leave state Republicans to their own resources. Historians have argued about the possibilities of a bargain involving the troops, as well as the desire of Hayes to win over whites in the South. Also important was the growing intolerance for an activist government, especially among business elites in the North. But most scholars recognize the limited use of any "compromise" in 1877, for Reconstruction had already begun its final chapter long before the winter of 1877. As William Gillette has pointed out, Tilden would not have come so close to victory were it not for the resurgence of conservative forces in the South.74 "Indeed," said Eric Foner, "the abandonment of Reconstruction was as much a cause of the crisis of 1876-1877 as a consequence."75 Even C. Vann Woodward grudgingly admitted that - regardless of the political and economic deals - Republicans would have given up the South as lost.78

Credit must go to South Carolina whites, who did their best - meaning at times their worst - to guarantee the Redemption of their state. They managed to create a situation that left both state and federal Republicans with such limited alternatives that the return to home rule seemed the only practical response. When news of the
removal broke, state officers - among them Robert Elliott and Francis Cardozo - even counseled Chamberlain to "discontinue the struggle for the occupancy of the Gubernatorial Chair." Chamberlain was alone in his office when the bells tolled noon on the 10th, and he knew without watching that the troops had begun making their way from the State House to their camp. The embattled governor sat and addressed a letter to the blacks and Republicans of the state, saying that today "the Government of the United States abandons you, deliberately withdraws from you its support, with full knowledge that the lawful Government of the State will be speedily overthrown." The federal government, he continued, abandoned "the lawful State Government to a struggle with insurrectionary forces too powerful to be resisted." The lesson, according to Chamberlain, was that "if a majority of the people of a State are unable by physical force to maintain their rights, they must be left to political servitude." Without the backing of physical force, and on the advice of his peers, Chamberlain officially ceased to assert his right as governor of South Carolina.

In South Carolina, the Civil War came to an end at noon on April 11th, when Wade Hampton's private secretary entered the office of the executive secretary. There he met Chamberlain's counterpart, a Mr. Babbitt, who delivered up to him the Great Seal of the State and various office keys.
After handing these items over, Babbitt put on his coat and hat, bowed, and left the office. Reconstruction, and, in effect, the Civil War, had finally come to a close.


4. *Spartanburg Herald*, September 13, 1876.

5. Williams, "Eyewitness to '76," October 26, 1826, SCL-MD.


7. Elizabeth Munro to James B. Grimball, November 9, 1876, Grimball Family Papers, Folder 33, SHC/UNC.

8. "November 2," Daniel Augustus Tompkins Papers, Folder 5, SHC/UNC.


10. E. Jonathan Nelson to Chamberlain, November 8, 1876, Governor Chamberlain Papers, Box 15, Folder 24, SCDAH.

11. Lieutenant Henry Cathay (?) to Assistant Adjutant General, Department of the South, November 12, 1876, RG 94, MC 666, Reel 300, NA.

12. Lieutenant ____ Harkind to Post Adjutant, Aiken, November 9, 1876, RG 94, MC 666, Reel 300, NA.

13. For example, see the report of Major C.L. Best of the 1st Artillery, which contained in it several other officers' reports, Best to the Assistant Adjutant General, Department of the South, November 9, 1876, RG 94, MC 666, Reel 300, NA.

14. Captain (unreadable) to Post Adjutant, Edgefield, November 7, 1876, RG 94, MC 666, Reel 300, NA.

15. Captain William Falck to Post Adjutant, Edgefield, November 10, 1876, RG 94, MC 666, Reel 300, NA.

16. Lieutenant Frank Barnhart to Captain Lloyd, November 9, 1876, RG 94, MC 666, Reel 300, NA.

17. Captain H.C. Croh to the Assistant Adjutant General, Department of the South, November 10, 1876, RG 94, MC 666, Reel 300, NA.
18. Captain E.R. Kellogg to Post Adjutant, Edgefield, November 8, 1876, RG 94, MC 866, Reel 300, NA.

19. Sheppard, Red Shirts Remembered, 153-158; Edgefield Advertiser, November 20, 1876.


22. L. Cass Carpenter to President Grant, November 23, 1876, printed in House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 111.


24. Hampton Family Papers, Box 6, folder dated "December 1876 - September 1877," SCL-MD; "South Carolina in 1876, volume I, 715; Holland, ed., Letters and Diary of Laura H. Towne, 255.

25. Colonel (Brevet General) Henry J. Hunt to the Assistant Adjutant General, Department of the South, November 27, 1876, RG 94, MC 866, Reel 300, NA, also in Army and Navy Journal, January 20, 1877, 373-374; Charleston News and Courier, November 9, 1876; Walker, "Carolina Rifle Club," 71-74, SCL-BD. Perhaps the most vivid and detailed description of the riot is in D.E. Huger-Smith, A Charlestonian's Recollections, 152-157.

26. Colonel (Brevet General) Henry J. Hunt to the Assistant Adjutant General, Department of the South, November 27, 1876, RG 94, MC 866, Reel 300, NA, also in Army and Navy Journal, January 20, 1877, 373-374.

27. Spartanburg Herald, January 10, 1877.

28. Simkins and Woody, South Carolina during Reconstruction, 515.

29. Ibid., 516-518.

30. Ibid., 519-520.

31. Daniel Augustus Tompkins to "Hal" (Harriet Bingham), December 7, 1876, Daniel Augustus Tompkins Papers, Box 1, SCLRR, Duke; W.B. Young to "Aunt," November 18, 1876, William Dunlap Simpson Papers, Box 5, SCLRR, Duke.
32. One on the Grimball daughters (no name) to James B. Grimball, November 23, 1876, Grimball Family Papers, Folder 33, SHC/UNC.

33. Wade Hampton to Armistead Burt, November 19, 1876, Wade Hampton Papers, SCLRR, Duke.

34. General Thomas Ruger, commanding the Department of the South, to General Sherman, December 1, 1876, RG 94, MC 666, Reel 299, NA; Thompson, Ousting the Carpetbagger, 136-137; Simkins and Woody, South Carolina during Reconstruction, 522.

35. Ruger to General Sherman, December 1, 1876, RG 94, MC 666, Reel 299, NA.


37. Charleston News and Courier, December 2, 1876; Army and Navy Journal, December 2, 1876, 285; Thompson, Ousting the Carpetbagger, 140; Rable, But There Was No Peace, 184.

38. Charleston News and Courier, November 29, 1876.


40. From Columbia Register, no date, quoted in the Spartanburg Herald, December 6, 1876.

41. Charleston News and Courier, November 29, 1876.

42. Childs, ed., The Private Journal of Henry William Ravenel, 367; Thompson, Ousting the Carpetbagger, 172; Simkins and Woody, South Carolina during Reconstruction, 527; Allen, Governor Chamberlain's Administration, 428-479.

43. President Grant to J.D. Cameron, Secretary of War, November 26, 1876, RG 60, MC 947, Reel 3, NA; also RG 94, MC 666, Reel 299, NA.

44. Charleston News and Courier, December 1, 1876; Thompson, Ousting the Carpetbagger, 144-149.

45. Spartanburg Herald, December 6, 1876.

46. Charleston News and Courier, December 1, 1876.

47. Chamberlain to Cameron, November 30, 1878, House Executive Document No. 30, Serial 1755, 44th Congress, 2nd Session, 36-37; Ruger to Cameron, November 30, 1876, RG 94, MC 666, Reel 299, NA.

49. Cameron to Ruger, December 2, 1876, RG 94, MC 888, Reel 299, NA.


51. Charleston News and Courier, December 4, 1876.

52. Robert Wallace Shand Journal, 152, SCL-MD; Sheppard, Red Shirts Remembered, 175.

53. Press and Banner, December 5, 1876; Sheppard, Red Shirts Remembered, 177.

54. Charleston News and Courier, December 8, 1876; Thompson, Ousting the Carpetbagger, 151; Sheppard, Red Shirts Remembered, 184.

55. Thompson, Ousting the Carpetbagger, 152; Spartanburg Herald, December 20, 1876.

56. William J. Balentine to Chamberlain, December 18, 1876, Governor Chamberlain Papers, Box 15, Folder 45, SCDAH.

57. Spartanburg Herald, January 3, 1877.

58. Charleston News and Courier, December 30, 1876.

59. Simkins and Woody, South Carolina during Reconstruction, 535; Thompson, Ousting the Carpetbagger, 156. The idea to use taxation as a weapon was not new in 1876, especially since whites contributed a majority of the revenue. Men like A.P. Aldrich had advocated the idea as early as 1871, and former governor Benjamin Franklin Perry called on fellow whites to refuse to pay taxes in 1872. See the Edgefield Advertiser, April 1, November 23, 1871; February 29, August 15, November 23, 1872.

60. Charleston News and Courier, December 18, 1876.

61. Charleston News and Courier, December 18, 1876; Spartanburg Herald, January 3, 1877.

62. Spartanburg Herald, January 3, 1877.

63. Spartanburg Herald, January 17, 1877.
64. Robert Wallace Shand Journal, 154, SCL-MD; Simkins and Woody, South Carolina during Reconstruction, 535; Thompson, Ousting the Carpetbagger, 157.


68. Charleston News and Courier, March 5, 1877.


70. Charleston News and Courier, March 12, 1877.

71. Simkins and Woody, South Carolina during Reconstruction, 540-541; Williams, "Eyewitness to '76," March 13, 1927, SCL-MD.

72. Charleston News and Courier, April 4, 1877.

73. Charleston News and Courier, April 4, 1877; Spartanburg Herald, April 11, 1877; General Hancock to General Sherman, April 9, 1877, RG 94, MC 666, Reel 300, NA; Army and Navy Journal, April 7, 1877, 554.

74. Gillette, Retreat from Reconstruction, 333.

75. Foner, Reconstruction: America's Unfinished Revolution, 582.

77. Spartanburg *Herald*, April 18, 1877.

78. Ruger to Assistant Adjutant General, Division of the Atlantic, April 10, 1877, RG 94, MC 688, Reel 300, NA.

79. Spartanburg *Herald*, April 18, 1877.

80. Ibid.
...I think the time will come, if we ever have a white man's civil government again, when they will be more slaves than they ever were.
- William Gregorie, June 4, 1868

An era of conflict and crisis, begun when white South Carolinians violently rejected the Union, ended when white South Carolinians peacefully ousted their last Republican governor. It was fitting that Daniel Chamberlain step down on April 11, for that month was replete with dates significant to the Civil War - the bombardment and surrender of Ft. Sumter, the surrenders of Lee and Johnston, the assassination of Lincoln. Gathered outside the State House in Columbia, Wade Hampton and his Red Shirts delivered the climactic final blow that ended Reconstruction in South Carolina and shattered the promises that stemmed from Union victory. Victorious Carolinians, having won back control of their state, were eager to begin restructuring their society
as they saw fit, a right they saw threatened during the
antebellum period and nearly eliminated during
Reconstruction.

In April of 1877 white South Carolinians secured their
immediate goal, control of the state government. For half a
generation, South Carolina whites had struggled to overthrow
what they perceived as the illegitimate rule of aliens and
ignorant blacks, foisted upon them by a federal government
in the hands of reckless Republicans. With the assumption
of political power, they set out to safeguard their position
and reinstitute the checks and balances that would form the
basis of their own program of reconstruction.

Democrats wasted no time in tightening their grasp on
political power. In the months following Hayes' removal of
the troops from the State House, Democratic leaders used a
mixture of loopholes and strong-arm tactics to oust and
force resignations from Republican legislators.\(^2\) By the
fall session the Democratic party controlled both the House
and the Senate, and the judiciary soon followed. One death
and various fraud investigations transformed an all-
Republican Supreme Court into an all-Democratic one by early
1878.\(^3\) The General Assembly also converted the circuit
courts into a bastion of conservativism; by 1878 five of the
six Republican judges had been removed, giving the Democrats
seven of the eight judgeships.\(^4\)
Conservatives also embarked on a major investigation of the Republican party itself, and indicted many prominent Republicans for corruption while in office. Included among the victims were Daniel Chamberlain, John J. Patterson, Niles G. Parker, Francis Cardozo, Robert Smalls, and Richard Carpenter. Although state courts convicted a few men, Democrats dropped most charges when the Justice Department agreed to close the books on its investigations into election violations during the 1876 campaign.

After punishing the past and securing the present, Redeemers focused their attention on the future. In 1877 and 1878 the General Assembly revised the state's election laws, amended the poll supervising codes, and redrew many voting precincts. In some cases, blacks had to walk twenty miles to the nearest poll. The 'eight-box law' came along in 1878, which eliminated the full ticket and forced voter to place individual ballots in boxes marked for each position. In most cases, Democrats placed ballot boxes inside a room, and only one voter at a time was admitted; Democrats claimed this would eliminate fraud, but it was designed to take advantage of black illiteracy. None of this came as a surprise to Belton O'Neal Townsend, who predicted in 1877 that "Negro citizenship rests solely on the very insecure support of United States bayonets; in this matter, again, the whites are guided by expediency alone." He predicted that "whenever they dare, the whites in the
Southern States will disfranchise the negro outright and by law; and in the mean time while they will, in States they control, practically disfranchise him.\textsuperscript{8}

In 1895, Conservatives would revise the constitution to provide for the disfranchisement of blacks, but their ad-hoc measures of the 1870s were more than adequate to insure white rule. The Republican party was in such disarray from the Democratic onslaught that Republicans did not even present a gubernatorial candidate in 1878. The decline in the black vote bore witness to the sense of hopelessness brought on by Democratic fraud and intimidation. While Republicans cast nearly 92,000 votes in the election of 1876, the Republican count for the election of 1888 was 13,740.\textsuperscript{7} Reflecting on a dismal showing in the 1888 election, the Charleston \textit{News and Courier} openly admitted that Republican defeats were due to "white mastery" of the black voter.\textsuperscript{8}

State Democrats were also quick to take up fiscal reform, although - since conservatives were as corrupt as anyone else - the motivation was more to sweep away the vestiges of Republican rule.\textsuperscript{8} The legislature delivered crushing cuts to the state hospital and asylum, and repealed Reconstruction legislation that allowed poll taxes to fund public schools. Education went back into the hands of the private academies and military and denominational schools, just as had been the case during the antebellum period.\textsuperscript{10}
The legislature even enacted new tax laws that lowered the detested land taxes, showing the continued influence of the old planters.

Not surprisingly, planters exerted a similar control over black labor. The "black codes" of 1865 had provided a sampling of white intentions toward blacks, and Redemption allowed whites to reinstate economic subjugation unmolested. In the late 1870s and early 1880s the legislature altered lien laws, provided legal enforcement for landowners, and circumscribed black economic opportunities. In 1880 a measure made oral contracts legally binding, favored the planter in all disputes, and declared breach of contract a criminal offense equivalent to fraud. Another law provided that laborers indebted to planters - which became even more common under the popular crop-sharing system - could be forced by the landowner to stay on the plantation to work off the debt. Isaac Seabrook DuBose only exaggerated slightly when he said that "southerners of the old regime are still the advisors, the benefactors, and to some extent the supporters of multitudes of negroes...." According to DuBose, "one frequently hears the old words 'boss' and 'massa' coming from their lips with a strange fidelity to the old relations."
To be sure, conservative victory was incomplete. The restructuring that followed Redemption occurred within the bounds proscribed by the new amendments to the U.S. Constitution and the state's own 1868 constitution (eventually this would prove too limiting, as the constitutional convention of 1895 showed). Slavery was abolished, and the power relationship central to that system would never again exist in the United States. Blacks had become citizens with civil and political rights (at least for males), and their gains— including the opportunity to vote (at least nominally), the ownership of property, the legitimacy of black marriage, and the right to sue— were truly revolutionary.

Although the South's losses— the changes, in effect— were significant, to focus on these is to examine the question in reverse. The North did not begin the Civil War with the intention of freeing millions of slaves, nor did it (contrary to some fire-eaters' claims) precipitate the conflict in order to destroy the civilization of the Old South. The South— led by South Carolina— began the conflict, in the hopes of protecting what it held dear from destruction at the hands of the new Republican party and its northern sympathizers. South Carolina sought to be self-regulating, believing in a state's rights theory of local
control and substantial autonomy. By 1860 many state conservatives became convinced that continuance in the Union meant regulation, supervision, and dependence. If power slipped from state hands to federal ones, a Republican-dominated government could destroy slavery, white supremacy in all walks of life, and the noble American traditions of federalism and decentralization.

After 1865, and the failure of South Carolina's bold drive for independence, state conservatives faced all the horrors that secession was designed to avoid. The black population was free, civil and political rights came quickly to the freedmen, and whites soon found that control had passed from their grasp. Power lay in the hands of former slaves, traitorous whites, and transplanted northerners, placing native whites - who for over two centuries believed themselves the final arbiters of their state interests - at the mercy of a new body politic and a new state government. Reconstruction in South Carolina brought all the calamities and abuses that whites had feared - increased taxation, unprecedented governmental corruption, graft, and special class legislation.

Opposition to Reconstruction, however, did not begin with Republican corruption, just as it did not originate with the Thirteenth Amendment or black suffrage. All of these developments were offshoots of the key fact thrust into conservatives' faces in 1865: Reconstruction meant
someone other than native whites controlled the state. This was unacceptable to Carolinians, and their opposition and hostility was evident even in the first years after the war, when President Andrew Johnson assisted southerners in reclaiming a degree of control. But holding the governorship and legislature was not enough; whites protested the presence of federal troops, the Freedmen's Bureau, provost and Freedmen's Bureau courts, and the supervisory stance of the North. These restraints on white control were too much to bear, and Carolinians responded - with the tacit approval of President Johnson - with violence, legislative countermeasures, and executive pronouncements, all designed to weaken the outsider's presence in the state. Long before Republican corruption or black suffrage, South Carolinians were already trying to drive out the invader and exert their rights.

The resistance of South Carolina - and that of other states - proved to be counterproductive. Southern recalcitrance opened the way for congressional Reconstruction, the Reconstruction Acts of 1867, the Fourteenth and Fifteenth Amendments, and black suffrage. Reconstruction had brought revolution across the South, and in South Carolina those formerly without rights or power now dominated the government and state and local offices. After
1867 Carolina whites faced a far more difficult struggle, for they had to first reclaim power before they could embark on restructuring their state.

For the next decade, state conservatives waged a low-intensity war aimed at toppling, or at least weakening, what they saw as an illegitimate, oppressive regime. To accomplish this they used a variety of techniques and methods, a wide range of tactics and tools. Political terrorism, assassination, and physical intimidation were the earliest and most consistent responses to Republican rule. Beginning with nameless bands and continuing through the years of the Ku Klux Klan terror, the approach culminated in the largest and best organized local paramilitary movement in United States history, the Red Shirts of 1876.

Carolinians did not limit themselves to the gun and whip, but adopted less overt means as well. Still in control of land and capital, whites readily used their economic advantages to coerce black Republican laborers. Whites also operated within the political system, taking advantage of schisms in the Republican party to break the party's monopoly of power. In 1870, and to a lesser extent in 1874, conservatives cooperated with disillusioned renegade Republicans intent on bringing reform to the state government. While conservatives were interested in reform, their central focus remained control, and these alliances were only means to an end. Proof of their insincerity in
conciliation comes from both the conservative participants in the campaigns and in the pattern of alliance: the failure of this strategy, and the growing conservative desperation regarding their state, made the approach less attractive even while its success became more likely. After a significant effort in 1870, Conservatives made only a half-hearted attempt at cooperation in 1874, and in 1876 - when cooperation with Chamberlain might have destroyed the Republican party - conservatives opted overwhelmingly for a risky, "straight-out" drive for total control.

So while the 'why' of this war may be rather routine in terms of military history - the struggle for political power - it is the 'how' of South Carolina during Reconstruction which is truly interesting. For in this state, during a period of alleged peace, citizens were at war, and the attempts to classify the hostility as 'crime' neglected the aims, intensity, methods, and organization of the competing forces. State whites were armed, trained, disciplined, even uniformed (be it in a bedsheet or a Red flannel shirt) and directed toward a singular goal by their commanders, the same men who led them during the Civil War. This was insurrection, rebellion, even revolution, often as bloody as anything the veterans had seen, sometimes so subtle as to confuse even the most paranoid Republicans. Paramilitary bands intimidated and outfought the state militia, and evaded and frustrated federal soldiers. Even the
intervention of the federal government in 1871 failed to suppress hostility or dismantle the bands. At the same time, conservatives used methods beyond the federal government's reach, such as economic extortion, fraud, and judicial manipulation. By 1876, the various levels of this low-intensity conflict had merged into a unified, coherent thrust against the Republican government. Learning lessons from other states recently redeemed, South Carolina's conservatives struck for native white control and white supremacy, sweeping Republicans from power through an awesome display of unity, force, and organization.

Of course a great many other factors influenced the outcome of Reconstruction, but state conservatives deserve the main credit - or blame - for Redemption. Scholars will continue to argue why Reconstruction failed, why southern Republican governments were so unstable, how conservatives managed to regain control. While discussions about constitutional conservatism, traditions of federalism, northern apathy, and Republican corruption are useful in explaining the weaknesses of Reconstruction, its failure must be attributed to southern white hostility. None of these factors, and perhaps not even all in combination, would have brought down Reconstruction if an opposing force with an alternate program had not existed. Judicial and legislative conservatism weakened Reconstruction only because they hampered the government's ability to contend with the
opposition and enforce civil and political rights. Similarly, northern disallusionment and disinterest came in the wake of continued resistance; a successful, stable southern Republican party might have contributed significantly to the national party and national economy as a whole, creating national interests rather than competing sectional ones. But no such stability existed, for conservative opposition precluded peace, and caused what can best be described as 'war weariness' in the North.

In the end, Reconstruction in South Carolina did not fail, it was beaten. The prize - control of the Palmetto State - went to native whites, who were more determined to take it than Republicans were to defend it. Wade Hampton’s Red Shirts represented the culmination of a decade of preparation, planning, and mobilization, until whites were ready to face head-on the state and federal governments in a risky game of brinksmanship. But years of anger and bloodletting had convinced state and federal officials that Carolinians did not bluff; Republicans at the state and federal levels finally backed down, since prolonging the conflict would only result in further bloodshed, not lasting peace.

So after fifteen years of fighting, peace finally came to South Carolina. But unlike the peace of Appomattox, or even Johnson’s proclamations, this peace was on South Carolina’s terms. From 1877 onward, white South Carolinians
planned and controlled the economic, political, and racial affairs of their state. This dissertation does not discuss further developments in the state, even though the issue of 'continuity and change' fits naturally with the discussion of Redemption and the New South. But the 'people's war' Carolinians fought was aimed at securing control; beyond native white rule and white supremacy, the unity of conservatives broke down. To be sure, in South Carolina the New South mimicked the Old in many ways, but serious differences also appeared. But Carolinians from 1867 on were not presenting a plan for life after Redemption; they were presenting a plan for Redemption itself, so that white Carolinians, and no one else, decided the shape of that future. In this they succeeded, and regained what had been lost through secession. For over a decade whites had looked to the state's motto for inspiration; unfortunately after Redemption the motto - "While I breathe, I hope" - would echo in the minds of the state's black population for the next century.
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