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# “A General State of Terror”: The Enforcement Acts, the Ku Klux Klan, and the Struggle over Education in the Post-Bellum South

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“A General State of Terror”:

The Enforcement Acts, the Ku Klux Klan, and the Struggle  
over Education in the Post-Bellum South

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## Prologue

On September 3, 1838 Frederick Douglass escaped from slavery and fled north to freedom. Fifty-six years later, on the anniversary of his freedom from bondage, Douglass found himself addressing a racially diverse audience in the southern city of Manassas, Virginia for the inaugural address of the Manassas Industrial Institute for black students. American society has always held that education is the avenue through which liberty is attained. But black Americans found this pathway blocked by the institution of slavery, which bound them in heavy shackles of fear and ignorance. After emancipation, African Americans were released from these chains and could begin their journey towards equality through education. In countless stories and retellings, former slaves and fellow Americans illustrated the elevation to humanity and citizenship through their dedication to learning. Frederick Douglass retold the story of his own enslavement and liberation to the audience in Manassas, and emphasized the role of education in his life and in the life of every man. He declared,

Without education he lives within the narrow, dark and grimy walls of ignorance. He is a poor prisoner without hope. The little light that he gets comes to him as through dark corridors and grated windows... Education, on the other hand, means emancipation. It means light and liberty. It means the uplifting of the soul of man into the glorious light of truth, the light by which men can only be made free. To deny education to any people is one of the greatest crimes against human nature.<sup>1</sup>

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<sup>1</sup> Frederick Douglass, *Blessings of Liberty and Education* (Washington, D.C.: Library of Congress, 1894), 13-14.

Douglass proclaimed that emancipation and equal education opportunities are synonymous. In order for the darkness of slavery to be lifted from the brows of freedmen they must be taught to leave the ignorance of slavery and embrace the potential of every man's mind. Douglass viewed slavery and education as mutually exclusive paths— but only one path was open to African Americans until Emancipation the establishment of educational opportunities for former slaves. Douglass announced to the audience that it was institutions such as the Manassas Industrial Institute where “We are to witness a display of the best elements of advanced civilization and good citizenship. It was to be a place where the children of a once enslaved people may realize the blessings of liberty and education, and learn how to make for themselves and for all others, the best of both worlds.”<sup>2</sup>

Frederick Douglass' vision of a world of equality, free from ignorance and oppression, was not embraced by the nation at the end of the Civil War. The fifty years between Frederick Douglass' escape from slavery and his inaugural address in Manassas was characterized by racial violence, often targeting sources of education that Douglass fought to protect. He acknowledged that with the end of the war and the abolition of slavery, there would be a new battle to “be waged against ignorance and vice.”<sup>3</sup> Frederick Douglass' dedication to the liberation of the former slave was violently resisted by the Ku Klux Klan, just as determined to fight the freedom and elevation of the freedman, as Douglass was to defend it.

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<sup>2</sup> Douglass, *Blessings of Liberty and Education*, 4.

<sup>3</sup> Douglass, *Blessings of Liberty and Education*, 5.

In 1871, Congress heard testimony from victims of the actions of the KKK. The passage of a number of Enforcement Acts authorized congress to investigate terrorism against whites and blacks committed to improving the life of freedmen after the war. These testimonies are included in thousands of pages of congressional records and they provide an invaluable window into both the activities of the Klan and the efforts to resist them. While scholars have traced the history of the Ku Klux Klan, they have not been as focused on the testimonies of everyday people who fell victim to the Klan's actions.<sup>4</sup> By looking closely at the passage of the enforcement acts that made the testimony possible, and by keying in on a case history of a single individual, this thesis sheds new light on the struggles for education and full citizenship in the post bellum south.

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<sup>4</sup> For example see Allen W. Trelease's *White Terror*, Eric Foner's *Reconstruction: America's Unfinished Revolution*, George C. Rable's *But There Was No Peace* and Michael W. Fitzgerald's *Splendid Failure*.

## **Chapter 1: The Ku Klux Klan and the Enforcement Acts**

The Ku Klux Klan terrorized those aspects of society that they saw as a challenge to the white male conservative order. They targeted freedmen, Northern carpetbaggers, southern scalawags and any group that seemed to pose a threat against the cultural and social structure of the post bellum south. The violence evolved from minor bullying and harassment of political opponents and racial inferiors, to a full scale and organized domestic terror and torture campaign that thwarted the federal government's attempts to establish equality and justice. The Klan attacked women and children, families of radicals, churches and schools, and assassinated political leaders, white and black. The terrorists changed the setting of warfare from open civil war battlegrounds to the private homes and sanctuaries of non-combatants. Klan members associated schools and churches with the elevation of the previously enslaved black population through literacy, faith, dignity and self-worth. The enlightened institutions of black schools and churches brought northern sentiments of equality and reconstruction policies directly into the South. The noticeable increase in Klan violence required federal investigation and legislation to terminate Klan activities by 1872.

After the assassination of President Lincoln, Andrew Johnson supported the reconstruction policies of redemption and the reincorporation of the previously insurrectionary states. He ignored the powder keg of racial tension in the South and hoped that a speedy recovery would ensure the security of the nation. Johnson believed



that reconstruction policies should not punish the southern states, but wean them back and adjust them to a country without slavery.

In 1866 the nation was in the midst of Reconstruction when various events culminated and forced the Federal government to create new and authoritative legislation for the enforcement of law and order. The passage of the 13<sup>th</sup> Amendment, Civil Rights Acts, and 14<sup>th</sup> Amendment occurred alongside nation-wide race riots and the foundation of white supremacy groups such as the Ku Klux Klan. Despite President Johnson's veto, Congress passed the Civil Right Act, which transferred the protection of the rights of all citizens from the local and state authority into the jurisdiction of the federal government. White Southerners felt the Civil Rights Act, along with the extension of the Freedman's Bureau, was an invasion of Radical policies that threatened their culture and social status. Bureau agents, northern schoolteachers and federal troops were a constant reminder of Northern presence in the South.<sup>5</sup> However, the Republican majority in Congress diminished the influence of Southern democrats and President Johnson. The dominance of the Republican Party forced Johnson and his southern allies to embrace "each other as mutual hostages."<sup>6</sup>

But opposition seemed futile against the radical dictates of Congress, which, after passing the Civil Rights Act, drafted the Fourteenth Amendment to counter the Black Codes and other rebellious southern policies that attempted to circumvent abolition. The amendment was comprised of three sections; the first asserted that every person born in

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<sup>5</sup> Michael W. Fitzgerald, *Splendid Failure: Postwar Reconstruction in the American South*. (Chicago: Ivan R. Dee, 2007), 38

<sup>6</sup> Fitzgerald, 39.

the United States was guaranteed citizenship and the protection that American citizenship required from the government. The second section of the bill limited the representation of white southerners in government. The final section forbade any man from political office who had sworn an oath to protect the constitution and proceeded to support or participate in the Confederacy. Southern confederates were therefore excluded from participating in the newly reunited federal government diminishing the voice of southern whites significantly. The Fourteenth Amendment not only limited the participation of southern whites, but also extended the rights of freedmen and the black community within the United States. Once ensconced in the constitution, the southern politicians and judicial courts could not refuse to enforce abolition under the premise of unconstitutionality.

The Congressional legislation remained un-enforced by the lenient President Johnson who feared ruffling the feathers of southern allies. Although a Lincoln supporter through the Civil War, Johnson was a southern man who had been branded a traitor by many confederate friends, but he hoped to regain their allegiance with his lenient Reconstruction policies. Southerners responded to his loose policies by ignoring the legislation and establishing Black Codes, which abridged the rights of freed blacks. Reports of such oppression and injustice increasingly drifted north and “Black Codes became a lightning rod of Northern criticism.”<sup>7</sup> Black codes were a series of state laws that curbed the economic opportunities available to freedmen. Initially the black codes focused on limiting the black work force from moving beyond the plantation and competing alongside the white labor force. The most severe codes were passed in South

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<sup>7</sup> Fitzgerald, 33.

Carolina and Mississippi where blacks were required to sign annual contracts that forbade freedmen from leaving plantation labor or renting land in urban areas. Mississippi legislation also included vagrancy laws, which stipulated that “the idle disorderly, and those who ‘misspend what they earn’ could be punished by fines or involuntary plantation labor; other criminal offenses included insulting gestures or language... and preaching the Gospel without a license.”<sup>8</sup> The Black Codes and their vigorous enforcement demonstrated the growing aggression towards freedmen in the south.

In addition to legalistic attacks upon the freedom of blacks, many southern cities exploded in violence towards the freedmen. The Memphis riots of 1866 highlighted the racial polarization that existed in southern states and the need for new legislation to establish order. The riots were initially caused by a confrontation between black soldiers recently relieved from duty and a group of local white police officers, but snowballed into violent race riots that lasted for five days, leaving much of the city in ruins. The local law and state leaders acted as catalysts to disorder and rioting rather than mediators or law enforcers.<sup>9</sup> The City Recorder, John C. Creighton announced to a mob of white rioters, “Boys, I want you to go ahead and kill every damned one of the nigger race and burn up the cradle.”<sup>10</sup> The local authorities openly encouraged the murdering and beating of black men, women and children on the streets of Memphis. The riot ended only after

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<sup>8</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution*. (New York: Harper and Row, 1988), 199.

<sup>9</sup>George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: The University of Georgia Press, 2007), 40.

<sup>10</sup> Bureau of Refugees, Freedmen, and Abandoned Lands. *Report of Outrages, Riots, and Murders: Affidavit of Dr. Robert McGowan*. By Major General O.O. Howard. (May 22, 1866), <http://freedmensbureau.com/tennessee/outrages/memphisriot.htm>

the state militia reestablished order and usurped control from local police and politicians. One newspaper directly criticized the policies of President Johnson citing the Memphis riots as a direct consequence of his lenient reconstruction. The editor claimed, “If anything could reveal, in light as clear as day, the demoniac spirit of the southern whites toward the freedmen... it is such an event as this.”<sup>11</sup> The Attorney General James Speed easily convinced President Johnson that the federal government could not prosecute offenders using a military tribunal, because the local courts were still functioning.<sup>12</sup> Thus, the criminals’ cases were swept away and forgotten in the corrupt courts of the local judicial system.

The Memphis riots and other violent rebellions were not actions exclusively promoted or sparked by the Ku Klux Klan. Not surprisingly, the Klan had formed earlier the same year and in the same state of Tennessee. The Ku Klux Klan reorganized the rebellious Southern citizens into a secret society that wreaked havoc on the black population and northern carpetbaggers that threatened the antebellum social order of the pre-Civil War South.

The Ku Klux Klan creation story is spotted with gaping holes and a lack of credible sources. The Ku Klux Klan was originally a social club that had little to do with terrorism. Its purpose was exclusively for the amusement of Tennessee men, most of whom had served in the Confederate army and returned home to lives that lacked the excitement of battle. Six former Confederate soldiers in Pulaski, Tennessee banded

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<sup>11</sup> Foner, 262.

<sup>12</sup> Rable, 41.

together in 1866 to create a secret society; they were Captain John C. Lester, Major James R. Crowe, John B. Kennedy, Calvin Jones, Richard R. Reed, and Frank O. McCord. These men were well educated and raised by families of good social standing. Years after the Klan disbanded many of the original leaders became active church members and all were highly active and patriotic citizens. Lester, Jones and Reed all became lawyers after the war and served in the Tennessee legislature. Most information came from the tired memories of aged Klan members confessing their association with what would later be branded a domestic terrorist organization. Details about the Klan can be gathered from the memoir of one of the original founders, Capt. John C. Lester with the help of Rev. D.L. Wilson in 1880, twenty years after Lester helped create the Klan.<sup>13</sup> Other Klan founders who authored memoirs or articles recall different details, but most all agree on general information. The memoirs defended the original creation of the organization and explained that the society was initially a social club modeled after the Greek collegiate fraternities that had become popular prior to the Civil War. The Ku Klux Klan developed their name and many of their secret rituals from the Kuklos Adelophon fraternity also known as the “Old Kappa Alpha” society.<sup>14</sup> Ku Klux was a modified version of the Greek word *kuklos* meaning “band.” Adding Klan to the title gave the group’s name an alliterative appeal despite a repetitive meaning.

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<sup>13</sup> Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction*. (Baton Rouge, Louisiana: Louisiana State University Press, 1999), 430

<sup>14</sup> Trelease, 4.

The new society took up the masks and robes to emphasize the mysteriousness of the organization and to attract new recruits. Masquerading was common during this period and the Ku Klux Klan was hardly the only society that would attend public gatherings in strange attire. During the first year of the group's existence, it gained popularity and its primary function was to initiate new recruits to participate in the rituals, spread across the state and ultimately the Southern span of the United States. The organization of the Klan was as curious and mysterious as its name, with the meetings presided over by several appointed officers. The president was titled, the Grand Cyclops, the vice president was the Grand Magi, a marshal known as a Grand Turk, a Grand Exchequer was the treasurer. Two Lictors were elected officers responsible for meeting-place guardianship. The meeting places were referred to as "Dens" where the members would be gathered together by the officers. The members were sworn to secrecy, and the public was only informed of their existence during masked public demonstrations. The Klan encouraged the eerie and ghostlike appearances, not only through their costumes, but also through the location of their first meeting place. The founders decided to meet in a half demolished house on the outskirts of Pulaski next to a "grove of barren, storm-lashed trees."<sup>15</sup> The Klan carefully selected their members to be fellow white citizens who shared their political and social opinions and could be trusted with the secrecy that the organization relied upon. Frank McCord was selected to be the first Grand Cyclops of the Pulaski den and led the Ku Klux Klan through its founding years.

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<sup>15</sup> Trelease, 5.

The motives and activities of the Klan morphed from the social club of masquerading white southerners into a group of vigilantes that terrorized blacks, northern schoolteachers, Bureau officers, northern carpetbaggers and Republican Party supporters. The state of Tennessee had been the first of the previously insurrectionary states to be reincorporated into the nation during Reconstruction. Tennessee seemed to experience “the cycle of Republican control, Negro suffrage, Ku Klux violence, and Bourbon restoration more quickly than her sisters.”<sup>16</sup> Tennessee’s mountainous terrain housed and protected a high concentration of Unionist supporters during the Civil War that distinguished the state from her fellow confederates. The white loyalist supporters were quick to step into the political opportunities after the war when the fourteenth amendment prohibited previous confederates from holding office. The position of Governor was given to former loyal Unionist and Methodist preacher William G. “Parson” Brownlow, who had also been an editor of the Knoxville *Whig* and had at one time been imprisoned by secessionists. Brownlow’s political attitude was nothing short of vindictive towards his previous confederate opponents. The community within the state was violently polarized, as one historian observed, “the bitterness between the Brownlow Unionists and the Conservative opposition, largely ex-Confederates, had few parallels in American history outside the Reconstruction South. Each side equated the other with utter darkness and felt it was fighting for its very life.”<sup>17</sup>

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<sup>16</sup> Trelease, 6.

<sup>17</sup> Trelease, 12.

In addition to the vengeful attitude of the Governor, the western and middle regions of Tennessee housed a high concentration of former confederates, despite the population of former Union supporters in the other areas of the state. The rest of the state felt increasingly victimized by the leadership of Brownlow and his republican allies. The disenfranchisement of most white ex-confederates left many citizens in idle resentment towards the new political environment.<sup>18</sup> Not only did the conservative southern beliefs struggle to find their arguments in legitimacy and constitutional authority, “former Confederates stood outside the political process and lacked not only control but nonviolent channels through which to express their hostility. Because they were shut out of the governing process, they saw themselves as impotent.”<sup>19</sup> Pulaski, where the Klan was initially organized, was if not the “most lawless county in Tennessee in 1866 and 1867, it ranked high on the list.”<sup>20</sup> The discontent and anxiety of white citizens in the county were amplified not only by the states’ Republican leadership but also because of the high concentration of African Americans in the region. Almost half of the county’s population was black according to the 1870 census and had been freed from the many plantations that had prospered before the Civil War.

In this environment of lawlessness and resentment the Klan transformed from a social club to a vigilante terrorist organization. The original founders of the Ku Klux Klan seemed to lose control of the organization’s original intentions and a new leader, General Nathan Bedford Forrest, guided the Klan through its more infamous and violent

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<sup>18</sup> Trelease, 7.

<sup>19</sup> Rable, 81.

<sup>20</sup> Trelease, 6.



excursions. In John C. Lester's memoir, *The Ku Klux Klan, Its Origins, Growth and Disbandment*, he suggested that the masquerading and recruitment practices lost their appeal over time. Terrorizing political opponents became the new, and almost exclusive, interest of the group.<sup>21</sup> Young men from other counties outside of Pulaski asked Klan leaders to found new dens for the Klan. Thus, the Klan spread to new localities and it became increasingly difficult to control the activities of members. While there were many traditions of bullying and teasing black freedmen, the traditions were soon perverted to include the violent harassment of various citizens.

After the creation of more dens, the leaders decided to hold a meeting to assemble all members in April of 1867, to discuss the creation of an executive branch that could oversee the activities of the Ku Klux Klan as its membership grew. The details of the meeting's location, exact date and who was present are unclear and often contradicted in the various accounts given in memoirs and confessions years later. However, it is clear that a new leadership structure was established to organize the Klan. At the head of each den was a Grand Cyclops with the added assistance of two Night Hawks. Above these offices were the new national leaders, the Grand Giant of the Province with four Goblins representing each county. The Grand Titan of the Dominion and his counsel of six Furies took over the various congressional districts. At the head of each state was a Grand Dragon of the Realm and his eight Hydras. Finally, in primary control of the Ku Klux Klan stood the Grand Wizard of the Empire who was assisted by ten Genii. The Grand

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<sup>21</sup> John C. Lester and D.L. Wilson, *Ku Klux Klan: Its Origins, Growth and Disbandment*. (New York: Neale Publishing Co., 1905), 53.

Wizard occupied his position for a three-year term and could only serve after receiving the majority vote from all subordinate officers. The lower officers were re-elected every two years, mimicking the organizational structure of a military unit. The final organizational additions were the establishment of two judicial tribunals known as the Council of Yahoos designated for the trials of officers and the Council of Centaurs for “common ghouls.”<sup>22</sup> These courts were designed to enforce order within the Klan and hold each member accountable for the oaths and actions that they performed.

The first Grand Wizard was almost certainly General Nathan Bedford Forrest who never admitted in so many words specifically to his position, but practically confirmed the rumors during his testimony during the Congressional hearings in 1871. Other accounts of the organization and predictions of whom the various leaders were to a great extent unsubstantiated by any credible evidence. However, during the Klan meetings that occurred some time in April the new motives and mission of the Ku Klux Klan were defined and used to excuse the increased violence that surfaced after 1868. The rules, structure and mission of the Klan were published in prescripts and read by members (later discussed and analyzed in the Congressional Hearings of 1871), which dictated that the Klan members were instructed to preserve the culture and order of the South that was threatened by northern radicals. The prescripts asserted that the Klan existed to preserve patriotism and chivalry while fighting injustice and oppression.

Under Forrest’s leadership the original prescript was revised to include a more clearly stated and romanticized purpose of the Klan in addition to ten questions that every

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<sup>22</sup> Trelease, 15.

new recruit had to answer before their initiation into the organization. Each recruit was asked,

Whether they had ever belonged or subscribed to the principles of the Radical Republican Party, the Loyal League, or the Grand Army of the Republic; whether they had served in the federal army during the war and fought against the South; whether they opposed Negro equality (both social and political) and favored a white man's government; whether they advocated of white southerners favored 'Constitutional liberty, and a Government of equitable laws instead of a Government of violence and oppression'; favored 'maintaining the Constitutional rights of the South'; and believed in the 'inalienable right of self-preservation of the people against the exercise of arbitrary and unlicensed power.'<sup>23</sup>

The questions indicated the new politically charged attitude of Klan members and the recruitment standards that were meant to discern which recruits would preserve the secrets and perform the activities of the Ku Klux Klan. The purpose of the Klan is outlined carefully by the revision of the prescripts in 1868, which define the Klan members responsibility to uphold an "institution of Chivalry, Humanity, Mercy and Patriotism... to protect the weak, the innocent, and the defenseless, from the indignities, wrongs and outrages of the lawless, the violent, and the brutal."<sup>24</sup> Pamphlets were printed and spread during Klan meetings around the nation from the Grand Cyclops in Memphis, after their initial secret printing in the office of the Pulaski conservative newspaper *The Citizen*.<sup>25</sup>

From Tennessee, the Klan spread rapidly across the South and by the summer 1868 Klan dens could be found in every Ex-Confederate State and Kentucky. Klan popularity increased almost immediately after the Reconstruction Acts of 1867, which

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<sup>23</sup> Trelease, 16.

<sup>24</sup> Wilson and Lester, 153.

<sup>25</sup> Trelease, 432.

divided the confederate states into five military regions and required that each state ratify the Fourteenth Amendment before being readmitted. But the Reconstruction Acts gave the Democratic Party new life as they rallied together against the radical policies of their political opponents. And as the Democrats gained footing in Congress, the Ku Klux Klan gained popularity amongst Southern men desperate to end the tyrannical leadership of the Republican Congress yet unable to hold political office. The Klan was a medium through which southern citizens could express the depths of their discontent and hatred of the radical legislature that flooded down from the capitol.

The battle scars from the Civil War still throbbed in the memory of Americans, and the Memphis riots and reports of increasing racial violence were a distinct sign that unification may have been achieved militarily, but the social and political structure in America was fundamentally divided. Orders whirled around the capital as the newly sutured government looked for an explanation of the chaos. At the end of President Johnson's term, reconstruction plans reached a critical point. Do the northerners retreat and let the southern states hash out post-war policies? Or should the federal government take a final stand to reign in the rebellious southerners and enforce strict reconstruction policies? The violence of the Ku Klux Klan helped answer the question. Politicians and citizens alike could not turn a blind eye to the white supremacists terrorizing fellow Americans, black and white. Eric Foner, a leading historian regarding reconstruction suggests, "Congress in 1869 and 1870 stood poised between retreating from

Reconstruction and pressing further with its Southern policy.”<sup>26</sup> Race riots similar to those in Memphis continued to envelope the South as the newly elected President Grant took over the federal government. Grant turned to Congress to produce legislature that could be used to establish order.

The Enforcement Acts of 1870 and 1871 targeted Klan attempts to intimidate and exclude voters from entering or participating in elections all across the south. The first Enforcement Act, passed on May 31<sup>st</sup> 1870, forbade racial discrimination among voters and permitted the President to appoint election supervisors. The supervisors had the authority to indict individuals for bribery, intimidation or conspiring to prevent citizens from voting. The cases would be brought to federal courts instead of local courts that were more susceptible to corruption. However, the new regulations only applied to offenses after the bill had passed. The act additionally forbade groups to conspire to deprive anyone of any right, widening the scope beyond voting. The new act may have been printed and preserved in law books around the nation, but there was no way to enforce the act and therefore the violence of the Ku Klux Klan continued.

The First Enforcement Act proved insufficient in ending the terrorism of Klansmen. There were honorable attempts to prosecute the terrorists, such as Alabama District Attorney John A. Minnis’ indictment of several men in Coosa County. The men were known Klansmen who whipped and shot a number of black men after they confessed how they voted. Once in court, however the grand jury argued that their

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<sup>26</sup> Foner, 454.

identity could not be confirmed and the case was never tried. Minnis also brought more cases against Klansmen who had beaten black citizens for their republican votes, however, each case was turned away and the guilty parties discharged.<sup>27</sup> United States Deputy Marshall Joseph G. Hester took action against Klan activity in Chatham, North Carolina and arrested several Klansman in February of 1871, although they were subsequently discharged. Hester would later be instrumental in charging Klansman over the next several years but only after additional legislature prevented the perpetrators from circumventing the law.<sup>28</sup> Hester, Minnis and other law enforcers made attempts to bring charges against members of the Ku Klux Klan but the local authorities were either corrupted or intimidated until the Klansmen were discharged.

The first Enforcement Act failed to be effective despite the attempts by Minnis and Hester, but brought increased attention to Klan activities and as stories of outrages reached northern Republicans, the federal government was pressured to take additional measures. In Grant's second annual address to Congress on December 4, 1870, he brought forth the issue of voter intimidation and other Klan acts of terrorism, and Congress responded by asking for more information. He began his address by acknowledging the corruption of elections by "violence and intimidation"<sup>29</sup> although he never named members of the Klan he recognized the reality of the organization's terrorism. Grant closed his annual speech stating, "In conclusion I would sum up the

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<sup>27</sup> Trelease, 386.

<sup>28</sup> Trelease, 386.

<sup>29</sup> James Daniel Richardson, "Ulysses S. Grant Second Annual Message." *Compilation of the Messages and Papers of the Presidents*. Vol. 7, (Washington, D.C.: Government Printing Office, 1899), 96.

policy of the Administration to be a thorough enforcement of every law... in securing a pure, untrammelled ballot, where every man entitled to cast a vote may do so, just once at each election, without fear of molestation or proscription on account of his political faith, nativity, or color.”<sup>30</sup> Grant opened and closed his annual message to Congress with the emphasis on the domestic issue of terrorism. Congress responded with increased curiosity; Democrats in perplexed objection and Republicans looked for more stories of violence to affirm their party’s policies. Grant subsequently issued two proclamations in January concerning the violence of the Ku Klux Klan particularly in North Carolina.<sup>31</sup>

The Presidential messages prompted the Senate to form a committee to investigate further into the Ku Klux Klan atrocities. Timing initially worked against any extensive investigation because the 41<sup>st</sup> Congress was about to expire. As a result, the committee limited its investigation to the state of North Carolina. It was led by the Republican Senator John Scott, who would later head the Congressional Hearings in 1871 into Klan activities in all previously confederate states. Two months later, Senator John Scott and his committee presented a report consisting of fifty-two interviews that were conducted with black and white witnesses or victims, public officials, Army officers, and members of the Ku Klux Klan.

The report revealed the activities, and membership of several different organizations including the White Brotherhood, the Invisible Empire, and the Ku Klux Klan as it functioned in South Carolina. It was clear that members of these groups would

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<sup>30</sup> Richardson, “Grant Second Annual Message,” 112.

<sup>31</sup> Trelease, 386.

require members to commit crimes and in most cases they had been acquitted of any formal charges. The report emphasized that the primary function of these organizations was political, and the actions of members were committed for the benefit of the Democratic Party. Allen Trelease, one of the leading historians on Ku Klux Klan origins, argues, “Despite the overemphasis on political matters, the report was fair and substantially accurate.”<sup>32</sup> The report demonstrated the targeting of voters and politicians that threatened social and cultural upheaval of the peculiar institution and antebellum hierarchy. It neglected to emphasize the extent of Ku Klux Klan brutalities towards non-combatants who held little or no sway over elections. Despite this oversight, the report did draw more attention to the terroristic activities of the Ku Klux Klan.

In February 1871, John Scott was still in the midst of forming his report, but news of recently uncovered atrocities by the Ku Klux Klan reached Washington D.C. and stirred additional concern that resulted in the second Enforcement Act. Governor Scott of South Carolina plead for Congress to send additional federal troops to maintain order. Grant eventually sent a total of sixteen companies to South Carolina to help combat the violence that enveloped the state. In response to the disorder Congress passed the second Enforcement Act on February 28<sup>th</sup> 1871. The second Act strengthened federal powers surrounding elections, particularly in large cities.<sup>33</sup> The act, while buffering the first Enforcement Act, did not implement any new measure to eliminate Ku Klux Klan terrorism. Congress and Grant knew that as more news spread revealing the violent

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<sup>32</sup> Trelease, 387.

<sup>33</sup> Foner, 455.



influence of the Ku Klux Klan in southern states, additional legislation and federal enforcement would be necessary to disassemble the organization.

Congress responded with the Third Enforcement Act, more often referred to as the Ku Klux Klan Act, two months after the second Enforcement Act, on April 20<sup>th</sup>. The Ku Klux Klan Act was far from unanimously approved and caused great debate among politicians during the Congressional meetings in April. The 41<sup>st</sup> Congress was supposed to meet for the last time in March, and the 42<sup>nd</sup> Congress would not reconvene in Washington until December. But Republicans requested that the President call for an emergency session to create new legislation to combat the Ku Klux Klan conspiracy. Grant approved Congress to meet again in April, where they debated the Ku Klan Klan bill drafted by the Massachusetts Representative, Benjamin F. Butler.<sup>34</sup>

Benjamin Butler had been a Union General during the Civil War and successfully seized the city of New Orleans, the nation's most prominent cotton port in 1862. After Butler and his troops captured the city, the New Orleans cotton and sugar plantation owners began to "reaffirm allegiance to the Union, partly in the hope of retaining possession of their slaves."<sup>35</sup> Butler would disappoint the planters by distributing beef and sugar to the poor of the city and organizing local projects to clean up the city streets, giving employment to lower class immigrants. General Butler continued to aggravate the white New Orleans elite by enrolling free blacks into Union army regiments led by black officers. Benjamin Butler was elected a member of the House of Representatives in 1867,

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<sup>34</sup> Trelease, 387.

<sup>35</sup> Foner, 46.

where his political beliefs and actions supported the liberation and elevation of freedmen. During Reconstruction he was a prominent leader of the Republican Party.

Butler's Republican ideology regarding emancipation was again revealed in his draft of the Ku Klux Klan bill. Butler gave the President power to suspend *habeas corpus*, which would allow the arrest of Klan members without requiring a judicial hearing to establish lawful authority or evidence prior to the suspect's apprehension. The bill further expanded the powers of the President to remove publicly elected officials from office, if there was evidence to suggest that their election was invalid. The bill also gave U.S. marshals permission to relieve any federal jury members suspected of disloyalty or dishonesty. These provisions were generally accepted throughout the Republican Party and the Senate approved the bill quickly. The Republican Press also praised the bill as the best means to create peace and unify the nation. The *Boston Daily Journal* published a piece in support of Butler exclaiming that peace and the disbandment of the Ku Klux Klan would ultimately mean the dismantlement of the Democratic Party in the South. The article asserted the genius of Butler's Bill, but went further to claim "every act of the opposition shows that their leaders well understand that with peace, quiet and the observance of the laws in the South comes the end of the Democratic Party there, and hence their determined and almost frantically furious opposition to any law which shall secure that consummation."<sup>36</sup>

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<sup>36</sup> "Speech of General B. F. Butler on the Bill to Suppress Lawlessness in the South." *Boston Daily Journal* (April 5, 1871): 2, <http://www.newspaperarchive.com/>

Most Republicans supported the bill, but it was still met with enough opposition that the first draft was defeated. When the draft reached the House of Representatives, there was unforeseen resistance by several Republican Representatives, including James A. Garfield and James G. Blaine. These representatives and other conservative Republicans strongly opposed the Ku Klux Klan Act because it extended the power of the federal government to new proportions. Some also feared the alienation of the southern white community by enforcing the civil rights of black citizens.<sup>37</sup> Garfield and Blaine made an aggressive shift to the other side of the aisle, to join the Democrats in resistance to the proposed bill. Butler's draft died under the unpredicted opposition and Republicans scrambled to form a new bill and to gain the support of Grant. On March 23<sup>rd</sup>, they received the Presidential support they requested.

Grant met with Congressional leaders to discuss the delegation of additional executive powers to prosecute the terrorists in the South and establish order. In his message to Congress he stated,

A condition of affairs now exists in some of the States of the Union rendering life and property insecure and the carrying of the mails and the collection of the revenue dangerous... That the power to correct these evils is beyond the control of the State authorities I do not doubt; that the power of the Executive of the United States, acting within the limits of existing laws, is sufficient for present emergencies is not clear. Therefore I urgently recommend such legislation as in the judgment of Congress shall effectually secure life, liberty, and property and the enforcement of law in all parts of the United States.<sup>38</sup>

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<sup>37</sup> Trelease, 389.

<sup>38</sup> James Daniel Richardson, "Ulysses S. Grant Special Message: March 23, 1871." *Compilation of the Messages and Papers of the Presidents*. Vol. 7, (Washington, D.C.: Government Printing Office, 1899), 127.

Grant's message was brief and firm—he narrowly defined the duty of Congress to establish laws that would usurp the local and state authorities to allow federal intervention in the late insurrectionary states. He also emphasized that the presidential powers would only be temporary measures, to placate any concerns of abuse. Democrats, both north and south, still stringently objected to the creation of such a bill, but Grant won back any hesitant Republicans and thus a new draft was drawn up by Ohio Representative Samuel Shellabarger.

The day after Grant's appearance in Congress, he met with the attorney general of South Carolina where the Klan rule was at its height, and issued a proclamation to the people of the state. President Grant specifically targeted masked terrorists, namely the Ku Klux Klan, and warned, "I have received information that combinations of armed men, unauthorized by law, are now disturbing the peace and safety of the citizens of the State of South Carolina and committing acts of violence in said State of a character and to an extent which render the power of the State and its officers unequal to the task of protecting life and property and securing public order."<sup>39</sup> Grant's proclamation emphasized that under such conditions the President is allowed military force and commands "the persons composing the unlawful combinations aforesaid to disperse and retire peaceably to their respective abodes within twenty days from this date."<sup>40</sup> Law required that the Commander and Chief address the nation with such proclamation before deploying federal troops or taking military measures. Grant's proclamation emphasized

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<sup>39</sup> James Daniel Richardson, "Ulysses S. Grant, "Proclamation 197 - Law and Order in the State of South Carolina." *Compilation of the Messages and Papers of the Presidents*. Vol. 7, (Washington, D.C.: Government Printing Office, 1899), 156.

<sup>40</sup> Richardson, "Grant Proclamation 197," 156.

the urgency of enforcing federal law, which expedited the Ku Klux Klan bill through Congress.

Shellabarger's bill was barely different than the draft that Butler had presented a month earlier, but Republicans rallied together and Representatives Garfield and Blaine crossed back over to their Party's consensus. They felt, after the President's Proclamation, that enough measures had been taken to insure that the Commander and Chief would not be able to abuse the new power and that the nation was in need of such legislation. The ultimate purpose of the act was to enforce the Fourteenth Amendment vigorously to end domestic terrorist organizations. The Ku Klux Klan Act provided the President with the power to intervene when state authority was unable to protect the rights of citizens. It was now affirmed that any conspiracies to "deprive citizens of the right to vote, hold office, serve on juries, and enjoy equal protection under the laws could now, if states failed to act effectively against them, be protected by federal district attorneys, and even lead to military intervention and the suspension of the writ of habeas corpus."<sup>41</sup> Not only did the punishment include fines of up \$5,000 but could also include jail time and additional charges for civil damage suits brought by victims. The power of the Commander in Chief to suspend the writ of habeas corpus was the most controversial section of the bill, but it was passed under the provision that this executive power would be terminated at the end of the next regular session that met in 1872. Apart from the expiration to the habeas corpus suspension, Shellabarger's bill was essentially the same as Butler's version, but the dominance of the Republican Party and growing concern for

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<sup>41</sup> Foner, 455.

Klan activity in the South pushed the bill through Congress and was finally passed on April 20<sup>th</sup>.

Before the bill was passed, the opposing views of politicians surged to a public forum during the Congressional meeting on April 4<sup>th</sup>. Representative Butler, who had drafted the first Ku Klux Klan bill, articulated the general opinion of the Republican Party. Butler argued that while violence and murder may exist because of post-war tensions,

It is evident that the lawlessness of the South, at first undirected save by its hates, has now become organized in the service of a political party to crush its opponents, and to drive from their borders every friend of a Republican Administration. For this purpose it is organized... For this purpose it murders legislators and judges, burns schoolhouses and churches... and levies a stealthy war upon the United States.<sup>42</sup>

Butler effectively cited evidence to demonstrate the chaos and brutality of the new organization. He emphasized the secret and strategic nature of the Klan, concluding that the group was essentially waging war. Butler continued his speech citing evidence of Ku Klux Klan violence and conspiracies in each of recently Confederate States. He ended his oration with an aggressive assertion that if he were given the power “the murderous Ku Klux smiter of the defenseless women and children and the disguised assassin and burner of quiet men’s houses hang on the trees like ripe fruit ready to be plucked, until every man’s rights, however humble, should be respected, and every roof, however

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<sup>42</sup> “A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates.” *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*. (Washington, D.C., Government Printing Office: April 4, 1871), 453.

lowly, should be the safe castle of refuge.”<sup>43</sup> Butler’s conclusion illustrated the aggression and tension that engulfed Congress as they debated the bill. He used the evidence of various Ku Klux Klan outrages to justify the Act and went further to emphasize that justice will be served only when the members of terrorist organizations were eliminated. According to Butler, the execution of Klan members would bring peace to the nation, and the Enforcement Acts and subsequent Ku Klux Klan Act would publicly condone this method of justice.

Ohio Representative, S.S. Cox, who took the floor after his fellow politician Butler, exclaimed, “We have just been listening to an extraordinary speech, expressed opposition to the bill most vigorously. It consisted of a philippic against the South, and a good deal of exaggeration about southern outrages.”<sup>44</sup> Cox’s speech drew parallels between the motives and actions of the Ku Klux Klan and historical organizations, such as the French Fenians and the Italian Carbonari. He argued, “There is a horrid history and mystery about those societies. Gun, infernal machine, and poniard are their terrible playthings. Their object has been and is to overthrow, not to substitute. They desire to be rid of evils, without a thought of the worse ills that may come. They desire a new birth of State and society, and they work for it with generous self-sacrifice.”<sup>45</sup> Cox went further than most would publicly to support the Klan by characterizing members as generous and

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<sup>43</sup> *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*, 450.

<sup>44</sup> *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*, 451.

<sup>45</sup> *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*, 453.

selfless citizens fighting evil. In reference to the habeas corpus suspension and speaking directly to the President, Cox exclaimed, “by the bill you employ illegal methods; you in fact declare martial law all over the country!”<sup>46</sup> While Cox’s accusations were extreme, they captured the most aggressive opposition to the Ku Klux Klan Act, and he was not alone in his opinions. Cox concluded his speech calling for moderation in Congressional decisions and added, “but if I fail in this appeal, I then appeal to the Throne of God for that mercy, in its abundance, which we shall need when such vindictive legislation is the law of our land.”<sup>47</sup> The general consensus among opponents to the Ku Klux Klan Act was it unfairly punished and sought revenge against southern whites who resisted Reconstruction.

The Democratic press took on the same arguments as Representative Cox, painting the Ku Klux Klan as an organization of Southern protectors instead of violent terrorists. In an editorial article in the *Texas State Journal*, Texan S. E. Sesil, argued that Republicans would use the bill for their own agendas,

These same delectable gentry will scent out a man who is known to have money and trump up some charge against him, and arrest and then rob him; and if the man happens to have manly courage enough about him to resist, they will shoot him down and report that he tried to escape, and then charge the whole thing to Ku-Kluxism.<sup>48</sup>

The Texan expressed his fear that the bill would provide a legal excuse for the massacre of wealthy Southerners who expressed dissatisfaction or resistance to Republican

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<sup>46</sup> *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*, 454.

<sup>47</sup> *Congressional Globe, House of Representatives, 42<sup>nd</sup> Congress, 1<sup>st</sup> Session*, 456.

<sup>48</sup> S.E. Sesil, “Why Should They.” *State Journal*. (July 1, 1871): 2, <http://www.newspaperarchive.com/>.



reconstruction policies. He also argued that “Ku-Kluxims” were used as a smoke screen to hide the true agendas of radical Republicans who supported the Ku Klux Klan Act. Sesil added later in his article that, “southern scalawags and Northern scum among us, usually styled, ‘carpet-baggers,’ manufactured Ku Klux reports according to the dictates of the Radical party North...”<sup>49</sup> Democratic newspapers argued that the actions of the Ku Klux Klan were fabricated or exaggerated by Republicans to excuse the military occupation of Southern states. Democrats would attempt to twist the actions and reports concerning the Ku Klux Klan to discredit the claims of terrorism. Politicians and newspapers across the nation professed their opposition or support for the Ku Klux Klan Act.

The Republicans published their support of the new law with the same determination as the opposition. One Klan Act advocate wrote an elegant piece in Illinois’ *Freeport Journal*, arguing that the Democrats, “the same party, the same press, the same men who so bitterly denounce the Ku-Klux law are the party, the presses, and then men who [supported] the Fugitive Slave Law of 1850.” The author continued to explain that the Fugitive Slave Law greatly expanded the influence of the federal government over the state government, but since the tables have turned and law denounces slavery, the Democratic Party has hypocritically changed its argument. He continued,

It was right, necessary, constitutional that the utmost authority of the Federal government should be employed to catch a ‘runaway nigger,’ to make a man a slave, to nationalize the idea of human chattelism. But now,

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<sup>49</sup> Sesil, 2.

when the protection to *men* is demanded, when freemen's privileges are asserted, when the highest obligations of government are invoked—that for which 'governments are instituted among men,' they who huzzaed over the decrees that vitalized serfdom, now howl over what appears to be a like enactment in favor of freedom.<sup>50</sup>

The article captured not only the argument, but also the passion that was present in most of the orations and essays published concerning the debate over the Ku Klux Klan Act. The morality of the new law and its enforcement of liberty were asserted repeatedly by the Republican Party to combat the criticisms. The emotional tinge of each article and politician's speech was crucial to demonstrate the enlightened ideals of the Republican Party, and the immoral, barbaric tactics of the Ku Klux Klan. Republicans also used their passion and aggressive rhetoric to counter the democratic claims that Northern enemies were exaggerating the outrages of the Ku Klux Klan. The *Houston Daily Union* published an article on March 31<sup>st</sup>, which argued that the actions of the Ku Klux Klan, specifically in North Carolina were anything but mild. The author argued, that "band of men in disguise have from time to time committed outrages on individuals in different parts of North Carolina has never been denied. The victims were generally, but not always negroes, and the punishment in some instances not undeserved."<sup>51</sup> The article went on to draw a careful distinction between the previously stated truths and the more recent actions of the Ku Klux Klan. He continued, "But these cases were made a cover to the real designs of the Ku Klux Klan, and led to the impression that its acts were but a

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<sup>50</sup> "Wednesday May 17, 1871." *Freeport Journal* (May 17, 1871): 4, <http://newspaperarchives.com>

<sup>51</sup> "Testimony to the Ku-Klux outrages and the Means Taken to Repress Them." *The Houston Daily Union* (March 31, 1871): 2, <http://infoweb.newsbank.com>

species of wild justice not altogether to be regretted.”<sup>52</sup> The piece also discussed the rapid spread and secrecy of the society in addition to its corruption of the local courts and state governments. He ends the article having emphasized the evils of the Klan and their secret oaths to “swear hatred to the republican party and the negro race, to preserve the secrets of the Klan, go to the rescue of a member at all hazards, swear for him as a witness and acquit him as a juror.” The Klan had perverted every sense of order and justice in North Carolina according to the article, and therefore required the interference of the President and greater authorities to end the reign of terror in North Carolina.

The new law sparked great controversy across the nation, and politicians, state officials and citizens were concerned about the necessity of the Enforcement Acts, and specifically the Ku Klux Klan Act. To validate the new law and the President’s authority to enforce it, a Congressional investigation was launched to determine the extent of Klan violence and terrorism. Congress turned to Senator John Scott, who had led the investigation into North Carolina earlier that year, to organize hearings to determine the condition of affairs throughout the Southern States. The discussion of the terrorism within the public forum of the United States Congress seemed to momentarily quiet the outrages of the Ku Klux Klan, if only because the Democrats needed the outrages to appear insignificant. Trenton, New Jersey’s *Daily State Gazette* published an article after the bills had passed, which prayed that the legislation would be enough to end the violence. The article demonstrated a weak and unrealistic optimism, stating, “It is to be hoped that the simple enactment of the measure will prevent the continuance of the

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<sup>52</sup> “Testimony to the Ku-Klux outrages and the Means Taken to Repress Them,” 2

lawlessness which has demanded such legislation and insure to all people of the South the rights of citizenship.”<sup>53</sup> The article observed that the “discussion of this subject in Congress had a tendency to quiet the Ku Klux, and with this law in operation the committee of investigation at work, they may think it prudent to suspend deprecations.”<sup>54</sup> Finally the article concluded that the findings of the Congressional Committee investigating the Southern condition of affairs would allow the Congress to reconvene, and begin to implement laws that would “stay the hands of the Klan in a measure subject to their influence.”<sup>55</sup> Congress was hopeful that after the investigation there would be a clear path for peace, which would confirm the necessity of the Enforcement Acts and ultimately end Klan terrorism in the South.

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<sup>53</sup> “Adjournment of Congress.” *Daily State Gazette* (April 20, 1871): 2, <http://infoweb.newsbank.com/>.

<sup>54</sup> “Adjournment of Congress,” 2.

<sup>55</sup> “Adjournment of Congress,” 2.

## Chapter 2: The Testimony of Cornelius McBride: A Case Study

Senator John Scott's investigation into the Klan conspiracy in North Carolina conducted several months prior to the Ku Klux Klan Act, served as a model for the wider investigation into all previously insurrectionary states where the Klan was popular. Scott's report from the North Carolina investigation rallied Republican political support for the Enforcement Acts and promoted a nation-wide contempt for the Ku Klux Klan, which bolstered the recent legislation. Senator Scott assembled a bipartisan team to conduct a series of witness depositions over a three-month period. The testimony was later assembled and submitted to Congress for further discussion and debate over the legislation and policies established in order to secure a peaceful union between north and south.

Before the official passing of the Klan Act on April 20<sup>th</sup> Congress resolved that a joint committee

Consisting of seven senators and fourteen Representatives, be appointed whose duty it shall be to inquire into the condition of affairs in the late insurrectionary States, so far as regards the execution of the laws, and the safety of the lives and property of the citizens of the United States, with leave to report... such recommendations as they deem expedient; that said committee be authorized to employ clerks and stenographers, or sit during the recess, to send for persons and papers, to administer oaths and take testimony, and to visit at their discretion, through sub-committees, any portions of said States during the recess of Congress...<sup>56</sup>

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<sup>56</sup> John C. Scott, *Report on the Condition of Affairs in the Late Insurrectionary States*. (Washington, D.C., Government Printing Office: February 19, 1872), 3.

Thus, Congress gave birth to the Joint Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States on April 20, 1871. The committee was given all the powers and resources necessary to call in witnesses and travel with subcommittees in order to compile evidence that could assist Congress in creating Reconstruction legislature.

The committee was comprised of an equal number of Republicans and Democrats allowing every witness to be examined and cross-examined to ensure a bipartisan and objective testimony. Senator John Scott was selected chairman, because of his previous investigative work, and scheduled the first meeting to be held in the nation's capitol on May 17<sup>th</sup>. Sub-committees were formed to travel to various locales in order to determine the state of affairs in different regions across the South. The sub-committees of at least three Congressmen traveled to North and South Carolina, Georgia, Florida, Tennessee, Alabama, and Mississippi.

In his final report, Scott opened stating that Congress hypothesized that “whatever other causes were assigned for disorders in the late insurrectionary States, the execution of the laws and the security of life and property were alleges to be most seriously threatened by the existence and acts of organized bands of armed and disguised men, known as the Ku Klux.”<sup>57</sup> To this end, the Chairman inferred the primary goal of the investigation and through the analysis of witness testimony would prove the Congressional theory to be fact. Scott proclaimed in the introduction of his report that, while testimony at its face value did little to directly point a finger at the terrorist group

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<sup>57</sup> Scott, 1.

there was no doubt that the “evidence is equally decisive that redress cannot be obtained against those who commit crimes in disguise and at night.”<sup>58</sup> Scott accused the Klan of corrupting and terrorizing the witnesses who confessed to the disorder and outrages but avoided naming the villains responsible. He explained,

The reasons assigned are that identification is difficult, almost impossible; that when this is attempted, the combinations and oaths of the order come in and release the culprit by perjury either open the witness-stand or in the jury-box; and that the terror inspired by their acts, as well as the publican sentiment in their favor in many localities, paralyzes the arm of civil power.<sup>59</sup>

Scott claimed that the testimony contained biases, but he conceded that the evidence illuminated the expansive influence of the Ku Klux Klan. Their terror obstructed the “arm of civil power” from administering justice, which essentially validated the Enforcement Acts and the need for federal interference. The Committee’s final report indicated the Ku Klux to be one of the parties responsible for violence and corruption. The report extensively outlined the means and locations where the violence occurred and the desperate condition of southern justice.

The Congressional hearings provided first-person witness accounts of the actions of the Ku Klux Klan. These accounts offered in vivid detail a portrait of the motives and actions of the Klansmen as well as the response to the violence by the victims. These narratives became deeply contested as questioners challenged the objectivity of the witnesses and the witnesses in turn provided factual information about what happened and even speculated about the reasons why. Nothing could be taken at its word because

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<sup>58</sup> Scott, 3.

<sup>59</sup> Scott, 3.

according to Republicans, witnesses were intimidated, and according to Democrats witnesses exaggerated. Despite these accusations, the witness testimony was highly valued and served as evidence of the widespread racial terrorism that engulfed the southern states. Each witness provided clear images of the violence and disorder that the Ku Klux Klan produced.

Cornelius McBride traveled from the town of Oxford, Mississippi to Washington D.C. determined to be heard. He wanted those responsible for his brutal whipping to be recognized and punished for their crimes. McBride arrived and patiently waited for his moment to tell his story, to reveal the truth about the Klan, and to plead for government action. On July 21<sup>st</sup> 1871 he was summoned to testify in front of the “Joint Committee to Inquire into the Condition of the Late Insurrectionary States,” to serve as one of thousands of witnesses that would illuminate the terrorist activities of the Klan. By looking closely at his testimony light can be shed on the motives and means of the Klan’s violence towards educational institutions.

McBride, a white Irishman born and raised in Belfast, immigrated to the United States on his own at the age of eighteen. He arrived in Cincinnati, Ohio where he lived for several years teaching black children for “some months.”<sup>60</sup> He lived in Cincinnati until taking another teaching opportunity in the south. He moved from Cincinnati down to Oktibbeha County in Mississippi and worked as a schoolteacher in a school for black children. His teaching career took the young 21-year-old fifty miles deeper south, to the

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<sup>60</sup> Cornelius McBride, *Joint Select Committee to Inquire into the Condition of Affairs in Late Insurrectionary States: Mississippi*. (Washington, D.C.: Government Printing Office, July 21, 1871), 337.



small Mississippi town of Sparta in Chickasaw County. McBride proudly announced to the committee, "I went there eleven months ago, and, with the consent of the white people in the neighborhood where my school was located, I opened a colored school. I got on very well with the people there for six or seven months, and was very well treated by my neighbors."<sup>61</sup> McBride's everyday life was consumed by his schooling duties. Swelling with pride McBride added, "I taught the colored school every day of the week, and on Sunday I taught two Sunday schools; and I had some night classes for some young men who could not come to my day school, so that my time was fully occupied."<sup>62</sup> In addition to teaching the black students during the week, McBride was asked by his neighbors to teach Sunday school for white students. McBride was respected and well liked in his neighborhood, both by black and white residents. He was not only selected by his "white neighbors to take charge of their Sunday school," but he often heard the county's superintendent A.J. Jamison brag, "that young man is teaching a colored school, and everybody respects him; he stands well."<sup>63</sup> No disapproval by the local community was ever voiced during the first six months after McBride's arrival in Mississippi.

The first objection arrived on horseback in the dead of night and crept into the bedroom of a sleeping Cornelius McBride, who woke to find several angry disguised men standing about his bed. He recalled the warning signs has been gathering like an omniscient storm cloud, "I had several warnings in the shape of several school-houses being burned there... But I did not fear any difficulty for myself, inasmuch as I had

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<sup>61</sup> McBride, 325.

<sup>62</sup> McBride, 330.

<sup>63</sup> McBride, 328.

opened the school there with the consent of the white people in the neighborhood.” As the storm approached McBride heard rumors, “during the last week of March some of my scholars told me they had heard the Ku Klux were out after me, but I did not pay any attention to it.”<sup>64</sup> McBride felt he was safe and returned one night to his home where he boarded with a Mr. Johnson, who had left the county some days earlier on business. His nearest neighbors were a black family who lived in a cabin back behind the house. McBride returned from work to his empty house, the nearest people being a black family that lived in their own home not far from McBride’s residence. He was alone when the Ku Klux Klan walked into his bedroom.

“Between 12 and 1 o’clock on Thursday night, in the last week of March, a body of men came to the house, burst in the doors and windows and presented their rifles to me.”<sup>65</sup> The men arrived armed, their faces were blacked, and some had “cloth hanging around the sides of their faces.”<sup>66</sup> They were mostly unrecognizable, in the moment of terror McBride explains, “The fact is, I was so excited I could not take particular notice of their disguise.”<sup>67</sup> However, he did remember the men all wore red pants, with a large belt, each carrying a pistol and a bowie knife, or a long knife with a double-edged blade at the point. In utter bewilderment McBride cried out to the trespassers and asked them, “What are you all coming here this time of night for, making this row?”<sup>68</sup> The group of men gave the floor to their masked leader standing outside with the rest of his violent

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<sup>64</sup> McBride, 326.

<sup>65</sup> McBride, 326.

<sup>66</sup> McBride, 327.

<sup>67</sup> McBride, 327.

<sup>68</sup> McBride, 326.

flock, said, “You God damned Yankee, come out here.” McBride was terrified, he knew that the Klan had come for him and this was “a matter of life and death.” In that moment the twenty-one year old knew beyond any doubt that the men “meant to kill me, and I made up my mind to make an effort to escape.”<sup>69</sup>

Two men stood with their rifles on either side of the window that they had burst through moments earlier. McBride sprinted between the two armed guards and flew through the shattered window. The Klan members could hardly believe the valiant attempt of McBride to escape their clutches, and after watching him regain his footing and begin to run across the yard, one of the men shouted, “God damn you, stop, or we will blow your God damned brains out!” McBride continued to run from the house towards the cabin where an unsuspecting black family had settled into sleep. But before McBride could reach the cabin, the gang of men began to unload their pistols and rifles. Bullets went whizzing by his head, and hit the ground between his feet. Miraculously, McBride reached the cabin without catching one of the bullets.

McBride had remembered that the black family kept a gun in their home and upon entering their cabin yelled out for the weapon. He searched the cabin to no avail, and his attackers soon reached the cabin and dragged him out into the yard. McBride remembered that the black family pleaded for mercy on his behalf, they begged, “O, don’t hurt Mr. Mac; for God’s sake, let him alone.” The disguised men warned, “Don’t

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<sup>69</sup> McBride, 326.

make that noise; just keep quiet; we will not hurt you; hold your tongues.”<sup>70</sup> They knocked McBride in the head with the butt ends of the bowie knives and pistols. McBride continued to demand an explanation for the violence, but they gave him no answer. They dragged him “scarcely quarter of a mile from the house, to a field near the road” where they demanded that he take off his shirt. Terrified of the torture that he knew was coming, McBride refused to take off his shirt. In response to his refusal, “one fellow struck me on the head with a pistol, cut my head, and knocked me down, and then pulled off my shirt.”<sup>71</sup> McBride lay, half-naked, in a field on that March night with between ten and a dozen disguised men surrounding him, as he begged for an explanation of what he had done to warrant such an attack.

Several men held McBride down while the others began to whip the schoolteacher with black-gum switches, or bundles of sticks, which “stings and raises the flesh when it hits.”<sup>72</sup> McBride recounted to the committee the brutal whipping that he endured, as the men took turns beating his body with the black-gum switches. He recalled, “They said they were going to give me a hundred each... One man gave me a hundred, and then handed the bundle of switches to another, who gave me seventy-five.” All the while McBride asked them why, and finally they responded to their victim’s cries, and one of the men said, “God damn you! Don’t you know this is a white man’s country?” In desperation McBride explained, “The white people in the neighborhood are satisfied with my conduct and the manner I have been conducting the school here. They have shown it

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<sup>70</sup> McBride, 326.

<sup>71</sup> McBride, 326.

<sup>72</sup> McBride, 326.

by selecting me to take charge of their Sunday school.” But McBride’s evidence of acceptance by the neighborhood and his position at the white Sunday school only served to infuriate his attackers. One of the men said, “yes, god damn you, that is the worst feature in it, having a nigger teacher to teach the white school on Sunday!”<sup>73</sup>

McBride twisted and kicked, desperately trying to get out of the clutches of the men, but to no avail. The pain was excruciating and paralyzed McBride’s body. He remembered the pain of the torture, “I thought they would kill me anyway when they got through whipping me; and I begged them to shoot me.”<sup>74</sup> One of the men approached McBride and teasingly pointed a gun at him and asked if he wanted to be shot. “Yes, I can’t stand this!” cried McBride as the whipping continued. The leader then spoke up and announced, “Shooting is too good for this fellow. We will hang him when we get through whipping him.” McBride knew he would die and looking off towards the road he saw a rope hanging from a tree.<sup>75</sup>

He looked around him, and realized that between the plantation fence and where he was being held there was only one man standing in his pathway. He raised his beaten body upwards; still receiving blows from the bundle of black-gum switches. McBride “was halfway up, on my hand and knee; I made a spring and for this man, and struck at him as hard as I could... the way was clear to the fence...” After striking the one man that stood in his pathway to freedom, McBride made his escape. He hopped the fence and

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<sup>73</sup> McBride, 327.

<sup>74</sup> McBride, 327.

<sup>75</sup> McBride, 328.

ran into the woods. All the while, he heard the men cursing at him and firing their guns. Bullets flew by his head and kicked up the dead leaves that coated the ground around him.<sup>76</sup> McBride ran as far and as fast as he could, until the neighborhood woke to the screams and gunfire. Then the men returned to their horses and rode off.

McBride still terrified, hid in the woods, “it was a very cold night, that night was—piercing cold... I stayed in the woods for probably half an hour. The blood was running down my back and my suffering was fearful.” He then retreated to the house of a neighbor, Mr. Walser, who took in the beaten schoolteacher. For fear that his refuge would be found, McBride only spent one night at his neighbors home, and the following day he returned to the school and held classes. McBride knew the risk of returning to his school, but he held classes the day after his whipping, and then went back into hiding, fearful that the Klan would retaliate.

Vermont Republican Representative Luke P. Poland was the acting chairman during McBride’s testimony and after the witness had recounted the events of his attack, Mr. Poland asked a series of questions: “Had you any difficulty there before this attack?”; “You were pursuing this business of teaching school quietly and peaceably?”; “the only objection made to you was that you were teaching a colored school?”<sup>77</sup> The witness replied that his only charge was teaching black students. Finally, to drive his point, Poland asked, “And in that way trying to make the Negroes equal to whites?”

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<sup>76</sup> McBride, 327.

<sup>77</sup> McBride, 328.

McBride earnestly replied, “Yes, Sir”<sup>78</sup> and the politician rested on the subject. McBride was targeted not because of any crime, but because he offered inspiration, equality and literacy to blacks.

Representative Poland directed McBride to recount his experience in attempting to arrest and prosecute the men who had severely whipped him. McBride replied that he “made an affidavit against fourteen men, on the evidence of a great many witnesses, and went in company with United States Marshal Pierce to make the arrests. First, I went to Houston, our county town, to advise with the authorities there as what I should do.”<sup>79</sup> He traveled fourteen miles to Houston where he met with friends and co-workers who advised the young school teacher to issue arrest warrants for the men who whipped him. McBride, determined that justice be served, then met with Governor Alcorn who sent McBride to a Mr. Wells, the United States District Attorney for the state of Mississippi. Finally the United States Attorney provided McBride with fourteen affidavits, and then sent him along to Marshal Pierce “and a posse of military to make the arrests.”<sup>80</sup>

The United States Marshal Pierce worked McBride’s case alongside another case of Klan violence against Mr. Echols, a man whipped only five nights prior to the attack on McBride. Mr. Echols had been whipped because “some members of the Klan had a grudge against him; at the same time he drinks a little whiskey; that is about all the charge against him. They took him out, and struck his wife several blows on the breast with pistols to make her go back to the house, as she followed begging for mercy. She

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<sup>78</sup> McBride, 328.

<sup>79</sup> McBride, 331.

<sup>80</sup> McBride, 331.

continued to follow, and two of them took her and held her back, while the remainder beat her husband.” When asked why Mr. Echols was targeted, McBride explained, “I did not know anything about men who went about drinking and quarrelling. I kept closely at home.”<sup>81</sup>

When the Marshall and his posse went to make their arrests in Jackson, Mississippi, McBride stayed back for his own safety. There, the officers found a Mr. Nason, “one of the board of supervisors, to show them the parties, and he begged the military to say they that they forced him to go and show them the men. Nason was a Republican, and was very willing to serve them, but was afraid to let it be known that he assisted the authorities voluntarily.” The terror that the Klan produced pervaded every part of society so that even a willing volunteer needed to hide his morality for fear of his life. Nason led the posse to the men involved in Echols’ and McBride’s whippings in the town of Sparta just several miles from the scene of McBride’s attack. The attempt to arrest the men was thwarted most effectively by the Mayor of the town himself. McBride bitterly remembers, “When we got to the town of Sparta, Dr. Munson, the mayor, was asked by the military, ‘Was not that Joe Davis?’—One of the men I came to arrest. They Mayor sneered at them; said they ought to have photographs of them; that he supposed they knew all about the men. He made some sarcastic remarks, and would give no information.”<sup>82</sup> The Mayor refused to aid the Marshal, and claimed he could not make a positive identification of the men they were looking for. The attempt to arrest the violent

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<sup>81</sup> McBride, 330.

<sup>82</sup> McBride, 331.



Klan members was prevented by a local politician, who ignored and inhibited the prosecution of violent men. The Mayor “was not a democrat or a republican. He was dissatisfied with all parties.” McBride went on to characterize the local official saying, “I believe he would go for either party that he thought he could make the most out of.” In addition to the Mayor’s obstruction of justice, the men had been conveniently warned of the arrest warrants and fled to hide in the woods. Representative Poland asked McBride, “How many did you arrest?” “Not a single one; they took to the woods.” Stunned that nothing had been accomplished, Poland asked, “Has there been any attempt, except this effort by you, to arrest and punish anybody for these crimes you have spoken of?”<sup>83</sup>

McBride explained the hopelessness of ever punishing or arresting the violent men that had dragged him from his home and whipped him so brutally: “The people are too afraid to do it; I was the only one that attempted it, and I risked my life in doing it. I knew that I was playing a game of life and death in doing it; that those men would kill me if they could.”<sup>84</sup> It was only a short time later when McBride would run into two of the men that he had attempted to arrest.

After the arrests failed, McBride reported back to the county school superintendent, Mr. Jamison. While sitting in a shop in Houston talking to Mr. Jamison about the failed excursions of Marshall Pierce and his posse,

Two men I had made charges against came into the store, one in a door at one end, and the other in a door at the other end. I was sitting there talking with Mr. Jamison, our school superintendent. Those men had their belts and pistols... they asked me if I had sworn certain things; if I had

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<sup>83</sup> McBride, 332.

<sup>84</sup> McBride, 332.

identified them. I said, 'No, I have not,' because I could not identify any of the parties who were present. They said, 'We had heard that you had, and it is a good thing you have not, because we would have had a difficulty right here,' and one of them put his hand on his pistol as he said so. I have no doubt that if I had said then that I had sworn against those two fellows I should have been assassinated there in open daylight.<sup>85</sup>

The guilty parties stood in broad daylight threatening the life of a schoolteacher, who only a few weeks prior, had been whipped solely because he taught black students.

Despite every legal attempt to arrest and punish them, the Klan members walked freely. Their violence terrified decent people and their influence rallied the corrupt, such as the mayor, to be used as pawns in their mission to preserve the white male dominated southern culture.

McBride breathed a sigh of relief after his story had been told. But just as he began to relax, the politicians geared up for the real fight. The fifty-six year old Republican Representative from Vermont, Luke Poland was determined to extract more information from McBride concerning the condition of schoolhouses and schoolteachers outside his own town. The politician believed that McBride's story was not the only one of its kind, and that if more violence towards schools and teachers could be revealed, it would encourage the Republican campaign to disband the Ku Klux Klan. He asked the witness, "Did they whip any other besides yourself."<sup>86</sup> McBride recalled that while no one else in his county had been whipped to his knowledge, "several were shot at, and one teacher, three miles from Houston, was informed that he must leave." Poland seized onto the violence towards another teacher: "He was teaching a colored school?" McBride

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<sup>85</sup> McBride, 332.

<sup>86</sup> McBride, 329.

obediently responded, “Yes, sir; three miles northeast of Houston. His wife was pregnant and was soon to be confined, and he came out and begged them in the name of God to leave his house, telling them the condition of his wife.”<sup>87</sup> Poland inquired what the complaint against this teacher could have been, other than teaching a free school for black children, and McBride explained that the gang of men, “made no other complaint; they said they were not going to allow such a thing as that in the country.”<sup>88</sup> Poland sought more evidence of violence against schoolteachers and asked the young witness if he knew of other teachers being terrorized.

McBride took a deep breath and narrated the story of Mr. Burt Moore, a southern man and a “great secessionist before and during the war.”<sup>89</sup> He seemed an unlikely free school teacher, but after the war ended, Mr. Moore had accepted “the new state of affairs... and is now a republican an has become unpopular through voting the republican ticket.” McBride went on to say that Mr. Moore was given warning in the shape of a notice posted on his door. McBride paraphrased the notice, which read, “Mr. Burt Moore: We do not want to hurt you, but you must stop teaching this school.”<sup>90</sup> But Mr. Moore did not close his school; he continued to hold classes in the schoolhouse that had been built by the labor of the black residents themselves. A week after it had been completed, the schoolhouse was burned to ashes. Mr. Jamison told McBride after the school had been burned he sought out witnesses, one of whom said, “I dare not come and give

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<sup>87</sup> McBride, 329.

<sup>88</sup> McBride, 329.

<sup>89</sup> McBride, 329.

<sup>90</sup> McBride, 329.

testimony against those men, for my life would be taken for it.”<sup>91</sup> Mr. Jamison found three other witnesses who developed excuses, leaving the school in ruins and no one accountable.

Poland asked McBride if he could remember other teachers who had been harassed and if they had lost their schoolhouses in a similar way. McBride responded in the affirmative, mentioning the schoolteachers in adjoining counties, and adding that two other schoolhouses in his own county had also been burned. Poland asked if any of these teachers had committed any other offense aside from teaching free schools. McBride emphatically replied, “There is no objection to any of these men, except they were teaching schools.” Why, Mr. Poland wanted to know, would people want to target these institutions? McBride argued “the people object to them on the ground that they own the property, and they have to pay to keep ‘lazy niggers at school’—I used their own expression—and they say they are determined not to do it; that they have to pay for educating people that they do not believe in educating.”<sup>92</sup>

Poland turned his focus from schools, and asked the witness, “did those bands of men, about in your county, do anything else except to break up colored schools?” The Representative wished to know the extent of the harassments committed by the Klan and close affiliates. McBride illustrated the state of mind of the local black residents and explained,

They are in a general state of terror; they are afraid to leave one place and go to another; they are afraid that if any of them leaves his present employer, and goes to work for another man, these men will visit him. I

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<sup>91</sup> McBride, 329.

<sup>92</sup> McBride, 329.

have seen negro men who say they have seen sixty and seventy of these men riding about at night, thus creating a general terror among the colored people so that the colored people would be afraid to change their place of abode, or to make any new arrangements.<sup>93</sup>

The terror established by the Klan and other white supremacy gangs was debilitating to the black population in the south. These fears kept blacks chained to their past lives of enslavement, however invisible the chains may have been, their fear made them real. McBride's testimony illuminated the paralyzing condition of the black population, trapped by the violent acts against them and the fear it created. Poland, however, wished to know if the fear was well founded, and asked the witness about "instances where they [the Ku Klux Klan] have whipped colored people."<sup>94</sup> While McBride could not remember the names of the victims, he testified, "I have heard of a number of instances where they have whipped them."<sup>95</sup>

Democratic Representative Erasmus Beck from Georgia returned to the discussion of education and asked the witness to explain the free school system. He asked, "The objection seems to be general to all free schools, white and black?"<sup>96</sup> It was obvious Beck wished to paint the violence towards these schools as an objection, not of racial equality, but of the system as expensive and inefficient. Each of his questions were tinged with his ulterior motive, and the witness, a firm believer in the free school system, fought the implication of his questions with great resolve. McBride explained that the state allowed for a school tax of one dollar for each property of five mills throughout all

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<sup>93</sup> McBride, 330.

<sup>94</sup> McBride, 330.

<sup>95</sup> McBride, 330.

<sup>96</sup> McBride, 334.

the counties of Mississippi. The taxes went directly towards the building and funding of the schools, in addition to paying any teachers. In an area where there were at least twenty-five children willing to enroll in the school and no other schoolhouse within three miles existed, the neighborhood could petition the county school superintendent for a new school. McBride's neighborhood in Chickasaw County completed the petition and hired the young McBride to be the new teacher. McBride summarized, "No school is located in our county unless the people petition for it, and no teacher is appointed unless the people of the neighborhood want him."<sup>97</sup> Therefore McBride explained that no tax would be enforced for the funds of a local school without the express wishes of the residents in the neighborhood, thus providing a counterargument to Representative Beck's implication that the school taxes for free schools were an unwanted burden on southern landowners.

Mr. Beck continued his interrogation, "if five men could send five children each, they would be entitled to a school...although none of those five men own a dollar's worth of property in the county? And the county would be taxed to support their school for them under those circumstances?"<sup>98</sup> The witness consented. Mr. Beck continued to emphasize the great financial burden that the free school system imposed on the landowning resident of the county. He ask about the pay for the board of school commissioners and the superintendent which all comes from the taxes imposed for the school fund. McBride answered to the best of his knowledge that the five member board

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<sup>97</sup> McBride, 334.

<sup>98</sup> McBride, 335.

of directors received three dollars each for every day they were in session as well as compensation for any traveling costs. The superintendent of the schools in Chickasaw county received three dollars for every day he was attending to business in addition to travel expenses. Mr. Beck was still not satisfied, “How many schools were established in Chickasaw county?” The teacher reluctantly replied, “Something like two hundred, I think... I do not remember the exact number.”<sup>99</sup>

Mr. Beck turned to the schoolteacher and accusingly asked, “What are the teachers paid?”<sup>100</sup> Now the interrogator attempted to turn the victim into a villain, the unjust proprietor of tax money taken from landowning southerners who disapproved of his position. McBride explained to his hostile audience, “Third class teachers are paid forty dollars a month, second class teachers are paid some sixty dollars a month; and first class teachers a hundred dollars a month.”<sup>101</sup> When asked which class he belonged to, the witness proudly announced, “to the second class, to the sixty-dollar class.” Mr. Beck probed further into the pay of teachers asking if he received the pay for all twelve months of the year, but the witness explained that teachers are paid for at most ten months of work and at least four months of work, but never for the entire year. Mr. Beck, having been somewhat defeated, turned back to the excessive taxation of property owners for the purpose of free schools. But McBride stopped him in his tracks again explaining that not all the funds came exclusively from the property tax, “a great deal of revenue is derived

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<sup>99</sup> McBride, 334.

<sup>100</sup> McBride, 334.

<sup>101</sup> McBride, 334.

from fines; and then there are sales of public lands belonging to the Chickasaw school fund; and then liquor licenses, all of that goes into the school fund.”<sup>102</sup>

Mr. Beck picked his next fight, “The colored people of Chickasaw County own but little property?”<sup>103</sup> He hoped to demonstrate that the property tax for the free schools cost the white community more than the black community, even though most of the schools, like McBride’s, benefited the latter racial group. However, Beck would be sorely disappointed by Mr. McBride’s answer because in his county the black residents “own a great deal of property, and a great deal of live stock... some colored men there have ten or twelve thousand dollars’ worth of property.”<sup>104</sup> Baffled Beck asked, “Are they not comparatively few?”<sup>105</sup>

Republican Representative John Coburn from Indiana interceded in the debate over who owns more property and took over the hearing from the antagonistic Democratic Representative Beck. He politely asked the witness, “While on that point of landed property, let me ask if the colored people are free to buy land; will the white people sell land to them?”<sup>106</sup> Coburn wished to extract from the witness more reasons why the property tax might fall most heavily on the white community. He wanted to emphasize that the discrimination against the black residents in southern neighborhoods prohibited them from buying land. The witness elaborated on the Representative’s implication explaining, “There is a state of affairs there: As a general rule a man is very

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<sup>102</sup> McBride, 335.

<sup>103</sup> McBride, 335.

<sup>104</sup> McBride, 335.

<sup>105</sup> McBride, 335.

<sup>106</sup> McBride, 355.



unpopular with his neighbors who will sell his land to colored people; and then a colored man is in danger if he buys land.”<sup>107</sup> Not only is a white man discouraged from selling to a black buyer, but also the black residents are terrified to become landed property owners where they are so violently hated. McBride cited one example in Winston County where,

A dozen men were whipped, and the only charge against them was that they bought land. A colored man of the name of William Coleman, in Louisville, Winston County, bought eighty acres of land, and just after buying the land, a body of disguised men came there and took him out of his house and nearly killed him, left him for dead in the road. The only charge against him was the buying of this land, and they threatened at the same time to kill the man who had sold it to him.<sup>108</sup>

Mr. Beck protested, “Who told you this?” The witness retorted, “Coleman himself.”<sup>109</sup>

Mr. Beck asserted that Coleman would never admit to any crime or offense that he had committed to provoke such violence. When he asked the witness if Coleman had ever done “anything to be whipped for?” McBride was struck with disbelief; he could not grasp the meaning of the politician looking for a reason why the black man would have been justly whipped. Mr. Beck’s anger and frustration surfaced in his next question, “I have asked you a question, and you say you do not understand it?” McBride, perhaps obtusely, admitted that some black men admitted they “had sinned, that they were not converted people, if that is what you mean.” Mr. Beck’s frustration grew and he finally clarified, “that they committed any offense, or violated any law of the state?”<sup>110</sup> The witness answered curtly, “No, sir. I do not think they have admitted that.” Mr. Beck was

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<sup>107</sup> McBride, 335.

<sup>108</sup> McBride, 335.

<sup>109</sup> McBride, 355.

<sup>110</sup> McBride, 335.

dissatisfied with the witness' answers knowing that he had meant to emphasize that the character of Mr. Coleman may have given rise to his whipping, which he would certainly deny. McBride's seemingly obtuse responses emphasized that a whipping could not be excused because of a character defect, and therefore dismissed Mr. Beck's line of questioning. The heat of the argument exemplified the growing polarization in the nation over Ku Klux Klan activities.

Coburn gently interrupted the warring men again asking for further clarification about Coleman's case. McBride continued by reinforcing the cleanliness of Coleman's character, "They whipped him because he had bought the land, and left him for dead. He was twenty-four years of age, had been fifteen years in Winston County, and had never been brought before the court for any offense."<sup>111</sup> His answer was clearly directed at his previous interrogator, which utterly extinguished the fiery counter argument made by Mr. Beck. McBride also added, "He told me a number of colored men in that county who had been whipped for the same offence, for buying land. One man, William Miller, was whipped in the same county; the charge against him was that he did not raise his hat to a white man."<sup>112</sup> Mr. Beck, frustrated and annoyed by the witness, jumped back into the line of questioning looking to redeem his prior argument. He asked the witness if the "great bulk of property there is held by white people?"<sup>113</sup> And after a little resistance the witness admitted that while some black property owners did live in his county the

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<sup>111</sup> McBride, 336.

<sup>112</sup> McBride, 336.

<sup>113</sup> McBride, 336.

majority were white citizens. Mr. Beck carefully asked the witness his next question to confirm that the property tax was therefore most costly to the white community, asking, “Does not this school tax bear very heavily upon the people, this keeping up of two hundred schools, the machinery of schools boards, and all that?”<sup>114</sup> The politician waited desperately for the victory he felt was surely to come, but he was again agitated by another obstinate answer. McBride replied, “I never heard any one object to it because it was a burden to them, but because it was introduced there against their wishes. Every man I ever talked to, who is opposed to the present system, says that it is cheaper for them than the private school system.”<sup>115</sup> But Beck wanted further explanation, which was given by McBride, who explained,

The ground for their objection is this: Under this free school system the colored people would be taught. If it was a private-school system, the whites would not teach colored schools, because they would not, perhaps, get any salaries paid them. The greatest objection on the part of the white people is that they own most of the property and they object to paying for the education of colored people, inasmuch as they do not believe in educating them; that is, the majority do not. Of course there is a large minority of the people who are in favor of educating the colored people.<sup>116</sup>

With that, Beck relinquished his argument, but without consenting to the truth of the witness’ statement. Beck only moved on to ask the witness about his personal education and expertise in teaching. McBride had successfully dismissed the argument that school taxes were a financial burden, and emphasized that the violent opposition to free schools stemmed from the racial intolerance present in the South.

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<sup>114</sup> McBride, 336.

<sup>115</sup> McBride, 336.

<sup>116</sup> McBride, 337.

McBride was a victim of terrorism and his inability to bring his attackers to court encouraged the young schoolteacher to take up a position with the local authorities. He aided the local Marshal by summoning witnesses to various cases about the Ku Klux Klan. The Chairman of the committee asked McBride if he had heard many stories of the Klan before he arrived in Chickasaw county, when he first taught farther north in Oktibbeha county of Mississippi. The witness replied emphatically, "O, yes, sir; I heard reports of them, but I was inclined to for a long time to believe they were like ghost stories; I did not believe much in it"<sup>117</sup> Mr. Poland probed deeper into what he had heard before his own attack and asked what was known of the organization in Oktibbeha County. McBride cited one case that he specifically remembered hearing about "their attack upon the Rev. Mr. McLachlan." His only offense was that he was a Methodist and a "Scotchman; sent from the North there as a preacher."<sup>118</sup> Poland asked if he had heard any other cases where schoolhouses or schoolteachers became targets of the Klan. McBride could not name any he knew previous to his own whipping but during his work at the Marshal's office, McBride developed an intimate knowledge of Klan activities in the Chickasaw and surrounding counties.

McBride worked around the trial in Oxford where several Klan members were indicted. McBride told the committee of his role during the trial where he "acted as deputy marshal part of the time, and then I had every opportunity of hearing cases in different counties. I guarded some of the prisoners and had charge of some of the

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<sup>117</sup> McBride, 333.

<sup>118</sup> McBride, 333.

witnesses, and was present at the statements that were made.”<sup>119</sup> Having heard the different testimonies given during the trial, McBride reported to the Committee in Washington the various crimes that prompted the trial against the Ku Klux Organization in Oxford, Mississippi. It first began with the case of Parson Murff, “of the Methodist Episcopal Church South, a southern man, held a position there as a school director. His most intimate friends came to him and told him that, though he was a popular man, they had heard such threats against him that he must resign, or his life would be taken.”<sup>120</sup> Parson Murff suffered the loss of numerous schoolhouses in his county because he would not resign his commission. Mr. Poland asked if the violence “grew out of their opposition to the system of free schools?” McBride responded in the affirmative explaining that the Klan burned down “quite a number” of the schools in his district.

During McBride’s time in the Marshal’s service he also came to know Rev. John Avery who hailed from Winston County and came to Oxford to bring several Klan members to court. The Reverend had brothers and cousins in the Ku Klux Klan, who threatened his life because he taught an all white free school in their county. Avery warned the Klan members in his family that he would go to Oxford and give testimony against the organization if they did not leave him alone. He told McBride that they sent for him to attend one of the Klan’s meetings, and “he went there and they proposed to compromise the matter, which he agreed to do if they would let him alone and not annoy

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<sup>119</sup> McBride, 333.

<sup>120</sup> McBride, 333.

him. But they broke their agreement by burning down his schoolhouse afterward.”<sup>121</sup>

Thus, Avery traveled to Oxford where he met and roomed with McBride while awaiting his trial. While McBride lived with Reverend Avery, he recalled, “His brothers sent word for him... that they would kill him, so help them God, for turning traitor and giving evidence against them.”<sup>122</sup> Avery’s case exemplified the animosity that existed locally among the white community between those who embraced and those who resisted the Reconstruction government policies.

The Ku Klux Klan attacked blacks, Republicans and their supporters across the southern landscape, but the politicians focused on interrogating the witness about his knowledge of attacks on white citizens by blacks. Mr. Coburn opened the door to the debate, primarily on the minds of the concerned Congressmen, “Are there many disorders or disturbances there by colored people, as against the whites, or among each other?” The politician wished to determine the validity of the argument that the black population in the south was turbulent and the main cause of such organizations as the Ku Klux Klan, was a reaction to black aggression. McBride’s answer put the question to rest, “No, sir. That is one of the most remarkable characteristics about the colored people; in speaking of their old masters they talk this way: ‘Let by-gones be by-gones; bury the past.’”<sup>123</sup> McBride’s testimony absolved the black population of any accusation of turbulence, and recounted many cases to demonstrate the violence of the Ku Klux Klan against its enemies regardless of race.

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<sup>121</sup> McBride, 333.

<sup>122</sup> McBride, 333.

<sup>123</sup> McBride, 338.

McBride painted a vivid portrait of local acts of violence perpetrated by disguised white men, but the committee was determined to understand the pervasiveness of the Ku Klux Klan, specifically, in the southern community. Mr. Coburn began, “What is the characteristic of the men who belong to this Ku-Klux organization, so far as you know them or have heard of them?”<sup>124</sup> Mr. Coburn asked McBride for his personal interpretation of who comprised the organization that he held responsible for the numerous crimes. The question also served to rout out the assumptions and biases of the witness. He responded, “As a general rule they are an ignorant, illiterate set of men, and they seem to be determined to keep everybody else the same. The men who are engaged in Ku Kluxing, if they were not sympathized with by men of better standing than themselves, would go under.”<sup>125</sup> McBride was careful in his characterization of the Ku Klux Klan, to divide the influential supporters of the organization with the disguised nightriders that committed violent the violent crimes.

Mr. Coburn concentrated on the influential members and supporters and their role in the Klan. He asked, “Can you give an idea the amount of sympathy or the character of aid and assistance, they got from men of property and standing?”<sup>126</sup> Klan terrorism grew stronger and more violent because of the inability of the local police forces, political officials, and judicial authorities to successfully convict the members that committed the organization’s many outrages. Mr. Coburn’s question directly asked the witness, who had

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<sup>124</sup> McBride, 338.

<sup>125</sup> McBride, 339.

<sup>126</sup> McBride, 339.

experienced the inadequacies of local law enforcement, to testify about the influential figures that had enabled Klan members' escape from justice. McBride explained,

It is easily shown. In the matter of bail, or anything of that kind, the best men in the community will give their signatures. In Oxford, for instance, when those men were arrested and brought there they were put in pretty good quarters among the soldiers. But the people of the county had a meeting for their benefit, and took them beds and chairs, and playing cards and all that. That showed the sympathy of the people with them.<sup>127</sup>

McBride's response emphasized that the corruption and sympathy of the people was not hidden, "it is easily shown." The blatant attempts by members to bail violent Klan members out of jail and the sympathy of the local town to support those members in jail, demonstrated the strength of the Klan organization and its growing popularity. To establish the validity of his statement, Mr. Coburn asked the witness, "Can you, from a reliable source give any number of the member of the Ku Klux in you county, and in other counties?" McBride didn't hesitate, "We believe that about one half of the white people in our county belong to the organization."<sup>128</sup> But McBride's estimation was not enough and Mr. Coburn asked the witness how such a number was decided upon. McBride explained that the estimation was derived "from the fact that that if you denounce the Ku Klux, or take any action against them, you make one-half of the people there your enemies, and they show it by condemning you."<sup>129</sup> McBride elaborated using his own experience, "The president of supervisors in my county asked me what kind of evidence I had against these fellows; I told him that I have several colored witnesses and

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<sup>127</sup> McBride, 399.

<sup>128</sup> McBride, 399.

<sup>129</sup> McBride, 399.



some white witnesses. He said, ‘you must not bring colored testimony against white men in this county.’”<sup>130</sup> McBride continued to give evidence to support his claim that half the white community sympathized or belonged to the Ku Klux Klan. He argued that while he worked with the Marshal he heard the “most intelligent men in the county believe” that this estimation was accurate.

Mr. Coburn wished to know where and how Klan members could be prosecuted for their crimes and asked if the witness knew of “any prosecutions in the State courts for the crimes and outrages that have been committed in Winston County and other counties?”<sup>131</sup> McBride replied that the local courts are not capable of prosecuting the men; they had to be tried in federal courts. He added, “It is almost absurd to talk about prosecuting these fellows in the State courts, because they dare not do it. You cannot find a man willing to walk five miles from his home to give evidence against these fellows in a State court.”<sup>132</sup> The Ku Klux members were apparently free to pursue their cause and roam the southern landscape because of the inability of local authorities to establish order and the support of influential members of the white community.

Before McBride could finish his testimony about the many outrages committed by the Klan in his community, the committee wished to analyze the role of politics in the violence. Mr. Coburn asked, “You have testified as to the hostility of the people to free

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<sup>130</sup> McBride, 399.

<sup>131</sup> McBride, 340

<sup>132</sup> McBride, 340

schools. What is the cause set forth by those men for their hostility to free schools?"<sup>133</sup>

The witness summarized the implications of his testimony and his personal attack,

“Well, educating the colored people is the great cause of objection that is the reason why they are against free schools; and then it is a republican measure. If the Democratic Party had passed that bill, I am sure there would not have been any opposition to it in that State, except on the part of a few white people who might have objected to being taxed to support colored schools. The great opposition to it is because ‘it is a damned radical free-school system,’ that is the way it is spoken of.”<sup>134</sup>

McBride overtly approached the issue of politics for the first time in his testimony. He explained that while the primary resentment for the establishment of free schools was the education of the black population, the next most influential factor was party lines.

McBride’s partiality was clear, but more importantly he indicated that the Democratic Party was clearly aligned with those members and supporters of the Klan who committed violence against the fee school system.

The Chairman of the committee spoke up when the issue of local politics was introduced and asked the witness, “Is it understood that these organizations are to have some political purpose and effect?” McBride responded, “Yes, sir, of course, that is understood. It is understood that Negro men who will vote the republican ticket are to be punished—shot, hung or whipped.”<sup>135</sup> Mr. Poland asked the witness if these actions were designed to have an effect on the local elections, to which the witness emphatically replied it was true. Mr. Poland then asked the witness how the colored people felt in response to the terrorism. McBride elaborated on the feelings of the black population in

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<sup>133</sup> McBride, 340

<sup>134</sup> McBride, 340.

<sup>135</sup> McBride, 332.

his neighborhood as far as he understood them, and said, “the colored people talk this way; they say, ‘The Government has set us free, and we are worse slaved today than in old slavery times.’”<sup>136</sup> Mr. Poland asked McBride, “Are they in great fear and terror from this organization?”<sup>137</sup> McBride responded, “Yes, sir. They are.”<sup>138</sup> McBride’s concise answer revealed the political prowess of Klan members who sought to deprive the black population of their vote.

McBride risked his life and career to come to the committee and give his testimony. At one point Mr. Poland touched on the repercussions of McBride’s commitment to testify and asked, “Do you expect to return to Chickasaw county?” McBride explained, “I want to return there because I am interested in my school work there; but I dare not now, at present I cannot return.” When Mr. Poland asked if it was unsafe, the witness stated, “No, sir. My life would be taken. They have sworn there, since I have taken this action against them, that they will kill me, day or night; that they would track me down where I might go.”<sup>139</sup> McBride came to Washington, D.C. and left his home and his work to plead for the government’s intervention. His testimony served to support the Klan Act by demonstrating that local authorities were not competent to end the Klan’s dangerously increasing reign of terror. His story was not atypical. Many other teachers, white and black, came forth to narrate their travails at the hands of the Klan. The focus on education proved especially critical as free blacks and their white

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<sup>136</sup> McBride, 332.

<sup>137</sup> McBride, 332.

<sup>138</sup> McBride, 332.

<sup>139</sup> McBride, 334.

supporters saw education as the key to freedom and the meaning of full citizenship.

McBride's story may only have been one tale, but it was consonant with the many other stories that unfolded in the thousands of pages of testimony given during the Joint Committee's hearings, which were later reported and presented to Congress in 1872.

### Chapter 3: The Story Continues: Education in the Post-bellum South

Other victims would follow, their stories would be told, and the association between Klan violence and free schooling would be emphasized repeatedly, until Congress could not blind itself from reality. Cornelius McBride's support for the education of freedmen and the free school system was the primary motive behind his whipping, and others would confirm the Klan's aggression towards free schools in their own testimonies. McBride's involvement with the Church's Sunday school and black education was a common connection in the South during Reconstruction. The education of black freedmen sprang from the local African American churches following emancipation and the end of the Civil War. Churches and their ministers reached out to the black populations in an effort to free the minds and spirits of former slaves. Freedmen thirsted for education and the churches and subsequent schools were the primary means to achieve an enlightened autonomy. In 1860, over ninety percent of southern African Americans were illiterate.<sup>140</sup> But over the next few decades, the literacy rate would steadily increase as blacks recognized the ability of education to affirm and protect their individual autonomy and to elevate them into the realm of American citizenship. Literacy was simply the introduction of education to the black race, but soon the advantages of higher education became clear and freedmen asserted their right to equal education and ultimately equal American citizenship.

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<sup>140</sup> Foner, 96.

African Americans took the initiative to educate themselves, by forming close communities and building and funding their own schools, social committees and religious institutions. In urban neighborhoods primarily occupied by black freedmen, “blacks took immediate steps to set up schools, sometimes holding classes temporarily in abandoned warehouses, billiard rooms, or, in New Orleans and Savannah, former slave markets.”<sup>141</sup> The black community would not wait for the government to enforce the laws and establish racial equality, thus blacks spawned their own communal institutions where education was a primary concern. A month after Union troops finally withdrew from the city of Richmond in April 1865, over a thousand black children and seventy-five adults were attending school. The Richmond schools were quickly built and funded by the local black churches and the American Missionary Association.<sup>142</sup> Black citizens centralized around urban areas where they could find educational opportunities through churches or the Freedmen’s Bureau. Other black communities willingly taxed themselves in order to fund schoolhouses.<sup>143</sup> Blacks took great pride in raising money that would be used for the education of their race, which brought solidarity, autonomy and a new sense of pride to a race that had been oppressed for so long.

When these schools struggled for funding or were in areas of extreme poverty, the black communities turned to the local churches and other Northern missionaries that traveled south after the civil war. Aside from their motivations to become literate and active citizens, African Americans fervently desired to read the Bible, making Churches

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<sup>141</sup> Foner, 97.

<sup>142</sup> Foner, 97.

<sup>143</sup> Foner, 98.

the ideal institution to promote reading and writing. Ministers also had the ideal position to offer educational opportunities to their congregations, by providing a place and possessing the ability to read and write. After General Sherman captured the city of Savannah in December of 1864, the local black ministers created the Savannah Educational Association to build and fund a school system in the city for black students. Two months later, the association successfully enrolled more than 600 students, employed fifteen black teachers and also raised almost \$1,000 for school funds. The local black community immediately sought the economic, social and intellectual advantages of an education from the earliest moments of freedom.

As the schools and churches grew, violence against them increased. The Klan and other racist groups often targeted churches and other efforts of local black communities to educate themselves. One black teacher brought the story of her troubles directly to Congress during the Joint Select Committee To Inquire into the Affairs of the Late Insurrectionary States in Georgia. Mrs. Aury Jeter was a black woman and former slave from Lincoln County. After emancipation she traveled to Atlanta where she resided until she met with a subcommittee of the Committee. During her testimony she was asked direct questions from the Chairman, Republican Representative Luke Poland of Vermont (the same politician that asked Cornelius McBride about his own story concerning Klan violence). There was no cross-examination after the narration of the witness' brutal beating and the attack on her family—she was surely the victim of Klan violence.

Mrs. Jeter taught at a black school during the day and her husband taught black students at night. Their home was attacked one night, and after beating and exposing Mrs. Aury Jeter, her husband was taken into the woods and severely beaten. Their child, Emily, was in the home at the time of the disturbance. The Klan's only objection to the black couple was their work teaching black students. The Chairman politely asked the witness, after she was sworn in, to narrate the events that happened at her home on April 4<sup>th</sup>, 1871. Just as Mr. and Mrs. Jeter had laid down to bed at eleven o'clock,

A man jumped at the door, and cried out, 'Open the door, God damn you; I will kill you if you do not open the door.' He kept repeating it but we were frightened half to death, and did not open the door. They took an axe and burst the door open and came in. My husband went up the chimney. I was standing in the middle of the floor. We had a man living there that we had hired and they asked, 'Where is that God-damned preacher?' The young man said he did not know where he was. They beat me over the head, and took me by the hair of the head, and kept asking where he was.<sup>144</sup>

Without warning a band of men burst into the Jeter's home. They pressed the young man and Mrs. Jeter to reveal the whereabouts of her husband Columbus Jeter, a preacher and night school teacher. The men continued to threaten the residents, until a man, who Mrs. Jeter recognized as the local Doctor McClarty, walked into the home and told the men "to fire the house."<sup>145</sup> Mrs. Jeter confessed to the chairman, "I screamed and begged them not to kill me. Directly one caught me on each shoulder, and another put his pistol at my breast, and they cried out, 'God damn her, shoot her.'" After relinquishing her husbands

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<sup>144</sup> Aury Jeter, *Joint Select Committee to Inquire into the Condition of Affairs in Late Insurrectionary States: Georgia*. (Washington, D.C.: Government Printing Office, July 15, 1871), 566.

<sup>145</sup> Jeter, 566.



location several men began to fire their pistols up the chimney, while the doctor took hold of Mrs. Jeter and whipped her with a “hickory whip about as long as my arm.”<sup>146</sup> But when Mrs. Jeter cried out for mercy and exclaimed, “Oh, Doctor,” the villain realized his victim had identified him and he left the house immediately.

The remaining men took hold of Columbus Jeter by his hair and dragged him from the house. In desperation, Mrs. Jeter rushed after her husband and begged for mercy. The men angrily grabbed hold of Mrs. Jeter and dragged her out with her husband. Mrs. Jeter slowly explained, “They carried me out and started to whip me. They exposed me.” The Chairman wanted the witness to be specific despite the pain and embarrassment that the Christian woman struggled with in front of the male committee before her. “How?” asked the Chairmen plainly. Mrs. Jeter reticently replied, “They turned my clothes up to my waist.”<sup>147</sup> Mrs. Jeter explained that it was at this moment when one of the masked men spoke up against the violence towards her. Mrs. Jeter recalled that this young man “said I had told the truth and should be let alone; he said it was ridiculous to treat me in that way.”<sup>148</sup> The other men yanked Mr. and Mrs. Jeter’s daughter from the safety of her bed by the nape of her neck, but the same young man, Billy McWhorter, intervened again. He said to Mrs. Jeter’s little girl, “Emily, you shall not be hurt.” Mrs. Jeter recalled, “It seemed that he knew her name.”<sup>149</sup> The men who were committing these criminal acts where local men, knew the family, and felt the

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<sup>146</sup> Jeter, 566.

<sup>147</sup> Jeter, 566.

<sup>148</sup> Jeter, 566.

<sup>149</sup> Jeter, 566.

shame of their actions only when they were identified by the victims. The Doctor halted his assault immediately upon his identification and Mr. McWhorter intervened and gave up his identity in order to subdue the aggression towards the woman and child.

The other men still hid behind the masks of anonymity and continued their attack upon the family. Mr. Jeter was blindfolded and taken from the house. The witness ended her story abruptly explaining she did not see her husband until the “next morning about half past eight o’clock... About two miles from where he was hurt. He was bleeding when I got to him, with the same shirt on, all bloody and smutty.”<sup>150</sup>

The Chairman then began a new line of questioning to assess the motives for the attack on the Jeter family. More particularly, the politician wished to know where and how a former slave could have started teaching students, he asked, “How much education have you and [Mr. Jeter]?” and “Where did you obtain your education?” Mrs. Jeter proudly announced to the committee, “I have studied geography, arithmetic, and grammar and reading and writing. In slave times we had a colored man who knew how to spell a little, and unbeknown to the others I learned my letters. I went to school in Knoxville, Tennessee, and awhile in Memphis, Tennessee; and two months here since I was free.”<sup>151</sup> Mrs. Jeter was educated in Knoxville Tennessee, by a Presbyterian teacher, who accepted blacks into the local Presbyterian school. Mrs. Jeter explained that after 1865, “there were eight northern teachers there.”<sup>152</sup>

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<sup>150</sup> Jeter, 566

<sup>151</sup> Jeter, 566.

<sup>152</sup> Jeter, 566.

The Chairman wished to know if white men like Doctor McClarty specifically targeted them for a reason and asked, “Do you know any reason why they should treat you and your husband in that way?”<sup>153</sup> The witness promptly responded, “The greatest objection I knew that he had to us was because we would attend Church once a month, twelve miles from where we lived.”<sup>154</sup> Mr. Poland, thrown by the initial response pressed the witness further, “Did he make any complaint about your teaching a school?”<sup>155</sup> The chairman then wanted to know if their education and preceding occupation as teachers of black students was the motive for the violent attack against the Jeter family. Mrs. Jeter replied emphatically, “Yes sir, a great deal of complaint, and called me names about teaching; but I did not pay attention to that.”<sup>156</sup> The witness made it clear that no attempt to attack her family could induce her to think that teaching her race was wrong. She was a strong member of her black community and would not be dissuaded from educating and elevating her fellow African Americans.

Mrs. Jeter was an example of the local black community’s members who worked to educate their race and fight the ignorance that had been associated with slavery. Mrs. Jeter was brutally attacked, as was her husband, because their work to elevate the status of their race threatened the old racist social order of the pre-war south. It was clear that organizations like the Ku Klux Klan identified the education of the black population as a threat to the power and dominance of the white race, and therefore those institutions became primary targets of their terrorism. The government needed to implement policies

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<sup>153</sup> Jeter, 567.

<sup>154</sup> Jeter, 567.

<sup>155</sup> Jeter, 567.

<sup>156</sup> Jeter, 567.

to ensure the freedom of education for black citizens through government-funded organizations in order to protect and continue the efforts of citizens like Aury Jeter.

The efforts of the churches and local black communities were supplemented by the Freedmen's Bureau, which authorized the building and funding of various schools after the war until 1868, when state governments took over. Before the Civil War, every southern state, except Tennessee, embraced legislation to prohibit the education of slaves. The Freedmen's Bureau was developed to enforce reconstruction policies in the southern states such as the encouragement of education for freedmen. The Bureau brought northern teachers south to various schools for blacks, where black adults and children gathered to satiate their desires for literacy and ultimately equality. One Florida teacher of a free school for blacks recalled that one of her students was a sixty-year-old woman.<sup>157</sup> In 1865, a Mississippi Freedmen's Bureau Agent reported that when he announced to an assembly of 3,000 freedmen, "that they were to have the advantages of schools and education, their joy knew no bounds. They fairly jumped and shouted in gladness."<sup>158</sup> The Bureau built and funded many schools throughout the south during the early years of Reconstruction.

Despite the educational opportunities provided by the northern charitable religious organizations and the Freedmen's Bureau, the institutions and black students faced great adversity from the aggressive people who wished to keep the black population in a state of ignorant submissiveness. Many teachers, men and women, young

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<sup>157</sup> Foner, 96.

<sup>158</sup> Foner, 96.

and old, traveled south to provide education for former slaves, including hard working and well-respected men like Cornelius McBride, and dedicated women like Mrs. Jeter. They were a few among many individuals who worked diligently despite the threats and violence by organizations like the Ku Klux Klan. Stories of teachers and the brutal treatment that they were subjected to by the Ku Klux Klan flooded into the committee during the Congressional Hearings. Many men came forward during the hearings with similar backgrounds, stories, and beliefs that McBride expressed in his testimony. Although the stories varied in the minute details, it was clear that teachers and their schools were primary targets during Klan raids. Their stories were accompanied by vivid recollections of brutal whippings, harassments and hangings that were committed by men, motivated solely by the threat of the teachers' ability to elevate the condition of freedmen.

When the local teachers were not present their stories were still told by the voices of other Americans who witnessed the terrorization of educators. James F. Justice, was just one of many, who expressed the violence that faced every free school, teacher and student in the south. He was born and raised just outside Rutherford, North Carolina, but moved into that city in December of 1865. Mr. Justice became a mechanic at the age of seventeen, and continued in that field until after the war, when he was elected to the state legislature in 1868. Three years later he passed the bar in North Carolina and became a practicing lawyer when he was called to Washington, DC on July 3, 1871 to testify in

front of the Joint Committee to Inquire into the Condition of Affairs in North Carolina.<sup>159</sup>

Mr. Justice's testimony lasted for two days, as he provided the committee with extensive insight and details surrounding the activities of the Ku Klux Klan. Initially the committee focused on the targeting of Republican voters and freedmen in the county, and the witness obliged the committee with numerous stories of violence and political corruption that stunned the politicians in Washington. On the second day, the committee began to shift their focus to other targets of Klan violence, and Mr. Justice immediately revealed the desperate condition of the local schools for black students and their teachers.

Representative Poland was again the acting Chairman of the committee and asked Mr. Justice about the number of Klan attacks that had occurred to his knowledge in his home county in North Carolina. The witness estimated, "I would say that there have been hundreds of cases of violence in my county by disguised parties. I can mention the name of quite a number of parties who have been whipped, some have had their arms taken, others taken out and threatened, and school-houses burned."<sup>160</sup> The Chairman's interest was peaked by the final comment of the witness and he immediately asked more about the schools burned in the county. The witness elaborated that he knew of two school houses designated for black students that were burned down and "one church of colored people having been burned."<sup>161</sup> Mr. Poland asked if the witness knew these crimes to

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<sup>159</sup> James F. Justice, *Joint Select Committee to Inquire into the Condition of Affairs in Late Insurrectionary States: North Carolina*. (Washington, D.C.: Government Printing Office, July 3, 1871), 102.

<sup>160</sup> Justice, 132.

<sup>161</sup> Justice, 132.

have been committed by the Klan asking, “Is there any doubt about these buildings being purposely burned?”<sup>162</sup> The witness retorted,

No, sir, of course not. As I understand, a notice was posted up at the school-house, down in the main Ku-Klux range, as we call it, in the lower end of the county, to the effect that if the teacher continued to teach school there for three weeks longer, they would burn the house. He continued the school, and after the third week was out the house was burned according to the promise in the notice that was put up on the schoolhouse.<sup>163</sup>

Mr. Justice was in no doubt that the Ku Klux Klan had posted a notice threatening the schoolteacher to cease teaching, and that after ignoring the threat the schoolhouse was burned to the ground. While the witness was not a teacher he was well aware of the hardships and aggression that faced a free school while the Ku Klux Klan was an active organization.

Mr. Poland searched for a motive behind the schoolhouse burnings and in a somewhat leading question, asked the witness, “There was no apparent motive except that they did not want colored children taught?”<sup>164</sup> The witness immediately conceded that there was no other motive and relayed one other story to emphasize the Klan’s intense objection to the teaching of black children. Mr. Justice added, “another little house was burned I heard of in that direction, some few miles from there, that some colored children had been taught in. And this colored church, was a pretty comfortable building of the kind.”<sup>165</sup> The witness made it clear that the primary objective of the Klan in targeting institutions of education was to prevent the race from transcending the

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<sup>162</sup> Justice, 133.

<sup>163</sup> Justice, 134.

<sup>164</sup> Justice, 134.

<sup>165</sup> Justice, 134.

ignorance of slavery that had been imposed on African Americans since the earliest days of the nation's formation. Whether the freedmen were being taught in the sanctuary of a Church or the classroom of a schoolhouse, they were never beyond the reach of the Ku Klux Klan's arm of terror.

The Ku Klux Klan and other violent organizations stunted the attempts of institutions such as the Freedmen's Bureau, the local black community and charitable efforts to establish a school system that would provide equal educational opportunities to black Americans. The Klan notoriously burned churches and schoolhouses to the ground and chased away ministers and teachers. Riots and attacks as destructive as the 1866 Memphis Riots became increasingly common, making it difficult to establish a system of education available to blacks. Ultimately, the Republican Party recognized the need to establish state and federal laws to ensure that all citizens would receive an equal education.

Radical Republicans insisted that the state laws should be required to establish a free school system that could be offered to black and white citizens unable to afford private school tuitions. While the free school system had already been developed and implemented in several small communities in the south, the Republican Party began to expand the policy from state to state. By the end of 1868 "Northern benevolent contributions were drying up, and most Freedmen's functions ceased," making the push for new policies to improve education more urgent.<sup>166</sup> The southern states, one by one, held constitutional conventions where the local Republicans fought valiantly for the

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<sup>166</sup> Fitzgerald, 151.



education policies to be written into the framework of the new state. States began to take on tax-supported education systems for both races between 1868 and 1870. At this time the illiteracy rate for black males was an astounding ninety percent. The illiteracy rate for white males during the same period hovered between fifteen and twenty percent of the population in each state.<sup>167</sup> The illiteracy rates were devastating for both races, and required immediate improvement through government intervention.

The free school system would be one of the most beneficial and enduring Reconstruction legacies. When the Republican Party gained footing in the severely indebted state of South Carolina, the schools system opened up to educate quadruple the number of students. Other states saw similar improvements, and before 1875, half of the black and white school-age students were enrolled in schools. The black race saw a dramatic increase in school attendance, and consequently, in 1880 the literacy rate for black men doubled from only ten years earlier.<sup>168</sup> The school system grew rapidly and secured educational opportunities and literacy for blacks across the south despite the resistance of Democrats and the aggression of the Ku Klux Klan.

The path towards establishing a free school system in previously confederate states was by no means an easy transition. The state of Mississippi, which re-entered the Union later than its sister states, demonstrated the greatest resistance to a free school system, where Cornelius McBride had attempted to conduct classes for a group of black students. This state provided the most extreme cases of violence towards schools, but

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<sup>167</sup> Fitzgerald, 151.

<sup>168</sup> Fitzgerald, 152.

also demonstrated the sentiments of resistance towards the new free school system that existed in all southern states. Free schools finally arrived to Mississippi in 1870, when the new system and policies were written into the state laws, but it would take another year before any buildings were erected and the schools functioned.

The objection to the system of schools funded by taxpayers began with the political opposition of Democrats, who claimed the taxation would be a burden on white landowning southerners. The politicians voiced their complaints, which provided new ammunition for Klan members, to rationalize their violence towards schools and teachers. Democrats argued that the cost of funding for such schools would be greater than the tuition for private schools already established around the state. The objection of economic inefficiency was used to combat free schools in every southern state, but the argument eventually withered and died, as the taxation for schools was proven to be minute in comparison to the projections by Democrats.<sup>169</sup> The new system cost little to initiate and perpetuate, especially since most of the buildings were constructed at the black communities' own expense.<sup>170</sup>

The political debate over the school system gave fuel for the opponents of black education to use the Klan as a vehicle to express their racism. The Mississippi Klan was composed primarily of young white aristocratic men, or "sons of middling and well-to-do planters," and also poor whites.<sup>171</sup> Wherever free schools were erected these men would come to tear the buildings down. Teachers were also immediate targets, regardless of race

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<sup>169</sup> Trelease, 293.

<sup>170</sup> Trelease, 294.

<sup>171</sup> Trelease, 296.

or party membership they “were called upon by bands of disguised nocturnal visitors... Some received warnings to stop teaching, others were whipped or driven away or both, and a few were killed.”<sup>172</sup> The most extreme violence towards the school system occurred in several Mississippi counties in 1871; in Winston County eleven schoolhouses were burned to the ground, leaving the county without one school standing for black students. In Monroe County the Klan successfully closed down twenty-six free schools after a series of burnings, threats and whippings.<sup>173</sup> The outrages were not limited to black schools; in fact, the Klan often posted notifications and threatened white schools and white teachers in objection to the taxation for the free school system.

The Klan’s resistance particularly to black schools demonstrated that the primary motive behind the attacks were not sparked by economic and political objections, but originated from intense racism. Many white taxpayers were concerned that the Radical Reconstruction policies were attempts by bitter northerners to exact revenge on the former Confederates. For many poor whites it was agitating to discover that the law required him to help pay for the education, not only of his own children, but for his poor white neighbors too. But it was unthinkable that in addition the farmer would have to pay for the education of black children. In protest many rode off with other disguised men to various schools and homes to prevent the establishment of the new school system. Ultimately, many whites discovered that public schools were cost efficient and beneficial for advancement of education for both races. The taxes were not a burden, nor were they

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<sup>172</sup> Trelease, 294.

<sup>173</sup> Trelease, 294.

solely imposed on white citizens because “most of the funds for public schools came from a head tax which Negroes paid along with whites.”<sup>174</sup>

While the violent resistance was most severe in Mississippi, it existed in every state that debated and initiated the free school system. The Ku Klux Klan was desperate to stunt the growth of the Republican Party’s public school system from permanently invading the southern society. The Ku Klux attacks were not limited to schoolteachers and students; they also targeted politicians and lawyers, indicating that the Klan was aware of the political repercussions of radical legislation. They understood that education, like the vote, would give African Americans opportunities and power that the white male dominated southern society had inhibited for decades through slavery.

South Carolina Attorney Robert Shand reported during the Congressional Hearings that the resentment of the Ku Klux towards the free schools manifested itself in the most aggressive threats towards local officials in addition to teachers and students. Mr. Shand testified at great length that the Klan activity in his town of Unionville often received “orders” posted by the Ku Klux Klan on the legal advertisement board. One order in particular specifically objected to the education of blacks and the subsequent freedom of thought, expression and social and intellectual elevation. The report was posted on the courthouse door and signed “K.K.K.” It was then copied and published in the local Democratic paper of Unionville, *The Weekly Union Times*, on March 9, 1871. Shand delivered a copy of the newspaper’s printings during the hearings, and read the post aloud to the politicians,

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<sup>174</sup> Trelease, 294.

*Special Order No. 3, K.K.K.*: ‘Ignorance is the curse of God.’ For this reason we are determined that the members of the legislature, the school commissioner, and the county commissioners of union shall no longer officiate. Fifteen days’ notice from this date is therefore given and is they, *one and all*, do not *at once and forever resign* their present inhuman, disgraceful, and outrageous rule, then retributive justice will as surely be used as night follows day.

Also, ‘An honest man is the noblest work of God.’ For this reason, if the clerk of the said board of county commissioners and the school commissioner does not *immediately* renounce and relinquish his present position, then harsher measures than there will most assuredly and *certainly* be used. For confirmation reference to the orders heretofore published in the Union weekly Times and Yorkville Inquirer will more fully and completely show our intentions. By order of the Grand Chief, K.K.K.<sup>175</sup>

The Klan specifically targeted the local politicians but quickly followed their assault on Radical Reconstruction by threatening the school commissioner to resign his post immediately. The Klan believed passionately that their position was one of justice and order, and those they threatened were intruders upon their society. The two Democratic papers in the area were named to elaborate on the Klan’s beliefs and motivations for making such overt threats.

Robert Shand then offered the panel of politicians the *Union Weekly Times*’ article in explanation of the post. The article commended the character of the clerk of the county board, who immediately resigned his position after the Klan posted their threat. The paper stated, “the clerk is one of the oldest and most respectable citizens of the county, and we are sure he is not the man to sacrifice the dignity of his race.”<sup>176</sup> The

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<sup>175</sup> Robert W. Shand, *Joint Select Committee to Inquire into the Condition of Affairs in Late Insurrectionary States: South Carolina*. (Washington, D.C.: Government Printing Office, July 21, 1871), 1006.

<sup>176</sup> Shand, 1006.

article went on to explain that the Clerk's intentions were misunderstood and he had only meant to serve his county, but would remove himself to secure the pride of the white race. The paper urged that others, such as the school commissioner would be wise to follow the Clerk's example. Finally the article attacked those on the board of commissioners for the county and the school commissioner for allowing the black man into the social roles and status that they believed should be reserved for the white race.

The article concluded,

We, however, unequivocally oppose the system, now so common, of capable and respectable white men taking subordinate positions under ignorant Negroes. It is degrading to our race, gives excuse for nominating and electing ignoramuses to office, and opens the doors for rogues and villains to creep into office and practice all manner of frauds upon the people, without being at all responsible."<sup>177</sup>

The article is careful not to directly pin corruption on the specific members of the board of commissioners, including the school commissioner, but the implications of the article are clear. The *Weekly Union* connects the school system and local politicians with allowing blacks into superior positions than "capable and respectable white men." According to the paper, the consequences for allowing black men to be active and educated citizens were the corruption and deterioration of the local authorities, and ultimately society as a whole.

When Robert Shand finished reading to the politicians, who had traveled to Unionville, South Carolina to understand the condition of the state and extent of Klan activity there, the Chairman only had one question for the witness. The Chairman asked,

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<sup>177</sup> Shand, 1006-1007.

“That paper, I understand, is the democratic organ?”<sup>178</sup> Mr. Shand replied that it was a democratic paper, but it never expressly endorsed the Ku Klux Klan or approved of Klan violence. The lawyer also went on to say that the paper characterized the organization as “a formidable organization—formidable in numbers, discipline, and daring and increasing daily... their power is underrated, hence the means adopted for their suppression will be inefficient, indiscreet, and not such as will disband them.”<sup>179</sup> Mr. Shand explained that the paper published this opinion on February 24<sup>th</sup> of 1871, which confidently asserted the great power and influence that the organization possessed in the State of South Carolina. The federal government, therefore, would need to act with more aggression in order to disband the terrorist group.

Ultimately, the increased Klan violence towards schools and teachers, served to boost the Republican argument for federal intervention more than the violence prevented Reconstruction reforms. As additional Klan outrages were revealed during the Congressional Hearings, the federal government promptly began the Ku Klux Klan trials. The Hearings began in June of 1871, and after only a month of testimony, Congress followed through, using the Enforcement Acts to bring many suspected Klan members to trial in federal courts. It seemed that the Enforcement Acts, including the highly controversial Klan Act of 1871, was not only validated by the testimonies given during the hearing, it expedited the powers that were granted by the Acts.

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<sup>178</sup> Shand, 1007.

<sup>179</sup> Shand, 1010.

Arrests and prosecutions of Klan members began in 1871; the first trials taking place in North Carolina on June 11<sup>th</sup>. The Klan Act and previous Enforcement Acts were no longer inactive laws, but they were being used to bring criminals associated with the Klan to trial for the violent outrageous they committed. During the first trials in North Carolina over forty different men were arrested, and, following a grand jury indictment were sent to the United States circuit court in Raleigh. Once a Klan member was found guilty of one charge, he often rescinded his plea of not guilty and admitted to his crimes.<sup>180</sup> The trial ended with forty-nine convictions, half pled guilty, and only a few were acquitted. The convictions marked a shift in the power struggle between the federal government and the domestic terrorist group; the Klan's propensity to slip through the cracks of justice was reduced, leading to more arrests, indictments and convictions. The North Carolina District Attorney was so pleased with the success of the Klan trials in Raleigh, he wrote to Washington and exclaimed, "As these were the first convictions of Ku Klux in any United States Courts, I feel we are entitled to the gratitude and thanks of law abiding people everywhere and especially of the Republican or Union Party of this nation which it was the purpose of this daring conspiracy to destroy."<sup>181</sup>

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<sup>180</sup> Trelease, 400.

<sup>181</sup> Trelease, 400.



## Epilogue

Frederick Douglass knew that the path to freedom required education, and would provide the black race with a voice that could not be deafened by racist organizations like the Ku Klux Klan. He wrote in his autobiography that after being taught to read, it dawned on him, “I now understood what had been to me a most perplexing difficulty--to wit, the white man's power to enslave the black man. It was a grand achievement, and I prized it highly. From that moment, I understood the pathway from slavery to freedom.”<sup>182</sup> It was literacy that opened Douglass’ eyes to his American right to freedom and citizenship. His story along with the testimony of educators in the anti-bellum south during the 1871 Congressional Hearings demonstrate the power of education to liberate an oppressed people, and the threat education posed to racist terrorist organizations like the Ku Klux Klan.

The journey towards racial equality would remain stagnant in a sea of ignorance until education, like a breathe of life, brought wind to the sails of black citizenship. Suffrage was a monumental achievement for the black race but the potential changes that could be made with the vote became a reality only when the ignorance of the former slaves could be washed away. Education allowed the black population to navigate beyond the horizon of the social status quo towards something greater, a new and

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<sup>182</sup> Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave*. (New Haven: Yale University Press, 2001), 44.

enlightened America. As Frederick Douglass concluded in his inaugural address at the Manassas Industrial Institute in Virginia,

A ship at anchor, with halliards broken, sails mildewed, hull empty, her bottom covered with sea-weed and barnacles, meets no resistance. She lies perfectly still. But when she spreads her canvas to the breeze and sets out on her voyage, turns prow to the open sea, the higher shall be her speed, and, greater shall be her resistance. And so it is with the colored man. He meets with resistance now because more than ever he is fitting himself for a higher life. He is shedding the old rags of slavery and putting on the apparel of freedom.<sup>183</sup>

Douglass cherished education. He knew first hand of its power to liberate. He saw the changes that lay ahead for the nation and knew it would not be easy to enforce equal education. He was right; the nation would continue to resist reforms for education from the 1954 *Brown v. Board of Education*, for the desegregation of schools to the Boston Busing Crisis after the 1974 *Miliken v. Bradley* decision. Douglass prophesized, “be not discouraged. Accept the inspiration of hope. Imitate the example of the brave mariner who, amid clouds and darkness, amid hail, rain and storm bolts, battles his way against all that the sea opposes to his progress, and you will reach the goal of your noble ambition in safety.”<sup>184</sup> He knew rough waters lay ahead, but it was a voyage that must be taken.

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<sup>183</sup> Douglass, *Blessings of Liberty and Education*, 24.

<sup>184</sup> Douglass, *Blessings of Liberty and Education*, 24.

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