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The Reconstruction Ku Klux Klan: a Survey of the Writings on the Klan With a Profile and Analysis of the Alabama Klan Episode, 1866-1874.

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THE RECONSTRUCTION KU KLUX KLAN: A SURVEY OF
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The Louisiana State University and Agricultural
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THE RECONSTRUCTION KU KLUX KLAN:
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A PROFILE AND ANALYSIS OF THE ALABAMA KLAN EPISODE,
1866-1874

A Dissertation
Submitted to the Graduate Faculty of the
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in

The Department of History

by
William Dudley Bell
M.A., Mississippi State University, 1962
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ABSTRACT

One of the anomalies of Reconstruction historiography is the curious spread or lag that has developed over the years between the general interpretations of the period and interpretations of the original Ku Klux Klan. Although revisionist historians have been largely successful in their systematic challenges of the older views of the Reconstruction era and its various elements, there has been a strange lethargy in regard to challenging the traditions of the old Klan. For that matter, there have been but few scholarly studies made of the Klan from any viewpoint. This is rather remarkable considering the bizarre and fascinating character of the Klan and the fact that some rather provocative racial connotations are involved. Nevertheless, only recently have a few voices of dissent been heard to dispute the dubious but popularly-held view that the Klan was a natural and understandable response by southern white conservatives to the deranged social and political conditions of Reconstruction. A concomitant of that traditional view, which has also gone relatively undisturbed, is that much of the violence and terrorism associated with the Klan in its later stages was not the work of true Klansmen at all but, rather, resulted from the criminal activities of unprincipled ruffians who infiltrated and dominated the secret society for...

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The base purposes. Such activities continued, so tradition has it, long after the "genuine" Klan had ceased to exist.

The progression of writings on the Ku Klux Klan to the point where this and other features of the Klan orthodoxy are at last coming under serious questioning is in itself an interesting story. The first part of this study is a brief survey of a hundred years of such writings and will serve to illustrate how the Klan traditions came to be and how, paradoxically, these traditions have not been accommodated to Reconstruction revisionism. No such survey has ever been done.

The second and major part of this dissertation is a study of the Ku Klux Klan in Alabama Reconstruction. As its curious evolution was occurring in Tennessee and especially after its reformation as the Invisible Empire in 1867, the Klan began to spread to other southern states as white conservatives groped for some way to restore the social and political status quo ante bellum. The Klan apparently offered some hope in this direction and thus proliferated. One of the first areas to which it spread was the neighboring state of Alabama, there to become an integral feature of that state's unusual Reconstruction story.

In order to properly understand the Klan manifestation in Alabama one must know something of the origin, character, and
problems of the Klan in general. Equally important is some comprehension of Alabama's Reconstruction history. Both of these areas are synthesized in this study, with the causal relationship between such larger matter and the activities of the Ku Klux Klan in the state being quite obvious.

Although the Alabama Klan was unique due to the unique nature of politics and society in the state, there were, nevertheless, noticeable similarities between it and other state Klans, especially in regard to methods of operation and membership. The similarities and the distinctions are considered here and Alabama Klan developments examined in relationship to the Reconstruction story of the state. It will be seen that there are some distortions in the traditions of the hooded order in Alabama that call for revision. On the other hand, some essentials of the folklore of the Ku Klux Klan seem to stand up quite well under this first historical examination of the subject in over sixty-five years.
CHAPTER I

THE KU KLUX KLAN AND RECONSTRUCTION: PARADOX OF TRADITIONALISM

Ku-Klux throw air a good thing.
Every famberly should be provided
With one,
Ef not 6

The Reconstruction era of American history has always evoked an uncommon amount of romantic and historical interpretation. All serious students of the American past are familiar with the historiography of the period, and one can easily imagine at each semester's end countless history graduate students preparing for examinations on the subject with rote-like incantation of the names and views of the "partisans," the "scientific" historians, the Dunning "school," the Marxists, the revisionists, and, lately, the neo-radicals. Indeed, the interpretations of Reconstruction have varied so dramatically and the interpreters have been catalogued so often that this is one era which may be ready for the ultimate academic exercise, an historiographical essay on the historiographical studies of the period.

1From a poem by Harry Moss, quoted in the Vicksburg Herald, May 5, 1868.
How is it that the dozen or so years following the American Civil War should continue to be such a fluid and viable epoch for professional historians some one hundred years after the fact? Why can we not reach in our sophisticated age at least a tentative consensus for this era as has been worked out for other episodic phases of our past?

It is axiomatic for relativists that each successive generation or altered "climate of opinion" will produce its own interpretations of the past. For the Reconstruction period it is hard to deny the point. Aside from the studies of the causes of the War Between the States — and these have been mellowing into something of an amalgam — no other field of American historical study has given rise to such diversity of viewpoint. Moreover, the varieties of opinion in the case of Reconstruction are in relation to essential facts of the period as well as interpretation.

Examples of this scholarly modification are numerous: the amount and the grossness of corruption in the southern legislatures; the power and principles of the black man in his elevated position;

\(^2\)There is for that matter some contention among historians even as to the dates of the period. One outstanding student of Reconstruction makes a good case for pushing the starting point from the generally accepted 1865 back to 1861. Harold Hyman, The Radical Republicans and Reconstruction, 1861-1870 (Indianapolis, 1967), passim.
the status of the southern whites, or scalawags, in Reconstruction politics; the true nature of the Radicals in regard to economics, black equality and political opportunism; and the role of the army as an agent of federal authority. These and many other aspects of the era have been probed repeatedly and, often on the basis of the same raw data, remarkably different conclusions have been offered.

In recent years the quantitative and sociological methodology employed by historians has generated statistical evidence which tends to sustain one or the other of the overall interpretive views while, at times, undermining older factual concepts of the age.

Perhaps the most prominent example of such development can be noted in the many quantitative studies which have been produced recently regarding the northern Radical Republicans. Whereas the Radicals were once generally characterized as being cynical and vindictive opportunists bent on punishing and subjugating the South and entrenching their party in power, there has developed lately a significant shift, first of interpretive perspective and then of the specifications of the charge. Kenneth Stampp epitomized this modified general view of the Radicals in his brilliant revisionist synthesis, *The Era of Reconstruction*, when he categorized their motives

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Most of the Dunning "Tragic Era" school endorsed this view, of course, and it is dying a very slow death in the textbooks.
as being "idealistic and practical" rather than cynical and vindictive. The "proof" of this interpretation has come in several extraordinary studies which serve to show precisely who the Radicals were, how they voted on pertinent legislation, and how sincere they were in their demonstrations of concern for the freedmen. Though the conclusions of these scholars differ somewhat in scope and degree the overriding effect of their work is largely to support the softened view of the Radicals hinted at by earlier revisionists and epitomized by Stamp. The Radicals have almost become the "good guys" to many historians today, giving rise to a new classification in Reconstruction scholarship, the neo-radicals.

While all of this serves to make Reconstruction a difficult period for the historian to keep abreast of, it also makes it an age

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of peculiar fascination. Indeed, it was a fascinating time in itself, apart from the vacillating interpretations, which is the reason, after all, for the redundancy of opinion. This, then, brings one back to something like the earlier stated rhetorical question: why? Why does this one topical phase of American history have so much attraction for scholars that it continues to produce a proliferation of divergent viewpoints? And why have one generation's explanations of the age seemed so unsatisfactory to another? Though it may seem a tantalizing oversimplification, the answer to the general question may lie in one word, morality.

All historical issues which involve conflicting interpretations also involve questions of morality to some degree; that is, a reading of the historian's own principles and moral judgments into past events. In the past such judgments were cloaked or masked behind pretensions of scientific objectivity. The typical historian of today, however, while not eschewing objectivity, does not shrink from indictment of what he judges to be errors or sins in the past. This has, in fact, become almost the conventional approach as most present-day historians are of liberal persuasion and thus find a great deal of unenlightened conservatism to condemn in the American past.

What makes Reconstruction so much a time of continuing consequence, then, is the richness and variety of moral problems...
which accrue to its study. Political morality, economic morality, racial morality; all of these, singly or in tandem, have been debated by the interpreters over the years, and with each changed political, economic, or social milieu the majority viewpoint has been altered. In recent years, although the other factors have not been altogether slighted, the social or racial connotations of the age have excited the most positive responses from historians. For that matter, racial concern has become the hub upon which even modified political and economic interpretations may revolve. As John and LaWanda Cox, two modern observers, have noted, "With the more friendly atmosphere in which recent scholarship has approached the Radicals of Reconstruction, it has become apparent that men formerly dismissed as mere opportunistic politicians ... actually displayed in their public careers a genuine concern for the equal status of the Negro." Such attempted resurrection of the long maligned Radicals is not surprising in the face of the evidence that more of them than once supposed do seem to have had honest convictions regarding black rights. But the fact that such evidence has been sought is also illustrative, in itself, of the racial idealism of the researchers.

Historians have been touched as much as any other group of social scientists by the civil rights struggle of the 1950's and

6"Negro Suffrage and Republican Politics," 328.
and, if they have recognized that history offers no solutions to this most perplexing problem of our times, they have, nevertheless, diligently sought to isolate correctly the origins and causes of that problem. Historians of an earlier day did not admit to making racial attitudes the central issue of their studies on Reconstruction. They were, however, as much bound by contemporary convictions regarding such matters as are the present-day scholars. Convictions, of course, have changed markedly over the years which suggests the reason for the shift in professional opinion regarding the Negro and other protagonists in the Reconstruction story. It also demonstrates that racial prejudice or morality has been the catalyst of Reconstruction historiography, making it an emotion-stirring period for study which has been both attractive and unsettling for a century of commentators.

Historians may search for the causes of the American Revolution or try to determine the true meaning of the Age of Jackson or the Populist Movement — changed "climate of opinion" altering interpretations in those matters too — but there can hardly be the shrillness of jangling quality in such quests as in Reconstruction writings. The racial overtones make the periodic reruns of this story resoundingly relevant to any generation.
William A. Dunning, the spiritual founder of the "Tragic Era" genre of historians, could write quite assuredly in his day that since racial inequality had been confirmed both North and South it was "most improbable" that any historian would ever record that Congressional Reconstruction was anything less than a horrible blunder. 7 Professor Stampp, in the racially charged atmosphere of 1965, could say, with equal candor, that "... the blunders of that era, tragic though they were, dwindle into insignificance. For if it was worth four years of civil war to save the Union, it was worth a few years of radical reconstruction to give the American Negro the ultimate promise of equal civil and political rights." 8

Thus, continually changing racial convictions cause Reconstruction history to be pertinent to every age. So many of the forces active during those post-Civil War days were animated by prevailing attitudes toward the blacks that it is to be expected that the weight of each shift of opinion in racial ideology will color interpretations of those forces. The Radical Republicans in the North are now found to have been much more honestly concerned for black progress by historians who are themselves caught up in the


8Stampp, Era of Reconstruction, 215.
contemporary civil rights struggle. Likewise, the scalawags and carpetbaggers, once the bane of most Reconstruction discussion, are discovered to have included a substantial number of high principled individuals in their ranks. The revisionists are far ahead today and if Dunning could once joke that the only way a historian could hope to attract any attention was by taking the position that the whole business of Reconstruction was "ethically, socially, and politically right,"\(^9\) then that which to him seemed a ludicrous heresy has practically become orthodoxy.

Indeed, Reconstruction historiography seems to have gone beyond revisionism, and the student of that turbulent age must proceed cautiously in seeking to attain a correct perspective. For if racial ideology has obviously produced distortions in past writings, is there not a clear danger that the correctives may be distorted for the same reasons? Dunning was a captive of his own views of racial inequality, but should today's historian not be a bit suspect also? One of the foremost observers of Reconstruction scholarship, while admitting to revisionist leanings himself, sounded a similar warning:

If Dunning would have been a better historian had he cautioned himself that, since he was convinced of racial inequality, he should check with great care

those findings about Negroes and "scalawags" which fitted in so neatly with his belief, should not historians of today caution themselves that, since they believe in racial equality, they should examine with particular rigor those findings which coincide with their convictions? 10

In view of the foregoing discussion, it is rather curious that the Ku Klux Klan has not come under more scrutiny and attack from modern historians. If there was one agency or force of the Reconstruction era that would seem to be culpable by contemporary racial standards, one would certainly think that it was the Klan. The various Ku Klux manifestations of the past fifty years are, to the racial liberals, the very quintessence of the prejudice, bigotry and white supremacy notions so repellent in our society. It is something of an anomaly, then, that the Ku Klux Klan of Reconstruction days has not been subjected to the same intensive study and quantification as have the Radicals, the freedmen and other elements in the story. It would seem that if the old bogeymen are to be somewhat exalted then an adjustment should be made regarding the Klan. After all, the Klan still largely symbolizes the southern-oriented interpretation that is perhaps even yet the majority viewpoint on Reconstruction.

That is, that the Ku Klux Klan, as one minor historian of the secret

order put it, "broke the chains that were riven upon the South, and
lifted the galling yoke that had so long oppressed her people."\(^{11}\)

Southerners for a hundred years have grown up believing
something of that nature. It is a romantic adjunct to the older,
broad interpretations of the entire era. The South was prostrate
after the war, so the story goes, and legally and politically helpless
before the blacks, the carpetbaggers, and the scalawags who
scourged and ravished it. Law and order vanished as the radically-
dominated legislatures bankrupted the state treasuries. Property
and life itself were insecure. Then came the Ku Klux Klan and, as
another equally minor essayist would have it, the South was raised
"Phoenix-like from her ashes through the sublime efforts of those
white-robed heroes."\(^{12}\)

The Ku Klux, then, the most racist of modern organiza-
tions, is still viewed by many to have been the champion of the
"oppressed" whites of the South after the Civil War. Robert Shelton,
the Imperial Wizard of the present-day Knights of the Ku Klux Klan,
as recently as 1964 was reported as stating that "the Klan symbol-
izes Reconstruction. We try to keep the Klan today on the same

\(^{11}\) Lamar Fontaine, The Cause and Effect of the Ku Klux
Klan on the South (Clarksdale /Miss./, 1910), 21.

\(^{12}\) Susan Lawrence Davis, Authentic History of the Ku Klux
Klan, 1865-1877 (New York, 1924), vi.
pedestal of history, of the Reconstruction past, when there were no laws to defend the Southerner under the heel of Federal oppression. With such provocative thoughts and with the aforestated romantic view of the old Klan, it is rather remarkable that the history of the robed society has remained relatively free of revisionist research.

There have, of course, been those voices raised in protest at the gentle treatment of the Klan. Especially have the textbook surveys, both public school and college level, come under attack. In many instances the writers of such volumes have made themselves vulnerable by their slowness in incorporating revisionist concepts in their overall narratives of the Reconstruction period. For example, the Textbook Commission of the Alabama Department of Education has received protests recently regarding the treatment of blacks and the Klan in one of its adopted elementary history texts. Such protests are also heard from within the fraternity of professional historians as complaints are heard that the South has been winning the battle of words for over a century. Nor is such dissent mere caviling.


14 Hyman, The Radical Republicans and Reconstruction, xvii.
There have also been a few general attempts at revising
the image of the Klan. Most of these, however, have the limita-
tion of being broad studies with a large part of the effort being
directed toward the Klan in the twentieth century. The latter-day
Ku Kluxers are fairly well tarnished in reputation anyway, but the
orthodox view of the old Klan stands relatively unshaken. A recent
student of the Ku Klux, himself a revisionist, even offered a con-
cise synthesis of that orthodoxy:

... standard portrayals continue to assert that the
Klan was not only an understandable but a justifiable
and even necessary response to that widespread evil
and disorder which allegedly accompanied Negro
equality and Republican rule. The more atrocious
excesses of this respectable organization of terror-
ists are frequently attributed to lower class riffraff
acting contrary to the desires of the original
Klansmen.

Thus stated, the Klan, almost alone of the forces in Reconstruction,
has not been reinterpreted as extensively or as spiritedly as might
be expected.

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15 Most noteworthy examples are David M. Chalmers,
_Hooded Americanism: The First Century of the Ku Klux Klan, 1865-
1965_ (Garden City, 1965); William P. Randel, _The Ku Klux Klan:
A Century of Infamy_ (New York, 1965); and Allen W. Trelease,
_White Terror: The Ku Klux Klan Conspiracy and Southern
Reconstruction_ (New York, 1971).

16 Otto H. Olsen, "The Ku Klux Klan: A Study in
Reconstruction Politics and Propaganda," _The North Carolina
Historical Review_, XXXIX (July, 1962), 340.
There are several possible explanations for this shortcoming. It could be that the liberal/revisionist historians have been unwilling or unable to apply Professor Pressly's "particular rigor" of objectivity in this connection. Or it may be that the Klan is simply passed off as being just another example in that tradition of violence which taints the whole of American history. "Blue Ribbon" presidential commissions attest to the fact of this unruly strain,17 and events occurring recently on American college campuses and city streets seem to verify that testimony. William P. Randel, one of the few scholars to attempt a systematic rewriting of Klan history, was troubled by his own findings that "For better or worse, the Klan has been as American as baked beans, tomato ketchup, and hominy grits."18 With a twist of logic, then, one could place the original Ku Klux Klan, rather ironically, in the tradition of civil disobedience so admired by libertarian extremists — the ones so enthralled by the black rights movement today. This thought probably has not occurred to many.


Another hindrance to revisionist research on the Klan is one that has hampered students of the order from the beginning: the extreme poverty of source materials. Klansmen in Reconstruction days were sworn to secrecy regarding every aspect of the society, even their own membership, and such oaths carried a great deal more weight in those days. Moreover, as the states and federal government began to legislate against the Klan, proven association with the order could lead to fine or imprisonment. Therefore, very little firsthand information was committed to writing at the time. Although some of the participants published their memoirs or recollections after the anti-Ku Klux laws had lapsed, time had by then eroded the sharpness of the evidence or the old Klansmen themselves had fallen under the influence of the Ku Klux myths that had become grafted upon the Southern mind.

Notwithstanding the difficulties or hindrances involved, and despite the fact that little has been done in the way of revision, the original Ku Klux Klan is certainly a subject worthy of study. No matter what context in which it might be approached — racist, nativist, fraternalistic, in or out of any tradition of violence — the Klan should be attractive to historians and other writers. For that matter, a great deal of material has been published on the Klan over the years, and this literature will be briefly surveyed in this and the following chapter, but considering the bizarre and mysterious
character of the organization, whether one is repelled or drawn by that character, it is rather strange that more has not been done in recent years.

There is an urgent need for such study. The Ku Klux Klan is a quirk of the American past which has peculiar relevancy for today. Viewed as a unique response to unique circumstances or as a manifestation of a subliminal constant of violence in the American psyche, the Klan merits periodic review as do the other features of Reconstruction. In light of the moral connotations it is remarkable that it has not come. Also remarkable are some of the things that have been previously written about the Klan, although their singular nature is somewhat lessened by an understanding of the psychological and social atmosphere in which they were composed.

In 1902, Professor John Burgess of Columbia University made the following comment on the Klan: "The appearance of both the Loyal Leagues and the Ku Klux Klans in the manner in which they appeared, ought not to cause any surprise to the student of history."19 These words are both interesting and revealing, for Burgess, who was a professor of political theory and history and a great believer in the ordered state, was offering here a certain

19John W. Burgess, Reconstruction and the Constitution, 1866-1876, (New York, 1902), 252.
rationale for the disorder surrounding the Ku Klux Klan which he believed any student of history should accept. What he meant, of course, and what others before him and after have made even more explicit in their rationalizations of the Klan, is that men have always bound themselves together, overtly or covertly, in unified response to the lack of established power or the overexercise of it. In the case of the Ku Klux Klan Burgess found it to be a "rather natural," if not particularly "praiseworthy" development of the Reconstruction era. Still, he believed that whether "natural or not ... it is always to be expected" that such organizations will emerge when men find themselves at the mercy of usurpers. 20

Although Professor Burgess falls rather neatly into a category of Reconstruction historians whose substantive thought regarding the period has been largely revised, his explanation of the Ku Klux phenomenon could rest easily anywhere within the entire spectrum of Reconstruction and Klan historiography. From Klan days until the present, apologists of the hooded order and even some of its detractors have offered roughly the same proposition: the Ku Klux Klan organization was a predictable reaction on the part of post-Civil War white southerners to the unconventional conditions then prevailing. Opinions and attitudes have parted severely beyond this

20 Ibid.
point, however, depending upon the particular historian's concept of just what the "conditions" were which evoked that extraordinary but understandable response or what priorities emerging Klansmen might have held in regard to reestablishing conventions. On the one hand the extreme apologist would say that conditions were intolerable in the postwar South, bordering on social, political and economic anarchy, and that the Klan was born of purest motives. The detracting extremist would say, on the other hand, that the unsettled state of things was a natural condition in view of the revolutionary changes coming with Reconstruction, and the Ku Klux Klan was a basely inspired, terroristic force for political and racial counter-revolution.

In addition, there are those scholars, who may be either pro or con, who are less concerned with the factual details of the situation and more appreciative of the prevailing mental atmosphere. For them intellectual currents reveal the true essence of history. It is more essential to know what people believed to be happening to them than it is to know the verifiable facts, for actions and reactions on a broad scale result directly from collective thought processes which may or may not reflect the true state of affairs. Such writers might say, as one has, that the "Ku Klux Klan was a secret terrorist organization... who thought that violence was the only answer to the military and corrupt governments imposed on the
defeated Southern States.\textsuperscript{21} \textit{(Italics mine)} The point in such a consideration is not whether the corruption or usurpation of power or social revolution was actually occurring at the time, but that most white southerners believed it to be, just as they believed their own actions to be the correct course for combating such developments. In any event, there is, in such a light, an understandable \textit{raison d'etre} for the Klan.

With the black historians the matter of the Ku Klux Klan has generally been handled rather simply as an explosive eruption of the white racial perversion which has tainted the whole of the nation's history. From the Marxist W. E. B. DuBois of a past generation to the militant Lerone Bennett, Jr., of today, the typical Negro scholar has viewed the Klan in unblended shades of black and white. For DuBois the Klan was merely an extension and revival of postwar "oathbound orders" whose purpose was to "extend slavery at all hazards.\textsuperscript{22} For Bennett it was involved with retention of "power" and "control" by the whites, with the purpose of the power and the object of the control being subjugation of black men. "The whole of America before Appomattox was a huge Ku Klux Klan."


\textsuperscript{22}W. E. B. DuBois, \textit{Black Reconstruction} (New York, 1935), 678-80.
says Bennett, with the state guaranteeing "the alienation of every black-white relation." But with the demise of legal slavery, he asserts, "The Klan came into being to provide the violence of separation" after the war and to "organize the extra-governmental force necessary to make the state once again the principal engine of violence against African-Americans." 23

Perhaps DuBois and Bennett, because of their extreme distaste for the Klan, offer the best testimony for the odd truth in that statement of Professor Burgess', made so long ago. Even the black historians do not seem to be "surprised" that the Ku Klux arose. For that matter, given their position, it may be that they are least surprised of all. But whatever the case, regarding attitudes toward race or the state of affairs in the South of Reconstruction, and the "truths" thereof, historians since the time of its existence seem to have been saying that human nature being what it is, the Klan or something like it was to be expected. Some have felt compelled to show other examples of such occurrences in history — the Saxon moss-troopers of Norman England, the Carbonari of the Italian republican movement, the vigilantes of the American frontier, and even Robin Hood — but all of the comparisons are quite strained.

in view of dissimilar circumstances. Consequently most writers have been content to explain the Klan as being at once unique but not unnatural.

The literature of the Ku Klux Klan does not, then, on the whole, contain a great deal of philosophical comment on the causes behind the proliferation of the secret society. The situation being what it was, and men being what they are, the Klan just happened: such is the approach taken by most writers on the subject. One may not approve — and perhaps most modern writers do not — but one cannot deny. Thus, even today, as noted earlier, the Klan is generally studied in an academic, non-interpretive, strangely traditional mold. The shaping of that mold, however, required an _a priori_ conceptualization of the entire Reconstruction period that was largely of philosophical dimensions. The curious thing about it is that the general concepts have now moved decidedly toward liberal revisionism while interpretations of the Ku Klux Klan have remained relatively hidebound in traditionalism. All of this is to say that the story of the Ku Klux Klan has been told in much the same way for over one hundred years now.

The first people to write on the subject were the protagonists themselves, and their viewpoints on the origin, meaning, and function of the hooded order were almost a direct reflection of each particular writer's politics or attitude toward Reconstruction. What
this means, of course, is that at first there were some singularly contrary thoughts on the Klan. Most of this discoursing appeared in the partisan press of the day and perhaps does not deserve a place in the legitimate Ku Klux historiography. It would be some years after the fact before any serious study of particular Reconstruction topics would be undertaken, and by then old animosities had become desensitized and racial prejudices intellectualized. Nevertheless, contemporary expressions regarding the Klan are both interesting and important.

Along with official governmental sources, reports of travelers in the South and reminiscences of participants, all of which are about equally unreliable in this connection, newspapers of the time offer the major primary source for the study of the Klan. Although period manuscript material abounds in the archives, including letters and papers of some known Klan leaders, this material, which normally would be the essence of any historian's work, is practically devoid of information on the Ku Klux organization. The reasons are obvious and have been stated previously: anti-Ku Klux laws and vows of secrecy. Therefore, any student of the Klan must rely heavily on what was said and written for public consumption and partisan propaganda. He must interpret it as best he can in light of what other scholars have shown to be the existing circumstances at a given moment during Reconstruction. And this
is what all historians of the Klan have done to a greater or lesser degree.

Of the categories of sources mentioned above, the least valuable, from a factual standpoint, are the reports and recollections of touring journalists and other sojourners in the postwar South. Thomas Clark and Fletcher Green have done a remarkable job in compiling a bibliography of such works for the period\(^{24}\) and from this type of published narrative, where there are comments on the Ku Klux, they are dutifully partisan and typically more fallacious than even the contemporary newspapers — and for the same reasons.

Most of the important journalistic accounts of the Reconstruction scene by outside reporters came either before or after the heyday of the Klan and thus have little of substance to offer on the subject.\(^{25}\) One exception is the narrative of Robert

\(^{24}\) Thomas D. Clark and Fletcher Green, eds., Travels in the New South, 1865-1955 (2 vols.; Norman, Okla., 1962).

\(^{25}\) Sidney Andrews, The South Since the War (Boston, 1866), John T. Trowbridge, The South (Boston, 1866), and Whitelaw Reid, After the War: A Southern Tour (New York, 1866), all preceded the KKK in the South; Edward King, The Southern States of North America (Hartford, 1875), Charles Nordhoff, The Cotton States in the Spring and Summer of 1875 (New York, 1875), and James S. Pike, The Prostrate State: South Carolina Under Negro Government (New York, 1874), published their accounts after Klan activities had subsided.
Somers, the English journalist who toured the lower South in 1870-71. Somers had a pro-Southern bent but his comments on the Klan are, while rather innocuous, nevertheless interesting in that they are typical of what would later come to be the accepted tradition. His explanation of the order fits the "natural development" thesis perfectly and could have been written at any time in the past century. Of the origin of the Klan, he said, it was "one of those secret organizations which sprang up in disordered states of society, when the bonds of law and government are all but dissolved, and when no confidence is felt in the regular public administration of justice." Corresponding neatly with what would later come to be the standard version of the "rise and fall" of the Ku Klux, and perhaps helping to generate it, Somers, in his widely read narrative, reported that:

For a time the "Ku-Klux" enjoyed the respect, if not the confidence, of the "conquered population;" but nearly all trace of this mysterious league has now happily disappeared from the country, or, where still extant in any form, its role has been taken up by mere marauders, betwixt whom and the white people there is no manner of sympathy.

Somers then offers an excellent contemporary example of the Southern palliation of the Klan that would soon come to be rather

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26 The Southern States Since the War, 1870-71 (Reprint; Tuscaloosa _Ala._, 1965).

27 Ibid., 153.

28 Ibid., 152.
universally accepted. It was, as the theme had it, a generally commendable and high-minded body in its early phases, and certainly understandable, but then, as the "redeeming" of the southern states progressed and law and order was restored — the Klan having served its purpose — the organization began to fall on hard times, the better elements left it, and the once respectable order passed into the hands, of what Somers himself called, "utter scoundrels." White Southerners at this time, it seems were already developing a defense or excuse for the Klan aberration. This they would hold so strenuously that eventually even most of the nation came to accept it and, what is more, came to believe it. Evidence that most whites in the Ku Klux area of the South were already arranging their thoughts toward the incorporation of such beliefs at this time (1872) is apparent in the ad nauseam repetitions of it which appear in contemporaneous testimony and newspaper reports.

As noted earlier, period newspapers constitute a rich and valuable source for the historian of the Klan, and in reviewing the writings on the secret order some comment on press accounts of its activities is necessary. Most previous works on the Klan, whether scholarly or romantic, have, from necessity, relied heavily on this source (as will this study) since reporting and editorializing on the doings of the Ku Kluxers was quite common at the time and such sources are readily accessible. There is,
and has been, a problem in this regard, however, for most newspapers of that day were wildly and impenitently partisan on the whole business of Reconstruction and certainly on the Ku Klux Klan, and even the best of Klan scholars have been somewhat indiscriminate in their selections of supportive citations. Notwithstanding the danger involved, or, better, with an awareness of it, the widespread newspaper commentary on the self-styled Invisible Empire forms both a useful source and an integral part of the literature on the subject.

A thorough investigation of the Klan and the newspapers is beyond the scope of this study. Indeed, it would make a proper subject for definitive research. There can be offered here, however, some general remarks as to the nature of such writing and its place in the overall structure of Klan historiography.

Owing to the unusual character of the organization, however "natural" might have been its emergence, earliest newspaper commentary on its activities seems to have been largely satiric and whimsical. Country editors in the places where the Klan was springing up seem to have delighted in reporting its nocturnal perambulations; they were, however, careful always to deny any firsthand knowledge and to assure their readers that the mysterious and cabalistic "notices" which they might publish had been surreptitiously put into their hands by "persons unknown."
References of this sort are plentiful for the historian and some interesting examples will be utilized in later chapters of this study. It seems apparent that in the small towns the conservative editors were generally among the organizers of the local Ku Klux groups and, in some instances, were prominent voices in the state movements. Thus, as might be expected, in the early stages of the Klan years, 1866-67, the order seems to have enjoyed a very favorable press.

The Republican or opposition papers were also quick to notice the Ku Klux. Although there was little in the way of an organized Republican press in the South during the first year or so of the Klan era, those publishers and editors who were so inclined seemed intuitively to sense the political implications of the organization, and there are a rash of Ku Klux reports and editorials extant from about the middle of 1866 which are generally negative in tone. The Northern radical press, also growing in voice by that time, would quickly pick up the theme. From 1867 on, Republican editors and reporters were able to get valuable mileage, journalistically and politically, from their expositions of the alleged Klan "outrages" and "conspiracy" in the South.

Interestingly enough, Southern Republican editors, in the smaller towns at least, never became quite as shrill or vitriolic in their attacks on the Ku Kluxers as did their big city and northern
 counterparts. Indeed, in any extensive reviewing of applicable newspapers one is struck by the general quietude in the country Republican weeklies in the South in regard to Klan outbreaks. And this at the same time that such affairs were being trumpeted so loudly elsewhere. The explanation for this perhaps lies in the fact that a large percentage of the editors of such papers were long-time residents of their towns and were desirous of maintaining a rapport with their Conservative/Democratic neighbors. Also, one might suspect that economics was a concern, for, despite the fact that many of these county journals enjoyed the boon of printing all official party notices and such, they were still heavily dependent upon their advertisers, the bulk of whom probably sympathized with the Klan. This sort of "not-biting-the-hand" type of non-controversial journalism is apparent even in the urban press of today. In the Ku Klux strongholds, fear no doubt muffled the pens of the less hardy Republican editors although there are no recorded instances of Klan attacks upon crusading journalists.

At about this same point in time there was a noticeable change in the southern conservative press in relation to the Klan. Throughout 1867 and into 1868 the lighthearted whimsy with which such journals had first greeted the ghostly society seemed to give way generally to either apologies, excuses, or silence on the matter. The Klan was taking a much harder line now, and its press agents
— many of the editors good den brothers themselves — were being forced into a clear-cut offensive or defensive posture. Many journalists adamantly denied the existence of the organization, even in the face of regular Ku Klux operations in their locales. Some adopted the device of simply reporting its "alleged" doings; others became quite demonstrative in its support.

The latter position was made rather untenable beginning in 1868 when the southern states, under Republican control, began to follow the lead of Tennessee and enact various categories of anti-Ku Klux legislation. The publication of the bizarre Klan "notices" and official reports of meetings practically ceased with these enactments. The cessation was hurried in some areas by the military authorities who were administering the terms of the Congressional Reconstruction Acts. The following order, for example, certainly put Alabama editors straight on the printing of Ku Klux notices no matter how "mysteriously" they may have received them.

Headquarters - Sub-District of Alabama
Montgomery, Alabama, April 4, 1868

General Orders No. 11
I. The outrages against life, the peace and good order of the community, in this Sub-District, perpetrated by a band, disguised with masks, and styling itself the "Ku Klux Klan," constitutes a public evil: It is therefore ordered that the various sheriffs, mayors, marshals, magistrates ... and police will be held accountable by the Post Commanders, over their respective districts, for the suppression of the iniquitous organization, and the apprehension of its members wherever found.
When apprehensions are made and the Code of Alabama is silent on the subject of the offences for which charged, the prisoners will be turned over to the commander of the proper military post ... with a view to trial by Military Commission.

It should be duly considered that the Code of Alabama derives its vitality from the Commanding General of the Third Military District ... and where there happens to be a seeming difference between it and the military orders ... the latter are ruled as paramount.

II. All placards and newspaper cards of the "Ku Klux Klan" are prohibited, and the ignorance of their existence will not be held as an adequate excuse, it being the business of the civil and military officers to know what appertains to their duties. Citizens not holding office, likewise, will not be held guiltless.

Further outrages will be viewed as evidence of neglect of duty.

By order of Col. & Br't Brig. General O. L. Shepherd
W. T. Hartz.
Br't Maj. U.S.A., A.A.A.G.

Although this rather extraordinary order seems to have been directed primarily at negligent officials, it is obvious that the newspapers were also within its latitude. Local editors apparently yielded to the pressure, for "firsthand" Klan material is rarely seen in Alabama papers subsequent to this date. Evidence of any trials by "military commission" under this order has not been uncovered.

29 Printed in Moulton /Ala./ Advertiser, April 17, 1968. See also Huntsville Advocate, April 15, 1868, and Montgomery Mail, April 15, 1868.
For a variety of reasons then the jocular approach to the Klan was largely abandoned in newspapers, North and South, by 1868. The political practicalities of the organization were being scouted by all sides now and, though puckish conservative editors could not resist pro-Klan anecdotes on occasion, most everyone had become quite serious about the whole business. As the Richmond [Va.] Enquirer reflected,

It is now evident that this "Ku Klux Klan" is not a meaningless merry Andrew organization, but that under its cap and bells, it hides a purpose as resolute, noble, and heroic as that which Brutus concealed beneath the mask of well dissembled idiocy.... It promises, we hope, to bring into the field for the defense of our lives, liberty and property, hundreds of thousands of those heroic men who have been tried and indurated by the perils, dangers, and sufferings of military service.30

As the northern Radical press began to receive and report word of increasingly numerous "outrages" committed by the Klan in the South, there seemed to develop at the same time a peculiar ambivalence in regard to the order. While bitterly assailing Klansmen as "terroristic savages" and "impenitent rebels"31 most thoughtful Republican journalists would also accede to the wisdom of Horace Greeley of the New York Tribune who early recognized

30 Quoted in Natchez [Miss.] Weekly Democrat, April 13, 1868.

31 Chicago Tribune, Nov. 10, 1868.
that every Ku Klux atrocity in the South was bringing increased support to the Radical cause. Greeley's Democratic counterpart at the New York Herald also observed this Radical ambivalence. In commenting on widely reported "disorders" in the South, he noted: "it is worthy of notice, however, that the reported terrible Ku Klux outrages always are made to assume a formidable character at the time of elections in the North .... We are inclined to think that there is much more political smoke than real fire in these reports." Southern conservative editors were quite sure it was mostly a smokescreen, or so they wrote, and a tremendous amount of journalistic energy would be spent in trying to persuade someone that the whole Ku Klux "atrocity" line was one mass Radical fabrication. Just who they were trying to persuade is a mystery; northerners apparently did not care and southerners, black and white, knew better.

From 1868 until the Klan faded from the scene in the 1870's this is the general tenor to be noted in the press. The Radical editors in the North played up the Klan, the northern Democrats played it down; southern Republican editors took pokes at it but often looked the other way, and southern Conservatives generally

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32 Reported in Rome [Ga.] Courier, Sept. 8, 1868.

33 Quoted in Athens [Ala.] Post, April 14, 1871.
denied there was such a thing. There was in the latter approach a
sort of pathetic desperation which becomes quite apparent with
the scanning of any broad segment of such papers. It is almost as
if these editors now viewed the Klan as a Frankenstein monster
which was threatening its creator. And the defenses, excuses,
denials, and charges of spurious and false Klans poured from their
pens in an almost paranoid frenzy. They were seeing, of course,
the value of a good Ku Klux "outrage" to the Radical press. One
rather sedate example of this new departure among southern editors
is this editorial from the Richmond Whig which was copied by many
other southern papers, both conservative and radical:

Who the Ku Klux are, where they are, whether indeed
they are real people or only creatures of the imagina-
tion, we cannot determine. They always seemed to us
to be myths. But if there are really such people in any
portion of the South, they are the very last who have
any right to ask our sympathy. They are worse enemies
to the South than they are to the people they are said to
harass and punish. There is now but one complaint
against the South, and that is that it affords a harbor
for the Ku Klux. Let the Southern people come to the
determination that there shall be no ground for this
complaint. 34

More typical, however, were the cries of "foul" emanating from the
conservatives and the whining complaints that the radicals were dis-
torting every "natural" criminal episode into a Ku Klux "outrage."

34Quoted in Huntsville Advocate, Dec. 17, 1871.
"These things are bad enough and too common," one such editor candidly admitted, "but the Radical versions of them, are always false or intensely colored and usually attributed by them to political causes."

Contemporary newspapers, then, offer a unique footing for Klan scholars. Although not especially useful in discovering the details of the order, particularly after 1867, they do comprise a very revealing source for discovering prevailing attitudes toward the whole Ku Klux experience. There is much compensation for the researcher in these old journals. But it is worthwhile only if the causal relationship between concurrent events and such journalism is kept in mind. But the same, of course, is true in reviewing the other writings on the Klan.

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35Macon Miss. Beacon, Nov. 19, 1870.
CHAPTER II

THE KLAN TRADITIONS: CONTRIVED, SUSTAINED, NOW DOUBTED

Some men are liars from instinct, some from vanity, some from a sort of necessity; others are ... seduced by evil example and education. Whitfield belongs to a higher class of the fine arts .... He is a natural liar, just as some dogs are natural setters; he never labors a lie, he lies with relish. ¹

The so-called "natural liar" in the sarcastic tirade above was Henry B. Whitfield, Radical mayor of Columbus, Mississippi, in 1871. His critic was the conservative William Humphreys of the same place and time. Humphreys' attack upon the character of Whitfield came in response to the latter's declarations before the celebrated Congressional Investigating Committee which probed the activities of the Ku Klux Klan in that same year. The nature of the testimony offered by these two men, one radical, the other conservative, is typical of the course of that entire committee's hearings, involving hundreds of witnesses. On either side, whether anti- or pro-Klan, there seems to have been a great deal of lying "with

relish." As noted earlier, moreover, this sort of partisan prevarication extended to practically everything that was written about the Ku Klux in the first years. The historian, nevertheless, must rely almost totally upon such biased sources, using accessory information and his own objectivity to try to establish some base of credibility.

Notwithstanding such a drawback, the output of this congressional "Ku Klux Committee," comprising almost seventy-four hundred pages of testimony in twelve volumes plus a Report, constitutes a major fund of contemporary thought relative to the Klan. Taken altogether, it is probably the single most important source in the entire realm of written materials on the Klan. Most historians and writers who have subsequently published anything on the secret society have relied heavily on this testimony, although one may suspect that most of them have not gone directly to the source, preferring rather to extract point-making gleanings from the efforts of more stiff-necked researchers. But whatever the foibles of its users, or its own shortcomings, the testimony gathered and printed by this "smelling committee," as southerners called it, is a veritable treasure trove of Ku Klux lore. Perhaps the intentions of the majority party in creating the committee were largely partisan, as broadly charged at the time, and no doubt many of the witnesses perjured themselves, but the accumulation of Klan information is
phenomenal and no historian of the Ku Klux or, for that matter, Reconstruction, can afford to ignore it.

The scholar will, of course, realize the limitations of this material and be guarded in its use. As Walter L. Fleming, one of the sturdiest researchers of the Reconstruction field, wrote long ago:

The material collected by the Ku Klux Committee and other committees that investigated affairs in the South after the war, can be used with profit only by one who will go to the biographical books and learn the social and political history of each person who testified. When [this]... is known, many things become plain.2

Fleming, apparently, did not always heed his own advice and in many of his published works Ku Klux "testimony" is used regularly to document or substantiate certain points and not always with the suggested qualifiers. Despite the problems involved in its usage, the evidence gathered by the "Ku Klux Committee" is of inestimable worth to those who write of the Klan. This committee is also interesting from another point of view; not only are its published findings unmatched in the literature of the Klan, but, by its very existence and the provocative role it played, the committee stands as an integral phase in the history of the Klan. As such it will be dealt with more thoroughly in a later chapter.

In addition to the *Ku Klux Report* there are many other contemporary official records which give service as both portions of the literature of the Klan and as essential sources of the historian. The field here is quite varied and includes such things as annual Attorney-General's Reports and other executive documents on the federal and state level, *The Congressional Globe* and equivalent state journals, court records, and Freedmen's Bureau records. This type of material abounds in the federal and state archives and can be most rewarding for the researcher though Klan items are sometimes scarce where one would expect them to be plentiful.

Perhaps next in the chronological line of writings on the Klan are the many memoirs, diaries, "true experiences," autobiographies and such, published in the post-Reconstruction years by northerners who had sojourned for a time in the Reconstruction South. Ministers, teachers, Freedmen's Bureau agents, soldiers, and carpetbaggers of all kinds, these people seem to have found a ready audience as they published their stories in the North while Reconstruction was grinding to a close in their late southern homes. There are literally hundreds of such works reported in Professor Clark's *Travels in the New South* and, while most of them are of a general reminiscent nature, there are some few which are specifically related to the Klan.

Even the "general" works of this species can prove useful to the historian of the Ku Klux, however, for there are found in these
printings many passing references to the Klan, and these remarks are often quite incisive and informative. Witness, for example, the casual observation of a female missionary teacher that a major goal of the Mississippi Klan seemed to be the destruction of the free school system in that state and that its motivations were as much economic as social.³ Her thoughts have since been given more substantive support by others.⁴ Certainly the published musings of the more important figures have some significance even if for most of them their southern experience was none too pleasant. General O. O. Howard, for instance, has a great deal to say about "Secret Associations" in his Autobiography,⁵ and though most of his references to the Klan are vague and impressionistic they are valuable because of Howard's position as head of the Freedmen's Bureau and because they are impressions formed by him out of a mass of reports from his agents in the field. Such material is plentiful, and for the student of the Ku Klux Klan its careful screening and assessing is a necessity.

³ Maria Waterbury, Seven Years Among the Freedmen (Chicago, 1883), 140.

⁴ William D. Bell, "The Ku Klux Klan in Mississippi, 1866-1872" (unpublished MA thesis, Mississippi State University, 1963), passim.

⁵ Oliver Otis Howard, Autobiography (2 vols.; New York, 1908), II, passim, 374-89.
There are, as earlier observed, some published materials in this category that are more directly related to the Klan. These are certainly useful but must be used with a measure of care, for some of this type of writing seems clearly to have evolved as Republican campaign material of the "bloody shirt" variety. Other extant items of the same genre present at least partly fictional or grossly exaggerated accounts of the Ku Klux. All of this does, nevertheless, benefit the historian, if not in factual matter then at least in helping to determine contemporary attitudes toward the Klan, which were mixed, to say the least.

Reminiscences of the Klan by southerners, Klansmen and non-Klansmen, typically did not come until much later, near the turn of the century and after. Although on the surface this seems easily explainable in view of the Enforcement Acts, or anti-Ku Klux

6 Representative examples of this type are: John P. Green, Recollections of the Inhabitants, Localities, Superstitions, and Ku Klux Outrages of the Carolinas (Cleveland, 1880), which is an apparently fictionalized account of a Negro war refugee who came back South during Reconstruction; Justin Knight, The Nation's Peril, Twelve Year's Experience in the South. Then and Now. The Ku Klux Klan, a Complete Exposition of the Order .... (New York, 1872), which purports to be letters from Knight written in the South during his tenure as a minister there; and Rev. Hamilton W. Pierson, A Letter to Hon. Charles Sumner With 'Statements' of Outrages Upon Freedmen in Georgia, With an Account of my Expulsion From Andersonville, Ga., by the Ku Klux Klan (Washington, 1870), which is a collection of atrocity stories and the story of the author's alleged troubles with southern whites and his subsequent expulsion at their hands.
laws, which were on the books, there does, however, seem to have been something more subtle behind this curious southern silence on the subject. It is true that technically these laws were in force for some years after Reconstruction and a professing Klansman might be laying himself open for prosecution. But there actually was little danger of this happening after 1874 because by then, due to shortages of funds and federal court officials and as a reflection of increasing northern apathy over the matter, "the /Ku-Klux/ Acts were virtually dead letters."

It may be that the general reluctance of Klan veterans to speak of their association with the hooded order was more a matter of embarrassment and social self-protection than any fear of the law. Indeed, until Professor Dunning and his followers had convinced a receptive nation of the illegal and immoral nature of Congressional Reconstruction, the Ku Klux Klan was still viewed with considerable skepticism, even by many southerners. With the wide-spread acceptance of a pro-southern interpretation of Reconstruction, however, and with an almost complete deterioration of racial solicitude in the nation as the twentieth century began, many old Klansmen began to "show their shrouds" and boast of their past connections with

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the order. Even then, though, each one wanted it clearly understood that his role had been played out during the early days of the Klan, the glory days before the order had degenerated. There has been something of a similar development relative to twentieth century Klan experiences, at least a phase of it. Whereas the Ku Klux revival in the 1920's was rather broadly hailed and applauded, now Klanism has fallen from grace once again, and many old southern gentlemen are somewhat embarrassed and reticent about their youthful travels among the Klaverns and Kleagles.

Nevertheless, some old veterans of the Reconstruction Klan eventually began to publish their recollections. Generally, such writings are too vague and romanticized to be of great value to the serious scholar, but occasionally one may uncover among the local histories and printed memoirs a sparkling gem of Klan memorabilia. Notably revealing are the memoirs of John L. Hunnicutt, a west Alabama Klansman who after Reconstruction wrote down his impressionistic memories of the whole era. Hunnicutt was a lusty character whose writings reflected his straightforward approach to life. He was very proud and frank about his role in the Klan and the Klan's role in the community:

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The idea of being tried before a Carpet-Bagger Judge with a Negro jury was repulsive no matter what you had done. And the idea of such men as they were electing to office to be law makers of our county was simply too much for a Southern man to swallow.... About this time the Ku Klux Klan was organized and commenced business and they soon created an atmosphere that was as disagreeable to the Carpetbaggers and Scalawags as theirs had been to us.  

Hunnicutt is so plain-spoken in his revelations of first hand Klan experiences that one is inclined to wonder whether that which surely seems to be exaggeration might not be true after all. At any rate, it is probably safe to conclude that it was the Hunnicutts of the day — bold, brash, rather unruly youngsters — who were the activists of the secret order. The reader is strongly imbued with a feel of contemporary native white attitudes from such works as this.

Another rare example of such writing is _Pike County Mississippi_, a local history written by a Klan veteran in his later years. Although not as colorful as Hunnicutt's work, this book does offer some specific information about Klan operations in southeast Mississippi. It is also more typical of the sort of writings (too numerous to catalog) available in all old Klan states, wherein the whole Reconstruction scene takes on a sort of Armageddon-like

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9 _Ibid._, 45.


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atmosphere with the Klan, of course, championing the forces of good.

Perhaps the most notable bit of reminiscing came from the pen of John C. Lester, who was one of the six founders of the order. Lester, from Pulaski, Tennessee, apparently allowed himself to be talked into a joint venture of publishing a history of the "Rise and Fall of the Invisible Empire" with one D. L. Wilson, a freelance writer. The book was published in 1884, but, because of a dispute over the title as well as some of the information it contained, the book did not receive wide circulation. The Lester work did gain a national audience, however, when it was printed in the July, 1884, issue of Century Magazine with Wilson's byline alone, and apparently without Lester's permission. This same work was later picked up and printed elsewhere; it can be found, for instance, as an appendix to Bromfield L. Ridley's Battles and Sketches of the Army of the Tennessee (Mexico, Mo., 1906). Walter L. Fleming revised and reprinted the Lester and Wilson work with his own copyright in 1905 under the title Ku Klux Klan, Its Origin, Growth and Disbandment.

Lester's recollections are more distinctive and valuable for obvious reasons: they are a first-hand report of the organization

and early days of the group by one of the leading participants and they have the rare status of being rather fresh, having first been put to paper in 1884. When he came to describing the structure and operations of the Klan beyond his Pulaski environs, however, Lester's work rested almost completely on hearsay and thus suffers somewhat in its broad view. There are many omissions — Lester and Wilson do not, for example, offer their readers any exposition of the ritualistic secrets of the group — and there are some distortions of the truth, as in the statement that the "Ku Klux Klan had no organized existence after March, 1869,"¹² but this is, nevertheless, one of the better written and most informative bits of early writing on the Klan. Strangely enough, it has rarely been cited by later authors.

Practically all of the writings mentioned to this point have been, to some degree, fictionalized or perverted accounts of of the Ku Klux phenomenon which were dispensed under the label of truth — and there would be more of this to come. Historiographical study of the Klan, however, reveals one quite unconventional phase of the literature in which rather broad expository work was done on the subject of the Klan, strongly implying truth, and yet actually presented as fiction. Several popular

¹²From the aforementioned Ridley version of the essay, 66.
novels were published around the turn of the century whose plots were hinged upon the various activities of Ku Klux and, with one notable exception, all of them were unabashedly pro-Klan. The fact that these novels were written at this time, and widely accepted, is added proof of the changed climate of opinion in the country regarding the whole of Reconstruction and racial concerns. The Dunning historians and a variety of other intellectual forces had combined to cause Americans to accept a generally pro-southern slant on the period, and Klansmen were being transformed into the heroes of that era by a new generation of southern writers, and apparently accepted as such in the North. The impact of these novels is hard to determine for they were shamelessly romantic in an age that was rejecting romanticism, but William Randel, the one historian who has noticed this class of Klan writing, was probably correct in the observation that this fiction had an "enduring effect" and that it helped to condition "several generations of Americans to tolerate the old Klan as an agency striving to preserve a beautiful civilization in its unequal conflict with the materialistic North."\(^{13}\)

The first of the fictionalized accounts of the Ku Klux was, oddly enough, the only one which was anti-Klan. This was the celebrated work by Albion Tourgee, *A Fool's Errand, By One of

\[^{13}\text{Randel, The Ku Klux Klan, 160.}\]
the Fools, first published anonymously in 1879. Tourgee was an idealistic northerner who lived in North Carolina for fourteen years after the war, serving much of that time as judge of the Superior Court of that state. Tourgee's idealism oftentimes put him as much at cross purposes with his radical colleagues as with the forces of reaction and he returned north in 1879 a much disillusioned man, though not before he had made some lasting contributions to the North Carolina judicial system. A second edition of the book was released in 1880 under Tourgee's imprimatur which had added to it a Part II, which was The Invisible Empire: A Concise Review of the Epoch. Many of the characters and episodes of Tourgee's work are only slightly veiled copies of actual people and events and, as there is a great deal of commentary in the book, this is partly the reason for its significance. The reader can be fairly certain he is being exposed to the attitudes of contemporary Republican officialdom in regard to the Klan and other aspects of Reconstruction. There remains, however, the nagging realization that Tourgee was not the typical carpetbagger and that conditions in North Carolina were also unique. A Fool's Errand, nevertheless, is a valuable feature of the Klan and Reconstruction literature because it is true, as Tourgee's biographer observes, that "nowhere else in the history of American letters are the experiences of a
carpetbagger reported so comprehensively. It may also be that in the continuum of interpretation Tourgée will come to be judged somewhat less a "fool" than he himself believed. One student of the subject, in surveying changing opinions of the man sees the influence of Tourgée in recent black advances in the South, including the Supreme Court decision of 1954. Although one might prefer to qualify the "profound respect" accorded Tourgée by a modern scholar for his "perspicuity and objectivity," yet one today is also inclined to accept the sincerity of his impressions.

Tourgée's work is also distinctive in the line of Klan fiction in that it is decidedly anti-Ku Klux while later novels of this type cast the hooded order in a more heroic vein. This is rather strange in view of the apparent financial success of A Fool's Errand. In the decades after its publication, however, as the Howells, Cranes, and Dreisers led American readers toward more realism in the literary arts there remained enough residual romanticism in the public mind to provide a ready audience for a few throwback southern


authors who quickly began to mine the rising pro-South sentimentalism which peaked early in the twentieth century. A number of intellectual and political currents converged at this moment to provide a hospitable atmosphere for such work. In any event, as Professor Randel sees it:

The very absence of anti-Klan novels after the first gave the fictional victory to the pro-Klan forces by default and created the impression that nobody thought the Klan was evil in any important way. Perhaps that was the prevailing opinion in the latter part of the nineteenth century and well into the twentieth; and perhaps the pro-Klan novelists merely confirmed the general attitude, which saw more glamour than viciousness in the Klan. 17

With that changed climate of opinion a spate of sympathetic Klan novels appeared and, though only one of these had any singular success, altogether they helped to augment an overall interpretation of the old Ku Klux which meshed perfectly with the Dunning view of Reconstruction and which has remained largely unaltered until the present. The first of these appeared in 1884. It was _Thorns in the Flesh_, by N. J. Floyd, and as the title page indicates, it was "a voice of vindication from South in answer to 'A Fool's Errand' and other slanders." Floyd's plot is almost grotesque in its melodrama — but only typically so — and replete with such stock romantic devices as lost wealth, mixed blood, genteel southern hero,

17 Ibid., 156-57.
carpetbagger villain, and crossed lovers. Throughout, the reader is bombarded by lengthy expositions on the correctness of the southern position and the depravity of those in the North who were usurping the American way. The Klan, while only incidental to the plot of Floyd’s work, is a recurring theme in the discussions of the protagonists and, as expected, is successfully defended and justified before its ill-informed or villainous detractors.

The next important fictional account of the Klan was published in 1895; it was Thomas J. Jerome’s Ku-Klux No. 40. Jerome, a North Carolinian, was too young to have played a personal role during his state’s Reconstruction interlude, but affairs of that period obviously made a profound impression upon him, and in 1895, when times were right, he was ready to give literary substance to those impressions. The plot of Ku-Klux No. 40 is much neater and the characterizations much sharper than in Thorns in the Flesh, but the whole thing is no less intensely melodramatic. The Klan and Klansmen are central features in this work, and Jerome strongly pressed his theme quite early: "... while the hand of Ku-Kluxism is stained with blood, yet, considering the sufferings the South endured during the brief existence of that organization, it is the purest and whitest hand ever raised by an outraged people to repel the assaults of their
Evidently if this book had much circulation it helped greatly in defining those colorful but controversial Reconstruction stereotypes that so long have captivated the American mind. They are all here: radicals of every stripe, from idealistic but misguided reformers to corrupt, heartless scoundrels; brutal federal army officers; the miscegenating white New Englander; the evil pro-Republican Negro and the good old loyal Uncle Tom-type black man; the long-suffering but stoic southerner; the limpid but courageous heroine; and, of course, that desperate and heroic epitome of southern manhood, the white robed Klansman. Attitudes were changing, as were impressions of the past, and romanticists like Jerome were at once exploiting this change and helping to advance it. The national image of the Klan was becoming much more appealing. Succeeding authors furthered the glamorizing treatment.

Two of those subsequent writers were to achieve much more acclaim in literary circles than Tourgée, Floyd, or Jerome. They were Thomas Nelson Page and Joel Chandler Harris and, although the Klan novels they wrote, Red Rock (1898), and Gabriel Tolliver (1902), respectively, were fairly successful, their reputations were founded upon other works. Page was a skilled and

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18 Thomas J. Jerome, Ku-Klux No. 40 (Raleigh, N. C., 1895), 3.
and prolific southern romanticist of the moonlight and magnolias school who also had a diplomatic career, and Harris, of course, is celebrated for his Uncle Remus tales. Page's Red Rock and Harris' Gabriel Tolliver are typical of the genre, employing many of the stock romantic devices and, what were rapidly coming to be, stock Reconstruction characterizations. Although both of these novels were, from the standpoint of belles-lettres, somewhat superior to anything mentioned previously their significance for this study lies in the fact of their easy acceptance and very non-controversial nature. The Klan, indeed, seemed to be gaining more than just a regional following and this whole regional interpretation of a rather critical segment of American history appeared to be approaching national acceptance. The last important Klan novel, with its popularity and impact, would perhaps register the peak of that gain and acceptance; this was Thomas Dixon's The Clansman.

This novel, by the North Carolina-born Dixon, was only one of three Reconstruction sagas he composed in the early years of the twentieth century; the other two being The Leopard's Spots and The Traitor. All employed the pro-southern approach to the era, the usual romantic conventions (with a few new twists), and all were quite successful financially. The Clansman proved also to be immensely successful in the intellectually dynamic effect it had on the American mind; the positive or negative nature of that success
being, of course, a matter of interpretation. To the modern mind Dixon's work may seem "rabid," as it did to the penetrating mind of W. J. Cash,\(^ {19}\) or "violently anti-Negro," as the black scholar John Hope Franklin has asserted,\(^ {20}\) but for a majority of Americans at the time, The Clansman and The Birth of A Nation, D. W. Griffith's early film classic for which the novel served loosely as a plot, seem to have been accepted as the sad but regrettably true story of Reconstruction. Even President Wilson and Chief Justice Edward D. White are reputed to have sanctified the film by their approval,\(^ {21}\) and the southern backgrounds of those two prestigious reviewers went little noticed. Now the villainous Radicals and savage blacks could be hissed and booed with little fear of reproach, for their defenders were all but silenced, and the heroic Klansmen could be openly cheered as they had been silently for so many years in southern minds.

The Klan way was coming to be viewed as the American way, and some observers have seen Thomas Dixon's work as essential to

\(^{19}\)The Mind of the South (New York, 1941), 197.


\(^{21}\)Eric Goldman, Rendezvous With Destiny (New York, 1953), 228-29.
the revival and widespread acceptance of a new Ku Klux organization in 1915.  

There really can be little doubt that The Clansman and The Birth of a Nation, which it spawned, because of the tremendous audience response they received, did as much as any single piece of writing to glamorize and popularize the Klan — "whitewash" might be an appropriate verb, also. The reanimation and rapid growth of the Ku Klux in the early 1920's is a difficult and involved story, however, and it would be more correct to say that Thomas Dixon, for all his singular influence, was only one link in a complex chain of attitude-shaping forces which had been operating on the national psyche for two generations. His role may have been that of a finisher who capped and polished the new interpretation of Reconstruction and the Klan, but there were countless other craftsmen who prepared the framework. Along with other assorted fin de siecle social scientists — scholarly and otherwise — the historians had an active hand in all of this. And there was no scarcity of Klan historians, now that it was an accepted part of the American tradition.

In 1912, Eyre Damer, one of the early "serious" students of the Klan, prefaced his study of the hooded order with the following

**Note:**

22 Cash, Mind of the South, 376; and Chalmers, Hooded Americanism, 27.
explanatory remarks:

... The widespread and intense interest manifested in ... the Klan indicates that the present generation eagerly imbibes knowledge of the sacrifices and achievements of the men who in the awful crisis of reconstruction, and against almost insuperable obstacles, rescued the commonwealth from the control of corrupt adventurers and ignorant freedmen. 23

Damer further indicated that his "work" had been undertaken to satisfy a "popular desire" to supplement the scant literature relating to Reconstruction and "that most remarkable organization of modern times ... the militant Ku Klux Klan." 24 His little volume, which is a rather disjointed and undocumented study of the Klan in the Black Belt of Alabama, was no doubt quite self-gratifying, and it may indeed have indulged a rather broad "popular desire" for information on the Klan, for, by the time he wrote, as we have seen, there was a quickening of interest in the Klan theme and acceptance of its role in the past.

A profusion of complicating social, economic, and political factors converged on the American intellect for the dozen or so years either side of the century mark, factors which finally caused a sort of psychological implosion leaving the average American blinking and wondering how a previous generation could have tolerated the trauma

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23 Eyre Damer, When The Ku Klux Rode (New York, 1912), 5.

24 Ibid.
of Reconstruction for the sake of the black man. If wartime exigencies and postwar political expediencies had elevated the Negro to unusual heights of place and privilege, most Americans now felt it was time for him to gravitate to his naturally inferior station. God was in His heaven and the races were again getting themselves correctly arranged. The biological concepts of Darwin and Agassiz, misconstrued though they were, gave scientific substantiation to latent attitudes regarding Negro inferiority. The backlash of the defeated black/white populist fusion movement and the expanding progressive conviction regarding economic motivations in history enhanced these new scientific confirmations. Certainly, in view of the newly disclosed political and economic schemings of the Radicals in the postwar period — manifest in the corruption both North and South — and the proven deficiencies of the black race, it was difficult to find any justification for the federal program during Reconstruction. It seemed wrong now for the white South to have been subordinated to black rule.

With this order of thinking predominant, it is not difficult to understand why the American Negro, who had long since been abandoned politically, was abandoned both socially and morally by the North. Racism, which had for a brief bright moment been partially sublimated in at least part of the country, once again came boldly pushing to the surface. It seems that at this historical
juncture, as one recent disapproving analyst has put it, "moral stewardship gave way to other interests."\textsuperscript{25} The Dunning scholars and other "scientific" historians before and after them brought forth elaborately detailed studies of Reconstruction which accorded nicely with and gave a certain scholarly sanctification to these conceptions. In fact, their role was probably crucial to the general acceptance and popularity of these views. But no matter what the forces were, or who the critical agents, the South, which had certainly lost the war, was just as certainly beginning to look like the moral victor of the Reconstruction.

This pro-southern stance on Reconstruction, which, historiographically speaking, had been hinted at by James Schouler, John W. Burgess, James Ford Rhodes and other major scholars,\textsuperscript{26} was clearly articulated by William Dunning and his followers early in the twentieth century. The roster of the Dunning "school," including Fleming, Garner, Hamilton, \textit{et al.}, is too familiar to warrant another muster here, but collectively they shaped a definition of the post-Civil War decade that proved to be almost indestructable. One

\textsuperscript{25}Hyman, \textit{The Radical Republicans}, xxvi.

\textsuperscript{26}A discerning synthesis of the works of these and countless other writers as they relate to this period can be studied in Thomas J. Pressley, \textit{Americans Interpret Their Civil War} (Free Press edition; New York, 1965), \textit{passim}. 

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feature of that definition was, of course, a scholarly exculpation or apology for the Klan which gave learned support to the fictional rhapsodizing discussed earlier. Now the evils of Reconstruction were thoroughly documented and Klansmen were the heroes who battled that evil. There was really little need for the justifications that were offered; most people were quite clear on why there had been such an organization.

It is difficult to say when this interpretation of Reconstruction, with its Klan corollary, reached the peak of acceptance. It still prevails in some sectors, of course. The popularity of Claude Bowers' *The Tragic Era*, which was certainly an archetypical production, suggests that, insofar as popular literature was concerned, such a cresting may have come just prior to the depression decade. In the next generation a less sentimental group of scholars would begin the revisionistic chipping-away at the Dunning interpretation which would slowly bring the tide of opinion toward the more

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27 Justifications were offered, of course, as exemplified by the quote from Burgess in Chapter One. The Klan was seen as natural reaction to intolerable conditions by southerners who had no other recourse. This is a steady refrain in the works of all those who followed or follow the Dunning/traditional view of Reconstruction. With it always is the sequel which has the Klan falling on hard times because its ranks were infiltrated and its reputation sullied by misguided, amoral poor whites.

28 (New York, 1929).
balanced view of the period that is advanced today — no longer pro-southern, certainly, but a consensus which has something in it for and against all sides, including the South. Curiously, one of the most sweeping scholarly statements of the Dunning credo did not come until well after the sovereignty of that creed had been pricked. This was The South During Reconstruction, 1865-1877, by E. Merton Coulter.\(^{29}\) Its publication in 1947, as Volume VIII in the prestigious A History of the South series, despite the fact that it came under a great deal of attack, demonstrates that the reflux of such opinions was quite sluggish.

In both the Bowers and the Coulter works — as in all such southern-leaning studies of the era — the popularized view of the Ku Klux Klan was maintained and reinforced. Although the terror and violence might be idealistically deplored, it was to the minds of such authors, understandable and justified by the end results. In Coulter's view, "the Ku Klux Klan helped to save the outward forms of Southern life."\(^{30}\)

Thus the Klan story became a legitimate, even necessary, adjunct to the long-accepted traditions of Reconstruction, and contemporary historians, as earlier noted, have not systematically and

\(^{29}\)(Baton Rouge, 1947).

\(^{30}\)ibid., 172.
categorically attempted to deflate that story. Modern-day students, even strict revisionists, who have written general studies of the era have offered little new on the hooded order, preferring instead to repeat the traditional views of the Klan, sometimes with the heavy use of cynically chosen "quotes" to support an almost satirical approach and some degree of hauteur. None of these general studies, singly or in concert with others, has effectively destroyed the "myth" of the Klan's redemptive role. On the other hand, the ascendancy of the revisionist interpretation of the Reconstruction period has naturally brought with it a parallel but less specific deterioration of that myth. One recent survey of the era, by Rembert W. Patrick, introduces some elements of Klan revisionism, noting that certain of the old cherished beliefs regarding the Klan have "no foundation in fact," and that the Ku Klux, rather than speeding "restoration of home rule" as southern tradition has it, may well have "lengthened the period of Congressional Reconstruction."

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31 Kenneth Stampp is one who uses such an approach in his aforementioned Era of Reconstruction, 199-200. Avery Craven, though late in revisionism, uses essentially the same tack in the short shrift he gives the Klan in his recent Reconstruction: The Ending of the Civil War (New York, 1969), 232-33. John Hope Franklin, the respected black historian, is another who follows this method, though it must be admitted his essay on the Ku Klux constitutes more of an "attack," albeit an undocumented one, Reconstruction: After the Civil War (Chicago, 1961), 154-73.

It seems clear, then, that while scholars working in this field have recently reflected some reservations and contrary feelings about the Klan, they have not been able to assert these feelings with any authority. In other words, there has not been the basic, monographic-type reporting done in this connection as with other features of the era. A newly published work by Allen W. Trelease promises to relieve this nagging shortcoming,\(^\text{33}\) for Trelease's study, which will be discussed in somewhat more detail later, rests upon prodigious research and is anything but sympathetic to the Klan. It is the latest in a long line of specialized studies of the Ku Klux and it symbolizes the closing of the time-lag that has existed between interpretations of the Klan and changed interpretations of the period in general.

The building of the Klan image closely paralleled the building of that pro-southern image of Reconstruction. It has already been observed how readily the work of the Klan-oriented novelists was received and how a popular glamorization of the Klan occurred early in the twentieth century. Then the historians brought a degree of scholarly consistency to that image, and old men began to speak with pride of their membership in the long-silent order. Other

historians, near-historians, and rank amateurs of more single-minded persuasion decided that times were ripe for a "true" history of that "most remarkable organization of all times," and production of the Klan monographs began. Strange to say, there have been but few of these in relation to the interest and fascination which the secret society has always engendered. But these few special works, together with a scattering of articles, constitute the last and most important phase in the survey of Klan literature.

Interestingly, it was one of the Dunning scholars, Walter Lynwood Fleming, who first scouted the possibility of a book-length study of the Klan. Fleming, an Alabamian, never got around to completing such a volume but he did collect a wealth of pertinent materials and interview a number of surviving Klansmen. Many of his findings in this special category made their way into print in his broader works. 34 There is some suggestion that Fleming may

34 Civil War and Reconstruction in Alabama (New York, 1905); "The Ku Klux Testimony Relating to Alabama," Gulf States Historical Magazine, II (Nov., 1903); and The Sequel of Appomattox (New Haven, 1919). Fleming was also responsible for the publication of a series of Documents Relating to Reconstruction during his tenure at the University of West Virginia (1903), which were later compiled in book form (Morgantown, W. Va. 1904). The publication of a two-volume Documentary History of Reconstruction (Cleveland, 1906-7), completed his exposition of the sources of the period and contain many scarce documents of the secret southern organizations. Fleming made known his sympathy to the Klan idea in the previously noted introduction to the 1905 reprint of Lester and Wilson's Ku Klux Klan, Its Origin, Growth, and Disbandment.
have been prompted in this effort by the work of a fellow Alabamian and historian, William Garrott Brown. Brown, a Harvard scholar of national reputation, had broached the Klan business with a short article in 1901, which later appeared as a chapter in his well-received survey of southern history. His interpretation of the Klan reflected an apologetic tone that was precursory to the subtle rationalization of Fleming and the open adulation of forthcoming writers. In the work of Brown and Fleming can be seen clear evidence of the negrophobia that was so prevalent in the nation at this time — certainly in the minds of such postwar generation southerners as these two. There is little question, though, that Fleming knew more than anyone else about the structure and workings of the Klan and similar organizations; it is regrettable that he did not publish his findings in a single volume.

Fleming did, however, offer much more on the Ku Klux Klan and the Knights of the White Camellia in his study of Civil War and Reconstruction in Alabama than did the other Dunning scholars in their works. With references to the secret groups scattered throughout the substantial volume and a specific chapter


36The Lower South In American History (New York, 1902).
of over fifty pages on the Klan, this was by far the most thorough and coherent treatment of such matters yet presented by a historian. Although this work is more particularly valuable for students of the Alabama Klan — as such, of course, of inestimable worth to the study at hand — it also retains a high degree of value to wider studies. First, Fleming cited references and quoted sources no longer available, such as old Klan communicants, and, though one must be guarded in their use, they are certainly still useful to any interpretation. Secondly, and perhaps more important, Fleming applied some remarkably modern concepts to the Klan, despite his pro-southern bias — maybe even because of it. Throughout his writings on secret agencies, he spoke of the "Ku Klux Movement," and expressed the view that the Klan, the White Camellia and other more localized groups were outward manifestations of what was essentially "a state of mind" in the South — a profound feeling of frustration and helplessness that justified the going to any lengths, however extreme, to overcome.37 There is some inference here that Fleming may have believed that the "idea" of total repression was significant enough in itself to warrant the response and that the response was actually as

\[37\text{Civil War and Reconstruction in Alabama, 653; Lester and Wilson, Ku Klux Klan, 36.}\]
much a hardened attitude of resistance as it was any overt stirrings on the part of southerners.

It must be admitted, however, that Fleming as much as any Alabamian of 1868, believed that the repression had been quite real. Nevertheless, we find him saying of the Alabama of 1874 that "the whole state was practically a great Klan," although he previously observed that the order faded from the scene many months earlier. To Fleming, the spirit or mood of resistance was the essence of kukluxism and he believed apparently that such a spirit persisted in the minds of Alabama conservatives long after they shed their robes. It was such a stiffened attitude that pervaded the campaigns which finally brought down the Radical regime in the state. There was in the white sector a grim and "stern determination to defeat the Radicals at any cost." This determination was noticeable, according to Professor Fleming, in the "color line" efforts that ultimately brought success to the "White Man's Party." Thus, if it is an acceptable thesis that all of this was part of some Ku Klux "Movement," then it agrees quite well with the traditions that the Klan — or more accurately, kukluxism — loomed large in the saving of the South from the radical forces.

\(^{38}\)Ibid., 708.

\(^{39}\)Ibid.
There is little question that the rigid determination was there, but it is academic at this point to say whether it was "Klan spirit" or political ardor that brought about the marshalling of that determination. Reconstruction politics was as unique in Alabama as elsewhere and the forces as fluid. That there was a spirit or soul to the Radical overthrow may not be altogether fanciful because it resulted from the kind of total effort that rarely comes without some inspirational quality, but it is quite likely that the propagation of that spirit issued as much simply from the "outs" wanting "in" as from any transcendent ideology. In the remaining chapters of this study the role of the Ku Klux Klan in the political and social affairs of Reconstruction Alabama will be closely followed and it will be seen that its influence was decidedly more physical and real than spiritual, though it did perhaps give some symbolistic service in the latter days of the period. Some reliance upon Fleming's earlier work will be both irresistible and rewarding in the process.

After Fleming's work, Eyre Damer's aforementioned volume, *When the Ku Klux Rode*, seems to have been the next serious account of the old Klan; indeed, with a publication date of 1912, it has the distinction of being the earliest book-length study of the subject. There is little else to commend it as historical literature. Damer's volume is a rambling chronicle of the more sensational Reconstruction episodes in the eight western Alabama counties which then formed the
Fourth Congressional District. It clearly follows the Dunning/Fleming line and is thoroughly fulsome in its praise of the Klan. Damer, with never a wince, recited many of the most gruesome tales of Ku Klux lynchings without a hint of reservation or apology. His readers were naturally expected to understand that it was all the sine qua non to the restoration of legitimate authority. The book does not have the saving grace of footnotes or bibliography, but the author apparently relied heavily upon Fleming's work and the Alabama testimony taken by the Ku Klux Committee in 1871. There is also a strong implication that some of his information was derived from surviving participants, though he did not expressly say so. Despite its obvious weaknesses, Damer's little volume nevertheless has some value to the historian. It is symptomatic of the changed national racial mood of 1912, and it signals a clear departure toward open adulation of the conservative forces in Reconstruction. Thus it might see service in several ways: as a feature in the historiography of the Klan, as a source of information (Damer did present some unique anecdotes), and as a measure of the early twentieth-century

40 The Tuscaloosa District, as it was known, was made up of Tuscaloosa, Greene, Sumter, Hale, Choctaw, Marengo, Pickens, and Fayette counties, most of which are in the soil-rich Black Belt section. Most of these counties had either a Negro majority or a near parity of the races and were consequently the scene of much vigorous and controversial political activity during the period.
American mind. In the latter regard, although such conceptions are well understood today in relation to the intellectual circumstances, it is nonetheless fascinating to read such a statement as the following from the pen of this seemingly intelligent and well-educated author of 1912:

As the mighty Anglo-Saxon race on this continent had ever proved equal to emergencies, so now the men of this race, war-trained in arms and horsemanship, sensible that the great stake of Christianity and civilization lay in the balance, nerved themselves for the conflict...[and] rescued that garden spot of the state from savage domination and again made it fit abiding place for the race. 41

Not only southern civilization but indeed "Christianity" itself had been rescued by the Klan in Damer's view.

There were but few voices to dispute these interpretations of the Ku Klux or Reconstruction. A handful of anguish blacks and sympathetic whites recoiled in horror from the reenshrinement of such views and aired their feelings as best they could under the aegis of the Niagara Movement or the newly formed N.A.A.C.P., but even black groanings, for the most part, were muted now by the blandishments of Booker T. Washington. Progressivism was abroad in the land but it was a liberal movement that did not include the Negro. Apartheid was fixed as national policy in Woodrow

41 Damer, When the Ku Klux Rode, 88.
Wilson's first administration and the Ku Klux Klan was to become a national fixture once again after the "Stone Mountain revival" of 1915.

During the 1920's most literary attention directed toward the white-robed order was focused upon its then current mode which was national in scope and remarkably well accepted. Pro or con expressions regarding the "new" Klan swelled the written media. The old Klan had become dignified within the framework of prevailing interpretations of the past and was therefore essentially noncontroversial — somewhat incongruous considering the intellectual factiousness swirling about this new Ku Klux which employed basically the same symbols and asserted the same principles. Such sideswipes as the detractors of the new Klan took at the old were usually conciliatory and mild. For that matter, the better studies of the later Klan were rather gentle even with that phenomenon.

The prestigious Journal of Negro History published during this period a number of serious studies on blacks during


43 Frank Tannenbaum, for example, in his important work, Darker Phases of the South (New York, 1924), while speaking of the Klan as very unwholesome and dangerous force, refused to indulge himself with tirades against the membership, passim.
Reconstruction and, despite the depth of some of these, there seemed to be even here a sort of guarded observance of the Dunning orthodoxy. When the Klan was reported upon, it was done so with little commentary other than to repeat the current traditions: the Klan "gained influence in proportion as the reconstructionists gave rise to more or less dissatisfaction," or the Klan was a response to "ill-drilled" and "not wisely handled" Negro militia. Francis B. Simkins published an episodic article on the South Carolina Klan in the same journal in 1927 during the ascendancy of his long and productive career. Although he had not yet essayed into the realm of revisionism, Simkins was nevertheless a judicious scholar and his treatment of the Carolina Ku Klux movement was perhaps as even tempered as had yet appeared. He, too, although clearly repelled by Klan terrorism, returned much the same apologia as was being heard from the traditionalist camp. Simkins at least had the distinction during this era of being less than rhapsodical about the Klan.


_45_Ibid., 444.

_46_Ibid., 446-47.

The same cannot be said of the one monographic study that was produced during the 1920's on the subject of the Reconstruction Klan. Its distinction arises rather from its station at what was probably the summit of Klan idealization. This was the earlier cited Authentic History of the Ku Klux Klan, copyrighted by Susan Lawrence Davis in 1924. Although the book has been disparaged by some historians as so much romantic trivia and though it is a highly sentimentalized and extravagant account of the Klan, it is an error of judgement to presume, as one reviewer did, "that there is nothing authentic about it." Miss Davis' character and situation lends something to its possible authenticity. Child of a prominent north Alabama conservative family, well-read, well-traveled and obsessed with the aura of the Old South, she apparently had more than a casual acquaintanceship with the many imperial and local Klan veterans she claimed to know. Much of her information is quite credible, especially in view of the fact that many of the tales she spins can be partially corroborated from local sources. For example, she wrote of solemn policy-making conclaves of high Klan officials at her home and other sites in the Tennessee Valley section of Alabama, and some of the men she referred to can be placed in the area at the time through newspaper references. They include such ranking

moguls as General John B. Gordon, high in the Georgia Klan and on the Imperial Staff, James H. Clanton, reputed to be Grand Dragon of the Alabama Realm, and even Nathan Bedford Forrest, Grand Wizard of the Empire himself. Her father, Lawrence R. Davis, was influential in conservative circles at the time, and much that she related seems plausible enough though highly imaginative. Indeed, she admitted that her childhood recollections of these episodes was vague and that she relied for her information on "documentary evidence" and a years-long personal relationship and correspondence with many of the original Klansmen. Among her reputed communicants were some of the founders of the order and, perhaps more significantly, Colonel Sumner A. Cunningham, formerly Grand Monk (third officer) of the Invisible Empire and founder of the Confederate Veteran magazine, who supplied her with much Klan material.

Miss Davis' book itself is amateurish in structure and style and in places virtually incoherent. It contains numerous factual errors. In the narrative she rambles, digresses, and pauses on almost every other page for a bit of genealogical or United Daughters of the Confederacy chitchat. In dealing with anecdotal material she was reasonably successful but when venturing into interpretation or comment on broader aspects of Reconstruction she regularly smothered the facts with romantic nonsense.
Nonetheless, the book is not without value for Klan historians, especially those interested in the Alabama Realm. The Ku Klux was very active in her section of the state and diligent research reveals this volume to be the only extant source of information relative to some of those operations and operatives. For that matter, Miss Davis' work is unique in that it presents the names of many Klan officials of Alabama and other states. Such data may not be wholly valid and demands scholarly reservation, but at least it offers a starting place and grounds for speculation. The Authentic History also has unquestionable historiographical significance. It illustrates Klan glorification at its best (or worst), and, although it apparently had but limited circulation, it also says something of the social and intellectual milieu of its time. The entente cordiale between the sections was at its height, Ku Kluxers were basking in the national limelight again and the heroic myths of the Old South went largely unchallenged. Even the budding literary giants of the South, the Faulkners, Wolfes, and Caldwells, were troubled in their realism by the ingrained legends and found it impossible to completely cast out the romantic images. 49

The next major study of the old Klan came in 1939. It was Stanley F. Horn's Invisible Empire, the Story of the Ku Klux Klan,

49 Cash, Mind of the South, 376-79.
1866-1871, and it was by far the most thorough exposition of the secret society yet produced. Although some revision of the Dunning interpretation of Reconstruction was getting under way by the time Horn published, he apparently had not noticed the voices of dissent and his work was a polished elaboration of the traditional views insofar as the Klan was concerned. Horn was a competent businessman/journalist and this book was obviously the result of extensive research even though he chose not to include "distracting footnotes" so as to "avoid interruption to the flow of the narrative." Scholars and reviewers may decry such an omission (and they did so at the time), but Horn's "story" nevertheless offered a thoroughgoing and credible account of the early phases of the secret society which the nation had only recently purged itself of a second time. The success of the volume indicates that there was still a great deal of residual fascination for the heroics of the old Klan even in the offing of resurgent concern for black rights.

In the book itself Horn, while not engaging in the panegyrics of earlier Klan writers, is clearly of the "natural phenomenon/end-justified-the-means" school. His is the consummate statement of the pro-Klan traditions which had been fermenting over the years.

50 (Boston, 1939).

51 Ibid., vii.
The Invisible Empire quickly became the standard work on the Klan; a distinction it probably has to this day. Horn's interpretations have been incorporated into countless general surveys of American history and specialized studies of the Reconstruction, which is one of the reasons for the earlier noted displeasure among certain liberal reviewers of such writing. Yet even "high" revisionists have found Horn necessary to their studies for the reason that nothing else substantial — and congenial to their views — has been available. Even to a specialist attempting to alter the traditional diagnosis of the Klan Horn will be unavoidable, for his work contains data and anecdotal material that seems to be accessible nowhere else and which therefore must be evaluated no matter what the point of view. Especially is this true in connection with the origins and operations of the hooded order in middle Tennessee, Horn's own home area. For other parts of the Empire, his information was apparently derived from printed sources still available and, thus, may be somewhat more vulnerable. Despite its sympathetic tone, which seems so unfashionably at odds with the times, its scholarly limitations, which may be more apparent than real, and its agreement with a largely discredited general thesis, it will take a powerful revisionist shot to launch an acceptable replacement for Stanley Horn's Invisible Empire. For the persistent segregationists
and assorted "professional" southerners the traditions of the old Klan, as synthesized by Horn, will likely endure for a long time.

In the postwar years of the Forties, Fifties, and Sixties, as trade companies and the university presses almost inundated the country in a flood of historical publications, very little work was done on the Ku Klux. It was one of the few aspects of Reconstruction, or any other period, that was not brought under the gun of change or consensus. There were, during these years, some short and specialized studies done in article form for the journals, but they generally followed conventional patterns and offered but a hint of adapting the Klan to new renditions of the Reconstruction story. By 1965, however, it was clear that a number of people were dissatisfied with the existing situation. Praise, even acceptance, of the Klan simply did not jibe with new explanations of the period — and certainly not with liberal views of the third and latest eruption of Ku Klux activity.

Such uneasiness seems to have provoked William P. Randel into his remedial effort that year, the aforementioned, Ku Klux Klan.

A Century of Infamy. Randel, a literature professor, was obviously moved by the current civil rights struggle and repelled by the "case" for the Klan which "has found its way into the history books that have conditioned the thinking of millions of Americans." Humanistically, he found the "Klan spirit," which had pervaded American society for over a century, to be repulsive, and his book was an attempt, at least, to call evil by its right name. As an effective revision of the Klan story, Randel's work failed, however, for he tried to do too much too fast. In the first place, he attacked on too broad a front, bearing down on the whole Klan story from old to new, and thus diluted his force. He has been chided for shallowness of understanding of the times of which he wrote and this, too, seems a valid criticism; he was concerned with "effect" and hardly at all with "cause." Yet, though one might agree that the book is so much temporizing and that it rests as much on philosophy as research, it should be acknowledged that Professor Randel's polemics are as honest as, say, Susan L. Davis' panegyrics. And, even though its greatest value may have been as a catharsis for the author's troubled soul, it does have historiographical significance — for here is conspicuous indication of a new departure in Klan writings.

53Randel, Ku Klux Klan, 155.
The same may be said for David M. Chalmer's Hooded Americanism, published the same year. Chalmer's book is decidedly less shrill than Randel's and rests upon more acceptable scholarship. It deals with the old Klan even more cursorily, however and offers little in the way of revision.

A major effort in that direction has come now with the release of Allen Trelease's White Terror, noted earlier in the chapter. Professor Trelease has no sympathy whatever with the Klan or traditional ideas about the Klan. "It is," he notes in the inauguration of his work, "impossible any longer to embrace the opposite [favorable] view which has for so long celebrated the Ku Klux Klan and its civilizing mission in the South."54 With that as his thesis he sets out methodically and inclusively to strip away the Klan element of Old South tradition. It is Trelease's contention that during Reconstruction all "orthodox" southerners, either by design or default, "entered into a conspiracy to protect the Klan and advance its works,"55 and in this he is partly correct. Southerners, for the most part, never denied their general sympathy with the principles of the Klan and, despite protests of disassociation from the leading citizenry at the time the order entered its darker

54Trelease, White Terror, xii.

55Ibid., xi.
phase, many of them continued to do so to the end. It is inconsistent with accepted notions of southern society, for that matter, to believe that such an organization could function without gentry leadership. There were, nevertheless, countless "true" southerners who cannot be tied to the Klan movement, and it is perhaps stretching the conspiracy theme a bit thin to have it embrace all those who did not actively work against it. With similar ground rules all the quiet, unobstrusive or unknowing Germans could be made to share guilt equally with Hitler for the Jewish atrocities of World War II.

Trelease, in probing the depths of the cabal, which involved a staggering amount of research in all those source areas catalogued in this study, and others besides, also strives to dislodge a number of other hidebound Klan traditions. He contends that the Ku Klux, although it was contributory, did not actually bring about the overthrow of Republican control in a single southern state. This most mythical part of the Klan tradition, although it may have been a cherished popular belief in some sectors, was never really accepted by historians and Trelease's thoroughgoing study may serve to topple even the legend. On the other hand, Trelease gives some

backhanded support to this same aspect of the traditions by profes-
sessing that the Klan was destructive to Negro and Republican
morale and that this helped bring on that national and local weari-
ness which eventually caused the abandonment of the whole
Reconstruction ethos. 57

Perhaps the most novel, truly revisionistic, feature of
Trelease's work, is his attempt to destroy the chivalrous and roman-
tic image of the old Ku Klux Klan. All of its exalted principles and
designs on integrity were never more than a facade, he believes, and
the movement was in truth nothing more nor less than one of "the
most far-flung and persistent crime waves in American history." 58
In his iconoclastic zeal Professor Trelease may be leaving himself
open to the same charges that conservatives at the time levied at the
radical press: that he grossly exaggerates the extent of Klan atroc-
ities and lays every criminal act committed in the South at the door
of the Klan. Granted, he may be correct, but he seems only too
eager to believe every allegation made by southern radicals and to
discredit every white conservative rebuttal. In incident after
fractious incident he accepts protestations of innocence and charges

57 Trelease, White Terror, 419.
58 Ibid., 418.
of unprovoked persecution from the radical side while disparaging counterclaims from the other side.

Again, this may indeed be an accurate assessment. Certainly the terrorism, which he accentuates, has been too long glossed over. But a blanket indictment of white southerners and an almost universal exoneration of Radical Republicans seems no more satisfactory than the reverse of that. C. Vann Woodward warned his brother historians some time ago of the danger of substituting one historical fallacy for another, of merely inverting heroes and villains, and Professor Trelease may well be plumbing such a danger. It is a heady syndrome.

Violence is easy to condemn, past or present, and the Reconstruction South was perhaps the most turbulent time and place in our history insofar as society was involved, but since violence begets violence it hardly seems fair to generally excuse one segment of that society from such a role. The white and black radicals were human. Did they cut and run or did they apply muscle on behalf of their principles and aspirations? Or was it whites only who believed strongly enough in what they wanted? Principle and mental toughness may not be justification for terror and violence but they

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do help to explain it. Perhaps southern society was not in such a bad way after the war. Whites may not have been tyrannized by the new conditions — new scholarship has shown the relative nature of this — but the point is, the whites believed they were bad off and that they were being victimized. They believed it strongly enough to lash out violently at the symbolic cause of their grief, the radicals and the blacks. They conditioned themselves to rationalize any action that would restore the status quo, and the Klan was instrumental in that action.

The weakness of Dr. Trelease's revisionism may be his failure to probe the mind of the southern white. In his eagerness to condemn the terrorism they invoked and to make them all a part of the conspiracy he does not credit their convictions. It is something of an anachronism to charge their real sin up to racism. This may be legitimate by today's standards, but the southern white of 1870 — and most other white Americans as well — wore his attitudes on race as an escutcheon. These concepts would prove faulty with time, of course, but at that moment they were accepted as truths, worth terrorism even to sustain, and should be so acknowledged by modern scholars. This adds to the tragic aspect of southern history for it seems that the "Lost Cause" image, in this regard, can be extended down to the present.
It remains to be seen whether Professor Trelease's interpretation of the Klan will be accepted and the traditions tumbled. Something on the order of his study has been needed and expected for a long time. The mystery is its long delay. The neo-radicals will applaud it, of course, and incorporate its findings in their future works. Others will question parts or all of it. When the smoke clears, a long time from now, it will no doubt help bring a somewhat more balanced appraisal of another of the disputed topics of our past. But, whatever the future holds for it, the historiography of the Ku Klux Klan has, with this publication, now come full circle.
CHAPTER III

THE KLAN CIRCLE IS FORMED

Dem Ku Kluxers am sure
A mighty silent ban',
Dey move just like de wind,
You nebber sees a man —
Dey leap up to de cloud,
And nebber makes a sound,
Dey follow on yo' track
Lak Massa's ole blood hound.

This doggerel is part of a much longer poem from one of the multitude of unnoticed southern romanticists elegizing the old South around the turn of the century. Although such writing may seem irrelevant to a serious study of the Ku Klux Klan, this particular refrain has a great deal to say of the southern mind as well as the Klan. It falls serviceably into the time frame of Klan glorification as examined in previous chapters, and it probably typifies the attitude of most southern whites of the period in regard to the Negro intellect. The use of black patois, as here phonetically interpreted by a white "aristocrat", may be passed off as so much racist slander today but it was a popular and acceptable folk mode until quite recently.

1 Lamar Fontaine, "The Contraband's Song of the K.K.K." (Undated pamphlet, Mississippi Department of Archives and History, probably from c. 1910).
The poet went on to employ many of the Klan myths in his little sketch — perhaps helping to cultivate them — and some of his associations are rather curious; but the point more vexing to the modern mind is the superstitious gullibility accruing to the black "singer" through the whole poem. Quite a lot has been written lately about the "putting-on Massa" tactics used by blacks both in and out of slavery as a means of survival in a white man's world, and it may well be true that much of the black "shuffle and grin" and acting the fool was in fact the playing of a role that pleased the whites or calmed their fears. Such a concept, however, produces some contradictions in regard to the blacks and the Ku Klux Klan during Reconstruction. According to practically every interpretation, the Negro of the post-war period was much changed from his antebellum counterpart. In the white/conservative view, at the time and later, he had gotten "out of place" and become "uppity," independent, even tyrannical. To the modern liberal the freedman was merely asserting his newly gained civil rights, with firmness and a remarkable level of

\[2\] It seems incongruous, for example, to impart to the black voice in this poem the name "contraband," which had more of a wartime connection.

sophistication. Either of these interpretations, which are otherwise poles apart, causes some difficulty for the Klan mythologist who gives precedence to the ghostly and supernatural aspects of the order in considering its successes.

How does one accommodate either haughty sullenness or sophisticated self-assurance with the much touted effect of the early Klan's eerie attire, spiritualistic mumbo-jumbo and rattling of bones? It is hard to conceive of even the most dull and uneducated black man falling more than once for the ghostly shenanigans of his costumed white neighbors, much less a perceptive one. Nevertheless, it is a corporate part of the Klan myth that such was the case. At the time of its existence and at the height of its later glorification there was general agreement as to the salutary effect of the spectral Klansmen upon the naive freedmen. During the Ku Klux epidemic, southern country editors delighted their readers with such obviously manufactured tales as the following examples, from the Grenada Sentinel, telling of an alleged sighting of the Klan by a Negro preacher:

        Fore God, as I is a preacher of de Gospil, and as
         I speaks de word ob de truth, I seed them Ku Kluxers

gwine through the streets in de dead ob de night, flying in the air like black figures — dey is a kind ob spiritual visitation of dead rebils dat cum in de world to scare po niggers. I got out ob de way quick or dey would hab killed me sho.\(^5\)

And from the Moulton \(^\text{[Ala.]}\) Advertiser, reporting a similar incident:

I knowed dey was ghosts cause you could see right through 'em, and they didn't make no sounds as dey come up on me. Dey wore hats four feet tall with a hundred lights streaming in the dark.\(^6\)

No doubt white southerners received some racial satisfaction from repeating such stories and, whether fictitious or not, apparently a great many people believed that the blacks actually swallowed the nonsense about robed Klansmen being spirits of Confederate dead. Perhaps a few of the more superstitious did, for reliable testimony shows that some dens were still holding to such ghostly pretense as late as 1871, five years into the existence of the order.\(^7\) It seems more likely, for all the alleged "putting on Massa" subtleties, that the fear and horror of Klan victims was in point of fact quite real, though less inspired by the spiritual facade and more by the actual

\(^5\)Quoted in Natchez Weekly Democrat, April 6, 1868.

\(^6\)March 5, 1868.

physical dangers. For example, in the 1871 incident, referred to above, the poor victim, while being told that his antagonists were spirits of the "dead of Shiloh" who had traveled "three thousand miles from the moon" that night, was all the while being trussed to a railroad track only minutes before the next freight train was due. That he was reduced to total and incontrollable panic is not surprising and that he and countless other victims of similar situations should, for sake of survival, pretend to accept the masquerade is quite understandable. Such dissemblance is less remarkable than that of the Klansman who convinced himself of the magic potency of his camouflage or the later reporter who expounded such tales with romantic assurance. Again, this says a great deal about the southern mind, both black and white.

In truth, it appears from the best evidence available that victims of Klan action, of both races, whenever there was hope of escape or resistance and often when there was none, fought back or resisted by every physical means possible. And ethereal qualities notwithstanding, many a Klan raiding party was chagrined to find itself met by a charge of buckshot where it had hoped to meet only superstitious acquiescence. Nevertheless, the costumery and the play-acting was an integral feature of the Ku Klux from its inception and, from a socio-psychological standpoint, one of its most revealing aspects.
All of this, of course, just evolved. The planners and founders of the secret club that would enlarge itself into an "Invisible Empire" never dreamed that what they were doing would have such broad and lasting ramifications. As one writer put it:

No one would have laughed more derisively than the founders themselves had a soothsayer predicted this creation of a few idle evenings would come to symbolize the South's determination to resist Radical Reconstruction, to keep unruly and lawless Negroes in line, and to negate through terror the South's political domination by the Northern adventurers and their white and Negro allies.  

The ghostly modus, the fanciful regalia, the high-sounding ideology and, for that matter, even the simplistic terror tactics; none of this was foreseen by the six young men of Pulaski, Tennessee, who created the Ku Klux Klan. There has been dispute and contradiction about practically everything concerning the Klan, but there is almost

8Hodding Carter, The Angry Scar (Garden City, 1959), 198.

9The data of the founding, for example, has been the subject of much diverse opinion. The founders themselves later differed on this matter. John C. Lester placed the date on May 1866 in his forementioned book, Lester and Wilson, Ku Klux Klan, Its Origin, Growth, and Disbandment, 53. D. L. Wilson, his co-author, in a separate article, puts the date in June, 1866: "The Ku Klux Klan, Its Growth and Disbandment," Century Magazine, XXVIII, No. 4 (1884), 399. James Crowe, who was also one of the founders, recalled it as being in the winter of 1865-66; letter quoted in S. E. F. Rose, The Ku Klux Klan or Invisible Empire (New Orleans, 1914), 20. Susan L. Davis, apparently on information from Crowe and James B. Kennedy, a third founder, established the date precisely on December 24, 1865, in her Authentic History, 6. The December 24, 1865, date is the one indited on the memorial plaque at Pulaski.
universal agreement that at its inception it was nothing more than a local band of fun-seekers "united for fun and mischief." At the time of its birth there was apparently a great deal of mischief occurring in Pulaski that was something less than fun for conservative property holders.

Giles County, in south-central Tennessee, of which Pulaski was the county seat, had been a prosperous agricultural section with a large slave population prior to the war. Now that the war was over, it suffered the same problems of adjustment that were being faced in similar communities across the South. There was a critical shortage of money, a great deal of social dislocation and very thorny racial questions plaguing the minds of the citizenry. The situation was further complicated in Tennessee because of the strong Unionist sentiment that had been manifest there in regard to the war. Though Giles County had not been pro-Union to the degree of the eastern counties, there was a considerable amount of hatred and strife between neighbors on this matter that carried over into the postwar years and which was now aggravated by the efforts of Governor William G.

Other historians have generally tended to accept that date as well, except that Allen Trelease, in the recent White Terror, 3, feels that the June, 1866, founding is more likely as there was an anniversary parade held in Pulaski in June 1867.

10 Fleming, The Sequel of Appomattox, 246.
(Parson) Brownlow to entrench his Unionist party. There also seems to have been a disconcerting spirit of lawlessness abroad in the county which was attested to almost weekly by the editor of the Pulaski Citizen and supported by agents of the Freedmen's Bureau. 11 Public drunkenness, petty thievery, and general disorder were the offspring of the inertia resulting from too much time and too little money at the beck of the most vigorous age group, and it was intensified by the novel racial situation.

Pulaski was not unique. Similar circumstances prevailed in countless southern towns. Throughout the South journalists of the time bemoaned what seemed to them to be "the abandonment of all morality and sense of human principles,"12 and there was a steady editorial chorus lamenting the ineffectiveness of local law enforcement agencies. "We tell you," said a letter to the Athens [Ala.] Weekly Post, "that when the authorities cannot or will not, it becomes a serious question what steps the people may take to protect themselves from the outrages almost daily perpetrated upon

11 Several reports from Capt. George Judd, the local Freedmen's Bureau agent, during this period verify the disordered state of affairs in Pulaski, though Judd's concern was mainly with outrages committed against blacks. Tennessee Monthly Reports, Selected Records of the Tennessee Field Office of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872 (Microfilm copies in Tennessee State Library and Archives, Nashville, Tenn.).

Affected by the social and economic derangement following the war, many provincial southern towns returned temporarily to a more elemental, frontier stage. Violence had always been characteristic of the South, though for the previous generation or so it had been somewhat refined and canalized; now for a season it erupted in a most extravagant and democratic fashion. Pulaski, Tennessee, was not unique in this, but what evolved there was truly exceptional.

Out of sheer boredom, for fraternal reasons, for purposes of entertainment — or perhaps even with malice aforethought — six young Confederate veterans organized themselves as a club in Pulaski during those uneasy days. They were John Lester, James R. Crowe, John B. Kennedy, Calvin Jones, Richard B. Reed, and Frank O. McCord, all reputedly well educated and from "good families." Although there has been some question about the name, too, they providentially chose to call their group the Ku Klux Klan.

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13 Athens /Ala./ Weekly Post, Dec. 12, 1866.

14 Not to belabor the point of the apologists; men certainly have from time to time formed extralegal, secret societies in the face of seemingly insuperable political difficulties; but no one ever put together a group with the scope or impact of the Ku Klux Klan.

15 For a lengthy and thoroughgoing discussion of possible origins of the name see Horn, Invisible Empire, 7-13. Although there are other interesting possibilities, consensus has it that "Ku Klux Klan" was a bastardization of the Greek word Kuklos,
The name itself had an attraction and no doubt contributed to the
growth and popularity of the order. It came near to being a generic
term for any secret resistance or terror group, having, as John
Lester said, a "weird potency" about it.

The original purpose of the club had probably been for
amusement, but because of the fraternal posture they adopted,
which was quite popular in those days, and the decision to adorn
themselves in ghostly masquerade, which they supposedly found to
have a remarkable effect on the freedmen, the fledgling Ku Kluxers
soon turned to the more serious business of vigilantism. With the
intensifying difficulties of Reconstruction the Klan quickly lost its
entertaining aspects, overreached the environs of Pulaski, and
even Tennessee, to become a dynamic agency in the whole Recon-
struction milieu. It became an awesome force for good or evil,
depending upon one's point of view. For many, such as Benjamin H.

meaning "circle," with the "Klan" added for alliteration. This does
not seem to have become well known until many years later since a
compendium of "Political Americanisms," edited by Charles L.
Norton in 1885 explained quite seriously that "The Southern Negroes,
who lived in mortal terror of the "Klan," believed the name was
associated with certain audible, "clucks," by means of which sig-
nals were supposed to be interchanged during midnight raids."
Magazine of American History, XIII (Jan.-June, 1885), 199.

16 Merton Coulter made the interesting observation that
if there had been a good Elks Club in Pulaski at the time there prob-
ably would never have been a K. K. K.; in William G. Brownlow,
Fighting Parson of the Southern Highlands (Chapel Hill, 1937), 353.
Hill of Georgia, it was "a curse upon our land, a blight following slavery and war and the greatest blunder our people ever committed."\(^{17}\) It was deprecated by radicals and conservatives alike. A typical radical view can be found in the statement of Robert Flournoy, who in his own words was "considered to be most extreme and radical republican in the State of Mississippi." He felt that the Klan had instituted "a complete reign of terror" in certain areas of his state.\(^{18}\) Many conservatives recoiled from the later terrorism of the order and came to believe, as did the editor of a small Mississippi journal, that the Klan was no more than a mob of "midnight banditti" whose "outrages" were "foul ulcers upon the already stained reputation of the South."\(^{19}\)

Opinions were, of course, as many as people, and published views were not always the true ones, but it is likely that most white southerners were sympathetic with the aims of the order, whether simple regulation or political conspiracy. With few exceptions, and particularly in the early stages, most of this element believed with one of the charter members, that the Klan's

\(^{17}\)Ku Klux Report, "Georgia Testimony," 773.

\(^{18}\)Ibid., "Mississippi Testimony," 95.

\(^{19}\)Macon /Miss. Beacon, May 14, 1869.
"acts were always for the good of our country,\(^{20}\) or as did the
Nashville Banner, which observed that the Ku Klux had "much
more to justify its action than the radical oligarchy (which is
mainly responsible for it).\(^{21}\) The romantics and poets would,
of course, have their day later and the order would be metamor-
phasized into an organization "born of necessitous times, of pure
and patriotic impulses, and to relieve a dire and humiliating dis-
tress." To them the Klan was "the salvation of the South.\(^{22}\)

But none of this was in the early thoughts of the six
founders. At their first meeting a semblance of organization was
established with the election of a chairman and secretary, and the
appointment of two committees, one to select a name and the other
to prepare by-laws and a ritual for the initiation of new members.
At a subsequent gathering the name was selected and from that
time everything was made to conform to the weirdness of that name.
The offices that were established were those of president, to be
called Grand Cyclops; vice-president, or Grand Magi; marshal, or
Grand Turk; treasurer, called Grand Exchequer; and two

\(^{20}\)John B. Kennedy, quoted in Rose, Ku Klux Klan, 23.

\(^{21}\)Reported in James W. Patton, Unionism and Reconstruction in Tennessee, 1860-1869 (Chapel Hill, 1934), 188.

\(^{22}\)Rose, Ku Klux Klan, 77.
sergeants-at-arms, or Lictors, who were to serve as inner and outer guards for the meeting place, which it was decided would henceforth be called the Den. Rank and file members were to be known as Ghouls, although at first it would seem that all of the six were able to enjoy one of the titled positions.23 With only minor changes and additions this would be the hierarchy for individual "dens" throughout the entire existence of the Klan.

The ritual and order of initiation which was adopted has been reported upon many times. It was rather ludicrous, involved some hazing of candidates, and served basically as a form of amusement for the membership. At this stage the one important obligation or promise was that of secrecy. Everything about the Klan, including the names of members, was to be held sub-rosa. As with the Masonic Order, which obviously was the inspiration for much of this, the active proselytizing of new members was forbidden. This regard for secrecy was one of the few standards about which there was any constancy in later Klan days. Although many old Ghouls, who lived to see the secret order glorified in post-Reconstruction years, happily recalled their participation, most

23Lester and Wilson, The Ku Klux Klan, Its Origin, Growth, and Disbandment (Fleming edition; New York, 1906), 19-22; Horn, Invisible Empire, 10; Davis, Authentic History, 10; Patton, Unionism and Reconstruction in Tennessee, 172-173.
carried their secrets well during the years of operation. Quite likely this reticence was due as much to discretion as honor after it became a criminal offense to be connected with such secret and disguised groups.

The next step for the Pulaski merrymakers was the donning of costumes. Masquerade seemed a likely feature for such an improbable club and appropriate disguises were hastily gathered. At first the regalia was simple, consisting of masks and robes put together from bed linen. They shortly adopted the high conical hat as a basic part of the get-up. Despite the fact that white costumes, with all the connotations involved, have been a part of the Klan stereotype, there does not seem to have been any universality in this, at least with the old Klan. As the order expanded in size and purpose, however, the gear did become more sophisticated. The intent of the costume was, nevertheless, always the same: concealment of the identity and maintenance of the ghostly theme. Whether it was a simple disguise of the poorer dens, as the one in Mississippi which, with blackened faces, used ordinary clothing with uniform red hats and belts, or an elaborate wardrobe, such as the well-tailored, mystical appearing gowns and red-garnished, three-horned hoods of

an apparently well-financed North Carolina den, the intent was always served. Only rarely were the Klansmen recognized and then usually by voice. Even more rarely did a visitation by a well-caporisoned group of Ghouls fail to produce fear. As noted, the fear may have been produced partly from the spectral image at first, but later the grotesque clothing was probably much less significant than the pistols, ropes and black-gum switches. For in short order the Ku Klux Klan graduated from fun and frolic to more practical activities.

For some months the group does not seem to have engaged in anything more serious than nighttime paradings and practical jokes. There is no mention of the Klan in the local paper, the Pulaski Citizen, during these first months even though Frank McCord, the editor, was one of the founders. It was probably during this time that the Ku Klux Klan was being transformed into a purposeful organization of legal and social regulation with the subverting of Negro independence or "uppitiness" as a prime concern, though just why and how this occurred can only be conjectured. Given the situation, it was no doubt a natural development for a group of young men who accidently discovered some strength and status in numbers and

secrecy. They also had the recollection and experience of the antebellum slave patrol upon which to build.

It was also during this time — 1866-67 — that the initial expansion of the Klan began. Evidence of at least some success at whatever it was that they were doing is manifest in the fact that men from surrounding areas apparently asked for and received permission to form similar groups. In any event, organizations of similar design soon arose in adjoining communities. From the beginning there was only a semblance of control from the mother den at Pulaski and from the first moment of expansion this was a noticeable weakness of the secret society. Some of the founders apparently began to have second thoughts about their creation as they lost control of recruiting and operations, but even if they had wanted to abandon the idea (which is not likely), it is not certain they could have suppressed the movement at this point. Leading conservatives in central Tennessee certainly had become aware of the possibilities offered by the Klan for their struggle against the Unionist forces of Governor Brownlow, so the Klan concept outgrew its local environs

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26Limestone County, Alabama, contiguous to Giles County, seems to have spawned one of the earliest colonies. See Davis, Authentic History, 35-37, and supporting testimony in Ku Klux Report, Alabama Testimony, 660.

27Lester and Wilson, Ku Klux Klan, 83.
and provincial leadership, abandoned the frolicsome facade and was adapted to the larger needs of southern white conservatism.

The means by which this occurred was the calling of a convention of delegates from all known Klan dens to meet in Nashville in early 1867 for the purpose of reorganizing and expanding the secret society. As with all other features of the Klan, this event is shrouded in mystery and disputes. It was naturally not reported upon at the time but it is now universally accepted that such a gathering did occur and that a plan of organization was worked out for the new and larger Klan, to be called The Invisible Empire. Susan L. Davis, in her extravagant history of the order, recalled the imaginative tradition that the leadership of the expanded Klan was offered to Robert E. Lee. As she quite explicitly told it, the General responded to the offer with: "I would like to assist you in any plan that offers relief. I cannot be with you in person but I will follow but must be invisible; and my advice is to keep it as you have it, a protective organization." 28

Thus, as Miss Davis explained it, the revered Lee was always at least the "guiding spirit" of the "invisible" order. This bit of apocrypha has been repeated often although none of Lee's biographers has seen fit to give credence to it. Nor has there

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28 Authentic History, 81.
been any substantiation to a second particular of the story which has Lee suggesting Nathan Bedford Forrest for the job. 29

Forrest's early connection with the Klan is somewhat obscure, and there are several different accounts of his initiation into the order and selection as Grand Wizard or chief executive officer. In all of these stories a major role is played by John W. Morton, Forrest's former artillery chief, who was then a Nashville resident and reportedly active in local Klan affairs. 30 Forrest's name was no doubt brought up at the Nashville gathering as the likely choice for the newly created office and though he apparently was not present he soon accepted the post and was sworn in. A more perfect selection could not have been made. Forrest's expedient and effective brand of leadership had been amply demonstrated during the war and there was probably some presumption that he would bring the same success to this stage of the fight. His business activities (railroad promotion), also provided a perfect opportunity for Klan organizing. Although he never publicly


admitted it — for that matter, consistently denied it\textsuperscript{31} — there has been no serious question as to Forrest's place in the Klan hierarchy. His executive authority was quite limited, as the Invisible Empire was never more than a loose confederation in which local autonomy was sacred, but Forrest contributed much to the society. As an active agent, but more as a symbol and inspiration, he was of great service to the Klan, and one can easily imagine that many a youthful night rider, or superannuated ghoul, pictured himself as one of Forrest's own "critters" while cantering about on Klan business.

The primary objective of the Nashville conclave was not, however, the selection of a leader, though that was certainly a critical sequel. Obviously the decision had already been made to form a coalition of local dens, and the gathering was for the purpose of working out details. Whether the initiative was still with the Pulaski mother den is unknown, but it is quite likely that by now

\footnote{\textsuperscript{31}Although examined at length before the congressional committee which investigated the Klan, Forrest, in the sea of bewildering and inconsistent testimony he left, never admitted more than a cursory knowledge of the Klan. \textit{Ku Klux Report, "Miscellaneous and Florida Testimony," 6-35.} There is a popular story that Forrest, upon leaving the committee chambers, told a friend that he had "lied like a gentleman." \textit{Horn, Invisible Empire, 316.} That he perjured himself is clear, but, as many Klansmen would do in similar circumstances, he no doubt was able to rationalize such perversity on the basis of a superior oath to the Klan.}
events had progressed beyond the auspices of the six founders. Conservative Tennessee leaders, locked in a titanic struggle with the Brownlow regime, had no doubt been apprised of the successes of the Klan in frightening and coercing blacks on a local level, and as prospective black voters were now being courted by the Unionists, it is not unlikely that those leaders saw great possibilities for the Ku Klux and moved to incorporate it into their plans.  

Two conservative leaders who have been accorded such a role were actually Pulaski residents and early Klan initiates. They were Generals George W. Gordon and John C. Brown; both were prominent in Tennessee political affairs for some years after the war, Brown reaching all the way to the governorship in 1870. Gordon, who enjoyed the reputation of having been the youngest brigadier in the Confederate army, seems to have demonstrated his leadership again and played a very active and crucial part in the business that Stanley Horn called "propagation of the order."

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32 For two excellent accounts of the Tennessee situation at this time see Thomas B. Alexander, Political Reconstruction in Tennessee (Nashville, 1950), passim.; and the earlier cited Patton, Unionism and Reconstruction in Tennessee, passim.

33 Gordon especially was active in Klan business as an organizer and official. Both he and Brown are reported as having been chief executive (Grand Dragon), of the Tennessee Klan. Davis, Authentic History, 21; Horn, Invisible Empire, 113, 215-216; Trelease, White Terror, 13.
When the meeting convened in secrecy in Nashville, Gordon met the delegates with an already prepared constitution, or Prescript, for the proposed Invisible Empire. It is not known how broad a geographical representation was there but it was certainly not large. Nor is it likely that more than a handful of different dens participated in the affair. The Klan, by that time (the spring of 1867), probably did not extend beyond central Tennessee and northern Alabama, although there is some evidence that there was a scattering of dens in Mississippi and Georgia by then. Gordon had done his work well, and, according to tradition, the work of the convention proceeded smoothly. One would suspect that there was a sense of urgency mingled with anxious determination among the Nashville delegates, for the first two Military Reconstruction Acts had been passed only weeks before. Tennessee was not placed under military control but there was, nevertheless, an atmosphere of depression and foreboding settling upon the entire South. It was as if the American Union was as dead as the "Constitution which was the life of its body," cried the Mobile Advertiser and Register, and southern whites who had swallowed hard to abide the presidential

34Bell, "The Ku Klux Klan in Mississippi, 1866-1872," 34-36.

35March 4, 1867.
plans of Reconstruction now wondered how they could contend with
the new situation. "The people of the South, if wise and prudent,
can live for a time under such damnable tyranny as this,"
bemoaned the editor of the "Louisville Journal," "but if they
consent, they deserve it." The Nashville conferees evidently
planned to devise a means of some contention.

The constitution, or Prescript as it was called, that was
adopted and later revised set forth a plan of organization which
followed the usual corporate structure and which, apart from its
weird terminology and secretive air, could serve as a constitution
for any federated organization. On the lower level the dens were to
remain as originally conceived by the Pulaski den, but with the
addition of some new titled positions. But now, above the dens,
there was a towering imperial network which included a county-level

36 Quoted in New York World, March 9, 1867.

37 A "Revised and Amended Prescript" appeared sometime
in 1868 and can be found in Fleming, Documents Relating to Recon-
struction. The major differences between this and the original pre-
script are that it contains a general statement of principles of the
order and several features which seem to be an attempt to central-
ize authority more; i.e., the Grand Wizard's powers were made
absolute, most official positions, formerly elective, were made
appointive, and specifications for the "Judiciary" of the Empire
were much more elaborate and detailed. It may well be that this
was an attempt to correct the most obvious weakness in the whole
structure, lack of control, or it may be, as Allen Trelease says,
a simple move to provide the now expanded order with a grander
document. White Terror, 16.
Province (commanded by a Grand Giant and four Goblins), a congressional district-wide Dominion (with a Grand Titan and six Furies), and a state-wide Realm (theoretically controlled by a Grand Dragon and eight Hydras). At the Imperial plateau, which supposedly embraced all of the ex-Confederate states, plus Missouri, Kentucky and Maryland, each one now denominated a Realm of the Invisible Empire, stood the Grand Wizard and eight Genii. In addition to these chief executive officers and their staffs there were numerous other subordinate and administrative officers, all, of course, with "grand" titles. The chain of command was clear and direct and duties and responsibilities at the various levels were fairly explicit. It was a well-thought-out superstructure and if it had been fully implemented it could have provided the framework for a well-controlled, well-coordinated, and functional agency for the forces of white conservatism. The trouble was that it was not fully implemented and, even in those realms where the organization was fairly complete, there was little control and coordination from top to bottom. Although the officers at all levels theoretically were possessed of some coercive power, it was actually only at the den level that such power was applied and then never perfectly. Consequently, there was a large degree of "doing one's own thing" within the dens and provinces which often worked at counterpurposes to overall strategy for the Empire. And when orders went
down from Empire or Realm headquarters\textsuperscript{38} to subordinate com-
mands, response to those orders was always scattered and imper-
flect depending on local desires or requirements.

Nevertheless, a large number of people received high-
sounding titles from this prescript. From Grand Wizard down to
Grand Cyclops aggressive and vigorous men seem to have been
elected or appointed to these positions, and the administrative
shortcomings of the order generally were more the fault of the sys-
tem and poor communication than any of theirs. Probably the
greatest trouble was the very unevenness of the Reconstruction
situation. No two areas had exactly the same problems at the same
time. Thus, orders applying to a radical or black-majority prov-
ince or dominion would have little meaning for a conservatively-
dominated area. Empire or Realm-wide policy statements or
general orders were therefore touchy and controversial matters.

The prescript also prescribed an oath to be administered
to initiates and a register of code words. The oath, of course, put
heavy emphasis on secrecy, and a new member had to swear never
to betray the secrets of the order and its membership or face the
"extreme penalty of the law."

\textsuperscript{38} Such orders were obviously sent on occasion though only a few are extant, mostly from the Tennessee Realm.
undocumented naturally, of Klan punishment of traitors and spies, and the oath does seem to have been taken quite seriously. The code register contained the whole lexicon of ominous and frightful words and phrases that were to appear in the famous Klan notices. Decoded by the use of the register, these cryptic notices, for all their satanic and threatening tenor, were mostly simple meeting announcements.

The "Revised and Amended Prescript" of 1868 had the significant addition of a series of restrictive questions to be asked of all prospective members. This catechism, together with an added statement of principles, makes explicit much about the Klan that most everyone probably would suspect anyway. To become a member of ✯✯✯ (as the Prescript denoted), one had to disavow the policy and principles of the Republican Party, the Loyal League and the G. A. R., as well as the concept of black social and political equality. Although the declaration on the "Character and Objects of the Order" made the society out to be largely concerned with "chivalry, humanity, and mercy and patriotism," it is clear from the question-and-answer section that the new and expanded Klan was never the apolitical group that some apologists would claim it to be.

Provided with an impressive superstructure, impressive leadership and noble rhetoric, the Ku Klux Klan now entered its most active phase. Over the next few years, however, the
superstructure would prove to be ramshackle, the leadership unstable and the rhetoric quixotic. The organization which was dedicated, quite seriously, to the defense of the Constitution and "all constitutional laws" and the protection of the weak, innocent and defenseless would direct itself slowly but surely into a brutal reign of terror against the more determined radicals, white and black. What the Klan became was not a "persistent crime wave," as one scholar calls it,\(^39\) at least as far as any general profit motive might be inferred from the word "crime," but it surely became something less than that which was averred in its idealistic statement of principles.

\(^{39}\)Trelease, White Terror, 418.
I think many of the organizations did not have any names; parties organized themselves so as to be ready in case they were attacked .... There was a great deal of insecurity in the country, and I think this organization /Ku Klux/ was got up to protect the weak, with no political intention at all.  

The most extensive and systematic growth of the Klan occurred in Tennessee, the state of its birth. The organization was less deranged here and more nearly exemplified the design of the Nashville prospectus than any other sector of The Invisible Empire. The reasons for this are quite obvious: the Tennessee Realm was ready-made for expansion, representatives from many of the existing dens of the state were probably in attendance at the Nashville conclave and could easily regularize their forces, many of the Imperial staff positions were manned from within the state, and the Reconstruction atmosphere of Tennessee had a fecund

1 Testimony of General Forrest before the congressional committee investigating the Klan; Ku Klux Report, "Miscellaneous and Florida Testimony," 7. Forrest was at great pains before this committee to correct several statements attributed to him and printed in the Cincinnati Commercial in September of 1868. According to the journalist who wrote that article the general had evidenced an intimate knowledge and association with the order and had attested that the Klan had indeed been "made a political organization."
quality about it that was most conducive to Klan growth. Nevertheless, even this best of Ku Klux worlds was not perfected. The eastern part of the state was never fully organized and from the outset irregularities and weaknesses were evidenced in the state that were to become endemic to the whole Empire. In fact, it is not too much to say that the Tennessee Realm, apart from its more authoritative command chain, was a microcosm of the whole Klan sphere.

There is little question that there was a new departure in Klan affairs after the Nashville meeting. Whereas public reticence had been the rule heretofore, now Ku Kluxers began to actively and openly promote the order. Individual anonymity was still strictly guarded, but it seems that one objective of the new Empire was to make itself very visible. It was during this period (mid-1867) that the bizarre Klan notices began to make their appearance in conservative newspapers around the South, always, of course, being "forced upon" or secretly deposited with reluctant and innocent editors. The Pulaski Citizen printed what is probably the first of such notices in March and from then on, until outlawed by the military authorities, such announcements could be found regularly in the provincial papers of Tennessee, Mississippi, Alabama,

2Pulaski Citizen, March 29, 1867.
Georgia, and the Carolinas as country editors or den scribes out-did themselves in search of gruesome adjectives. One enterprising journalist in Forest, Mississippi, even went so far as to launch a little weekly called The Ku Klux, which was short-lived but interesting and which seems to have escaped the notice of earlier historians of the Klan.

In that paper the editorials took the unique form of a series of letters from an imaginary Klansman who had remarkable powers — he was invisible, all-seeing, and owned a flying horse — to his "worshipful Cyclops." Although the "letters" were whimsical, they all carried a strong pro-white, conservative message. The following example is worth citing in that it shows, in satiric form, the concern over radical use of southern "outrages" which would become almost paranoid with many intelligent conservatives.

Worshipful Cyclops. According to orders from you I watched the two carpetbaggers and three scalawags in ---- County. They met in a deep forest and talked a long time. They said they must do something for the Government and at first determined to dispose of two Democratic niggers. But at last the scalawags united in favor of taking off two radical bucks instead. All agreed, at last, as was said it would then be charged to the Democratic party. They masked and shot the first two they could find ... I watched as they ... rushed to ... send a report of the "Democratic Ku Klux outrage." They laughed heartily ... saying, "There'll be a large addition to the Republican vote when the election comes off ...." I never saw fellows
in a better humor in my life .... Swift Wind
\[\text{winged-horse}\] kicked one of them on the nose.
Willfully thine,
Lantern-eyed Cyclops.  

Most conservative editors, once the violence and terror
began to escalate, would strenuously try to shift the blame to
"spurious klans," as they called them, or to common criminality
among the lower classes. Their efforts would become almost
frantic as the radicals began "waving the bloody shirt" in earnest
and transfiguring every untoward event in the South into some Ku
Klux "outrage." But that would come later. In the halcyon days of
1867 and 1868 all thoughts were positive: promote and expand the
order to meet the stated goals of law and order — and the unstated
ones of social and political regulation.

Public demonstrations were another feature of the new Klan
promotional campaign. Before the change Klan movements had
customarily been of the small-scale "nocturnal perambulation"
variety, but now it became part of the mode to hold massed displays
of force for the public, sometimes during daylight hours. These
demonstrations or parades were designed to impress the citizenry,
especially blacks, with the numbers and discipline of the local dens.
Contemporary reporters and later extollers of the Klan became

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\[3\text{Forest, Miss.} /\text{Ku Klux, Oct. 12, 1871.}\]
almost rhapsodic in describing the precisioned pace of the hooded riders as they maneuvered silently through the streets of some town, responding perfectly to the hand signals or whistles of their leaders. It seems rather curious now why such public shows were not thought to detract from the ghostly charade supposedly being employed against superstitious freedmen.

The first such parade was also in Pulaski, with the riders numbering some seventy-five, all "gorgeously caparisoned," performing their drill for several hundred spectators on the night of June 5. For a season such parades seem to have been quite popular with Klansmen (and their families, no doubt; one can imagine the children trying to pick daddy out in the crowd of ghosts). In some areas this parading activity continued for years, even in the face of state anti-Ku Klux laws. The Federal Enforcement Acts, or Anti-Ku Klux Laws, of 1871, would, however, drive the last of them from the streets. In the meantime the parading and promotional activity continued and the ranks of the Klan were swelled with new volunteers. The radicals now began to show concern, for, despite chivalric utterances about the Constitution, protection of the weak and punishment of ne'er-do-wells, some were beginning to suspect that the purpose of the Ku Klux was primarily to control the blacks,

4Pulaski Citizen, June 7, 1867.
politically and socially. Perhaps not by any general plan or objective, but as things worked out, those suspicions would prove to be largely correct.

Tennessee Reconstruction continued apace with its monumental struggle between the Brownlow Unionists and the amalgam of old Whigs and Democrats now calling themselves the Conservatives. The unfolding events in the state, though similar to restoration matters in other southern states, occurred in somewhat earlier stages. It would certainly be proper to view Reconstruction here as beginning as far back as 1862 with the partial military pacification. Now, in 1866-1867, as most ex-Confederate states were muddling through the hopes and travails of presidential Reconstruction, Tennessee was already in an advanced phase of Republican control, with the radically inclined Brownlow regime desperately trying to stave off the rapidly uniting white conservatives. Thus the Klan, as it adopted its new, vigorous and expansive posture, became a political factor in Tennessee sooner and probably with more noticeable effect than anywhere else.

With the proliferation of the order, there came the perhaps unwanted spread of violence, most of it directed against the blacks. Beginning in late 1867, reports of such activities increasingly appeared in the press and in the statements from Freedmen's Bureau agents. In August, Captain George E. Judd, the agent in
Pulaski, made what was apparently his first official comment to his superiors about the order, although the Klan had been functioning there for many months. He reported that the "society is very numerous .... heavily armed .... \[and\] capable of great mischief" if that was its purpose. He continued, that, although the "best citizens" assured him that the Ku Klux was "merely for fun" and that it did not intend to bother anyone, he doubted that "mightily" because it was "certainly a very extensive organization for a funny one."5 Other Bureau agents in the Nashville Sub-district, in their reports to General W. D. Carlin, the Bureau chief for Tennessee, supplied additional news of Klan actions. Carlin's monthly reports to General Howard in Washington, as well as the letter reports retained from agents like Judd in the field, reflect a growing concern in official circles over the Klan business.6 Especially is such concern noticeable in the statements from middle Tennessee agents,

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5Report of George E. Judd, July, 1867, Nashville Sub-district, Letters Received, Freedmen's Bureau Records, Record Group 105, National Archives (hereafter cited RG 105, NA).

6Archival material on the Bureau is fairly complete. Assistant commissioners made monthly reports themselves along with synopses accounts of the reports from their subordinates. There are also many extant monthly and special reports from the agents themselves. These records are, of course, available in the National Archives. Selected Tennessee records are on microfilm in the Tennessee State Library, Nashville, Tennessee.
which section, by all accounts, saw the most virulent activity of the Klan.

Although the autumn elections of 1867 passed off apparently without any systematic effort by the Klan to intimidate blacks, who could now vote, the overwhelming Republican victory no doubt contributed to the change in tactics which was soon quite obvious. The Klan began, in late 1867, a campaign of harassment and intimidation of blacks that was clearly designed to negate their influence at the polls. This campaign would carry into late 1868 and peak at the time of the critical presidential election of that year.

A particular object of Klan attention was the Union League (or Loyal League) and those who were organizing it. In every traditional or pro-southern study of Reconstruction, a special place of contempt is reserved for the League, an auxiliary arm of the Republican Party which had been organized during the war to promote the party within the military and which was now a major force in preempting the black vote, and there seems to have been universal

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7 Some authorities feel that the Klan was "laying low" during this election as white conservatives thought they could manage the black vote through their superior understanding of black thought processes. This misguided paternalism, which failed, would cause some chagrin all over the South in the early stages of Congressional Reconstruction. See Trelease, White Terror, 23-24; and Thomas B. Alexander, "Ku Kluxism in Tennessee, 1865-1869," Tennessee Historical Quarterly, VIII (1949), 200-1.
disapprobation for it among southern whites at the time. Later, when the Klan was being probed by a congressional investigation, a large amount of testimony would be offered by friend and foe alike to show the League to be a major cause in the rise of the order. Certainly in 1867-68, Loyal Leaguers found the Ku Klux Klan to be an unrelenting and remorseless foe, and, because of their intimate and unethical association with the League, civilian and military agents of the Freedmen's Bureau as well, felt the heavy hand of Klan "justice." As one recent student of the Bureau put it:

When the Negroes showed . . . they intended to stand with the Radicals; when they were organized by their Radical teachers into Loyal League; and when intimidations and threats did not deter their political activity . . . the white disenfranchised majority in the state [Tennessee] looked to the Ku Klux Klan to break up the Loyal Leagues and keep the Negroes away from the polls. 8

Political indoctrination of blacks by these alien whites was unquestionably one of the most disturbing aspects of the whole period to the native whites. Black suffrage in itself was a horrifying notion, but to have someone else come in and organize it — well, that was simply too much. The "outside agitator" complex, which has long

been a feature of the southern neurosis, apparently began crystal-
lizing over a century ago. It is true, however, that many official
agents of the federal government, despite specific orders to the
contrary, were actively engaged in gleaning black votes for the
Republicans either through "individual or group instruction."^ 9

It is also true that the Klan tried to counteract this program by any
means it could, including violence, and though it is impossible to
justify the extremism morally one must admit in all intellectual
honesty, that in the Klan mind its extralegal action was equally as
defensible as the radical organizers felt theirs to be. For conserv-
vatives, the Loyal League and its Bureau promoters inspired an
overweening hatred; it was a society "to which a hundred outrages
are directly traceable — a society which teaches the Negro to hate
his former master... which marches to the polls with guns...
and threatens the persons of officers of the law."^ 10 This hatred
radiated from all over the South, which looked upon the League as
"these pests to our social system, these foul sores to the body
politic, [and] these reproaches to the genus of a true and honest
form of Republican government."^ 11 With such commentary coming

9Ibid., 296-8.

10Nashville Union and Dispatch, April 24, 1868.

from the editorial leadership, it is not surprising that the Union League came to be viewed by provincial conservatives as the fountainhead of their troubles — it could, after all, be seen — and deserving of destruction. In Tennessee, at least, the Klan campaign against it was so effective that by early 1868, its activities were practically "extinguished."¹²

There was, it appears, a veritable reign of terror in several middle and west Tennessee counties during late 1867 and through 1868. The Klan was at its peak of performance and the radical response was equally vigorous. Bureau officers became alarmed about the outrages perpetrated against blacks and other good loyalists. James W. Gelray, a special inspector, reported to General Carlin in the spring of 1868 that "outrages were occurring almost every night in Middle Tennessee," and that "no Union man or Negro who attempts to take an active part in politics, or in the improvement of his race, is safe a single day; and nearly all sleep with their arms at night."¹³ For the last quarter of 1867, Assistant Commissioner Carlin reported 25 murders, 35 assaults with intent to kill, 85 assault and battery incidents, 4 rapes, and


¹³Gelray to Carlin, May 2, 1868, Tennessee Monthly Reports, Selected Records of the Tennessee Field Office (microfilm).
and, while the Klan was not directly charged with the guilt in all of these crimes, that inference was rather strong. Nevertheless, some Bureau agents were not altogether one-sided in their reporting and admitted that many of the "outrages" had no significance other than "general lawlessness" by blacks and whites. Some even acknowledged that the Loyal Leagues were responsible for part of the violence. State and federal officialdom generally chose to believe otherwise, however, and this led to the previously discussed situation in which the conservative press paradoxically found itself alternately denying the existence of the Ku Klux, defending it, or crying "Foul" in regard to the alleged outrages.

There were several significant developments on the Tennessee scene in 1868-69; events which had a severe impact on the Klan there and, in themselves or because of parallel occurrences, on the organization in other states. First, the upswing of Klan activity brought a response from the Brownlow regime which was more than Klan leaders had bargained for. Through early 1868, the governor requested and used federal troops on several occasions and, then, when that seemed to be inadequate, he called the legislature into special session and spurred it into passing a new militia

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15 Ibid., 323.
law and a special anti-Ku Klux law which provided stiff penalties for anyone associated with secret organizations which disturbed the peace or alarmed "peaceable citizens." Neither of these instruments seems to have been much of an immediate detriment to the Klan. The law, which was dependent upon civil action by local authorities, was a dead letter to start with. Public or personal sympathy with the Ku Klux organization precluded vigorous prosecution by law enforcement officials, and the radical Press and Times of Nashville, would cry bitterly some months later that, "of all the organized bands which have put Union men to violent deaths in Middle Tennessee within the past twelve months, not a single criminal has been punished or even arrested."\(^{16}\) And though there do seem to have been some arrests, prosecutions were at best desultory and convictions practically nil. The militia, which used some black troops, although mustered and deployed on several occasions, was, because of its limited powers, "never really effective on a state-wide basis" as an anti-Ku Klux Klan force.\(^{17}\) Nevertheless, the spectre of black militia, armed and on the march, and the fear of prosecution under the law had a

\(^{16}\)March 12, 1869.

decided effect on the Klan, causing it to reduce its operations in some places.

A second singular development in the Tennessee Ku Klux story, which is not unrelated to the foregoing, was that about this same time the conservative leadership appears to have lost most of what control it had over the organization. By the summer of 1868 an increasing number of conservatives began to speak out against the terrorist tactics of the Klan; cognizant, no doubt, of the welling backlash it was creating in official circles and to some degree in the public mind. That the rampant violence was not the result of any coordinated policy of the Empire or Realm leaders can be inferred from the fact that they no longer seemed to want to take credit for it. Sympathetic newspapers, like the Nashville Union and Dispatch, which early in 1868 saw the Klan as "probably the most extraordinary association that the present century has known, " were, by the fall, either denying its existence, openly deprecating its terrorism, or blaming its alleged crimes on blacks and spurious Klans. Even more pertinent is the fact that titled Klan officials evidenced a novel concern. The Grand Dragon of Tennessee, in July, issued a statement through the conservative Nashville

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18 February 1, 1868.

19 Probably General Gordon at this time.
Republican Banner damning the atrocities that were being committed by "bad men" in the name of the Klan and warning that the real Ku Klux, "a protective organization," would deal harshly with such imposters. That some of the violence was the work of "imposters" or spurious Klans, is indeed probable — the disguise gambit was too attractive for criminals and ruffians to forego — but that much of it was the handiwork of bonafide Klansmen seems certain. The Grand Dragon's published order indicates that the leaders could not control it through the normal chain of command.

This also led to the beginning of the debate in Tennessee, that would eventually extend all over the South, as to just what kind of people were behind the disguises. Surely the old upper class, genteel, conservative leaders would not participate in or condone such crude behavior as whipping, arson and murder: this is what most southerners of that class wanted people to believe and perhaps wanted to believe themselves. As conditions became more disordered in the spring and summer of 1868, many earlier Klan sympathizers, and no doubt some participants as well, began to try to disassociate themselves from its support, publicly at least. The tradition of the Klan being infiltrated, dominated and destroyed by

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20Picked up widely by the southern conservative press. This is from a copy in the Athens [Ala.] Weekly Post, July 29, 1868.
low class rogues was being created. Conservative leaders, for a variety of reasons — of good conscience or good politics — continued to praise the original stated philosophy of the Klan but increasingly urged it, as would be said today, to keep a lower profile, to cool it.

The radicals, of course, had their own ideas about Klan membership. Although one of the leading Republican journals voiced the opinion that there were several types of "klukluxites," none of which had "any social respectability or personal standing among any portion or class of the state . . . all alike in stupidity, ignorance, and brutality," some of the radicals thought otherwise. Many Freedmen's Bureau agents believed that the Ku Klux, even in 1868, was made up of "sons of first families." Otherwise, asked one such officer, how did they get horses to ride on their nocturnal raids? In May, Agent William W. Brown offered the following cogent comments on Ku Kluxers in the western counties:

Ostensibly it is the ignorant white trash that cause the little assassination jobs for the Ku Klux Klan who rob and murder the most industrious and intelligent negroes, insult the teachers and disturb the peace of the colored schools and intimidate and render unpleasant the lives of Union men generally, but it is to such papers as the Appeal and the Avalanche /Both Memphis


That was only an academic question, however; it is clear that, whatever the original Klan proclivities of the older conservative leaders, a number of them were now beginning to oppose it. They may have abhorred the unnecessary violence but they also did not want to give Governor Brownlow an excuse to use his militia. It is rather paradoxical but it seems to be true that, as one scholar recently noted, "Southern Democrats sympathized with the Klan, benefited by it, were intimidated by, and were ashamed of it, often simultaneously." Important conservatives, by late summer, were calling upon their people to refrain from violence, newspapers were doing the same (all the while they were attesting to the quietude over the state), and in August, a distinguished assemblage of thirteen ex-Confederate generals met in Nashville to beseech the legislature not to support the militia campaign that Brownlow was threatening to initiate. This group included Forrest, Brown, Gordon, and a number of high Klansmen and they pledged their support in

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24Trelease, White Terror, 63. Although he says that this was "part of the psychological burden of white supremacy," it could as easily have been a simpler case of political realism, of reading the signs.

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maintaining "the peace and order of the State." This "Council of Peace" was also attempting to trade its support in return for the removal of the civil disabilities (under state laws), which still lay on many Tennesseans. It did not work; the proscriptions were not lifted and Brownlow moved to call out the militia. Internecine conflict was imminent in Tennessee in the weeks before the November elections but it never quite developed. Perhaps the governor's threats were effective, or the Klan leaders were able to circumscribe some of the violence, but in any event the Ku Klux seems to have been more sedentary in September and October than at any other time in 1868. There was some posturing on both sides, but moderation and watchful waiting prevailed.

As the election approached, however, even the partial tranquility of the Klan could not be maintained and all manner of threats and actual intimidation of black voters was resorted to in the middle

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25 Coulter, Brownlow, 360; Horn, Invisible Empire, 103-04; Trelease, White Terror, 44.

26 It was during this period that Forrest had his celebrated interview (misquoted he said), with the Cincinnati reporter, claiming to have 40,000 klansmen in Tennessee alone who could be mobilized in five days if conflict necessitated it. Ku Klux Report, "Florida and Miscellaneous Testimony," 32-36. Brownlow also made a blistering proclamation in which he vowed that if he had to he would "put down armed marauders by force ... with such numbers and in such manner as the exigency shall demand." Quoted in Trelease, White Terror, 45.
and western Tennessee counties. It was apparently rather effective, too, for despite the fact that Grant and the Republicans easily carried the state, the totals for that party dropped markedly in the strong Klan counties. Although some night riding continued after the election, directed to a large extent against those of the black race who had supported the Radical party, it did not reach the proportions of the previous summer. The same situation prevailed all over the South as Klan leaders apparently were evaluating the effects of their pre-election campaign. The temporary quietude did not go unnoticed in high places, it seems. General O. O. Howard, head of the Freedmen's Bureau, would later recall this as a time "quite free from the Ku Klux raids." In Tennessee, at least, most of the conservative leaders seem to have decided to continue their course of counseling the Klan to reject its violent stance. Cool heads could see that the public and political reaction was more damaging to their cause than gains that came from the action of the society, particularly when that action was disrupting the primary labor force and likely yet to provoke a militia response from Governor Brownlow. Former sympathizers became more adamantly anti-Klan (or, more

27 Alexander, Political Reconstruction in Tennessee, 189-94.

accurately, anti-violence) by late 1868. The Pulaski Citizen by the end of the year was reflecting a law and order position that now embraced even the Klan's wrongdoing.

In January the feelings of the worried conservative class were epitomized in a statement from former Governor Neill S. Brown, brother of General Brown of Pulaski Klan fame, addressed to the "so-called Ku Klux:"

We must have law and order.... I do not know the purpose of your organization, nor am I aware of your numbers. I never saw one of your body to know him. I have heard a thousand and one stories of your outrages, very many of which I believe to have been exaggerated.

But whatever may have been your motives in the beginning, if you please, a sense of insecurity to life and property, and a purpose to protect both, I respectfully submit that the period in which any such idea may have been cherished has passed away. Courts have been established.... and the whole machinery of government, so long disturbed, is regaining its wonted vigor. I beg you to reflect that while ... others are struggling constantly to regain our lost privileges, we are thwarted at every step by continual reports of outrages upon the law, attributed to your organization. 29

Moderates like Brown were coming to see that, although the Klan might be winning some battles (mostly racial), they were still not winning the war; the only way that could be accomplished was through the removal of the disfranchisement of most

29 Nashville Banner, Jan. 15, 1869.
ex-Confederates, and that was not likely as long as the Radical party had anything to "wave the bloody shirt" about.

The fact that such feelings were evidently rather widespread among the Tennessee gentry at this time, with the conservative press across the state now leading the lamentations over the violence, is significant when considered with the fact that some 30 terrorism continued. This would seem to confirm the idea that the secret society was indeed beyond the control of that class of leadership. For some middle and western counties this probably was the case, for sporadic violence continued there which seemed to have no purposeful goal and which may or may not have been the work of the true Klan. For most of Tennessee, however, the pressure from the public and the old leadership obviously was effective and the Klan became relatively quiet again. But Governor Brownlow was not content to let bygones be bygones. His supporters were pushing him and he made preparations for eliminating the Klan by force. He issued a pronouncement in early 1869 proclaiming that a reign of terror existed in several undesignated counties, and called for militia volunteers preparatory to declaring martial law.

30 Some of Tennessee's most sensational violence came after this; for example the murder of Seymour Barmore, an undercover agent probing the Klan for Governor Brownlow. Horn has the full story of this incident. Invisible Empire, 108-12.

31 Nashville Press and Times, January 16 and January 26,
It was at this time that Forrest, the Grand Wizard, issued his famous "Interdiction Order," General Order No. 1, which was the one and only published order ever to emanate from Imperial Headquarters. There is no little dispute about this order, but it seemingly saw the light of day on January 25, 1869, and ordered the Klan, which was "in some localities being perverted from its original honorable and patriotic purposes," to cease all operations and activities, destroy its regalia, and keep quiet. This was necessitated, so the order continued, because "public sentiment is against a masked organization in the country," and "... bad men outside of the Order" were depredating and outraged the people in its name. Some of these "bad men," it was admitted, had "by imprudence" gotten into the Order itself. A significant clause in Forrest's order asserted that it was not to be construed as a

1869. For the full account of this period, see Alexander, Political Reconstruction in Tennessee, 189-98; Alexander, "Ku Kluxism in Tennessee, 1865-1869," 215-18; and Patton, Unionism and Reconstruction in Tennessee, 136-50. For the alleged violence and political intimidation in middle and western Tennessee see House Miscellaneous Documents, 41st Cong., 2d sess., No. 53, which contains lengthy testimony on these matters but largely relating to the past election.

32Horn, Invisible Empire, 356-59, has a lengthy discussion of the whole matter. The order itself is printed in Davis, Authentic History, 125-28, with the naive assumption that its purpose was to lull the Radicals into not passing anti-Ku Klux laws. See also Trelease, White Terror, 179-80, 183-84.
dissolution of the Klan, but that in the future its members should be "held more firmly together and more faithfully bound to each other in any emergency that may come,"\(^{33}\)

Because of the chronology of events, there can be little doubt that Forrest was trying to stave off martial law and the Unionist militia, whether he actually wanted to disrobe the Klan or not. It is likely, considering the "public sentiment" aspect, that he and other Klan leaders really did want to cease operations, in Tennessee anyway, because the secret order had outlived its usefulness there and was a millstone on the neck of the Conservative or Democratic party. In any event, none of it worked absolutely: the Klan continued to ply its trade for some time to come in the state, if in a more fractional and moribund manner; Brownlow continued to assemble his militia; and, on February 20, he did invoke martial law in nine middle and west Tennessee counties.

The martial law and militia intervention, as it turned out, were somewhat redundant. Similar tactics by Governor Clayton some months earlier had apparently destroyed the effectiveness of the Klan in Arkansas, and the radical press had for weeks been pressing Brownlow to take the same strong measures in Tennessee. It was therefore a kind of delenda est Carthago campaign, the need

\(^{33}\text{Davis, Authentic History, 125-28.}\)
for which had passed. Good evidence indicates that terrorism had slackened on the broad front, and even in those areas where it continued erratically the militia could not decisively deal with it because limited authority forced it to work through local courts; that, of course, being futile. It did apparently cause a number of suspected Klansmen to "lay out" in the woods or leave the state for a time which was probably sweet retribution to the black and white radicals who had been forced to do the same thing under Klan threats. Brownlow, however, gave up the governorship for a Senate seat just as the militia was being activated, and his successor, Dewitt Senter, though a good Radical, was more inclined to treat with the conservatives. The martial law was phased out, step-by-step, almost as soon as it began. He restored civil law, pulled back the militia, and by June the whole episode was over. Senter moved more to the right by restoring the vote to those ex-Confederates still disfranchised and with their support won a full term in August. The Democrats at the same time captured the legislature and thus brought an end to Radical Reconstruction in Tennessee. 34 There would be little notice of the Ku Klux in the newspapers of the state after that.

When it was mentioned, it was usually to remonstrate against the political profit that the Radical party continued to get from "outrages" in other states, or sarcastically to class every common misdemeanor occurring locally as another "ku kluxing."

Orders similar to Forrest's "interdiction order" would appear in many other Realms and Provinces during 1869. In those areas where the weight of local opinion had shifted against the Klan there was a noticeable drop in night riding activity about the same time, indicating a repetition of the Tennessee story. In the Carolinas, Georgia, Alabama, and Mississippi the requiem for the Klan was premature, however. Reconstruction battles were still being fought in those states — in high places and low — and the Ku Klux Klan would carry on just as if there had been no order from the Grand Wizard. For that matter, it may not have been transmitted very widely as Klan communications were notoriously poor. Or it may have been, as local conservative leaders would always claim, that ensuing terrorism was the work of bogus or spurious Klans. It really is not important; the point is that Klan or Klan-like activity would continue in some places for many months after the genuine Ku Klux had expired in Tennessee.

One place that it had a vigorous existence for at least two more years was Alabama, and the subsequent focus of this study will be upon the history of that turbulent and exceptional Realm.
CHAPTER V

THE RECONSTRUCTION SCENE IN ALABAMA: PHASE ONE

Nigger, Nigger, Nigger, Nig;
Nigger, Nigger, Nig.
Nigger, Nigger, Nigger, Nigger,
Nigger, Nigger, Nig.¹

In the story of Alabama Reconstruction, there is much of the usual and a great deal of the unusual. From the time the war ended, for that period of some ten years, the train of events in Alabama closely approximated that of several other states of the late Confederacy. There was the utter confusion and apprehension of the first months of the peace, the cautious optimism engendered by the presidential plans, the hasty emergence of latent native "unionists" maneuvering for the places of power believed due them for their past "loyalty," the entrance of these men into the Republican party and their subsequent disillusionment as their "places" in the party were captured by northern sojourners, the Radical domination under the congressional program which produced untold horrors to the minds of most native whites, and,

¹Radical "campaign song" caricature printed in several Democratic or Conservative papers prior to 1868 elections. This is from Moulton Advertiser, Sept. 11, 1868, which noted that it was "to be sung . . . at the Courthouse, in the market place, and whenever two or more [radical] politicians were gathered together."

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finally, the drawing of the color line which resulted in the ultimate mastery of the state by the new model Democratic party. Throughout, there was also the problem of racial disharmony which obtruded with an enormity of fear, hatred, and travail upon what was essentially a contest for power. All of this was fairly typical.

The peculiarities of Alabama Reconstruction arose to a large degree from conditional circumstances which have always strongly influenced the history of the state. Primarily these forces stem from a common denominator — the unusual geographical nature of the state. Alabama, of course, is not unique in having had its character shaped by its physical features, but geography has certainly been one of the more obvious determinants of that development, and perhaps more so than for most states. In mid-nineteenth century it was especially noticeable.

There are four distinct geographical divisions in Alabama which extend generally from east to west across the state. These areas, from north to south, are the Tennessee Valley, the rough hilly and mountainous central section, the fertile Black Belt, and the coastal plain. In each of these sections are distinctive local features which determined routes of immigration into the state, areas of settlement, communication lines, economic growth, and political affinities. It is beyond the scope of this study to examine this matter in depth but it is clear that in the turbulent decade
before the Civil War and in that succeeding it, intrastate sectionalism and political fragmentation, which were largely the result of the geographical factors, were as much the rule as the exception.

The variations of topography and dissimilitude of social and economic traditions of the residents of this young state produced political complications in the 1850's which carried over into the war years and Reconstruction. The most vexing complications and the contests were between the Tennessee Valley and the Black Belt regions, which always vied for supremacy, with the adjacent areas enjoying the balance of power role. The Democratic party was generally predominant in Alabama politics from 1847 to 1860 but it was a party in flux, where patronage and success was more important than principle. It was weighted down — or in another sense, supported — by a generous measure of whiggish conservatism when the once strong Whig Party was largely absorbed by the late 1850's. That was always an uneasy alliance, however, and many old Alabama Whigs went into the war years calling themselves, for want of a national organization, the Opposition Party. Old sectional differences, with political concomitants, were not easily forgotten.

2 For the pre-war decade see Lewy Dorman, Party Politics in Alabama from 1850 through 1860, Alabama State Department of Archives and History Historical and Patriotic Series, No. 13 (Wetumpka [Ala.], 1935), passim.
It would be these earnest Whig Unionists and other assorted anti-Democrats who temporarily embraced Republicanism after the war in the effort to wrest power from the Democratic elite. Their ultimate failure, due to racial matters, is a now familiar story, but the agony and distress in the politics of Reconstruction Alabama issued from these old sectional sores as well as from the federal impositions. It would take the continuing quandary of the black vote and the alien control of it to bring about a temporary sublimation of traditional antagonisms in the interest of white supremacy. And it was this sectional seasoning which helped produce the distinctive flavor of Alabama Reconstruction; although this is not to imply that similar elements were not present in other states. Nevertheless, taken together with complicating factors such as a heavily localized black population, a strong Union League, an inordinate number of carpetbagger types, and a sporadically vibrant Klan, it produced in the state a very interesting ferment, to say the least.

For some fifty days after May 4, 1865, when General Richard Taylor surrendered at Citronelle, Alabama, and all remaining Confederate forces east of the Mississippi laid down their arms, Alabama was virtually without civil government. It

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3 John Witherspoon DuBosc, Alabama's Tragic Decade, edited by James K. Greer (Birmingham, 1940), 3; Fleming, Civil War and Reconstruction, 262; L. D. Miller, History of Alabama

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was a period which the premier historian of Alabama Reconstruction, Walter L. Fleming, referred to as "The Interregnum." The Confederate Governor, Thomas Watts, and other state leaders were arrested and the little remaining police power of the state government evaporated. Although some perplexed local officials stayed on at their posts, the only recognizable authority in the state was that of the United States Army, which from the June, 1865, reorganization temporarily governed Alabama as a Military Department within the Division of the Army of the Tennessee. General C. R. Woods commanded the Department with headquarters at Mobile.

There had been a great deal of violence in Alabama during the war apart from the military activities, particularly in the hill counties in the north-central area. Cessation of official hostilities

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(Birmingham, 1901), 237; and Richard Taylor, Destruction and Reconstruction: Personal Experiences of the Late War (New York, 1879), 227-28.

4 Fleming, Civil War and Reconstruction, 262-63.

5 Ibid., 407-09; James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 20-22. This command system was altered several times before Alabama eventually became a part of the Third Military District under the Reconstruction Acts of 1867.

6 The Confederates had been troubled continually by the celebrated "tory" and "mossback" factions in that region who wanted no part of the war. See Wesley Thompson, The Free State of Winston (Winfield /Ala., 1968), passim.
did not end that unofficial turmoil; in fact it probably became worse during this lapse of civil authority. There were old scores to be settled and the scattered federal troops were incapable of policing the entire state. Indeed, from existing accounts, a fairly good case can be made that these garrison troops incited or inspired some of the tension.\(^7\) It is only natural that there were residual animosities between conquered and conqueror, especially when many of the occupational troops were black. On the other hand, it should be noted that later, when Alabamians wrestled with Congressional Reconstruction, the presence of federal troops sometimes served as a stabilizing and quieting force appreciated even by some local whites.\(^8\) In the early days after the war, however, passions were high and practically every man, white and black, carried or kept a lethal weapon. The whites feared some sort of Negro uprising, which the blacks, reveling in display of their new freedoms, did not dispel. The poorly disciplined troop served as provocateurs, with the result of all of this being that the slightest impulsive incident was likely to

\(^7\)Fleming, Civil War and Reconstruction, 417-20; William E. W. Yerby, History of Greensboro, Alabama (Northport /Ala., 1963), 51-60. Yerby relates a long undocumented account of one such "thrilling incident" of personal confrontation between federal troops and local citizenry which almost developed into a full scale riot.

set off an eruption of violence. Add to this kinetic situation the common criminal element which took advantage of the unsettled conditions for base purposes and it is no wonder that thoughtful Alabamians wondered whether law and order would ever be restored and if perhaps there was not still more "bitter fruit" to come. The fruit did become more bitter for some persons in later months, and the violence and lawlessness would continue, but on a somewhat different plane, less spontaneous and more organized. Racially-oriented strife would continue apace, but even in this, by 1866 and after, there was something more than simple bigotry involved. The struggle for power was on and the struggle would at times become quite physical. The Ku Klux Klan was destined to be the agency for much of the violence, though by no means all of it. It would seem that the turbulence was due primarily to the political competition if one observes, as did a recent student of the period, that there was a marked decrease in violence "once the natives regained their accustomed place of power." However, there is


danger of oversimplification in such an observation because most of
the Klan "outrages" had ceased long before the Democrats regained
complete control. For that matter, at the height of its activity some
Klan operations — even the most violent ones — were clearly apo-
itical. And certainly the viciousness and common criminality from
which a large part of this unrest stemmed had little to do with politics
except that such elements were able to thrive in the power vacuum.

By the late summer of 1865 Alabama was shaking itself out
of the doldrums and attempting to organize under the "plan" of
President Andrew Johnson. Lewis E. Parsons was appointed
Provisional Governor, a choice that was probably influenced by
Parson's reputation as an obstructionist who had "aided the
Confederacy materially and damned it spiritually." His appoint-
ment was satisfactory to most Alabamians except the extreme "tory"
faction in the northern part of the state who had expected to control
affairs because of their anti-Confederate activities during the war.
Alabama Unionists generally assented in the appointment and accepted
it as a part of their plan to unseat the antebellum elite. Their hopes
would be partially dashed in later days as some of the pre-war
leaders opportunistically moved in alongside of these same north

12Albert B. Moore, History of Alabama (University of Ala.,
1934), 461.
Alabama Unionists in the newly formed Republican Party and by astute political maneuvering gained control of it. 13

Parsons' administration was a very difficult one as the process of provisional government was novel to the American experience, and no one, including Parsons, knew what its powers or limitations were. Basically, he followed instructions from Washington as to the restoration of civil government in the state and the restoring of the proper balance with the central government. One of his first duties, on President Johnson's instructions, was to order those men who held most of the state and local offices at war's end, and who could take the amnesty oath, to remain in office. Thus, a semblance of civil authority was established. Some of the steadfast Unionists were disappointed in this as it meant that the secessionists were again ensconced in power and their hopes of directing Reconstruction were temporarily thwarted.14 Actually, such Union men were still in a good position to gain power because a goodly number of the state and local officers apparently would not or could


14Ibid., 54; Fleming, Civil War and Reconstruction, 351-55; Proclamation of Governor Lewis E. Parsons, July 20, 1865, in Lewis E. Parsons Papers (Alabama Department of Archives and History, Montgomery).
(under executive proscription), take the oath. Also, there were numerous federal jobs to be filled throughout the state and only staunch Unionists could subscribe to the much tougher "iron-clad" oath which was a prerequisite for those positions.

A second major task of the Parsons administration was the calling of an election of delegates for a constitutional convention which was expected to modify the state constitution to conform with the changed conditions. The election of delegates was held on the last day of August, 1865, and the assembly convened in Montgomery on September 12. By September 30 it had completed its important work; "remarkable evidence," as one author put it, "of hard work in brief time." There were ninety-nine delegates present at the convention, mostly old men of conservative persuasion. Although a handful of them, on one side, had strongly supported secession in 1861 and another small clique were extreme Unionists, the majority was made up of old Whigs and conservative Democrats who had played little role in the stormy secession struggle. Decidedly inexperienced, it was, nevertheless, probably as respectable a gathering as could be hoped for under the circumstances. The few


16Ibid., 45.

17Ibid., 45-46; Fleming, *Civil War and Reconstruction*, 358-64; Moore, *History of Alabama*, 461-64.
secessionists present were the ablest members of the convention and for the most part seem to have accepted the results of the war philosophically. They were primarily interested in pursuing whatever course they must follow to bring order out of the chaos of the past six months.

Despite the factionalism that manifested itself in the convention, which was mostly a struggle for control based on the old intrastate sectionalism and Secessionist/Unionist issues, the body acted decisively in four important areas of restoration. The first action involved the formal abolition of slavery and the acceptance of a declaration that the secession ordinance was "null and void."

Secondly, all debts created in support of the Confederacy were repudiated. Thirdly, a constitution was adopted which gave the Negro all personal and property rights enjoyed by whites with the significant exception of the franchise. Fourthly, and in the same connection, the convention summarily tabled a petition from Mobile blacks for the right to vote. All of these matters were closely considered for all their legal, political, and social ramifications and, though appeals to principle were widely invoked, the decisions were generally grounded upon expediency. Certain conditions had to be met, President Johnson had made clear, but beyond these the delegates were not prepared to go. Future political control was an issue that was only slightly veiled in the immediacy of meeting those
first-step conditions. It emerged briefly in the constitutional debates over the matter of legislative apportionment, and here one glimpses the true partisan nature of the scene. Now that the blacks were free and to be counted one for one in any census, the Black Belt aristocracy stood to gain even more power in the state assembly. This same fight had been fought before in Alabama but this time the white counties prevailed and wrote into the law a provision for counting only whites for representation. Thus the old Black Belt dominance was temporarily lessened. 18

The convention-ordered election took place on November 30, 1865, for governor, some local officials, state legislators, and members of Congress. The legislature was to choose most state officers and the two United States senators. The constitution itself was not submitted to the electorate and was destined to remain only a provisional one. The state government was organized under its provisions, however. 19

Three candidates announced for governor, all with honorable records of public service and all from strong Unionist sections of


19DuBose, Alabama's Tragic Decade, 46-47.
the state. The man elected by a substantial majority was R. M. Patton of Lauderdale County, who had been neither an ardent secessionist nor a radical "loyalist." The voter turnout was light; some 44,870 total as compared to 89,579 in the 1860 presidential contest. The decrease was probably due, as Walter Fleming explained it, to "death and disfranchisement of voters," and "the indifference of south Alabama people to the north Alabama candidates."\(^{20}\) There had been no mad scramble for the legislative places, and the legislature, when it assembled on November 20, was "quite satisfactory" in the planter class viewpoint, containing many of the "best men" of the state.\(^{21}\) Five of the six men elected to Congress had opposed secession but later served the Confederacy, and therefore, in the minds of the stronger Unionists, had compromised their loyalty. Some of the Unionists viewed these events with alarm and, fearing that power was gravitating to the old pre-war leadership, voiced futile protests at this time over the government's inadequate support for their claims to power.\(^{22}\) Despite such sniping, Patton was inaugurated on December 13, 1865, as the

\(^{20}\)Fleming, _Civil War and Reconstruction_, 373.

\(^{21}\)DuBose, _Alabama's Tragic Decade_, 48.

twentieth governor of Alabama and Presidential Reconstruction proceeded in the state. Patton's administration was largely concerned with economic problems, especially the restoration of the credit of the state, encouragement of business development, and the composition of a labor code. Despite the widespread reaction and national political ramifications in the latter area (i.e., the "Black Codes"), the Governor and his legislature elicited general commendation at the time and later. 23

A partial realization of the extent and character of the opposition that the Radical Republicans entertained toward President Johnson's plan of restoration came in early 1866 with the refusal of Congress to seat the new members-elect from the South, including those from Alabama. The full extent of that opposition would become known in the running fight between Johnson and the Congress over the next three years. The question of "motivation" on either side of this struggle has produced abundant comment over the years by historians and the final returns are not yet in, but, whatever the generative forces, Congress at this juncture began to get the upper hand in the conflict and Alabama was left in a quasi-territorial status. Patton's administration would be provisional also, and in many ways hedged about by military commissions, the Freedmen's Bureau, presidential

23Ibid., 58; DuBose, Alabama's Tragic Decade, 48-67.
interference, and federal legislation. It was not long until the authority of the civil government had again eroded to the point of being ineffectual because of being overruled so frequently by federal military and civil authorities.24

It was also during this time that the spectre of black suffrage intruded strongly upon the Alabama political scene. Some state leaders quite early began to think in terms of limited black suffrage for reasons of expediency and necessity. From the standpoint of practical politics certain advantages would have attached to such a plan, particularly for the Black Belt section, which would gain the most voters. North Alabama whites, momentarily in the ascendancy, were naturally horrified by such schemes. Soon, however, it became clear to all that Negro suffrage would come, not by the grace or the maneuvering of the state legislature, but as a directive from above, and accordingly, on both sides, some leaders made preparations to swallow the "bitter pill" of black voting sanctions. Black Belt leaders read the signs correctly as a chance for restored power through control of Negro votes. North Alabama whites, both the conservatives and extreme Unionists, saw it as a threat to their leadership in the state. The rhetoric of the day reveals an almost paranoid revulsion at the idea, but there was,

24Fleming, Civil War and Reconstruction, 386.
at the same time, a great deal of planning going on.\footnote{Ibid., 386-90; Wiggins, "Unionist Efforts to Control Alabama Reconstruction," op. cit., 58-59; Horace Mann Bond, "Social and Economic Forces in Alabama Reconstruction," \textit{Journal of Negro History}, XXIII (July, 1938), 327; Ku Klux Report, "Alabama Testimony," 22-27.} The real test of positions on this controversial matter would come in late 1866 and early 1867 during the discussions on the Fourteenth Amendment. Although opposition to the proposed amendment was predicated as much upon the proscription clause as the suffrage clause, the one was more a technical opposition and the other emotional. Still, many Alabamians were prepared to "look this Negro question directly in the face," and at least one "North Alabama Citizen" was all for "out-Heroding Herod — that is, giving the Negro all the rights of an American Citizen." After all, he wrote, "if a man can't beat a Negro for office he ought to go under."\footnote{Montgomery Daily Mail, April 19, 1867; Moulton Advertiser, February 23, 1867.}

The feeling was extensive among certain whites in the areas of black concentration that they, the planter class, could gain strength through the control of Negro votes however much they might be repelled by the principle. The strong Unionists initially opposed it for the same reason but also because the proposed amendment made no special provisions for the many of them who also would be
victimized by the technicalities of the proscription clause. It was a very interesting situation and there developed a split in the ranks of the Republican Party of the state, into which most Unionists had moved. One faction, calling itself the "Unconditional Union Men," fully endorsed the entire congressional program of Reconstruction, although a north Alabama convention of this group sent a resolution to Congress which sounded strangely "conditional!" The memorial prayed for Congress, "in exercising the powers under the proposed amendment, to discriminate between those who were coerced... by the usurpers into antagonism to the Federal government, and are now supporting and approving the Union." 27 The more conservative native white Republicans fell generally by default into the "Conditional Union Men" category. Ultimately both of these groups would endorse black suffrage for reasons of expediency and some idealism. In the case of the latter group, however, their social incompatibility with the blacks and the more racially liberal Radicals led to their undoing within Republican ranks. By middle-1867 sides were well drawn: the black-swelled Republican Party continued to be dominated by whites, mostly of the old "tory" element, radical "Unionists," and non-natives, while the bulk of the antebellum leaders, whether they

27Moulton Advertiser, February 9, 1867.
had been strong secessionists or not, would operate under the Conservative/Democratic banner.

Long before this arrangement was settled, the Alabama Reconstruction situation had been both agitated and complicated by the introduction of other forces, each of which was sui generis and at once a corporate part of the whole miscellany. The most noteworthy of these forces were the Freedmen's Bureau and the Union League, both of which greatly influenced the direction of the Republican Party in the state.

Some note has previously been made of the activities of the Union League in Tennessee where it was quite broadly organized. The League — Loyal League, it was more commonly called — made its appearance in the northern part of Alabama months before the end of the war and by the conclusion of hostilities was rather extensively organized in that part of the state. At first, it was only the occupying federal troops who participated in this Republican organization but by the conclusion of the war more and more disaffected native whites were enrolling or forming their own "lodges." Mostly they were the Unionists who had openly opposed or been lukewarm in their support of the Confederacy. Some were sincerely attracted to the liberal principles of the party; others, of course, were motivated by thoughts of the interesting opportunities which might accrue to those in league with the party that would be dictating
restoration. No blacks at first belonged, but it has been estimated that by late 1865 about one-third of the white voting population of the northern counties had affiliated with the order. Later, with the enfranchisement of the freedmen, the League became more oriented in their direction, and the white membership steadily declined. At that time, 1867 and after, the hub of the League shifted to the Black Belt counties where Republican strength lay. The southern counties were never much touched by League activities.  

When the Union League began to cater primarily to the blacks, it lost much of what little "respectability" it had merited in the eyes of most whites and by 1867 it was a source of particular irritation for them. The League was outdoing the whites at their own game of maneuvering the black vote and this was painful, not only politically but socially as well. The displays of independence, that whites called "upitness," and the notions of equality being voiced by blacks, were in large measure the result of psychological armament taken on in League meetings. At these League "council" or "lodge" meetings shrewd managers, most of them northerners, 

employed rituals and catechistic programs far removed from the simple ceremonies of earlier League days when the blacks had not been a consideration. The tactics now used, involving much fraternal and mysterious mumbo-jumbo and oath-swearing, were clearly designed to excite the unsophisticated freedmen and to impress upon them the never-ending obligations to the party of Lincoln.

The whites now, for the most part, evinced a great deal of horror and revulsion at these developments, not only in Alabama but all over the Deep South. It became quite faddish, especially among back-country journalists, to apply to blacks the generic pseudonym, "A. S. Loilman."

It also became popular to attack the League in every way possible. Mostly this was a rhetorical flailing, and the conservative press extended itself in search of invective strong enough to apply to these "jacobinical clubs," as they were often called, but the attacks sometimes were of a more direct, physical nature. Ostracism of whites who remained with the League was common. Many of these were northerners — army men, Freedmen's Bureau agents, teachers, and others of the carpetbagger class — but some native whites continued to play a role in League affairs. They were not treated tolerantly by their neighbors. One Tuscumbia resident protested to federal authorities the "assaulting with stones" of his "place of business" just because the "American Flag was escorted
from our house to the Lodge of the U. L. A. by members of the
Lodge," He lamented that he was "known and shunned" as a Union
man. 29

As the political potency of the League became apparent,
with its mass of tractable black voters portending a permanently
entrenched radicalism in the state, the conservative side began to
press either to garner some of those votes or eliminate them. The
pressure took various forms, ranging from gentle persuasion to
strong-arm tactics. Some few blacks were convinced (probably by
economic pressure), that they should renounce the League. It seems
to have been a part of conservative strategy to have these backsliders
make public recantations, as many Alabama newspapers in 1867 and
1868 published such statements. However, those blacks who did dis-
play Democratic leanings, whatever their reasons, whether on
principle or under coercion, were generally treated rather roughly
by the League. Although it is probably too much to say conclu-
sively, as did Walter Fleming, that it was "martyrdom" for a black
man to "follow his old master in politics," 30 that may well have
been true for certain places and certain times, for there were many

29 A. E. Bresler to General Wager Swayne, July 13, 1867,
General Letters Received, 1867, Freedmen's Bureau Records,
RG 105, NA.

30 Fleming, Civil War and Reconstruction, 564.
scattered reports of physical correctives being applied to such apostates by the League. Such stringent discipline presaged radical success in areas of heavy black concentration and white disfranchisement and gave rise to more vigorous action on the part of the whites. Part of that action (or reaction, from the white point of view), was the work of the Ku Klux Klan. In Alabama, as in most other states, both Klansmen and anti-Klansmen explained or justified the Klan in terms of combatting the Union League.

Estimates vary as to the total enrollment of the League in Alabama; also, it is difficult to determine when it expired. There is little question, however, that the years 1867-68 saw the height of its activity, especially in connection with the elections in the latter year. It was then that the competition for black votes was most frenzied. Anti-League propaganda spewed from the conservative press, and intimidation was escalated. At the same time conservatives were working in quieter ways to try to glean some of that vote themselves. The League's attractions were greater though, and by controlling the Black Belt counties it helped to carry the state for Grant and the


32Ku Klux Report, "Alabama Testimony," passim, but see especially the testimony of ex-Governor Robert Lindsay, 170; Nicholas Davis, 781; and William Richardson, 818.
Republicans by a safe majority. It was after this election that the organization began to decline, perhaps because its sponsors felt their work was completed, but also for the traditionally accepted reason that blacks were becoming somewhat disenchanted with their white leaders who were taking all the more rewarding offices. In any event, by 1870, the League was no longer functioning with any effectiveness. It is also quite probable that the heavy hand of the Klan upon League members during these peak years brought about some of the fragmentation and weakening of the order. Prior to the 1870 elections, a call went out from national League headquarters for a revivification movement which apparently did not succeed. During its heyday in Alabama, however, the Union League was a singular force for good or evil depending upon one’s point of view. It certainly helped to inculcate within the community of freedmen an awareness of rights, manhood, and collective strength. On the other hand, the political rigidity it demanded of the blacks, to

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34Fleming, Civil War and Reconstruction, 567, 749.

35Montgomery Mail, August 20, 1870.

36A century later the same sort of instruction would be more effectively offered by such organizations as the N.A.A.C.P., C.O.F.O., C.O.R.E., S.N.C.C., S.C.L.C., et al. This latter-day effort should prove to be more permanent because of its pro-black, non-partisan base.
the virtual exclusion of any conservative white influence, and the
racial militancy it no doubt fostered, was generally interpreted
as insolence by the whites. The amalgamation of such feelings
with the latent racism already present most certainly helped to
intensify the alienation of the southern races which has always been
the curse of the land.

The second novel force in Alabama Reconstruction also
played an important part in the estrangement of the races. This
was a federal agency, the Bureau of Refugees, Freedmen, and
Abandoned Lands, generally called the Freedmen's Bureau. Although
its functions were more social and economic than political, and its
objectives more humanitarian than provocative, the visionary inten-
tions of the Bureau often went awry in practice and were almost
always misinterpreted by Alabama whites. It performed much
the same way in Alabama as in Tennessee and, as was the case in
most other places, in Alabama its important work and success in
the areas of relief and education was largely obscured by the heat
of racial and political controversy.

37 The best study of the Bureau's Alabama phase is Elizabeth
Bethel, "The Freedmen's Bureau in Alabama," The Journal of
Southern History, XIV (February, 1948), 49-92. Most of the follow-
ing information on the Bureau, except when otherwise cited,
generally follows the Bethel article and Fleming, Civil War and
Reconstruction, 421-69.
The commander of the Alabama District of the Bureau during most of the critical years of Reconstruction was General Wager Swayne with headquarters at Montgomery. Field operations of the Bureau were handled through Sub-Districts with the number of such divisions varying from time to time according to need and other practical considerations such as availability of funds and personnel. Each Sub-District served several counties and was the reporting headquarters for the agents who did the work in the field. Most of the agents were military men though a few were civilians. (In later years the reverse was true.) Swayne's Bureau title was Assistant Commissioner, but after 1866 he became military commander of Alabama as well, and this dual role would endure under the doctrines of congressional Reconstruction. Being in charge of two distinct military commands, existing side by side, was an anomalous situation for Swayne which sometimes presented problems. Petty frictions developed between the military and Bureau troops which occasionally put the General in the position of being a referee in addition to his many other duties.

38An interesting situation developed in Huntsville between Colonel J. B. Callis, the Bureau Sub-Assistant Commissioner, and Captain William B. Occleston, the military commander at Huntsville. Callis threatened to "report the fact to your superiors" if Occleston did not control his troops better. Occleston replied, saying in essence, that Callis should go to it "and cease sending to this HdQtrs any further threats of such reports." Callis then forwarded his
General Swayne seems to have gotten along quite well with most whites in Alabama, including the various governors with whom he worked. He was basically objective and tolerant in his dealings with southerners, and for a time he was relatively acceptable even to the conservative whites who knew that things could have been much worse. After he became military commander, however, and the blacks received the franchise, Swayne, who stood high in Union League circles and therefore in a very strategic position vis-a-vis the freedmen, like so many federal authorities in the South, got political stars in his eyes and began to concern himself more with party matters in the state than with his official duties. After this, of course, he was an anathema to conservatives. In late December, 1867, for reasons that were never made clear, Swayne was removed from his command and ordered to return to his regiment. Quite likely this order emanated from President Johnson at the urging of Alabama Democrats. Such moves were still open to the chief executive in his struggle with the congressional radicals. Brevet

letter with Occleston's endorsement on to Swayne with the suggestion that "these troops be relieved and soldiers placed in their stead."

J. B. Callis to Brevet Major William B. Occleston, with endorsements, January 15, 1867, General Letters Received, 1867, Freedmen's Bureau Records, RG 105, NA.

Bethel, "Freedmen's Bureau in Alabama," op. cit., 80; Fleming, Civil War and Reconstruction, 494.
Brigadier General Julius Hayden succeeded Swayne in the dual command role and was adamant in his belief that Bureau agents should abstain from politics. On occasion he removed officers from their posts for such activity but was overruled by General Howard, the head of the Bureau, whose policy in this matter was rather vacillatory. The last assistant commissioner of Bureau affairs in Alabama was Colonel Edwin Beecher, who assumed the position in August, 1868, after Alabama had been restored to the Union and the military command again separated from the Bureau command.

Colonel Beecher served until the Freedmen's Bureau terminated its operations in Alabama in 1870. 40

The Freedmen's Bureau did much good in Alabama, especially in the first years after the war. In those months, when poverty and destitution were rampant, literally millions of rations were doled out to indigent blacks and whites alike. It was the federal government's first great relief effort and if the dole was sometimes used for political leverage, as charged, that small imperfection must be measured against the overall benefits of the program. 41

In the field of education, also, there can be seen some positive good in the work of the Bureau. In concert with various northern

40 Ibid., 85.

41 Americans would not perceive the rich possibilities of welfare politics until many years later.
aid societies and missionary groups and later in conjunction with the state board of education, the Bureau worked hard at the business of educating the freedmen. Although the numbers of blacks benefiting was relatively small (the peak year of 1866-67 ended with some 9799 pupils enrolled, this being far above the average), it was, nevertheless, a fair beginning for black education in the state. Sadly, this well-constructed foundation was generally allowed to deteriorate after restoration, but some of the schools established during this time by the Bureau or the philanthropic groups still exist as part of the public system. Then too, it should be noted, this phase of Bureau work was much less appreciated by the whites than was the welfare program. The crusading zeal of the teachers touched the sensitivities of native whites who were not wholly convinced of the efficacy of educating Negroes in the first place. As some blacks began to flaunt their newfound sophistication, it was naturally taken as insolence and convincing evidence of the impropriety of the whole idea. The great majority of those who taught in these schools and later in the black public schools were northerners and this was a source of irritation as well. Most whites came to view the schools much as they did the Union League lodges: as centers promoting black militancy and Republican doctrine. Teachers and school buildings were assaulted frequently in certain sections of the state, the Klan playing a prominent role in the action. There is little doubt that the Bureau schools,
and black public schools, too, for that matter, were tinged with Republicanism. This political infection, aggravated as it was by the racial paradox, was most injurious to the cause of education in the state. 42

Thus the good that the Bureau did was overshadowed in the minds of white Alabamians at the time and since by prejudices that it did not create but did help to cultivate. In the educational role and in other works it performed, such as reviewing work contracts and generally defending freedmen in their rights, the Bureau came to be one of the major villains to white conservatives. Some of its agents were unscrupulous — the civilians moreso than the military men — and many were unable to resist entering politics. The temptation to do so was great because they were in an advantageous position with black voters and often doubled as Union League organizers. But if the general caliber of documentary evidences left by these men 43 is any sort of reflection of their concern and

42 Bethel, "Freedmen's Bureau in Alabama," op. cit., passim; Fleming, Civil War and Reconstruction, 624-31.

43 The amount of material in the Freedmen's Bureau Records is staggering (RG 105, NA). The Bureau had a very thorough reporting system and in the reports and correspondences of agents, sub-assistant commissioners, assistant commissioners, commissioner, and other assorted people up and down the line there is a wealth of still unmined material. It is, as earlier noted, an excellent resource area for Klan study as agents, during certain periods, made regular reports on "outrages" in their locales.
and solicitude for the freedmen, who after all were their reason for being, then there must have been considerable good in that which seemed evil to so many people. The tangibility of that good or evil, whichever it was, is not the only consideration in the matter. Perhaps more important is what the people believed, because it is from conceptional impressions of a situation that initial responses as well as historical traditions generally spring. At the risk of further conceptualizing, it does seem clear that most southerners firmly believed that the Freedmen's Bureau was bad. The same was true for the Loyal League. Some sufferance, therefore, might legitimately be accorded to those whites who did lash out at the two groups. For all that we have come to understand and appreciate today about the positive side of Reconstruction, to the conservative whites at the time, generally speaking, it was an unmixed wrong, and more detrimental to the foundations of their society than the war itself. The League and the Bureau were the visible agents of the new order and thus the most likely recipients of retaliatory action. In a broad sense, then, the radical actions employed against those groups were militant expressions of conservatism and quite legitimate to the stewards of the old ways of the South. Of course, the actions of the Bureau and League agents were equally as idealistic and correct considered from an antithetical frame of reference.
D. H. Bingham, an active north Alabama Unionist and Radical, voiced the irony of the situation in 1867. Bingham was an inveterate letter writer and in one letter he wrote to General Grant, which turned up in Freedmen's Bureau files, he observed:

There is a certain temper among the gentry people here [Limestone County] that impedes the work of the Bureau with the result that the colored race is little better off than before the war .... Some of this class has practiced diabolical cruelties on the freedmen and the Freedmen's B. officers who are aiding them. These ex-rebils [sic] are afraid ... for their rank if they do not keep the black people down. 44

Bingham did not see the whole picture, but he was largely correct in his view. Racial domination did mean class stability. It meant, in addition, political domination and the recapture and retention of power. The remaining years of Reconstruction would see a playing out of the struggle for such objectives, and all the forces would be at work. Blacks would often be the center of attention, but for the most part only as pawns.

44Bingham to General Grant, May 29, 1867, General Letters Received, 1867, Freedmen's Bureau Records, RG 105, NA.
CHAPTER VI

THE RECONSTRUCTION SCENE IN ALABAMA: FINAL PHASE

The lion is in his slumber,
And the panther in the brake;
The fox is on his rambles
And the owl is wide awake;
For now 'tis noon of darkness
And the world seems all asleep;
But some shall wake to glory,
And some shall wake to weep.

Ku Klux

In one of its last acts, the provisional legislature of Alabama, in January, 1867, firmly rejected the proposed Fourteenth Amendment. Governor Patton had vacillated in his support of the amendment but ultimately came out strongly in favor of ratification. He and General Swayne then used what influence they had on the legislature, but to no avail. It was clear to some state leaders at this point that acceptance of the amendment was a condition to be met by the still un-reconstructed states prior to being restored to the Union. Governor Patton apparently understood this and had also correctly interpreted the setback that the previous fall elections had

1Memphis Avalanche, March 21, 1868, copied in Athens Weekly Post, April 2, 1868.

2Fleming, Civil War and Reconstruction, 396-97; Moore, Alabama, 468.

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been for President Johnson's leadership. The Alabama legislature, however, followed the president's siren-song of opposition and the advice of ex-Governor Parsons, who thought the North would support Johnson in the matter, and voted away its last chance for a quick reconciliation with Congress.

Between October, 1866, and February, 1867, all of the other former Confederate states except Tennessee voted against the proposed amendment and seemed to present a solid phalanx of obstinacy for northern viewers. The South's image of contrite subjugation had already been seriously damaged by the Memphis and New Orleans riots and this latest example of southern zealotry was enough to convince even the moderates in the North of the need for stronger measures.

Congress responded by passing the Reconstruction Acts of 1867, brushing aside President Johnson's objections. These acts, which were the result of laborious compromises between the radical and moderate wings of the Republican party, practically relegated the ex-Confederate states to the status of territories. The ten "rebel states" were declared to have "no legal State governments or adequate protection for life or property," and were

divided into five military districts, each under the control of a military commander who was to have almost absolute power. The duties of these commanders were numerous but generally consisted of protecting all persons in their individual and property rights, suppressing disorder, and punishing disturbers of the peace. They could use the existing courts or military tribunals at their discretion, except that all death sentences were subject to review. The overriding duty, however, was to prepare their provinces for readmission to statehood. In this connection they were to oversee the registration of voters and the calling of a constitutional convention in each state. All adult males were to be registered, irrespective of race, except those disqualified by participation in the rebellion. Also, whites who were under disability according to the still unratiﬁed Fourteenth Amendment were to be excluded as well as others who could not subscribe to a complicated loyalty oath. Once registration was complete, the conventions would meet and prepare new constitutions. As each constitution was accepted by a majority of voters, elections for governor and legislators would be conducted. Finally, when the legislatures ratiﬁed the Fourteenth Amendment and it became a part of the Constitution, and Congress approved all this action, the states would be restored to the Union and their representatives received by the Congress. Until these requirements were met, the
existing state governments would be provisional and subject to the authority of the central government symbolized in the person of the military commander.

Under this plan Alabama became a part of the Third Military District, along with Georgia and Florida. The command was first given to General George H. Thomas, who was commander of the Division of the Tennessee under the existing military setup. Thomas, however, asked for release from the assignment, and General John Pope was appointed in his place. Pope first made his headquarters in Montgomery, with General Swayne as his second-in-command for the Alabama Sub-District. He shortly moved the District headquarters to Atlanta, evidently because he felt Georgia was going to present more problems than Alabama. Initially Pope seems to have been received rather well by Alabamians. One leading conservative paper printed a resolution praising his "spirit of moderation" and pledging "earnest and cordial cooperation." Others adopted more of a wait-and-see attitude but were at least not openly hostile in the beginning. That would quickly change, however, for as Pope set about executing the

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4Fleming, Civil War and Reconstruction, 473-74; Sefton, The United States Army and Reconstruction, 20.

5Fleming, Civil War and Reconstruction, 475-77.

6Montgomery Mail, April 21, 1867.
Reconstruction laws as he saw them he alienated many conservatives who believed that he was going beyond the letter of the law. Alabama whites hoped that President Johnson, as commander-in-chief of the military, would be able to ameliorate the laws in their execution, but they were to be disappointed. The district commanders reported directly to General Grant, who was being embraced by the Radicals at the time, and Johnson, for some strange reason, did not attempt to subvert the congressional plan by any of the legal means still open to him. Pope and Swayne began to pursue what conservatives thought to be "extreme measures," and the brief honeymoon between the General and Alabamians quickly passed. Soon he came to be castigated in the state press generally, and President Johnson was bombarded with letters of complaint. Conservative newspaper publishers were given more reason to dislike him when, in August, he issued an order removing all official state advertising from journals judged to be obstructing Reconstruction policy. This order affected papers all over the state and caused a storm of protest which seemingly startled Pope, though not enough to cause any softening of this policy as long as he had the command.

7 Sefton, The United States Army and Reconstruction, 115-17.

8 Fleming, Civil War and Reconstruction, 485-87.
Pope's actions in regard to the civil authorities in the state, whom he came to view as reactionary and obstructionist-minded, created a situation whereby peaceful coexistence and cooperation between military and civilian officials, at least when the latter were of conservative persuasion, was practically impossible. His reputation with the whites became so sullied that he has come down in history as one of the two or three "more objectionable" of the many generals who served in these district appointments. And in the older traditions of Reconstruction history, it was during his regime that the state entered the "gloomiest period of her history." 9

Despite the antipathy Pope aroused in the white populace, he seems nevertheless to have been relatively successful at his duties of engineering the restoration of the states. He was removed in late 1867 and replaced by the more popular George C. Meade (at President Johnson's direction), 10 but by then much of the groundwork had been done. The charges that Pope had launched a military despotism, intimidating civilian authorities and largely bypassing civil courts in favor of military tribunals, were


10Sefton, United States Army and Reconstruction, 168-70.
grossly exaggerated; even Fleming was forced to admit a dearth of hard evidence to support this part of the Pope indictment.  

No doubt the truth of the matter is that Pope's administration was too strongly political, and Johnson was reacting to the Radical generals in the one way he could — by transferring them. General Swayne was reassigned at the same time.

Prior to that, though, under General Pope's vigorous direction, registration of voters had been so successful that he was able to call for an election in October, 1867, for delegates to a constitutional convention to meet in Montgomery on November 5. Both the registration districts and the apportionment of delegates to the convention were arranged so as to favor the black counties at the expense of some white counties. Alabama Unionists were greatly dismayed at what was happening, for they discovered that not only were many of them disfranchised under the Reconstruction Acts, but now federal officials seemed to be arranging matters as to return power to the Black Belt.

A great deal of energy was expended by the Radicals to ensure that blacks registered and voted. Both the Union League and the Freedmen's Bureau (unofficially), did yeoman service in

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11 Civil War and Reconstruction, 487.

12 Ibid., 489-91; Wiggins, "Unionist Efforts to Control Alabama Reconstruction," op. cit., 60.
this campaign. Conventions, parades, barbecues, and other promotional events were held. The results indicated the success of the effort, as registration figures just prior to the election showed some 104,818 blacks registered out of the total of 165,813, and in the election itself the conservatives were swamped, returning only two delegates compared to ninety-eight Radicals. There have been charges that some registered whites were intimidated in the election and that blacks were "marched to polls" to "vote early and vote often," but the fact of the matter is that black voters simply outnumbered whites at the time and many whites chose not to vote.

General Order No. 76, from Pope's headquarters, ordered the convention to assemble at Montgomery on the fifth day of November and to "proceed to frame a constitution according to the provisions of the acts above referred to Reconstruction Acts." It was by all accounts a rather diverse assemblage, containing sixteen or eighteen blacks, a large number of northerners (Bureau Officials, mostly; many of whom had been registrars as well and had certified to their own elections), native Unionists, and

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15 Lists vary as to the number of Negro delegates, apparently because there was some doubt as to the race of four or five men. *Ibid.*, 114-15; Fleming, *Civil War and Reconstruction in Alabama*, 517-18.
ex-Confederates who obviously had perjured themselves in taking the "test oath." Both Generals Pope and Swayne were in regular attendance at the convention; Pope offering a welcoming speech in which he advised the delegates to be fair and temperate in their deliberations. The delegates responded, praising Pope's gentleness, firmness and impartiality.  

Although the great majority of delegates to this convention were now operating under the Republican label it is clear that all of them were not bonafide Radicals. The votes on the more radical proposals involving touchy racial matters, public education, changing of county names, and especially the setting of voter qualifications, were far from unanimous. Many of the native white delegates began to fear that the carpetbaggers and a zealous few of their own number were moving to gain control of the state by catering to and controlling the black vote. Their fears would, 

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16 Official Journal of the Constitutional Convention of the State of Alabama Held in the City of Montgomery, November 5, 1867 (Montgomery, 1868), 10-13; Appleton's Annual Cyclopedia (New York, 1867), 30.

17 Journal of the Convention, 1867, passim.

18 A few of the whites were respected state leaders from pre-war days. Many would henceforth labor under the taint of scalawagism although their motives at this moment were entirely honorable. In this group were such men as Joseph H. Speed, Benjamin Whelan, B. F. Saffold, H. C. Semple, and perhaps even E. W. Peck, although the latter was originally a New Yorker.
of course, be realized, and some few abandoned Republicanism at this point, though others would allow themselves to be carried further along with the prevailing current (and the irresistible urge for office).

The most critical phase of the constitutional convention was the debate concerning the franchise. The arguments over the various proposals were quite heated and lasted for several days. There were many different suggestions made on this matter and the Radicals themselves were much divided. The suffrage and disfranchisement clauses finally adopted were quite extreme, exceeding the requirements of Congress and the Fourteenth Amendment, and involved a rather harsh test oath. It was judged that some 40,000 white men would be excluded from voting or holding office under these stipulations. The northern delegates especially seemed determined to proscribe enough "rebels" to keep the balance of power. Curiously, some of the black delegates were inclined toward leniency in this matter. 19

The old Unionists, primarily of north Alabama, who had been struggling to retain command of political power in the state, would be hurt by the new constitution in two different ways. First, all those proscribed under the proposed Fourteenth Amendment

were also disfranchised by the constitution, and this would include many avowed Unionists who had been "coerced" into some minor Confederate position. One such Unionist decried the fact that the "humblest antebellum officeholder however much he preferred the Union, and hated secession, found in almost every case, that in the opinion of the Government, he was no less a rebel, than Yancey." Secondly, they were bound to lose ground to the Black Belt section with the enfranchising of blacks and a newly-arranged representative structure which would be based on the entire population of the state.

There are a number of inexplicable oddities in connection with the campaign for ratification of the new constitution which was completed on December 6, 1867. One of General Pope's last official acts before being replaced by Meade was to call for a referendum on the constitution and election of designated state officers; this to be held February 4, 1868. In the first place only sixty-eight of the hundred delegates had signed the constitution. Then, some of those who had endorsed the document subsequently went out and worked against its ratification, while others, who had failed to sign, or who had voted against it in its final form,


21 Ibid., 60-61.
supported ratification and even ran for office under its provisions. Obviously there was in all of this some antagonism between philosophy and practicality.

A total of fifty-eight of the convention delegates announced for office, including thirteen of the blacks. The campaign in behalf of the constitution and individual candidates was much like the one of the previous October. Almost all Radical attention was directed to black voters with the Union League again quite active. The Conservative party, now encompassing most ex-Whigs, all Democrats, and a few erstwhile Republicans, decided upon the strategy of staying away from the polls, as the Reconstruction law required that the constitution had to be voted on by a majority of all registered voters before it would be acceptable.

This was a desperate attempt to take advantage of one of the loopholes in the original Reconstruction Acts which Congress was at the moment moving to repair. It worked well, temporarily, for when the votes were tabulated, although there was an overwhelming majority "for the Constitution," it was seen that some 13,000 too few had voted on the proposition. General Meade, after investigating the charges of intimidation and corruption which came from the Radical camp, concluded that the constitution had


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failed on its merits and he so reported to Congress, asking for authority to repeat the whole process.23

Congress, however, after some quibbling on the matter of contravening its own enactment, decided to waive the conditions of the Reconstruction Act of March 2, 1867, and admit Alabama anyway, along with the "reconstructed" states of North Carolina, South Carolina, Louisiana, Georgia, and Florida. President Johnson's veto of the bill was easily overridden. The law, of June 25, 1868, which paved the way for Alabama's readmission to the Union also established the fundamental condition that the constitutional provision for Negro suffrage should never be altered. 24

Now it was the conservative's time to cry "fraud" and "perfidy." Alabamians were distraught to find that Congress had no more compunction about changing the rules in order to keep the advantage than they themselves had in misusing them for the same purpose. This period — through the fall elections — was probably the highwater mark of frustration and confused agony for whites of the entire era. There seemed little hope of successful

23 Ibid., 542-44; DuBose, Alabama's Tragic Decade; 138; Moore, Alabama, 481

24 Ibid., 547-52; United States Statutes at Large, XV, 73-74. Alabama, as well as most other southern states, disregarded this "condition" in later constitutions which effectively disfranchised blacks.
opposition at the political level. Some old leaders withdrew completely from public life. A few left the state. Others now moved to join the incipient Klan movement, which must have seemed to them the only viable competitive option left open. Although the whites began to close ranks as never before in Alabama history, the racial polarization was not yet politically effective. Too many of them were under suffrage or officeholding disabilities, or infected with negativism, and a strong minority of native whites still preferred to stay within the Radical camp, suffering ostracism and indignities from their neighbors as the cost of the political opportunism (or in some cases, idealism). In any event, the conservative white coalition, though growing in size and spirit, could do little at the moment except make futile protest. On the local level the secret resistance groups, such as the Klan and the Knights of the White Camellia, would offer an outlet for expressing these frustrations, but their successes were all short-term and quite limited; perhaps even proving detrimental to the overall conservative cause. Thus, for some six years the Radicals had rather clear sailing in the state; their biggest problem being fragmentations within their own ranks. Conservative feelings were perhaps epitomized in the sneering comments of one north Alabama journal which acknowledged the "... Timbuctoo 'Constitoosh' ratified. Of course! Bayonets is trumps. Niggers is Kings. Nastychussetts
schoolmarms is queens. And Rump shoulder-strappers is low Jacks in the game."²⁵

The February vote which had "ratified" the new constitution had also elected a full slate of state and local officers, nearly all from the Radical party and a high percentage of them only recent settlers in the state. A native, William H. Smith of Randolph County was the new governor. Described by Fleming as a man of "no executive ability, careless of the duties of his office, and in few respects a fit person to be governor," Smith was known for his intense hatred of Confederates and general dislike of Negroes. He seems to have had the desire to be governor of a few thousand Unionists, by the aid and consent of the Federal army. He really pleased no one, being too radical for the Democrats and not extreme enough for the Radicals. Contributing to his unpopularity with his constituents was his war record: he had started out with the Confederacy but in 1862 had gone over to the other side and helped recruit Alabamians for the Union army. On the other hand there is hardly enough evidence to support the harsh judgment of Smith rendered by one Alabama historian, who called him ". . . an abortion, a miscarriage of the processes of American civics."²⁶

²⁵Moulton Advertiser, June 15, 1868.

²⁶Fleming, Civil War and Reconstruction, 735-36; DuBose, Alabama's Tragic Decade, 205, 221-22; Moore, Alabama, 481.
Elected lieutenant-governor was Andrew J. Applegate, an Ohio native, Union veteran, and former Freedmen's Bureau agent. He has traditionally been portrayed as the essence of carpetbagger evil and even a recent revisionistic interpretation of Alabama carpetbaggers acknowledges that Applegate was "avaricious." Of the other elected state executive officers two were native whites and four had come to the state since the war. In the judicial branch native whites were more successful, "capturing nominations for all three places on the Supreme Court, five of the six places as Chancellors, and eleven of the twelve nominations for Circuit Judges." All of those initially elected to Congress from the state, both senators and representatives, were northerners. Native whites would come to control the congressional seats in the ensuing elections, so that in the whole of Reconstruction, 1865 to 1877, only nine of thirty-eight congressmen from Alabama were carpetbaggers; but in this first delegation from the "reconstructed" state they completely dominated. One of the two senators, Willard


28 Wiggins, "Unionist Efforts to Control Alabama Reconstruction," op. cit., 62-63. Walter Fleming revealed his strong conservative bias in his discussion of these elected officials as he inferred that this state government was completely dominated by outsiders. He notes, for instance, that Governor Smith was from Georgia and Chief Justice Peck from New York, when actually these two men (and others so misrepresented), had lived in Alabama many years before the war. Civil War and Reconstruction, 735-37.
WARNER OF OHIO, has been classed among the "idealistic" carpet-baggers who were incorruptible and sincerely desirous of upgrading southern civilization. He does seem to have been less offensive to his constituents than to his Radical colleague in the Senate who denounced his "lukewarmness." GEORGE SPENCER OF IOWA, the other senatorial representative also perfectly represents the carpetbagger stereotype. He scrupled at nothing to maintain his place of power, even entering intrigues with the Democrats to enhance his personal political aggrandizement. For years he largely controlled patronage in the state. No black was elected to a major office at this time.

The Radicals absolutely dominated the new legislature, which would last for three years. Ninety-seven of the one hundred House members and thirty-two of thirty-three Senate members were of Radical orientation. As for Negro representation, it is clear that the major party was not yet prepared to distribute power equally among the races, as only one black senator was elected and twenty-six legislators, despite the fact that the black race comprised over forty-six percent of the population according to

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29 Fleming, Civil War and Reconstruction, 739; DuBose, Alabama's Tragic Decade, 342; Woolfolk, "Carpetbaggers in Alabama," op. cit., 134.


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1860 figures and had a substantial majority of registered voters at the time. This was the extent of "black domination" in the state; they would never have a stronger voice than this on the state level, though in following years they would receive an increased share of local offices, inconsequential state posts, and a few of the federal jobs.

If it was not actually controlled and corrupted by the blacks, this legislature does seem to have presented a sorry picture to the public. There was apparently something of a carnival atmosphere over the first few sessions as blacks packed into the galleries to shout their approval of the proceedings. Various described in terms such as "spectacle," "heart-rending," and "putrid," by conservatives and their chroniclers, the assembly set about its business with no small fervor. Along with the serious public business of organizing themselves, ratifying the Fourteenth Amendment, making appropriations, and debating the issues at hand, the legislature passed many "peculiar and personal acts." Some twenty members were under indictment or conviction for crimes of a wide variety, and bills were passed at different times relieving members of penalties for everything from adultery and arson to

31 Ibid., 3, 491, 738.
32 Ibid., 739-41; Bowers, Tragic Era, 362; DuBose, Alabama's Tragic Decade, 223.
riot and murder. 33  

Bribery seems also to have been fairly common. At least accusations, albeit unsubstantiated, were levied rather freely as to members accepting bribes from an assortment of railroad, lottery, and other contracting interests. It was said that some black members even sold out rather cheaply to the conservative side when the latter wanted some minor bill passed. 34  

This is probably true on some major issues as well, as it has been convincingly shown that there was no small amount of collusion between "simon pure" white conservatives and Radical legislators of both races in the matter of railroad bond schemes. 35  

Of course it was the "Black and Tan" legislature that received the public criminations for such misdeeds. Later, some of these same conservatives would play lead roles in "redeeming" the state from the "corrupt" Radical regime.

In the meantime, however, most whites demonstrated shock and disbelief at developments in the state. The editor of the conservative Montgomery Daily Mail printed a news item from a northern paper which stated that the "business that passes through

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Hell Gate, going to and from New York is immense." His comment was that the "business that passes through the same gate to and from the Alabama Legislature is still more immense." The feeling was widespread that the whole group in Montgomery was enriching itself at state expense. Baron Jacob Rothschild passed away about this time and a bitter little joke was popularized among whites which purported to be a dialogue between John Carraway (Negro legislator and barber) and "another barber" concerning Rothschild:

Other barber: 'How much was he worth, did you say?'
Carraway: 'Fo' hundred million dollars.'
Other barber: 'Gosha mighty — he must' a been in the legislature!  

Whether such wholesale charges against the legislature were true or not is less significant historically than the fact that most white Alabamians believed them to be, for it was upon their beliefs that they acted. It has been amply and skillfully demonstrated by the revisionist historians that "high taxes, mounting debts, corruption, extravagance, and waste ... do not constitute the complete record or radical regimes" such as the one in

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36 December 17, 1868.


38 Stampp, The Era of Reconstruction, 176.

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Alabama. All that they say is probably true — the taxes and skyrocketing state debts can be explained and justified for the most part on the basis of progressive legislation and real needs, and the corruption and extravagance rationalized as part of a national phenomena or tempered on the premises that the Democrats were no purer when they got their chance. But there is a collateral matter here that deserves some acknowledgement as well, and that is that most white citizens of Alabama did not understand or appreciate the progressive legislation being provided them by their assembly, nor did they know or give a whit about any nationwide corruption or materialism. What they did know, or at least what they believed and reacted to, was that the Radicals had the power and were using it to enrich themselves and bankrupt their state in the process. The conservative press provided the mental stimulus for the maintenance of the idea (traditionalist historians would chronicle it), and on the impelling force of such beliefs the Democrats would eventually ride back into power. "A carnival of misrule by a miscreant rabble," was how one editor described it, and there is little reason to believe that many of his readers thought otherwise. It must have been consciously and physically appalling at this point for the whites who believed what they heard of the

39 Athens Weekly Post, August 18, 1868.

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goings-on in the state capital and observed what seemed to be parallel developments locally. And it was no doubt the force of these ideas that disturbed the resignation prevailing since the constitutional setback.

There would be a presidential election in November of 1868, and many were roused from their stupefaction once more to seek relief through action — both political and physical. Much of the action resorted to was clearly criminal, as Klan intimidations and violence increased, and there is no question but that it was conspiratorial. It is impossible, of course, to justify the terrorism that abounded. It is not impossible to understand it. The situation was, as one yeoman west Alabama conservative put it, "simply to [sic] much for a Southern man to swallow." 40

The Radical side was no less convinced that its position must be held at all costs. Thus, the presidential campaign and election of 1868 was very tumultuous in Alabama as elsewhere in the South. Conservative whites of the state put aside past political differences to work together under the Democratic banner and for the Seymour-Blair ticket 41 while the white and black Radicals pulled


41 Some old Whigs winced at the label and insisted that the state organization be called the Democratic and Conservative Party of Alabama. But a full delegation was sent to the Democratic

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out all the stops for Grant and Cox. The races voted against each other in more unified fashion than before and it was a clear test of relative strengths. Both sides worked strenuously. The Union League and other Radical agencies were again quite active in managing the black vote, resorting to the usual hoopla and pressures. The Democrats were equally busy in trying to get whites registered and to the polls. The Ku Klux was especially energetic during the campaign, particularly in localized areas of the state where it apparently tried to overawe and unnerve a black majority.

Many of the conservative leaders were still disfranchised and others could not or would not register because of the oath. Nevertheless, their party ran a vigorous and confident campaign. When the votes were tabulated and reported, there were cries of "foul" from both camps. The Democrats grumbled that the army had been used to help the opposition and the Radicals complained of an assortment of intimidations. Both sides were surely guilty, and no doubt both sides were equally sure that theirs was the morally defensible action. The Radical state government was severely shaken by the results, which saw thirty-seven of the sixty-two counties going to


42Klan operations in this campaign will be discussed in a later chapter.

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the Democrats, including even five with black majorities, but the
top-heavy vote in the populous Black Belt section was sufficient to
Alabama "white line" had not yet matured; the state would be
counted in the Republican column for six more years.

Before that "redemption" finally came, there would be
more of those extraordinary developments which make the Reconst-
truction history of the state unique. The first of these came in
the special election of 1869. This election was ordered for August
3, 1869, for the double purpose of filling vacancies in the state
legislature and electing a new congressional delegation.\footnote{The Representatives seated when the state was restored
to the Union in June, 1868, served only for the life of the Fortieth
Congress, that is, until March, 1869.} The
unusual feature of this election was the fact that several fairly
prominent whites in the state — including former Govnor Parsons
— who had supported the Democratic movement the past fall, now
switched to the Republican party and did important service can-
vassing for Radical candidates in their districts. The suggestion
is that Grant's election had convinced them of the futility of any
conservative hopes. Then too, of course, there would be some
choice patronage plums, which did indeed come their way. This episode further highlights the curious nature of scalawag history during the era. In Alabama, it is clear that while earlier some idealistic native whites had deferred to carpetbaggers in the Republican party, as is now the generally accepted interpretation, that is not the end of the story and, indeed, after 1868, the reverse may have happened. It calls for deeper study, but it does seem to have been true that more native whites, and not only the old-line Unionists, joined the radicals after 1868.\footnote{DuBose, Alabama's Tragic Decade, 273-75; Wiggins, "Unionist Efforts to Control Alabama Reconstruction," \textit{op. cit.}, 63.}

As for the election itself, only one of the incumbents was returned to Congress. Now to serve with him were two "so-called" Democrats, two native Republicans, and a new carpetbagger. Fleming says that this delegation was even "weaker in ability and morals" than the previous delegation,\footnote{\textit{Civil War and Reconstruction}, 749-50.} but offers no support for his evaluation. The conservatives of the state were predictably disgusted at the election results and the white apostasy, despite the small gains they had made. The editor of the Mobile Register said: "We, the white eight millions of the South give notice to the black three millions that we intend to rule this country." And the
Selma Argus protested that it was "much more important that the whites of the State be united than that they be right."\(^{47}\)

Of the eight new members chosen for the state legislature, not one was ultra-radical. Some were Democrats and one, Ryland Randolph of Tuscaloosa County, was certainly one of the most ultra of ultra-conservatives. Randolph, the pugnacious editor of the Tuscaloosa Monitor had made himself obnoxious to the Radicals in many ways. He was absolutely irrepresible and had an incredible history of verbal and physical clashes with his opponents. Only the year before he had been arrested and tried by military authorities for "obstructing Reconstructions," and only narrowly escaped being sent off to Dry Tortugas. He seems to have had a charmed life, and his mere survival is proof that the Radicals did not have despotic powers. His legislative tenure was quite brief, however, as he was soon expelled by the Radical majority because of some defamatory articles he had written. Randolph's farewell address to the legislature was truly remarkable, including such choice remarks as:

I came here, believing with religious confidence that you were a body of organized plunderers and thieves. I leave you fully impressed with the justice of my previous convictions ....

and:

In bidding you farewell, I would say that I feel proud that I have been expelled from your midst. 48

In the gubernatorial election of 1870, Governor Smith, seeking reelection, lost a close contest to Robert Burns Lindsay, Democrat, of north Alabama. Smith's lukewarmness toward carpetbaggers damaged the party, and some Radicals had become openly hostile to him after he attested to the peace and tranquility of the state in his regular message to the fall session of the legislature. Republicans generally did not want any troop withdrawals, and such statements compromised the justifications for the army presence. Also, it was an inaccurate assessment. Although things were somewhat quieter than in the year preceding, the Klan was still active and criminality flourished in some areas.

The Radicals controlled only thirteen counties, including only one outside the Black Belt, but their margin of defeat was less than 1500 votes of the 152,446 cast. Governor Smith was convinced he should contest the election and his challenge held for a time, thus presenting Alabama with the anomalous

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48 Quoted in Ibid., 285; Also see Fleming, Civil War and Reconstruction, 741; Ryland Randolph, Autobiographical Episodes, in John W. DuBose Papers, Alabama Department of Archives and History; and Appleton's Annual Cyclopedia, (1870), 13. Randolph's connection with the Ku Klux Klan, which was intimate, is discussed in a succeeding chapter.
situation, in early 1871, of having two men claiming to be the chief executive. Smith was eventually squeezed out because the Democrats had captured the House and were able to force the issue in Lindsay's favor. 49

There were bizarre maneuverings in this election, with the result that it was a misleading indication of relative party strengths. The Radicals apparently had the potential votes to control the state easily 50 but the machinations of some of their leaders allowed it to go to the opposition almost by default. The trouble stemmed primarily from a conflict of interests between some of the carpetbaggers and a clique of native white Radicals. The man traditionally cast as the "evil genius" of this schism was Senator George Spencer who, if prima facie evidence is true, deserves to be classed in the first rank of politically adventuresome carpetbaggers. By all indications Spencer, the Radical's radical, wanted to have the state pass temporarily into Democratic hands. This would mean being rid of Governor Smith, who was becoming something of an obstructionist, and also that Senator Warner, whose term was expiring, would be replaced by a Democrat. He, Spencer, would then be


50 Demonstrated by their comeback in 1872.
sole distributor of federal patronage in the state. He could then
revitalize the party for the 1872 elections and ensure his own
reelection. Things evolved in just such a pattern and Spencer
does appear to be culpable in the matter, but he deserves further
study — either to moderate these charges or, if they prove true,
to commemorate his imaginative knavery. "Shrewd, coarse, and
unscrupulous" he may have been, and a "callow fellow" indeed, but
he also seems to have been a remarkable political manager. 51

The Lindsay administration, although technically
Democratic, was in practice a coalition of both radical and con-
servative voices. The House was controlled by Democrats and the
Senate by Republicans. Some state offices were held by one side;
some by the other. Thus, very little was accomplished in the way
of bringing order to state government. The Acts of Alabama,
1870-71 is a slim volume compared to the two preceding ones 52
indicating a dearth of legislative accomplishment. One cause of
this was, of course, the fact that the legislature was split and one
side or the other resisted practically everything proposed, whether

51 DuBose, Alabama's Tragic Decade, 288-91; Fleming, Civil War and Reconstruction, 737, 751-52, 755; Woolfolk,
"Carpetbaggers in Alabama," op. cit., 136-37; Ku Klux Report,

52 Some 315 pages as compared to 480 and 602 pages for
the preceding two years, exclusive of indexes.
for repeal/reform or for more radical legislation. Another reason for the stalemate, however, was that some of the conservative leaders were interested in various railroad schemes and would not consent to repudiate such bonds — indeed they insisted upon "honorable" recognition of these obligations. It was only in the matter of corporate interests that this legislature could generally agree and much of the legislation that it passed had some corporate connection: railroad, textile, mining, or institutional. And the disputes that did arise were often as much a competition of economic interests as ideological. 53

Lindsay was, by all accounts, a weak executive. Although personally honorable he was artless in proceedings of state and thus easily manipulated by stronger, less honorable men. He seemingly had no understanding of financial matters and as the fiscal affairs of the state were a shambles he was particularly vulnerable. He could get no satisfaction from the state treasurer or state auditor as to a precise accounting of state debts; especially did railroad obligations defy numeration. The Governor added to this confusion by endorsing additional bonds himself without keeping proper

53 Bond, "Social and Economic Forces in Alabama Reconstruction," op. cit., passim; Miller, Alabama, 258-60; Coulter The South During Reconstruction, 152; Even Fleming is forced to concede that the conduct of some Democratic leaders here was on "no higher plane than that of the carpet-baggers," Civil War and Reconstruction, 753.
records. He did try to cut expenditures and he filled vacant offices with good men whenever he could but his attempts at reform were thwarted by his own incompetence and what he called "obnoxious forces." 54

The Democrats chose a south Alabama man, Thomas Herndon of Mobile, as their candidate for governor in 1872. Lindsay had come to be an embarrassment to them, so he was quietly dropped by the Democratic convention under the pretext that it was opposed to two terms for a governor. Most of the old pre-war leaders were now free of political or suffrage disabilities and were contending for power in the state once more. General James H. Clanton of Montgomery had been the leader of the conservative coalition since 1866 and is generally accorded a place of high honor among the redeemers of the state, but he was dead by this time; 55 leadership of the party was devolving more upon "old line" Whigs and younger men of kindred philosophy.

Actually, the only real matter of controversy among Alabama Democrats involved the national political scene: whether

54 DuBose, Alabama's Tragic Decade, 339, 341; Hilary Herbert, Why the Solid South (Baltimore, 1890), 56; Ku Klux Report, "Alabama Testimony," 214, 232, 381, 1558-61 (see all of Lindsay's Testimony, 159-225).

55 Clanton was killed in a gunfight on the streets of Knoxville in late 1871, ironicaly enough, by an agent of rival railroad interests.
or not they could support the Liberal Republican candidacy of Horace Greeley for president, as advocated by the national Democracy. They did so only reluctantly, and there is some possibility that this is one of the causes for the conservative reversal in 1872. There were others. Herndon's weakness in north Alabama and the erosion of party morale because of Lindsay's poor leadership were factors also. Probably more important, however, and generally overlooked, is the simple likelihood that the Radicals still had superior political strength in the state. In any event, the whole Radical ticket carried, with David P. Lewis, a north Alabama scalawag, winning the governor's chair by some 8500 votes. The national Republican ticket carried by an even larger margin and the state's electoral votes went again to Grant. In the election for governor, the Democrats increased their vote by well over three thousand above the 1870 figures, but the Radicals increased theirs by almost fourteen thousand. This is a testament to the functional organization of the latter and the managerial skills of Senator Spencer and some of the other regulars. There were some charges of irregularities from both sides in the contest, but the 1872 campaign saw less violence than any since 1866. 56

56 Both sides probably thought they could win without it. Also, the Klan had been mostly extinguished by this time; for
Senator Spencer's devious strategy had worked satisfactorily except in one critical matter: the Democrats claimed a majority in the newly elected legislature and would obviously elect a Democrat in his stead. This situation developed because the blacks were a majority in only a relatively few counties. It was a critical period for the Radical senator, calling for desperate action. Spencer was equal to the emergency though, and the resulting struggle was one of the more incredible episodes of Reconstruction history.

What Spencer and his supporters proceeded to do was to have Radical claimants appear in Montgomery contesting Democratic electees in sufficient numbers to have a Radical quorum and majority in the legislature. The Democrats refused to yield their seats, however, and for several weeks both groups sat claiming to be the legitimate State Assembly. Governor Lewis, whose own election was certified by the Democratic body, then refused to recognize that body. He inclined toward the Radical "Court House" legislature, as it was called, and tried to employ civil and military

several reasons but largely because of the Federal Anti-Ku Klux legislation of 1871. For the election, see DuBose, Alabama's Tragic Decade, 341-50; Fleming, Civil War and Reconstruction, 754-56; Miller, Alabama, 483-85. For the limited Ku Klux role in the campaign, see John Z. Sloan, "The Ku Klux Klan and the Alabama Election of 1872," The Alabama Review, XVIII (April, 1865), 113-23, which really reveals none.
force to remove the rival "Capitol" legislature. Both groups adamantly refused to give up. The Radical group reelected Spencer, as expected, and the Democrats chose F. W. Sykes. In all of this, bribery, collusion, extortion, and untold pressures were resorted to, by the Radicals mainly, in order to try to hold the line. Both sides appealed to Washington with the Radicals obviously in the advantage. The "compromise plan" devised by Grant's Attorney General, George H. Williams, called for a fusion of the two legislatures into one in a manner which eventually gave the Radicals the upper hand. In this "compromise" several bonafide Democratic members found their seats in the House and Senate being awarded to Radical disputants. There was strong resistance to this "most blatant political chicanery in the annals of organized government," but it was futile. Spencer returned to his seat in the United States Senate, and the Lewis administration ground down almost to a standstill, trapped in a welter of cross-purposed inefficiency and political fragmentation. The conservative whites again seem to have resigned themselves to their immediate frustration, sustained by an increasing determination to win it all in 1874.  

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57 DuBose, Alabama's Tragic Decade, 381-410; Fleming, Civil War and Reconstruction, 759-58; Report of the Joint Committee of the General Assembly of Alabama in Regard to the Alleged Election of George E. Spencer (Montgomery, 1875), 15-30.
Hopeful signs were abundant for Alabama Democrats in 1873-74. There was a serious economic depression. Radical Republicanism seemed to be rapidly losing favor nationally and a harassed Grant was becoming increasingly impatient of demands from southern administrations. Within the state, whites of all classes and sections began to embrace the idea of "drawing the color line" in 1874, putting aside past sectional and philosophical differences and making an all-out effort to capture the state government for the Democratic and Conservative party. The "rapid breakdown" of the Radical party in the state augured well for them. After the strained victory of 1872 the party was severely torn and the different factions quarreled contentiously. Blacks began to show more resentment of the political short-changing they had received for years. Some carpetbaggers departed the state as they sensed a reversal of fortune. Others left politics and tried to plow their partisanship under the cotton rows of recently acquired plantations. A serious intra-party controversy centered around the attempted impeachment of long-time leading carpetbagger Federal Judge Richard Busteed, who was accused of financial duplicities as well as political back-sliding. Such dissensions and defections jeopardized Radical hopes in the face of growing conservative unanimity.  

58 Allen J. Going, Bourbon Democracy in Alabama, 1874-1890 (University of Ala., 1951), 9-14.
The Democrats hoped to go into the campaign with a candidate who would not alienate any particular section or group. He had to have neither a strong "secessionist" nor "unionist" background, and George S. Houston of Limestone County seemed to meet all requirements. Although a prominent Democrat before the war, Houston, who had opposed secession and contributed little to the Confederate war effort, had been "laying-low" politically during the early days of Reconstruction and concentrating on his law practice in partnership with Luke Pryor, one of Alabama's premier railroad promoters. Party leaders, wanting to show only unanimity to the voters, worked out their differences and arranged for Houston to be nominated unanimously; then they launched their campaign squarely on the race issue.\(^59\)

The Republicans, admittedly "torn and distracted" by internal frictions,\(^60\) entered the campaign with less than whole-hearted support for the renominated Lewis. Blacks more than ever before were pressing for political and social equality and this in all probability drove some native whites from the party. Most of the Radical leaders in Montgomery and in Washington inclined toward a moderate, white-controlled party but a few whites, especially


\(^{60}\)Montgomery Journal, October 9, 1875.
from Black Belt areas, continued to cater to the Negroes. The cleavage between the factions was irreparable by election-time, with even the major Republican newspapers quarreling among themselves over official advertising and printing. The party was far from dead, however, and the Democrats knew they were in for a struggle.

The election was indeed contentious. The Democrats waged what was likely the first of the racially-demagogic-type campaigns that were to become the pattern for southern politics over the next seventy-five years. Putting aside their own differences and avoiding any issues that might tend to divide they concentrated almost wholly on getting a high-yield white vote while reducing the black strength. Wails of miscegenation, black incompetency, and black domination were coupled with advocacy of white racial integrity. The Radicals did not sit still. They resorted to their own brand of demagoguery, threatening blacks

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61 The State Journal of Montgomery had for years enjoyed this lucrative source of revenue; now, apparently for factional reasons, much of it was transferred elsewhere, particularly to the Huntsville Advocate.

62 The bonded indebtedness of the state was one such issue. Some Democrats were talking about repudiation and the Radicals tried to cleave to such touchy matters; other conservatives, however, like Houston himself, had a vested interest in seeing the state's obligations properly financed. The Democratic campaigners, nevertheless, had to talk in terms of drastic economizing which implied repudiation. See Bond, "Social and Economic Forces in Alabama Reconstruction," op. cit., passim.
with possible reenslavement if defeated and invoking the names of Lincoln and Grant, but theirs was clearly a defensive campaign. The Republican press bemoaned the drawing of the color-line and scoffed (perhaps too loudly), at the charges of Radical turpitude. Federal troops were requested and stationed at critical locations around the state and in the months just prior to the polling some 200,000 pounds of army bacon was strategically distributed to alleged flood victims. At election time, however, the Democrats were stronger or more determined. When the final tabulations were made, it was shown that Houston had out-polled Lewis 107,118 votes to 93,928. Democrats captured both houses of the legislature and garnered practically all of the 29,797 increase in the total vote over 1872. 63

There were, of course, subsequent charges from both sides of unfair tactics in the campaign. The Radicals, having lost, cried the loudest and undoubtedly had the best case for such charges. They accused the Democrats of a variety of physical and psychological intimidations of black voters in addition to flagrant ballot-box frauds. Later, a congressional investigating committee, dominated by Republicans, would substantiate much of this,

63 Going, Bourbon Democracy, 15-18; Fleming, Civil War and Reconstruction, 782-96; Miller, Alabama, 264-66; Moore, Alabama, 485-88.
although the Democratic minority of the committee made a fairly strong case for Radical frauds as well. The investigation was meaningless, however, for the Democratic victory was a fait accompli and the Houston administration was too well entrenched for the doddering Radical party to dislodge. Redemption had come. "The agony is over," said one Alabama editor, "and Alabama still remains a state."64

The remainder of the story of Alabama's transition from Radical Republican to Bourbon Democracy is beyond the scope of this study. It is, of course, the traditional story of the black vote gradually coming under Democratic control and eventually being eliminated for all practical purposes. The Republican party continued to function in the state but in an increasingly desultory fashion, finally splintering into the "Lily White" and "Black and Tan" factions as in neighboring southern states. But radicalism was virtually dead in Alabama after 1876 and gone with it was the rationale for any such strong-arm conservative tactics as earlier employed by the Ku Klux Klan. Indeed the Klan had preceded the Radicals into limbo by many months, though its name was invoked by both sides in 1874 and would be for some years to come. It

64 Mobile Register, March 5, 1875. For the investigation see "Affairs in Alabama," House Reports, 43 Cong., 2 Sess., No. 262 (Washington, 1875), passim.
was totally within the range of the years just briefly highlighted that the original Ku Klux Klan exercised its existence in Alabama history and the remaining chapters here will be directed to superimposing a history of that secret society upon the background of these Reconstruction developments in the state.
CHAPTER VII

THE ALABAMA KLAN: AN ARC OF THE CIRCLE

To the lovers of law and order, peace, and justice, we send greetings; and to the shades of the venerated dead we affectionately dedicate the Order of the * * *1

Because of its proximity to the area of Tennessee where the Ku Klux Klan was born, Alabama was undoubtedly the first state outside of Tennessee to which the Klan expanded. Limestone County, Alabama, adjoins Giles County, Tennessee, of which Pulaski was the county seat, and a great deal of social and business intercourse passed between these two sections. It is therefore quite likely that the first Alabama den was organized in Limestone County, probably in Athens. Susan L. Davis, in her _Authentic History of the Ku Klux Klan_, establishes February, 1866, as the date of the Athens founding but this is certainly some months off the mark as the Pulaski den could not have been fully operable by that time. On the other hand there is corroborating evidence that the order was flourishing in the northern part of the state by

1 From the dedicatory conclusion of one version of the original Klan Prescript printed in W. B. Romine, _A Story of the Original Klan_ (Pulaski /Tenn., 1934), 17-24.

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late 1866 or early 1867. Several observers, under oath, later recalled having witnessed large Klan parades during that time. 2

From this first foothold next to the mother den the Klan rapidly spread through the northern part of Alabama. It was no doubt stimulated by the imperial reorganization in 1867, and by early 1868 the secret society was thoroughly organized in several sections of the state. It was particularly strong in the northern counties of Lauderdale, Limestone, Madison, Jackson, Morgan, Lawrence, Franklin, Winston, Walker, Fayette, and Blount. Other than the north, the heaviest concentration of Klan activity was in the Black Belt counties from Montgomery west to the state line, with an extensive organization in the counties of Hale, Sumter, Greene, Pickens, and Tuscaloosa. Although there were scattered dens throughout the other counties, these aforementioned were the areas most thoroughly organized. In south Alabama, apart from the city of Mobile, there seems to have been little Klan organization; however that part of the state was fully organized by the Knights of the White Camellia, a rival though not competitive secret society. If an overlay of Klan counties is superimposed on a political or racial map of the state, it will show that Klan mobilization coincided for the most part with areas of black population density and

strong Republican operations, two ingredients which were themselves mutually reinforcing. Exceptions to this can be seen, however, with some of the eastern Black Belt counties, such as Lee, Macon, Russell, Bullock and Barbour, which were heavily black, consistently Republican, and yet relatively free of Klan activity. This unconventional condition was probably due to the counterpoise of the nearby state capital with its proximate military and civil authority. Whatever the reason, these counties, along with a few others which were also black and radical, seem to have largely escaped the unrest and violence that abounded in the west and north of the state. There was a Klan organization in these counties but it was relatively impotent. Notwithstanding its localized nature, there was probably as strong a Klan organization in Alabama in the early days as in any other realm of the Invisible Empire apart from Tennessee. Numbers are impossible to ascertain, but one observer estimated at the time that there were ten to twelve thousand regularly enrolled Klansmen in the state at one point and Madison County, in the north, was said to have as many as 800 members. 3

At its peak of popularity, when there was some hope for its success, it is probably correct to say that the Klan enjoyed

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3Ibid., 48; Horn, Invisible Empire, 114-16; Fleming, Civil War and Reconstruction, 667-68; Trelease, White Terror, 81; Ku Klux Report, "Alabama Testimony," 80, 753, 785.
almost universal support from conservative white Alabamians, at least in spirit. And this included women and children. Those halcyon days of peaceful parading and popularity were brief, however. During the difficult political struggles of 1868 some of the patronage began to fall away, as soft-liners were either repulsed by the violence or came to view the Klan as prejudicial to conservative hopes of recapturing the state from the radicals. Support for the Klan became more covert at that point, as did its activities. The hard-liners, who still believed in the utility of the society, now found themselves facing not only the wrath of state and federal authorities but negative public opinion vibrations from conservatives as well. Some people who had hailed the coming of the Klan in 1867 were by 1869 condemning its continued existence. By then, of course, the official disbandment order had been issued from imperial headquarters, and the loose controls which had always been largely theoretical were now gone. From this time forward there would be complete freedom of action by local dens, though there is reason to believe there was still some communication and coordination between dens, and possibly, as one writer claims, a state command hierarchy of sorts, for several years to come.

\[4\]Davis, Authentic History, 61.
This is the phase in Klan history, however, when the celebrated deterioration of the order is supposed to have set in. Every historian of the Klan has reported how the good name of the order was sullied by evil and desperate men who began to misuse the Klan modus operandi for personal revenge or criminality and how "spurious klans" flourished to the further detriment of the Klan image. It is certainly in the nature of secret regulatory societies to degenerate and undoubtedly it happened to the Ku Klux. The disguise aspect was also too good a ploy for criminal imitators to forego. Then too, as earlier discussed, many of the "outrages" ascribed to the Ku Klux by the radical press were nothing more than common criminal activities with no real Klan involvement — assaults, murders, and such. So it may be that some of the degeneration of Klan, which did occur, at least according to original philosophy and purposes of the order, was natural and probably unavoidable.

On the other hand, there is sufficient evidence to conclude that much of the terrorism and violence that continued after the so-called disbandment was the work of the remnants of official dens and, if not actually participated in by the leading citizens, at least sponsored or supported by them. Although it may be true, as asserted by a prominent Klan supporter, that "many outrages were committed in the name of the Ku Klux that really were done by
irresponsible parties who never belonged to the Klan," many other outrages were the work of true Klansmen who could not have continued to function without support of a large part of the white community. When a community united against the Klan depredations, as Limestone County people did in 1869-70, they quickly ceased. Many witnesses before the congressional investigating committee of 1871 would testify to that. Thus, the Klan was its own worst enemy as far as reputation was concerned. But that was in its latter days, when it continued to function long after even the presumed need for its protective or regulatory services had passed.

In its early Alabama phase, however, it was the glory of all conservatives, a thing of wonder and esoteric pride. Whether one was a member or not, he could bask in the reflected honor that came from this mysterious order that was standing up to the forces of unwanted change. Here was an organization that was doing something. "We understand a number of the wonderful Ku Klux Klan have been seen about the good village of Maysville, and that an unlucky Bad fell into the hands of the mysterious brotherhood

5 Statement of Ryland Randolph, quoted in Fleming, Civil War and Reconstruction, 668.

and was given a lesson that he will not soon forget," boasted one conservative editor, who seemed to be saying to blacks and radicals, "we'll show you now!" Another gloated, in a remarkably provocative bit of journalism, over the Klan's successful expansion in the state:

The KKK have at least reached Mobile. They are now said to number some 75,000 in Alabama. The Lt. Grand Cyclops has headquarters in his saddle and hindquarters in Sacred Serpent's Den, and his camp near Montgomery. His staff consists of Col. Black Cat, Col. White Death, Giant, and Lt. Red Dagger. The Ku Klux troops are very fond of nigger meat, and the Grand Beef Master has just issued ten day's rations of Union Leaguers, which destroyed the Radical majority in two whole counties.\(^7\)

Such writings were designed to be entertaining for white readers and unsettling for the blacks and certainly did nothing to help race relations. Throughout late 1867 and early 1868 there was a concerted effort on the part of conservative papers in the state to create an image for the Klan of both mystery and mastery. The Greensboro Beacon reported the entry of the Ku Klux into Hale County: "Though harmless towards those who deport themselves as good citizens they prove a terror to evil doers."\(^9\)

\(^7\) Huntsville Independent, quoted in Huntsville Advocate, April 7, 1868.

\(^8\) Athens Weekly Post, April 2, 1868.

\(^9\) March 26, 1868.
K. K.s!' wrote another editor, explaining that the meetings had become too large for the "Hall" and that "Grand Generalissimo" had ordered that henceforth assemblies would be held in the forest at the designated place. From the summer of 1867 to the spring of 1868, hardly an issue of some conservative papers passed without some report of a Klan parade or a notice of Klan meetings.

Many of the notices were printed in the macabre style of the Klan lexicon and served the double purpose of notifying members of meetings and adding to the mysterious aura of the society. Parts of such notices were in cipher — usually just the time and place of meeting — and the rest was sheer nonsense, though occasionally the messages would be quite plain. The following is a good example of the cryptic type. It was first posted on the streets of Tuscaloosa and then appeared in several newspapers:

KU KLUX


General Orders No. 3
Shrouded Brotherhood! Murdered heroes! Fling the bloody dirt that covers you to the Four winds! Erect thy Goddess on the banks of the Avenues. Mark well your foes! Strike with the red hot spear!

10 Moulton Advertiser, June 8, 1867.
Prepare Charon for his task!
Enemies reform! The skies shall be blackened! A single star shall look down upon horrible deeds! The night owl shall hoot a requiem o'er Ghostly Corpses! Beware! Beware! Beware!
The Great Cyclops is angry! Hobgoblins report!
Shears and Lash
Tar and Feathers! Hell and Fury!
Revenge! Revenge! Revenge!
Bad men! White, black, yellow, repent!
The hour is at hand! Be ye ready! Life is short....
All will be well!!!

By order of the Great
BLUFUSTIN
G. S. K.K.K.

A true copy
Peterloo 11
P.S. K.K.K.

Most of the notices were much less sophisticated, however,
and the following from a north Alabama journal is fairly typical:

Scott's Sepulchre, Northern Division
12 Sarda, Wells Stand

Ku-Klux: Your G. G. C. wishes to express his approbation of your good deeds. The virtuous shall triumph; the guilty must beware. Our order must and shall be vindicated. Let the Klan assemble at the usual hour at the Mystic Den, to hear the report of Knight Hawks and G. G. T.

By order of the G. G. Cyclops.
S.S.S. Grand Turk

12 Athens Weekly Post, March, 1868.
After April, 1868, the previously mentioned order from General Shepherd's headquarters prohibited the printing of such notices by the press and the Klan's propaganda and communication arm was noticeably weakened. Newspapers continued to print news items or editorial comment about the order, but henceforth official notices and warnings had to be printed in broadside form and posted about the towns or delivered personally. Verbal orders and warnings, which had been used all along, now became the rule. The Klan was being driven underground. The Alabama Anti-Ku Klux laws, passed on Governor Smith's recommendation in December, 1868, forced the order to drop further out of sight but by no means caused its demise. By that time, late 1868, the Klan, having been muzzled, outlawed, and thwarted in its effort to influence the November elections in the state, seems to have become more determined and rash in actions against specific evildoers, perhaps in frustration at not defeating the evil itself. Warnings now were quite clear and to the point. The following threat was sent to Huntsville carpetbagger J. D. Sibley, illustrated with a crude drawing of a coffin — a favorite Klan device. The misspelling was no doubt purposeful.

Mr. Selbleys you had better leave here. You are a thief and you know it. If you don't leave in ten day's we will cut your throat. We ain't after the negroes; but we intend for you damn carpet bag men to go back to your homes. You are stealing
everything you can find. We mean what we say.
Mind your eye.

James Howsyn
William Whereatnehr
John Mixemuhh
Soliman Wilson
P. J. Solon

Sibley no doubt got the point, though he did not leave the state for some months. The Republican organ in Montgomery quoted a letter from him in January, 1869, in which he asked for protection to get to Washington in order to testify in favor of some sort of Ku Klux law. Klan pressures obviously prompted his emigration. The radical press at this point began to make capital of Ku Klux "outrages." Some Republican editors resorted to playing the Klan game, that is, publishing threats of their own using the grotesque Ku Klux style. The Huntsville Advocate printed such a notice to its enemies, Klansmen no doubt:

Beware! spirits of the nether sphere — Beware!
Overmuch hath the Serpent hissed — too oft and too deep have his fangs been fastened. His pestilential breath is stenchful, even in this remote and peaceful abode. By permission of the Great Ruler, we have girt our armor and resume the Earth Field. We know no North or South ... we are defenders of innocence — avengers of blood-guiltless — Deputies of Destiny — Ushers of Doom .... The past is forgiven but not forgotten!
The future is in your hands! "Burning for burning — stripe for stripe — wound for wound — life

13 Printed in Fleming, Civil War and Reconstruction, 678.

14 Alabama State Journal, January 16, 1869.
for life. " Back to your graves and bloody dens!
The lidless eye is upon you! Again I say, Beware!

Herald of Doom

It is doubtful that Klansmen were as much disturbed by
such direct challenges or threats as they were by the bad pub-
licity they were earning by their own efforts. In any event, from
about this time, after the fall elections of 1868 and the enactment
of the state anti-Ku Klux legislation, conservative editors, who had
recently gloried in publicizing the hooded order, began to play it
down, deny its existence, and even advocate its suppression.
Mostly, though, they protested Klan innocence in all the alleged
"bloody shirt" outrages. "Whenever northern radicals, or southern
bastards find a negro ... they cannot control, or who wants a share
of the stealings and offices," lamented one editor, "they murder
him outright, and then, to cover their tracks, howl Ku Klux!"16
This was one tactic adopted; i.e., blame all the violence on the
other side. Typically, however, they just tried to give the lie
to allegations of terrorism and charge it off as radical propa-
ganda, which to some extent it was. A Jacksonville editor per-
haps put it most pungently: "We can tell you which is the butt end
of a jackass; its the end that swallows all those stories about

15August 7, 1868.

16 Athens Weekly Post, July 16, 1868.
southern outrages and then brays Ku Klux! Ku Klux!" The Klan now was beginning to reap the whirlwind it had sown. Before that happened, though, the Alabama Realm enjoyed some moments of splendor at the expense of its antagonists, the radicals and blacks, and it was these moments that were later enhanced to create the romantic Klan legends.

The makeup of the Klan in Alabama closely resembled that in Tennessee and the other realms, embracing the entire white social spectrum. The traditional view is that the order was organized by the cream of southern society, the older community leaders of recognized rank and station whose goals and directions for the Klan were on the highest planes of honor and discipline, but that unavoidabley they were displaced by lesser men of base motives who controlled things during the degenerative period. This tradition is to some degree true for Alabama and for all of the Empire because the first dens were organized and directed by community leaders, and this class does seem to have been much less directly involved in Klan activities during the later violent

17 Jacksonville Republican, May 20, 1870.

stages, even to the point of some leaders turning completely away from the order.

This is not the whole story, however, because there is an inference in the tradition that the older and more honorable leaders subsequently opposed the deteriorated Ku Klux in order to end the terrorism, and this is simply not the case, at least for Alabama. It was only when the more unruly dens began to commit common crimes of larceny, arson and assault, jeopardizing the property and well-being of conservatives or acceptable radicals, or when the terrorizing of blacks seriously disrupted the laboring force, that native leadership turned sharply and effectively against the Klans, whether real or spurious. Such a situation occurred in Limestone County, and the reaction was forceful.\(^{19}\)

There were protestations against the violence by some conservative newspapers but these were usually predicated on the basis of the political reverberations such violence caused and not generally on any sympathy for the victims, though that occasionally was offered too. All classes of Alabama whites were as totally committed to maintaining white supremacy as they had been to preserving slavery in antebellum days, and the great majority of

\(^{19}\)Ku Klux Report, "Alabama Testimony," see testimony of Daniel Coleman, 646-68; Nicholas Davis, 780-91; William Richardson, 815-56; and Leonard L. Weir, 694-722.
whites, at least in Klan areas, were equally as united in their opposition and loathing of radicals. Thus, when the violence was directed against either of these groups there was no great remorse shown by any class of whites; except that occasional concern was voiced over the disruption of labor. "The secessionist class here has no sense of justice whatever for the freedmen," wrote the Huntsville Freedmen's Bureau agent to his superior; ". . . they will cheat them of their very life bread if situations favor . . . and punish even to death if they protest too strenuously."\(^20\)

With such attitudes prevalent there was not much likelihood of any great concern among whites for trespasses against the colored race. One military investigator reported from Greene County that he found there ". . . the majority of the white people encouraging, tacitly, by their lethargy and feeble condemnation, the lawless spirit that prevails, and pursuing an unjust system of proscription against the freedmen who differ with them politically."\(^21\)

He further observed, with a great deal of insight, that it looked as if the whites were systematically trying to stamp out the more "industrious and intelligent freedmen" in order that they might better control the larger numbers of ignorant blacks.\(^21\)

\(^{20}\) Callis to Swayne, Huntsville, Ala., January 26, 1867, General Letters Received, 1867, in Freedmen's Bureau Records, RG 105, NA.

\(^{21}\) Brevet Capt. Frank Gallagher to Lieut. James Ulio,
All of this strongly indicates that while the older and more prominent men may have played their most active role in the organizational and early phases of the Klan in Alabama, it is not likely that they ever completely abandoned their sympathies and support for it. They may have discontinued their part of the actual threatening or riding or whipping when the violence heightened, but most of them probably continued to smile to themselves or quietly applaud whenever some "uppity" black or "rascally" carpet-bagger received his "just dues" from Ku Klux hands.

Who then were the people actually doing the work for the hooded order: the night riding, the intimidating, and the lynching? It is impossible, of course, to develop an accurate profile of the average Ghoul, or Night Hawk, or Cyclops; the data is simply not available. But by combining simple logic with the evidence that is available a few reasonable speculations can be made. Klansmen of all ranks during the early days may have come more from the upper socioeconomic levels; young men and old who were caught up in the excitement of this new phenomenon which was at once a patriotic venture (just like going off to war to protect "field and fireside"), and a necessary activity (as the slave patrols of prewar days). But when the parading and posturing became passe' and the order passed

over from simple regulation to partisan vigilantism, and when
the fun went out of it except for those more brutish types who
enjoyed whipping Negroes, and it became illegal, no doubt many
of the older and more affluent members did pull back from the
Klan. They had the most to lose by continued association, and
being better educated they were probably more sensitive about
participating in some of the more barbarous work. They con-
tinued to support the Klan generally, as noted above, and some
of them stayed with it to the end — in titular roles mostly\textsuperscript{22} —
but the men who did all the physical "ku kluxing" after 1868 were
unquestionably a cut lower in both social station and age.

Youth, of course, was a natural prerequisite for such
activities. It was rather strenuous work riding about the
countryside at night doing all that "halloing," shooting, and flog-
ging, and it was the kind of action that was more attractive to

\textsuperscript{22}Miss Davis in her history of the Klan names General
John T. Morgan as Grand Dragon of the state from 1871 to 1867.
He was said to have replaced General James H. Clanton in that
capacity after Clanton was murdered in Knoxville by an agent of
a rival in a railroad litigation. It is hard to imagine either one
of these individuals countenancing, much less participating in,
the sort of terrorism the later Alabama Ku Klux employed.
Clanton had a reputation of charitableness and humane feelings
toward the blacks. Morgan was elected U. S. Senator in 1876
and served some thirty years. Any connection that these two
men had with the Klan was probably \textit{ex officio} and nominal and
fully related to the original philosophy of the order. See Davis,
\textit{Authentic History}, 45.
young men and boys — who had missed the "big war" and needed
an escape from their tedious rural routines. Many observers
testified to the youthfulness of Klansmen and one Alabama
Republican was sure that most of them were young boys whose
parents did not know of their membership and would not have
approved of it. 23 John A. Minnis, United States District
Attorney for north Alabama, made some interesting points regard-
ing the youth and immaturity of the latter-day Klansmen in an
address in Montgomery in 1872:

There is one feature of this monstrous klan to
which I call your attention. It is the manner in
which young men and boys are drawn into it. A
proposition is made to them to go to see a little
fun. Unsuspectingly they agree to it, and start
off with a crowd not knowing or suspecting any-
thing wrong, get off to some old field or woods,
all halt, some disguise themselves, others
... are directed to put their shirts and drawers
over their pants and coats. In this situation a
negro is whipped, or in some instances killed.
At once the obligation is read, and the penalty
of disclosing explained, and whether the young
man or boy takes the obligation or not he is
enrolled as a member and his mouth shut
.... And in this way your sons have been ... un-
suspectingly to you, and without intending
it themselves, drawn into this most diabolical
conspiracy. 24

23 Ku Klux Report, "Alabama Testimony," passim;
see particularly the statements of Judge William S. Mudd,
1745-71.

24 Address of John A. Minnis: Ku Klux in Alabama
(Pamphlet, Montgomery, 1872), 22.
Minnis told of having personally examined several witnesses who pleaded that they had been recruited in such manner. There is no reason to doubt his statement as he was a man respected by all classes. However, he may have been somewhat deceived by his witnesses who probably offered such excuses in hope of getting court leniency — "copping a plea" in the jargon of today. Most Klansmen undoubtedly went into the society with their eyes fully open. But his assertion does say something of the age of the membership. There is a strong inference, also, that the mentors of these "misguided" youths were somewhat older and more calloused, which would justify the opinions of others who saw them as "ignorant ruffians" and "men of worthless character."  

Everyone, apologists and detractors, at the time and since, has generally agreed that it was "worthless characters" who manned the lists of the Klan after about 1869 and who perpetrated the worst of the outrages. Radicals, for the most part, believed this was the case from the start, although they probably would have included some of the leading conservatives in that class as well. The editor of the radical Alabama State Journal asserted it: "Despite the assertions of the rebel Democratic press, it is an undeniable fact that there exists, and has existed for some

time, in this and other states, a secret organization, whatever its name may be, composed of brutal and insensitive men hostile to the Government, who go about committing outrages ... upon unarmed and defenseless men."^{26} Neither he nor the majority of radicals ever acknowledged any distinctions of refinement between the early and late Klan.\(^{27}\)

Apologists, on the other hand, would not even admit that the terrorism was the work of the "true" Klan movement, preferring to throw it off on "spurious klans" or bastard elements of the original movement. Historians in the traditional vein have viewed this as the deterioration phase, though some of the more romantically inclined have lapsed into ambivalence in trying to differentiate between the esteemed band that helped to ransom the South from 1868 through 1876 and the gang of degenerates who were defaming the Klan at the same time. This incongruity can probably best be rationalized, as Walter Fleming did it, in terms of a Klan ethos or "spirit." In such vein practically any effort to

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\(^{26}\) January 16, 1869.

\(^{27}\) It should be stated that some native radicals (scalawags), before the congressional committee, did recognize a change for the worse in the Klan after 1868 and showed some understanding of the rationale of the order at the outset. Ku Klux Report, "Alabama Testimony," see particularly testimony of Nicholas Davis, 780-91; Samuel Hale, 1812-35; John A. Minnis, 527-71; and Samuel F. Rice, 492-525.
overthrow the radicals — political, social, economic, or whatever — could be considered a Klan effort and in the best traditions of southern patriotism, even if not quite always consistent with the original Ku Klux purposes to "protect and defend the Constitution" and to "aid and assist in execution of all constitutional laws." According to Fleming: "in one sense practically all able-bodied native white men belonged to the order, and if social and business ostracism be considered as a manifestation of the Ku Klux Klan spirit, then the women and children were also Ku Klux." This is obviously carrying the matter a bit far, though certainly women and children did support the movement.

One radical testified that he thought the hooded society included all ex-Confederates, but that too was a gross exaggeration, as many veterans of Confederate service united with the Republican party. It is probably safe to say, as did Charles Stearns, a northerner who met frustration in Georgia after the war in the tricky cotton planting business, that those who made up the Klan

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28 "Revised and Amended Prescript of the Ku Klux Klan," printed in Lester and Wilson, Ku Klux Klan, 54.

29 Civil War and Reconstruction, 668.

30 After all, somebody had to sew the calico into robes and the married Ghouls probably were not nagged too much about their late hours.

in Georgia were "neither better nor worse, than the average of the population; but simply young men, with plenty of leisure on their hands and with a great love of adventure in their souls, and intensely rebel in their proclivities."\(^{32}\) His analysis is probably applicable to Alabama as well, and considering the prevailing racial attitudes of all classes at the time, it is not inconceivable that even the "better sorts" found adventure, even pleasure in "ku kluxing" blacks -- especially if there was the slightest provocation, real or imagined.

Another notable characteristic of Alabama Klansmen, which was also apparent in other states, was their singular anonymity. They were, of course, essentially anonymous at the time, but to history the veil of obscurity is practically complete. There are few Klan heroes to exalt or condemn. Some names crop up here and there; the handful of nondescripts who were prosecuted by the federal government, a few alleged leaders, and a lesser few who later admitted membership for publication; but in comparison to the reputed thousands who belonged, it is virtually an unknown order.

The Klansman who has been celebrated as the savior of the South by many writers in the past is a cipher, a composite of many cherished concepts of manhood. The fiction writers and pseudo-historians have been partially responsible for this but the anonymity

itself was a cause. If the heroes were to be nameless and faceless, then they had to be given form and character. Thus, the development of stereotypes that bear little relation to the truth either for the so-called good guys or the bad.

There are a few exceptions to this and one Alabama Klansman who was anything but a hybrid, and certainly not anonymous, was Ryland Randolph of Tuscaloosa. Randolph was the doughty editor of the Tuscaloosa Independent Monitor noted earlier in connection with his expulsion from the state legislature in 1869. The Tuscaloosa den of the Ku Klux was one of the first organized outside of north Alabama, being formed sometime in late 1867 with Randolph himself doing the groundwork. Randolph later recalled that he had heard of the Klan as early as the "winter of 1866," and when he moved to Tuscaloosa to take over the Monitor he resolved to start his own chapter. He received his instructions and a copy of the Prescript directly from Memphis (General Forrest lived there), rather than from any other state organization.  

Upon first arriving in Tuscaloosa, Randolph found the white people of the community somewhat "on the fence" in regard to Radical Reconstruction policy and "timid and afraid" in the face of growing insolence on the part of some black residents.

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33 Letter of Randolph to Fleming, n. d., quoted in Fleming, Civil War and Reconstruction, 661.
Randolph took the offensive in his paper, the masthead of which boldly proclaimed "White Man — Right or Wrong — still the White Man!" Because of the strong racist appeals and anti-radical propaganda he offered in the Monitor, he soon had most of the whites united in resisting the radicals and found himself to be the darling of the white population which apparently was inspired and strengthened by his boldness. Randolph was "honored," as he said, by being chosen "leader of the Tuscaloosa Klan," of the Tuscaloosa Klan.34

He kept up a relentless attack on his enemies, both editorially and physically, got himself involved in several streetfights, was arrested once by the military, had his newspaper suppressed temporarily, lost his leg to an assassin's attempt on his life, was elected and expelled from the legislature, and through it all seemed to lead a sort of charmed life.

Temporarily a local hero, Randolph attacked evil whereever he saw it, even in the Democratic ranks, and his indiscretions in that direction got him into trouble with the conservative leaders, who by 1869-70, had re-evaluated his extremist tactics and judged them to be a political liability and isolated him from the party.

Randolph's journalistic and Ku Klux roles were closely connected, and there was only a fine line between his overt and covert actions against the radicals. His Tuscaloosa den, which numbered about

34Ibid., 677.
sixty members, was especially active during 1868-69. One of its most effective campaigns was in keeping the University of Alabama from being opened by the radicals. This was accomplished by threatening and driving off both students and faculty. Practically every issue of the Independent Monitor for summer and fall of 1868 carried some incendiary indictment of Radical Reconstruction, to the extent of naming and defaming individual radicals and blacks and designating candidates for "ku kluxing."

Perhaps Randolph's greatest claim to fame (or infamy), came as a result of a bit of Klan propaganda which appeared in the September 1, 1868, issue of the Monitor. It was the famous woodcut of two men being hanged from a tree as a "K.K.K." mule walked out from under them. One man bore a carpetbag with the inscription "Ohio" on it, which was the former home of the proposed president of the university, A. S. Lakin, and the entire scene was captioned, "A Prospective Scene in the City of Oaks, 4th of March, 1869." This woodcut was picked up by the Republican press around the country and Randolph was severely censured for his callousness. Curiously, it made better propaganda for the Radical party than the conservative side and helped bring about the repudiation of the peppery editor by his own party.
The picture has been quite widely used in textbooks and monographric studies of the Klan ever since.\textsuperscript{35}

There was no other Klan leader quite like Randolph anywhere. In his Ku Klux work he was undoubtedly effective and as a race baiter he was \textit{non pareil}. The Democratic party at the time, however, was not quite ready for a Randolph, nor even perhaps was the South. White southerners had no love for their now-free colored neighbors in the days immediately after the Civil War, but neither did they have a particular hatred for them. The Reconstruction experience and the racial demagogues of a later day, for whom Ryland Randolph of the Tuscaloosa \textit{Independent Monitor} pioneered the way, would provide the warp and woof for the physical change toward the latter attitude. There was nothing subtle about him; and, as untenable and perverted as his views seem today, he must at least be credited for the courage and

\textsuperscript{35}The foregoing comments on Randolph have been synthesized from various sources, including scattered issues of the Tuscaloosa \textit{Independent Monitor}, 1868-69; the aforementioned letters of Randolph used in citations by Fleming, \textit{Civil War and Reconstruction}, 661-79; DuBose, \textit{Tragic Decade}, 243, 246, 253, 282-83; Randolph, Autobiographical Episodes, DuBose Papers; Trelease, \textit{White Terror}, 84-87; Sarah W. Wiggins, "The Life of Ryland Randolph As Seen Through His Letter To John W. DuBose," \textit{The Alabama Historical Quarterly}, XXX (Fall and Winter, 1968), 145-80; and Sarah Van Woolfolk, "The Political Cartoons of the Tuscaloosa \textit{Independent Monitor} and Tuscaloosa \textit{Blade}, 1867-1873," \textit{The Alabama Historical Quarterly}, XXVII (Fall and Winter, 1965), 140-65.
tenaciousness he showed for his convictions. He also deserves the honor (dubious though it may be), of being an outstanding Klan leader — perhaps even matching the stereotype in crude fashion. He kept tight reins on the Tuscaloosa County Ku Klux. The members had their share of unsavory episodes but usually accomplished their missions of social and political regulation through warnings and threats rather than actual violence; nor does there seem to have been the rampant terrorism here in the second phase that occurred in other areas of the state.

Apart from the very atypical Randolph, however, and a few others whose names came to light then or later, the vast majority of Alabama Klansmen are nameless and faceless. Their neighbors knew who many of them were at the time but such things were apparently not discussed openly. Simple flesh and blood farmers and mechanics could hardly support the noble image anyway. Thus, the Klan cultivated its anonymity for contemporaries and in so doing contributed to the aura of mystery which surrounded it then and in the future.

From its small and sanguine beginning near the Tennessee border, the Alabama Klan spread rapidly to embrace most of the state from the Black Belt northward. It attracted recruits from all social strata until its ranks numbered at least in the thousands. Those who joined did so for a variety of
reasons, but most of them probably had the same reactions as John L. Hunnicutt of Pickens County. Hunnicutt found conditions in his community "pretty trying for a man to look on" and not the sort of situation to "make a good pious citizen out of me." Hence he joined the Ku Klux society which soon created an atmosphere that was "as disagreeable to the Carpetbagger and Scalawag as theirs had been to us .... and it was a pleasure to pay some of the rascals back with interest for actions in the past."\(^{36}\) It is hard to conceive of some Klan business as pleasureable by any standards. Certainly it was not for the victims.

... They knocked at the door, and receiving no reply, they burst the door open with rails. They then ordered me out... then made me kneel and beat me with a peach-tree branch; they then drove me up and down the road before their horses.\(^1\)

If there was nothing very different about the composition of the Alabama Klan or its geographical disposition, the same can be said of its operations. Despite the looseness of command and control within the Invisible Empire, even in its best of times, there was remarkable continuity in its activities at the local level. The dens of the Alabama Realm were roused by much the same influences as dens in other parts of the South and reacted in much the same fashion. The similarity of action was largely due to the fact that the Klan was simply more prevalent and energetic in areas of like circumstances, particularly sections of black and/or radical concentrations. Its responses were determined by those circumstances, not because of any well-defined plan or conspiracy, but because they seemed the appropriate answer to such conditions.

\(^1\)Statement of George Moore to Lieut. James Miller, Huntsville, Alabama, ca. Aug., 1869, AGO, Papers Submitted to Committee on Southern Outrages, RG 94, NA.
Klan action may appear to be an aberration today, but in light of racial and political attitudes of mid-nineteenth century southerners and their perspectives on the prevailing state of affairs and the options available to them, it was not really so incredible.

The nation was less than a hundred years old at the time, and some of the Klan states barely half that; the South was to some degree still in the formative stage with many frontierish elements about it, one of which was a rough and tumble outlook and familiarity with violence. The bruising and bloodletting that the Klan committed was not severely upsetting when it happened to whites and even less so when blacks were the victims. This is evidenced in the supineness that contemporaries seemed to display toward that violence. There was concern, of course, and the concern increased, but there was never the shrill outrage that one would expect today from such manifold terror. Even the sufferers of the violence seemed generally stoical and unamazed at what was happening to them. Witness after witness before the congressional investigating committee of 1871 recounted terrible things that had been done to others or to themselves by the Ku Klux, and the words of their testimony seem quite matter-of-fact and reveal little of the abhorrence or hatred or disgust that such revelations would bring today. This is not to say that no one was affected by such things; indeed many were repelled by the violence, even in the South. There were also outcries from
from the Republican press as to the inhumanity of it all, but these were certainly at times as much for political effect as for any immediate concern for the poor sufferers, and the protests that came from other sectors were not nearly as strident or as rampant as might be expected considering the widespread and savage nature of the violence. The nation had just passed through the worst bloodbath in history and was perhaps lingering in something of a catatonic state. The tales of pain and suffering of 1868 paled beside memories of the war years and thus did not excite as great a concern as they might have at another time.

As for southern Klansmen, in Alabama and elsewhere, they did the things that might be expected, given their concepts of the situation, their predilection to violence, and the relative apathy of the national community toward their movement. There was no need for contingency plans or standard operating procedures from higher headquarters (though it would have been well if there had been such provisions); they knew what to do and how to do it.

There are only so many ways to intimidate a man, or lynch him, and, as for the blacks, the southern white man had the whole experience of slave regulation as a guide. Thus, there was a similarity of Klan operations everywhere. The Ku Klux modus, with its disguises and mysterious aspects, naturally influenced these operations and the mumbo-jumbo and mummery helped to
create a strange and ethereal image for the Klan that hardly corresponded to its mundane activities. Despite the novel approach, the Klan could accomplish none of its objectives, stated or unstated, without ultimate reliance upon the basic emotion of fear, fear of physical pain or death. Without that fear, which may or may not have been heightened by the costumes and spectral staging, the Klan would have been largely impotent, as it generally was in those areas where it was met with sufficient courage or numbers to blunt that fear.

In the matter of disguises, there was very little uniformity anywhere in the Empire, and the Alabama Realm probably exhibited as much diversity in regard to its dress as any other state. The flowing white robes and high-peaked white hoods so often associated with the Klan were by no means the rule during Reconstruction but became a part of the Klan stereotype through the imaginative efforts of later romanticists. In Alabama, the Ku Klux disguises seem to have evolved in accordance with the whimsy of individuals or particular dens. There was obviously an attempt to maintain some pattern or consistency of disguises within the local groups but even that was not strictly controlled. The degree of sophistication of the regalia depended no doubt upon the sophistication of the den. If materials were available, and skilled hands to craft them, the

2They would, of course, become a distinct feature of twentieth century Ku Klux exhibitions.
costumes were at times quite fancy. As a rule, however, they were crude constructions which served the purpose of protecting identities but certainly did little to foster any spiritual imagery. Black seems to have been the preferred color of Alabama Klansmen. Contemporary descriptions of the disguises reveal more use of that color than any other, although white was also used quite widely, especially in north Alabama in the early phases. Some dens seemed to favor red. There is one report of a Black Belt Klan group being outfitted in "yellow-togas." The material generally used was calico or muslin and what was commonly referred to as "bedding." These were fairly cheap fabrics and easily obtainable.

The designs of the costumes were even more varied than the colors. Typically, however, they were loose-fitting, either in a shroud-like or toga arrangement, gathered at the waist by a belt and falling all the way to the ankles. A number of contemporary observers reported that the Klansmen they saw wore costumes that more resembled long overcoats or dusters than robes. On the better made, more elaborate costumes (not "your cheap" or "local Ku Klux rig," as one interested spectator noted), there were likely to be sewn such emblems as stars, half-moons, or skulls and crossbones. These would be of contrasting colors, as was the piping or trim which was sometimes fixed to the collars, cuffs, and hems.
The headdress was equally irregular, consisting variously of high conical cardboard hats covered with the same materials and decorations or more commonly of hoods or sack-like coverings that served as masks as well. These two items were worn together by some or, if not, a separate face-mask might be used with the tall cap. Both the hats and the cowls were in some instances further adorned with horns or ears.

The masks were, as noted, either a part of the hood or separate face pieces with the necessary eye, nose, and mouth openings. There was also some use of veils of gauze-like material rather than actual masks. A peculiar affectation among certain Alabama dens was the attaching to the mask of a mustache of sorts (probably of horse-hair), which sometimes drooped down "to the breast." Some of the poorer dens wore no distinctive regalia at all, preferring to use their regular clothing along with a simple mask. Perhaps they were merely more realistic than the others.

The disguising of horses was also quite common in Alabama as elsewhere. This was partly for effect but probably more from necessity, as the mounts might be as readily recognized as their riders. Some dens apparently tried to overcome that problem by having all their people ride horses of similar breed and color. At least one band of Alabama spirits all rode sorrels.

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No matter how varied the design and color of the costumes, or how simple or sophisticated, there was a great deal of uniformity in the matter of accessories. No true Klansman would be caught without his brace of handguns. It was always necessary to have at least one pistol stuck in belt or holster, and some needed two or more to complete the outfit. Knives, too, and shoulder guns appeared frequently on Alabama Klansmen, all of which certainly must have served to disabuse interested onlookers in regard to the spectral nature of the society. 3

There is little evidence that the Alabama Klan ever engaged extensively in the elaborate practical joking which is so much a part of the Klan legend. There are a few reported episodes of bone rattling and pouring of buckets of water through a mouth-piece down into rubber pouches to create the illusion that it was being consumed and in the early days there may have been a strained attempt to produce in the minds of the more superstitious freedmen something of the celebrated ghostly imagery; Walter Fleming in his discussion of the order implies that this was much

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a part of the Alabama Klan story; but there is little to verify that it was done to any great extent. To perform such contrived deceptions would have required some rather hard-to-come-by accessories, and repeated successful stagings would have required a degree of sophistication on the part of the perpetrators and credulity in the victims that probably was not present in either case. Alabama Klansmen did, however, persist in the fiction of being spirits of dead Confederates. They continued to insist on that as late as 1871. And they repeatedly told people that they had come from their graves at Shiloh or Gettysburg, or more typically that they had come out of the moon. There is, however, no reason to believe that they were very serious in the effort or that they expected anyone to believe them. One realistic observer at the time noted:

When they were first started they worked upon the superstition of the Negroes .... claiming that they were the spirits of the confederate dead, and that they could drink a bucket of water without any trouble. They made manifestations of that sort with the motive of impressing very decidedly the negro mind .... But that is rather an antediluvian story. Such things get old very quickly.

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4His references, however, do not completely bear him out. Civil War and Reconstruction, 677.


6Ibid., 453.
Such things did get old quickly, or at least any effect they may have had initially was quickly lost, and the Alabama Klan, as it did elsewhere, was forced quite soon to adopt less subtle, more direct means of intimidation.

The pistols and horses were, nevertheless, much a part of the Ku Klux picture in Alabama, no matter what the level of intimidation. Indeed, possession of or at least access to a good horse and weapon may have determined the membership of the order to a degree — some contemporary witnesses made such an observation — though there were occasional spirits who, quite contrary to the romantic image, clumped about their rounds on rather unglamorous mules. Nevertheless, good mounts and well-executed mounted drills were requisite features of Klan operations in the early months.

Parading was an especially important and serious business of the Klan prior to the outlawing of the society in 1868. The object, of course, was to impress the local populace with the strength and discipline of the secret order. It was probably felt that the mere sight of a substantial troop of well-ordered, well-disguised Ghouls would have a salutary effect on potential law-breakers or Union League organizers. In any event, there are many reports of Klan elements moving silently and impressively through town and village streets in precisioned response to visual
or whistled commands from their leaders. Even federal military observers were at times impressed with the caliber of Klan cavalry execution. Often Ku Klux parades or drills were planned and performed in a way to create the impression of much larger forces — in the best tradition of General Forrest. This perhaps led to some of the confusion in estimating Klan numbers, as different reports of single incidents often revealed a wide disparity in estimated numbers of Klansmen involved. A good example of such confusion can be seen in the celebrated Huntsville Klan "riot" of 1868 in which Klan numbers were variously reported from 50 to 1,300.7

All the parading and posturing in outlandish costumery may have had some of the desired effect for the Ku Klux. Certainly the existence of a functioning body of avowed regulators making its presence so potently clear and clothing itself with a mantle of all-seeing and all-powerful virtue would tend to give caution to the more timorous law-breakers or "bad negroes." Some earlier writers have contended that the mere ubiquity of the Klan was sufficient to bring improved conditions to troubled Alabama

7Ibid., 352, 452-53, 490, 533-34, 614, 618, 785-86, 818-21, 873-75, 900-02; Fleming, Civil War and Reconstruction, 677, 685; Horn, Invisible Empire, 133; James M. Beard, K.K.K. Sketches (Philadelphia, 1877), 85; Athens Weekly Post, Nov. 7, 1868; Huntsville Advocate, Oct. 31, 1868.
communities, but the continuing turbulence in the state and the accelerating violence of the Ku-Kluxers seems to discredit those contentions somewhat. Undoubtedly the formation of the Klan, this banding together in a show of unified resistance to changed conditions, and the occasional frightening of some superstitious old freedmen did serve as a psychological tonic for frustrated white natives whose leadership status had been threatened or subverted. The authority that was no longer theirs they could at least pretend to exercise in this extralegal and sometime comic fashion. And for a time, in their daylight parading or "nocturnal perambulations" (as they liked to call them), they perhaps believed that they were recapturing that status. These adventures into the regulating of society, whether in social or law and order matters, were for some then an attempt to put things back into a pre-war order.

The Civil War had forever destroyed that order of things, however, and all the cavalry drills in fancy regalia, mysterious and macabre warnings, and nighttime visitations with or without the spiritualistic trickery could not restore the social and economic status quo ante bellum. Nevertheless, people were frightened by it all, unquestionably, and many blacks were no doubt shocked

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8 Davis, Authentic History, 96-98; Fleming, Civil War and Reconstruction, 676-77.
into a more submissive attitude. There is enough evidence to conclude that in 1866 and 1867 the Klan did have a settling effect in parts of the state by virtue of its regulatory activities. In addition to trying to overawe uncooperative blacks and punishing petty thieves, the organization expanded into the field of sumptuary regulation as some dens moved to try to supervise community morality, punishing philanderers, drunkards, miscegenators, and debtors. In one unusual incident of this nature, a north Alabama den even kidnapped two bickering neighbors and forced them into a handshaking confrontation in an effort to end a feuding which was disrupting the community. The results of such endeavors are naturally debatable but they do show that for a time the Klan partially adhered to its stated principles. That it gave money to the destitute or built secret cotton gins deep in the woods to protect valuable cotton from federal agents is much to be doubted, but it is quite likely that the Klan did live up to its Robin Hood image in providing some sort of protective watchfulness over widows or women whose husbands

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9Ku Klux Report, "Alabama Testimony," passim. There is ample evidence throughout the three volumes of Alabama testimony, even from some hostile witnesses, that the Klan did a great deal of this moralistic crusading in its early phases. This is not to suggest, however, that it was ever totally apolitical or non-racist.

10Athens Post, Feb. 6, 1868.

11Davis, Authentic History, 54.
were absent, at least in the first exhilarating flush of Ku Klux enthusiasm. It may be, however, that both the dangers to women and the guardianship were somewhat fantasized, for there certainly was no wholesale assaulting of defenseless white females by the freedmen anywhere in the South during Reconstruction. Such fears, nevertheless, have always distorted race relations in the section and there is the possibility that part of the Ku Klux motivation stemmed from such fears.

If simple vigilantism or moralistic regulation had been the whole story of the Reconstruction Klan, it would probably be no more controversial than other such organizations spicing the history of the American past. In the loose and chaotic days following the Civil War there was a strongly felt need for some regulatory agency among the law-abiding and property-owning classes who acknowledged defeat but who were not prepared to accept what seemed to be a deterioration of all order. While not excusing

12Ibid., Miss Davis, throughout her History, expounds upon the safe and secure feeling that she herself felt from the Klan's presence.

13This is of course a very complex psychological question and it is difficult to say which of the white sexes has been most agitated by the idea or for that matter what the real basis for such fears has been. See Cash, Mind of the South, 114-17, for a discussion of what he called the southern "rape complex."
such recourse,\textsuperscript{14} it is at the same time easy to understand why white Alabamians turned to extralegal enforcement. Down in the Black Belt the respected General Hardee was quoted as saying, "we are standing over a sleeping volcano,"\textsuperscript{15} and over the state, especially in areas of heavy black concentration, most whites felt the same. "The feeling of insecurity is universal," said a north Alabama journal\textsuperscript{16} which urged the return to something on the order of pre-war slave patrols. This then was the direction taken in Alabama and apparently it was based upon a feeling of some necessity. Extralegal "patrol" groups proliferated in the state, many of them antedating the Klan and later merging with it. They had little formal organization at first as they performed minor vigilante duties and served primarily to try to keep the lid on what was believed to be an explosive racial situation.\textsuperscript{17}

One of the more functional and long-lasting of these was the so-called "Black Cavalry" in the eastern part of the state which maintained a separate existence even after the rise of the

\textsuperscript{14} Especially since it is impossible to ascertain how truly serious was the threat to life and property.

\textsuperscript{15} Quoted in Fleming, \textit{Civil War and Reconstruction}, 659.

\textsuperscript{16} \textit{Athens Weekly Post}, Dec. 12, 1866.

\textsuperscript{17} There is much comment on pre-Klan groups in the \textit{Ku Klux Report}, "Alabama Testimony," see for example 443-45, 592, 664, 877.
Klan. But vigilante or secret enforcement movements at best involve perplexing and touchy moral and legal issues and, although there may have seemed to be ample justification for such groups in postwar Alabama, their existence and place in history — particularly after taking on the Klan mode — was immediately complicated and made forever controversial by two emotion-laden ingredients, politics and race.

There can be no question that the Ku Klux in Alabama was race-oriented. It may have levied punishment upon some errant native whites in its more chivalric days and some of its energy was always reserved for white radicals, but from the outset its pranks and its punitive actions were directed largely against blacks. Of course, there were sections of the state, the north-central hill counties, for example, where the insecurity, fear and suggestions of anarchy emanating from the propertied classes related primarily to the unprincipled and unpropertied "tories" who had always been the bane of conservatism. For the most part, however, all the fear and talk about security issued from a concern over the social revolution that had occurred in the South. The Klan may not

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18 Ibid., 1125-26, 1136.

19Klan "outrages" against whites would actually increase after 1867. These had little to do with regulating social or statutory misbehavior, however, and were almost always politically inspired.
have been born for such a reason but it quickly became an agency for conserving the natural order of society — particularly the racial order — as most whites perceived it. William Lowe, of Huntsville, explained it quite well in 1871:

there was a general apprehension throughout the country of danger to society, and the Ku-Klux were organized for the purpose of protecting society generally .... the general charge was that the country was in such a state of insecurity, and society was so disturbed, that it was essential that there should be some sort of patrol, some sort of guard, and I think the Ku Klux-Klan ... was originally organized for the purpose of preventing stealing and deprivations of that sort by the negroes upon the whites .... As far as my opinion is concerned, I had a great deal more confidence in the good temper and good feeling of the colored people than the majority of the white men ... but it was generally apprehended in the country that there was danger from outrage by straggling parties of negroes going about the country with their guns at all times of day and night. They were apprehensive of outrages being committed upon women and children.

The apprehensions may have focused immediately upon property depredations and outrages but they envisioned ultimately the specter of black dominancy, and were sufficient to sanctify the Klan's claim as conservator of order. It was an order in which the colored race was expected to accept a subservient role. When the Freedmen's Bureau began to teach Negroes to expect more from life than they had been getting and when the Union League began to

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organize and instruct them politically, the threat to order was much more serious than the simple absence of security. The worst expectations of the whites became a reality in 1867 when Congress decreed black suffrage. In some circles white conservative fears approached paranoid levels. This is when the Ku Klux Klan in Alabama, as it did throughout the South, began to embrace politics and by so-doing place itself squarely in the middle of a second seething issue which knew no bounds of toleration.

Whether a political mission for the Klan was determined at the Nashville organizational meeting in early 1867 can only be speculated upon, but since it followed closely the passage of the basic Military Reconstruction Acts it is reasonable to suppose that such matters were discussed by the organizers. It probably was not a pressing concern at the time, however, because the matter of black suffrage seemed to lie in the hazy future. The implementation of the acts soon cleared the haze and stirred the Klan politically as is indicated by the "Revised and Amended Prescript" issued in 1868. In the new constitution were added several questions to be put to prospective members making it clear that no Klansman could be tainted with Radicalism. 21 It

21Klan initiates under the "Revised Prescript" had to satisfy their inquisitors on their opposition to the "principles and
may be inferred that they were to oppose it as well. In Alabama they certainly did, although it is impossible to say whether it was systematic or impulsive opposition. There were patterns and surges in the political action that suggest some overall planning, but again, as with the social regulation the continuity of operations in this connection may have been circumstantial. Whatever the case, the real story of the Klan in the state is racial and political intimidation, and it is often difficult to distinguish the two.

policy of the Radical party" as well as their support for "a white man's government in this country." Fleming, Documentary History of Reconstruction, II, 348-49.
... lawlessness prevails to such an extent in this county that armed forces are necessary to suppress the violence. Murders are perpetrated by armed bands of disguised outlaws, and without the aid of armed men I cannot arrest the perpetrators or execute process.

Jos. P. Doyle, Sheriff

The years 1868 through 1870 were the climactic years of the Alabama Klan. It had existed in a rather uncomplicated state for several months previous to this and it would cling to a sputtering anachronistic life for some years afterward, but the real impact that the hooded order made on the affairs of the state resulted from its activities during this time frame.

The first weeks of 1868 saw the most zealous promotion of the Klan and during the rest of the year there was continuing expansion and activity. It was in these early months that editors of the village weeklies began to announce the arrival of the mysterious order and print whatever lurid "notices" they received or

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1Doyle to General S. W. Crawford, Huntsville, July 29, 1869, AGO, Papers Submitted to the Committee on Southern Outrages, RG 94, NA (microfilm).

2It is tempting to say impact on the history of the state but the correlation between the Klan's place in the written histories of Alabama and its proper significance is rather imperfect.

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dreamed up. Throughout the state conservative journalists feigned bafflement as to the meaning or purpose of the hooded society while at the same time they exercised their skills in enhancing the image that the Klan apparently desired. It was a powerful body, proclaimed the Greensboro Beacon, and "though harmless towards those who deport themselves as good citizens they prove a terror to evil doers."³ In the Tennessee Valley, an area where the Ku Klux had become well entrenched, some conservative papers such as the Moulton Advertiser, the Florence Journal, and the Athens Weekly Post carried Klan commentary and notices in practically every issue during these weeks.

It was a very effective promotional campaign, or so it seemed, for much of the Klan comment related to the formation of new dens throughout the section. "Ku-Klux Again!" reported the Athens editor, "We learn .... that the Ku Klux have made their appearance in the neighborhood of Pettusville, and are reported to have a den in that vicinity." And in the next issue: "Meridianville residents are reported to have their own Ku-Klux band now and they say it is wonderful to behold."⁴ The news was the same all over the area: the Klan had arrived and it was received as a

³Quoted in Athens Weekly Post, April 9, 1868.

⁴Athens Weekly Post, March 26, April 2, 1868.
marvelous and mysterious event. This was the era of the day-light parading and strutting as well, and there is little doubt that Ku Klux membership was the "in" thing among white youths and some of their elders. It was something to do, it was not illegal (for the moment), and it offered the opportunity to assert a bit of white superiority — albeit somewhat cravenly, what with the disguises and such.

In any event, the Klan grew with celerity and probably reached its peak of membership by the summer of 1868. There was great attraction in the whole idea. Some dens claimed to be overflowing their meeting places and being forced to form satellite dens. Merchants began to use the letter K prominently in their advertising; for patriotic reasons probably but also to take advantage of the current fascination with the mystical initial. Every issue of the Moulton Advertiser in the spring and summer weeks carried a substantial card for a local dry goods establishment with the blaring caption, "K K — Kapital Koming!", which was apparently a simple attempt to capitalize on the fad.

There were at the same time Ku Klux songs, Ku Klux dances, various Ku Klux products, and, one can imagine, a spate of Ku Klux jokes. It is impossible to tell how popular these things were in Alabama; certainly there was a currency of Ku Klux humor in the papers, much of it with racist overtones but some rather
clever and pointed sarcasm. Randolph's Tuscaloosa Monitor carried a jocular advertisement in April, 1868, extolling the virtues of Grafton Mineral Paint from Glascock's store which was said to "keep the Ku Kluxes off" if properly used. Radicals were advised to stock up. 5 Even one of the leading Republican journals could not resist the temptations of the fad and printed a "Ku-Kluxing" threat for its delinquent subscribers:

You have sent for your ... crops, and have got money in your pockets .... Don't deny it. Be candid. Fork over. Plank down .... Pay up ... ere it be, alas forevermore too late. The secret sad, and silent sea chinch hath mewed! The loud ungodly gobat doth whiny the clattery, frizzly air! Come down to condign — what ho! Bring out the blasted brazen bootjacks from the bitter, boiling Battle! Send for the seven-fold sledge hammer of sneezing steel .... Let down the omnipresent Novy Skoshy willow-wattling grind-stone! Whirl the everlasting cut-glass well-sweep, and swash their drotted and delinquent skulls into inexpugnable chaos and old night. We want them four dollars! 6

By this time, the summer of 1868, the secret society had probably reached its natural limits. A collateral and kindred organization, the Knights of the White Camellia, was expanding itself into the southern part of the state at the same time and, as noted earlier, the Klan never made any serious efforts in that

5Quoted in Horn, Invisible Empire, 326.

6Huntsville Advocate, Sept. 22, 1868.
section. But in north Alabama, in the Black Belt, and in the midwestern counties, the hooded order was well established and flourishing. In some of these areas its activities would peak and fade over the next six months; in others, especially the Tennessee Valley and a few western counties, the climax of Klan violence would carry into 1869 and 1870. In early 1868, however, the order was still in its generative stage, and the Radical party had not yet begun to attack it. Both the extent of the organizing zeal and the apparent communication lapses of the Empire are revealed in the following advisory from the mother den in Pulaski which was copied by several Alabama papers:

In answer to numerous correspondents from far and near, making inquiries of us in regard to the Kuklux, and how they may proceed to obtain a charter, we make the general reply, that we cannot give them any information, positive, but we suggest to them that perhaps similar inquiries made through the Post office of the Great Grand Cyclops, who it is said, makes his headquarters here, might receive a more satisfactory reply. We don't know how he would get the communication... but after reading the numerous accounts of the wonderful things performed by the Ku Klux, we begin to think that there are few things impossible with them....

Pulaski Citizen

7 The K, W, C. needs serious study. For Alabama the best information sources for the rival secret order are Fleming, Civil War and Reconstruction, 669-73; also his Documentary History of Reconstruction, II, 349-54; and Documents Relating to Reconstruction, No. 1, 5-29.

8 Athens Weekly Post, March 19, 1868; Moulton Advertiser, March 20, 1868.
That the Klan was becoming increasingly obnoxious to the radicals by this time is a certainty. Its attacks upon freedmen, its attempts to disrupt Union League activities, and its harassments of radical whites were all vividly recalled by dozens of witnesses some time later for the congressional committee. The first protests began to filter into the governor's office at this time, deprecating the violence and asking for civil or military assistance, and the first notice of the Klan began to show up in reports from Freedmen's Bureau agents in the state. The Bureau officer at Demopolis, for example, made his first mention of the Klan in March, when he laconically noted that "the organization called the Khlu Khlux Khlan [sic] have made several characteristic demonstrations in the way of sensational posters and such." The action would be so escalated over the next few months that the sub-assistant commissioner from the same place could just as matter-of-factly report in September that the Klan or somebody was

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9Ku Klux Report, "Alabama Testimony," passim. Letter book files and General Correspondence files for the various Reconstruction governors are available in the Alabama Department of Archives and History — Governor Smith's file relating to this period is quite extensive — and will be hereinafter cited as Governor's Letterbook or Governor's Correspondence. The pertinent Freedmen's Bureau Records are the Operations Reports from the Sub-District Agents and Letters Received, Alabama Assistant Commissioner, RG 105, NA.

10Report of Lt. A. S. Bennett, Demopolis, for March, 1868, Alabama Monthly Reports, Freedmen's Bureau Records, RG 105, NA.
committing the "usual number of murders and other acts of violence."  

With its augmented presence and accelerated terrorism the Klan naturally began to attract attention from Montgomery. The first official reaction came in April, when General Meade, through General Shepherd, issued the order banning publication of Klan notices and holding all local officials accountable for the "suppression of the iniquitous organization."  

This order was effective only to the extent of causing the disappearance of the notices from the newspapers, though they continued to print Ku Klux news items. Although military prosecutions of Klansmen under existing state laws did occur on occasion, such actions were not pursued strenuously and it was obvious that stronger laws were needed. Yet, such responses to the Klan were probably enough to give pause to some. It is likely that some of the more fainthearted spirits, those in it for "a lark," and perhaps even some of the "respected leaders," at this time began to consider quietly folding their sheets and abandoning the whole project. This is not to say that there was a slackening of Ku Klux activity at the time; on the contrary, as the summer wore on, the

11Report of R. A. Wilson, Demopolis, for August, 1868, Alabama Monthly Reports, Freedmen's Bureau Records, RG 105, NA.

12See Chapter II.
pace of things quickened. This was a presidential election year and the Klan, despite some apparent official misgivings, was preparing to try its strength in the political arena. Politics would be as a siren's song for the secret order, both irresistible and perilous.

The Klan's first political involvement was directed toward the Union League which was organizing the blacks for the Republican party, toward those blacks who were inclining toward radicalism, and toward others considered socially or politically obnoxious, such as certain elected officials, Bureau agents and whites teaching in black schools. It was clear to most of the politically-minded by now that control of the black vote would mean control of the state. Some whites had pragmatically accommodated themselves to the new order of things by joining with the Republican effort to control that vote. These were the old unionists and others who became the scalawags and their frustrations have been recounted earlier. A few tough-minded Democrats continued to campaign openly and strongly to sway freedmen into their party but this tactic met with only limited success. The great

13 A fascinating example of such tenacious and courageous Democratic regularity is the case of William Jordan of Bullock County. Jordan was a secessionist plantation owner from Midway, Alabama, who continued to proclaim his ardent democracy in the dark days after the war when his county came under complete radical control. Although under disabilities, Jordan did not take a

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mass of white Alabama conservatives preferred either to abandon politics temporarily, hoping for better days, or to try to force the blacks out of the Radical camp.

Much of the coercion took the form of economic pressures. Although the Freedmen's Bureau had been supervising agricultural work contracts for some time, there were many devious ways by which employers could either cheat their laborers or punish them for political error. Such coercive tactics preceded but also paralleled the growth of the Klan in the state. Bureau reports and correspondence for 1867 carry many complaints about such activities and the inability of local authorities to correct it. One such report from north Alabama concerned a future governor, George S. Houston, who was accused in late 1867 of employing economic leverage against black workers. The difficulties of the situation were well summarized by Colonel John Callis, army commandant at Huntsville, to whom this particular report was political back seat. He never joined the Klan but preferred to operate openly and brazenly in opposition to the Radical party. The "Jordan Method," as one scholar calls it, was to attend Republican meetings and brazenly harass the speakers. Occasionally he would even jump on the platform with enemy orators and give visual signals to the audience whenever he perceived any "lies" being told. It seems incredible but he was apparently able to get away with such things by sheer bluff and was reputed to have had a few strong black supporters. See H. F. Sterkx, "William C. Jordan and Reconstruction in Bullock County, Alabama," The Alabama Review, XV (January, 1962), 61-73.
forwarded for appropriate action. Callis lamented that such reports "are coming to my office daily," and that it "cannot be denied that such gross outrages are practiced on Freedmen .... I issue orders, write letters and use every means at my command to have my orders strictly adhered to and the 'Rebels' use every means in their power to evade the orders."^14

In the long run the economic weight of the white landowners would effectively negate the black vote but short run advantages were less noticeable, either in the political or economic sphere. Some planters were apparently more concerned with stability of labor than any political philosophy. Although they might apply a bit of subtle but pointed economic prodding now and then, they tended to become somewhat disturbed and protective when the Klan began frightening away their better workers. In some cases even the physical coercion of black laborers was applied intermittently according to whatever was deemed more important at the time, their work or their political indoctrination. John Wager, Bureau agent at Huntsville, explained that the outrages practiced upon blacks seemed to be rather periodical. "Long through the summer I would hear of

^14D. H. Bingham to General Howard, Athens, Aug. 3, 1867, with endorsements by General Howard, General Swayne and Colonel Callis, Alabama Letters Received, Freedmen's Bureau Records, RG 105, NA.

some outrages, but my idea was that they wanted to get the crop in the ground, and anything to punish these men they would reserve until after that was done, and then, after the crop was laid by, they would commence again. "16 Eventually it was the disturbance of labor that turned many former sympathizers against the Klan. Of course all such changes of heart were easily rationalized with the old standby premise that the "genuine" Ku Klux had by then disbanded and the terrorism was the work of "spurious" or "bogus" Klans.

Such thoughts were certainly not widespread in the spring and summer of 1868 as the secret order reveled in its greatest period of popularity and expansion. Meade's order had retarded Klan communications and publicity but had accomplished almost nothing in the suppressing of its movements. Moreover, some newspapers continued to publish official communiques for the organization throughout the summer of 1868, in apparent ignorance or contravention of the prohibition.

The Athens Post was one such paper, and in the late summer this Tennessee Valley journal carried a lengthy "greeting" from the Grand Giant of Province Number 1 which is worthy of note. This column-long message is both interesting and

\[16\text{Ibid.}, 935.\]
revealing for several reasons. In it the Grand Giant (county-level chieftain), presented a lengthy explanation to the public of the purpose and principles of the "order of Spirits" and attempted to counteract what he called the "malicious rumors" and "foul slander" which were being circulated about the order. This is an early public indication that Klan leaders were becoming concerned about the image of the organization and the campaign ammunition they were providing for the opposition. "We are neither a military or political organization," protested the Giant, "No person will be disturbed on account of political sentiments .... the first object of the spirits is the enforcement of the law." He went on to attest that all persons of whatever "class, condition, or color," would be protected in their "persons, property and liberty," but that no law-breaker could avoid the "just anger of the outraged spirits." 17

That there was growing concern over unruliness within the order is also evidenced in this message in the admonition to individual "spirits" regarding the chain of command. Implicit here is the feeling that this particular leader was somewhat ruffled because of Klansmen doing things on their own without cognizance of the den. "Ghouls, your duty is not to punish, but to detect all violators of the law," he protested. Then, in a pedantic tone, he

17Aug. 20, 1868.
lectured his readers on how the system was supposed to work:

"Ghouls ... report them [lawbreakers] to the Turks, the Turks to the Monks, the Monks to the Magi, the Magi to the Cyclops, the Cyclops to the Goblins, the Goblins to the Giant, that he may forward it to the East for the instruction of the Most High, Royal Grand Wizard." 18

This was of course a more theoretical than practical command line, and it is not likely that many "instructions" were ever forthcoming from the "East." Such matters as meting out punishments were typically decided on the den level. Ryland Randolph later recalled that his den had met regularly, "about once a week, at which the conduct of certain offensive characters would be discussed, and if a majority voted to punish such it would be done accordingly on certain prescribed nights." 19 As noted earlier, probably the only instructions coming from Imperial or Realm headquarters concerned general policy and even these were only loosely followed. Provinces, dens, and even individual members, in practice, exercised ample autonomy to meet their local needs. It so happened that local needs and overall policy coincided in the summer and fall of 1868.

18 Ibid.

19 From a letter quoted in Fleming, Civil War and Reconstruction, 678.
The Alabama Klan undoubtedly made its strongest concentrated bid for power in the presidential campaign of that year. It was a time, according to one radical editor, that would be "remembered as the 'black year' in the Christian Era caused by bands of midnight assassins going about in disguised habiliments ... persecuting free-born American citizens on account of their political opinions and sentiments."\(^\text{20}\) And despite the assertions to the contrary, the Ku Klux became decidedly political at this time. It would continue to be so for the rest of its existence — whether in "genuine" or "spurious" garb. The year 1868 offers a good case study, however, because the Klan effort that year was more systematic and more generally sanctioned by the white population than it would ever be again. Although the organization would continue to function politically in 1869 and other election years, its effectiveness would be undermined by decreasing public support and increasing counteractions.

The political directions of the Klan were both overt and covert. The daylight and nighttime parading was continued and some of the boldest Klan operations came during this period, but it also descended further into the use of sheer terroristic tactics which became more politically motivated and less regulatory. In

\(^{20}\text{Montgomery Alabama State Journal, Jan. 9, 1869.}\)
both phases the northern and western counties witnessed the most conspicuous activity, with the Tennessee Valley section being the leader in both. In this two-deep tier of counties on the Tennessee border the Klan had its greatest manpower and for a season seems to have had things much its own way. In Limestone, Madison, and Morgan counties it was especially potent. The streets of Decatur, Huntsville, Athens, Moulton and Florence were the scenes of frequent Ku Klux proceedings, some of them peaceful, some not.

In Decatur there was a great deal of drilling and such and also an increase in night riding terror tactics, which led to the death of at least one black. The editor of the Republican paper was warned to leave town or else — "which frightened him badly," chortled a neighboring conservative editor. 21 Others were being frightened too, and rightly so, for the Klan was deadly serious now. Mixed political clubs were broken up by disguised men, individuals were beaten, and things got so bad in Morgan County generally that when a federal officer tried to get the sheriff to exercise his authority he was told that he could not because, "I have nobody to protect me." 22 In neighboring Limestone County, conditions were such that the elected representatives to the state legislature were

21 Trelease, White Terror, 87; Moulton Advertiser, Aug. 21, 1868.

reduced to requesting a military escort to Montgomery because "the Ku Kluxs [sic] has swore we shall not go to the next legislatour [sic]."\(^\text{23}\)

All across the Valley things were much the same with Klan manifestations in town and country. In the towns it was usually just an appearance for appearance sake at this point; Klansmen making their presence known, but doing little to provoke radical authority which was enough agitated by the mere presence. Mostly these were small parties of Ghouls, a dozen or less, who would arrive in town in full disguise, march around a bit, then dismount and socialize with the local citizenry. Occasionally they would appear in more force and for a purpose, as in September, when a band of some 150 came into Tuscumbia and lynched three of eight black Loyal Leaguers accused of having burned a white female academy in the city.\(^\text{24}\) In Athens there were a number of Klan visitations reported in the local press through the summer and fall, apparently all peaceable. On election day there occurred in that city the often repeated incident in which a party of twelve fully decked-out Klansmen rode into town and boldly offered their services to help keep the peace. "Those

\(^{23}\text{B. Lentz to Governor Smith, Elk River, Nov. 1, 1868, Governor's Correspondence, Alabama State Department of Archives and History.}\)

\(^{24}\text{Davis, Authentic History, 178; Horn, Invisible Empire, 124; Trelease, White Terror, 122.}\)
infernal scoundrels had the audacity to come into town, and asked me what my instructions were," reported the local troop commander. The story was told that the Klan leader proposed that the lieutenant should just "scratch the ground if he needed them." 25

Also developing during the election period was the most sensational of all Alabama Ku Klux episodes, the Huntsville Riot. The Loyal League was quite active in the weeks preceding the election and on Saturday three days before the balloting they sponsored a mass rally in Huntsville for the Republican candidates. Prominent among the speakers was C. C. Sheets, a Decatur scalawag, who berated the predominately black crowd for their "weak-kneed" attitude toward their Ku Klux tormentors. He admitted that he himself had been abused by the Klan in Florence a few days earlier and that to save himself he had promised to desist from making inflammatory speeches. But now having regained his courage in the safety of the crowd he told the blacks that they should arm themselves and stand up like men. His speech was effective. The Negroes voted to stay in town and fight back if the Ku Klux showed up, rumors having been already circulated that the Klan was coming in force to disperse the rally and "kill all the colored people

and radical white men." During the remainder of the day the
blacks armed themselves and held meetings to make their plans.
One group went out to ambush the Ku-Kluxers but apparently lost
courage and returned to the center of town.

Early that evening the Klan force came in, its numbers
estimated in wild variety but probably not containing more than
one hundred and fifty men. They rode in in disciplined formation,
silently circled the square, then stopped to face the center of the
crowd by the market-house. After a few moments of this uneasy
confrontation someone in the crowd fired a shot and sporadic shoot-
ing broke out all around the square. It was never determined who
fired first, the whites or the blacks, but it was generally conceded
at the time that the uniformed Klansmen took no part in the shoot-
ing at all. They marched back out of town the same way they had
come in, silently and closely controlled by their leaders — even
the local army commander acknowledged that.

The actual "riot" did not begin until after the Klan had
departed the square. A number of townspeople at that time began to
discharge their weapons indiscriminately and both blacks and whites
thought they were being fired upon by the other side. Up to this
point, miraculously, no one had been hurt, but in the ensuing fray
two people were killed: an unidentified black youth and a white
Republican judge from Limestone County, both apparently struck by
random shots. Several others were wounded.
This was the extent of the Huntsville Ku Klux Riot. A number of white men were arrested on the street as being undisguised Klansmen and charged with inciting the riot but the cases were all nol-prossed. That the Klan had provocateurs circulating in the crowd to stir the whites to action as was charged at the time was not proved and it is doubtful that their knowledge of mob psychology was quite so advanced. Both races were obviously quite agitated anyway by the radical oratory of the day — the blacks positively and the whites negatively. The Ku Klux nevertheless received the full blame for the incident from the radicals and it was trumpeted across the land as evidence of Klan wantonness. The Klan was to blame in a sense because they had deliberately moved into a potentially explosive situation, but the League speakers, like Sheets, had certainly helped to create the situation and must share the blame to some extent. 26 The leading Republican journal in the state would later proclaim that the Klan had almost complete control of Huntsville and that the "strong

26 This account of the "riot" is derived from several sources but is basically a synthesis of the testimony of several eyewitnesses printed in the Ku Klux Report, "Alabama Testimony," 599, 602, 614, 618, 785, 818–21, 834, 873–75, 900–02, 910; see also Athens Post, Nov. 7, 1868; Huntsville Advocate, Nov. 3, 1868; Davis, Authentic History, 136; Horn, Invisible Empire, 131–34; Trelease, White Terror, 121.
hand" of federal authority was needed as force was the only "power these scoundrels will recognize." 27

The Ku Klux activity in and around Huntsville and the rest of north Alabama was significant in more than one way. Although it was evidence of the strength and determination of the Klan, it was also instrumental in the passage of the state Anti-Ku Klux law in December, 1868, which the radicals would hail but quickly discover to be deficient.

In the rural areas of northern Alabama the Klan had been even more aggressive during the year and its activities considerably more sordid. It was here, away from the limited restrictions of the towns, that the Klan interpreted its role in the broadest possible sense, both racially and politically. There was some organized night riding for show but it was in the country that the real work of the order was done; and it was the "work" and not the show that inspired the terror. In small groups, usually twelve or less, disguised Klansmen roamed relatively unhindered in the Valley area after the daylight hours doing everything they could to strike fear into the hearts of Republicans, black and white. There was some simple regulatory action that was obviously not politically oriented — miscegenators were punished, as were suspected

27Montgomery Alabama State Journal, Jan. 16, 1869.
criminals who were not handled severely enough by the legal authorities — but generally almost all Klan visitations had some political connection; and almost all of the victims were black.

There was much diversity in these operations, of course, some were more bizarre than others and the level of severity ranged from mere threats to murder, but as indicated before there was also much similarity. There is enough evidence to suggest some common patterns to this work. These small bands of disguised riders would approach the home of a freedman, either call him out or force their way in and drag him out, then either threaten him, verbally torment him, beat him with branches or straps, torture him even more severely, or, at worst, murder him. There were all levels of crudeness or refinement to this but the cause and effect was generally the same. Most of the victims were selected because of alleged Republican proclivities, and the threats and punishments were supposed to suppress that spirit. Another common theme in the Klan program was the disarming of blacks. This obviously reflects a white anxiety or fear of black uprisings in the vein of the traditional slave insurrection fears, but whatever the motivation there were scores of reported instances of weapons being demanded from victimized freedmen and either confiscated or destroyed. There was some talk of depositories or arsenals where these "contraband" guns were collected but that has the
same mythical ring to it as the improbable Ku Klux cotton gins "hidden away in the forests." The guns were more likely appropriated for Klan use. There were many reports of other things being appropriated as well. Any loose money or whiskey lying around the cabins were especially vulnerable to seizure, and was sometimes demanded — and this in the era of the "genuine" Klan. 28

In the western counties the situation was much the same in 1868. Tuscaloosa, Sumter, Pickens, Hale and Greene counties had very enthusiastic Ku Klux organizations and, although they did not do as much daylight parading and drilling as in the north, they certainly made their presence known. There was a heavy majority of blacks in some of these counties, particularly Sumter and Greene, and the carpetbaggers were well entrenched in the whole section. Thus, the Klan, even in its halcyon legal days was forced to operate somewhat more circumspectly as far as daylight movement was concerned. After the organizational campaign was completed in the spring, however, and the ranks of the

28 This information and much of the following is a collection of testimony from dozens of witnesses before the congressional investigation committee in 1871 and from scores of affidavits and statements from victims collected by the military in 1869. These are in Ku Klux Report, "Alabama Testimony," passim; and in AGO, Papers Submitted to Committee on Southern Outrages, RG 94, NA (microfilm).
dens were filled, the nights seem to have belonged to the Ghouls. They did the usual things. The towns of Eutaw, Greensboro, Gainesville and Carrollton were visited regularly. Union League meetings were broken up. Radical officials were threatened and some were driven away. Many individuals were "ku-kluxed," and "laying out" in the woods to avoid a Klan visitation became a regular practice with some. Probate Judge William Blackford, of Hale County, seems to have been a decided annoyance to the Klan; he received eleven different warnings in this year alone and was coerced into temporarily vacating his republicanism. He later would be driven from the county by the Klan. Several Freedmen's Bureau agents and teachers were also intimidated by threats or actual punishment. 29

The western area was the only section of the state, however, where the Klan was strong and did not go relatively unhampere in its work. A number of alleged Klansmen were arrested in Greene County by the military and convicted by a military tribunal in connection with the assaulting of a Negro teacher. Some were sentenced to the federal prison on Dry Tortugas. This was

before Alabama's readmission to the Union and military courts in this section, under zealous officers, at times threatened the Klan's supremacy. Even the redoubtable Ryland Randolph was arrested by army officials in April for his role in a Tuscaloosa street fracas (which was not Klan connected). He was able to win an acquittal, with some political help, and returned to Tuscaloosa from his Selma incarceration more a local hero than ever. The Dry Tortugas prisoners were also hailed as heroes upon their release. Such military challenges to the Ku Klux nevertheless prompted Randolph to complain in print that "Radical, nigger-worshipping vagabonds are protected by military authority, while the gentlemen of the land are persecuted by the same."\(^{30}\)

The restoration of the state to the Union in June, despite being a reversal to conservative strategists, obviously relieved this sort of pressure on the Klan. The laws were still the same and they were liable under the existing state criminal code but now they would only have to face trial by their peers who were unlikely to convict them. The Klan escalated the terrorism at this point. Governor Smith's correspondence for the summer and fall included many letters from radical constituents who

\(^{30}\)Damer, When the Ku Klux Rode, 44; DuBose, Alabama's Tragic Decade, 242-44; Horn, Invisible Empire, 120-21; Tuscaloosa Independent Monitor, May 5, 1868.
complained of the intimidations and begged the chief executive to dispatch troops to their troubled areas or else allow them to form militia companies. 31

Governor Smith, although sympathetic to such pleas, was at the same time afraid to risk militia action for fear of being characterized as another Brownlow. There was obviously the fear, also, that militia companies in some areas would become largely black and serve only to increase the racial tensions. He relied therefore upon pleas for calm and in calling upon the small federal troop contingent from time to time. The legislature provided an adequate militia law, but Smith simply was not inclined to invoke it. He did enlist investigative support to check on alleged Klan outrages and he did endorse the Anti-Ku Klux bill which the legislature passed late in the year, but he continued to shrink from the use of militia. 32

His inaction and apparent quailing caused Governor Smith to be chided strongly by his friends and in the radical press where


32 Fleming, Civil War and Reconstruction, 683, 694-95; Trelease, White Terror, 88.
he was unfavorably compared to the governor of Arkansas whose expeditious use of state troops had practically destroyed the Klan movement there. In a very private note marked "burn after reading," one of Smith's strong north Alabama supporters expressed real concern of the governor's lack of policy. The official party organ of the state was much less guarded in its concern:

Here they appear to have full swing; the Executive appears unable to disperse them, he does not invoke the aid of the national troops, nor does he do anything. In Arkansas things are different. There the Ku Klux have had enough ... and already cry for quarter. The disposition made of a few of the prominent scoundrels, has convinced the remainder of them that Arkansas was an unhealthy place for them. 33

Some conservative papers, on the other hand, were forced to admit grudging admiration for their governor who would not be "stamped into the sort of Brownlow tyranny being administered by Clayton in Arkansas." 34

Meanwhile, in the weeks and days preceding the election, the pace of political activity quickened. The Loyal League promoted the Republican ticket strenuously and was accused of no

33. Trelease, White Terror, 149-74; W. B. Figures to Governor Smith, Huntsville, Aug. 21, 1868, Governor's Correspondence, Alabama Department of Archives and History; Montgomery Alabama State Journal, Jan. 16, 1869.

34. Moulton Advertiser, Dec. 12, 1868.
little intimidation itself — allegedly putting extreme social and even physical pressures upon Democratically inclined blacks. \(^{35}\)

It is not likely that League intimidation of black voters was as drastic as the Klan's, but it was obviously intense. It was also effective, as the turnout of black Republican voters showed. The Klan had, at the same time, been accelerating its program of terror, making nighttime rounds of the homes of the more active Radical party leaders and creating, as one Huntsville resident complained to the governor, "a nameless terror among negroes, poor whites, and even others." Another north Alabama official protested that white Republicans were leaving the blacks to the "mercies of the Klu Klux \(^{sic}\)" who, he said, "are on the road night and day." He further lamented that it was even becoming unsafe to send messages to the capital. \(^{36}\)

Although the campaign by the conservatives was energetic (both the above- and below-board parts of it), the Republicans were too strong in the Black Belt section; Grant carried the state by over four thousand votes. The influence of


\(^{36}\) W. B. Figures to Governor Smith, Huntsville, Oct. 20, 1868, John S. Wager to Governor Smith, Athens, Nov. 23, 1868, Governor's Correspondence, Alabama Department of Archives and History.
the Klan can, nevertheless, be seen in the results from several counties which showed a majority for the Democratic candidate Seymour despite racial distributions of near parity or, as in the case of Madison and Pickens counties, black majorities. There were undoubtedly more Republicans registered in such counties than Democrats but they were unable to carry many of them, the economic and Klan pressures apparently too much for many black voters. All of the Tennessee Valley counties went for Seymour and Blair as did the western Klan counties of Tuscaloosa and Pickens. In all the Black Belt, however, the black voting strength of the Republicans could not be overcome, and the counties in that area generally indicated lopsided victories for Grant and Colfax.

The failure to carry the state for the conservative cause was unquestionably a setback for the Ku Klux Klan. Although seemingly uncoordinated, a great deal of effort had gone into the campaign. At the local level a few of the radicals considered most reprehensible had been driven away by Klan action, and perhaps some of the leaders saw this as a partial victory, but in the overall view they must have been disappointed. The Radical party seemed to be more secure than ever. The "Black and Tan" legislature was at work and it was beginning to appear to some

\footnote{Alabama Manual and Statistical Register For 1869 (Montgomery, 1869), xxxvi-xxix.}
conservatives that Klan "outrages" were having a negative effect on their cause. In some places, where moderate voices were more influential, this reaction came even before the election. At Athens a notice was published on September 24, 1868, ostensibly a disbandment order for Den Number 1 of Province Number 1. The Grand Dragon cited as reason for this regrettable move the soon-to-be familiar complaint that the order had been infiltrated by evil men who were, along with spurious Klans, perverting the original high principles of the secret society. 38 This was barely a month after the Grand Giant of the same province had issued his pious explanatory message. Although the Klan was still rampant over the state, there was obviously trouble within the "chivalric" order. The Athens den had probably been the first one organized in Alabama; now it was the first to "officially" go — and the whole Realm would soon "officially" follow. It is unfortunate that Klan operations could not be turned off as easily as its official status; Alabama would have been saved enormous trouble and grief and the Ku Klux itself would be much less vulnerable to hostile interpretation. But this was not to be: Alabama was still in the travail of Reconstruction and the Klan continued to haunt people. Only now some conservatives also were being haunted by the movement.

38 Athens Weekly Post, Sept. 24, 1868.
CHAPTER X

ALABAMA KLAN OPERATIONS: 1869-1870

When I gather my posse, I could command the posse, and I could depend upon them; but as soon as I get home, I meet my wife crying, saying that they have been shooting into the house. When we scatter to our houses, we do not know at what time we are to be shot down; and living ... this way, we have become disheartened, and do not know what to do.¹

The failure of the Klan to bully Alabama into the Democratic column in the 1868 elections obviously gave pause to some of its leaders. The direction that the organization had taken toward increasingly rash and frightful tactics also seems to have caused second thoughts among both leaders and rank-and-file members; not just because of the political backlash such terrorism produced but perhaps as much because some Klansmen were themselves repelled by the terrorist tactics. From the testimony of leading conservatives before the congressional investigating committee in 1871 it is evident that about this time (1868) many of them became disenchanted with the Ku Klux Klan.²

¹Ku Klux Report, "Alabama Testimony," (statement of Sheriff Treadway of Fayette County), 559.

²The testimony of such Democrats as James H. Clanton, William M. Lowe, Francis Lyon and others adequately reveals this
Certain Republican witnesses before the same committee also made the observation that after 1868 the Klan seemed to lose much of its respectability and community support. However, apart from the ostensible "disbandment" of several north Alabama dens, beginning (at Athens) even before the 1868 elections and continuing through the spring of 1869, defections from the order were hardly noticeable nor was there an apparent lessening of Klan depredations. Indeed, the months after the election seemed to bring an intensification of terrorism which peaked during 1869 and 1870 and which made Alabama for that time one of the worst of the Klan states.

The official disbanding of some dens together with a correlative assumption that others unofficially or less publicly ended their activity is nevertheless quite pertinent to the history of the Klan in Alabama. A recent scholar's statement that its

even though they were not completely candid about their earlier support of the Klan. Ku Klux Report, "Alabama Testimony," passim. (Clanton was reputed to be Grand Dragon of the Alabama Realm at one time.)

Ibid., See for example the testimony of Nicholas Davis (780-91), Judge Richard Busteed (320-30), John Wager (926-39), and Richard W. Walker (960-82).

The "disbandings" came for many reasons, of course, not least of which was Forrest's celebrated imperial disbandment order of March 1869. How many Alabama dens responded to or even heard of that order is certainly academic, but the stated consensus among conservatives and conservative historians was that the real Ku Klux Klan no longer existed after the spring of
"major effect ... was to give Klan apologists an excuse for saying that subsequent outrages were the work of spurious Ku Klux"\(^5\) hardly does justice to the event. Although it is true that "night riding and violence were unabated" after the disbandment — actually they increased in some sections — it would appear that the real significance of the official dissolution was that it left many Klan groups without that hint or fiction of centralized control which may have previously moderated their activities somewhat. It is equally probable that people who did abandon kukluxism at this point were the more thoughtful or temperate members. Now, without their moderating influence, some dens which had been officially sanctioned continued to operate in more abandoned fashion, and new groups sprang up to use the Klan modus unhindered by any central authority or chivalric principles. Klan "apologists" certainly have belabored the point of "spurious klans" in connection with the violence of alleged Ku Klux operations in the later phases but no one has yet shown them to be wrong. The weight of evidence indicates that the Klan did make a noticeable change of direction in 1869 and that it certainly did not seem to be the same "noble order of spirits" it had been in 1867 and most of 1868, though that previous "nobility" is certainly questionable.


\(^5\)Trelease, White Terror, 247.
This is not to suggest that all original Klansmen now retired and turned their robes over to new members with lower principles. In some places it is probable that nothing changed, not even the leadership. This seems to be the situation that prevailed in the western counties where the tempo and character of Klan operations was not greatly altered after the disbandment period. Even in the northern counties, where kukluxism clearly degenerated into something bearing little resemblance to original purposes and principles, it is quite likely that many of the same people were involved. But for the northern section of the state there is strong reason to believe that the leadership did honor the order to cease operations and that most of the depredations or outrages that occurred after that time were the work of fragmentary groups of new "klans" that arose and which were, indeed, in the strict sense of the word, "spurious klans."

There was simply too much in the way of growing opposition from the conservative side to these continuing terror tactics, and too much reinforcement of the radical claims, to conclude other than that Klan terrorism in 1869 and after was of a largely different variety and was not in the traditions of the early Ku Klux. There was nothing humorous about it anymore. A prominent north Alabama scalawag, and no friend of the initial Klan put it quite clearly:
In 1868, there was a Ku-Klux organization in the state of Alabama, a wrong — you will allow me to express my opinion — a wrong and a very bad organization... but it has corrected itself. Its very outrages corrected it. Since then — since 1868 — traveling along until 1869, they have changed their minds, and what you call the democrat party — which means the white people of this country... have determined to put it down, to establish law and order, and, at the present time [1871], I don't think that any man would be safe in any part of North Alabama in daring to put on the vile Ku-Klux organization or its image.  

This same Republican gentleman, and others as well, concluded that the later Klan activity seemed to be the work primarily of "young boys" in the manner of pranking or the racist manifestations of the poorer classes of whites who were "more bitterly opposed to social equality than slaveholders" and who "apprehended that the Negro... [would] be put upon terms of social equality with them in public schools, in churches, and in public conveyances." Other observers thought that the Klan comprised more of the criminal element or "irresponsible men" who scrupled at nothing for the satisfaction of their own low purposes. The Radical sheriff of the northern county of Limestone, William Lentz, believed that the existence of a number of illegal distilleries in his county produced the unsavory

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7Ibid., 492, 909.
conditions leading to the later so-called Ku Klux outbursts. It was his opinion that "nineteen-twentieths of the cases of lawlessness are concocted in these distilleries." Crowds of "bad fellows" would congregate around the illicit stills, drink raw whiskey, and then storm out and commit much of the violence. Some of these bootleggers had been in the Klan organization from the outset but were among those who refused to obey the order to disband. Sheriff Lentz concurred in the belief that the men who committed the depredations after the disbandment were nothing more than "lawless men ... generally ... of comparatively worthless character" who assumed disguises and sought the cover of night to "effect bad purposes of their own."\(^8\)

Of course, part of the problem for interested observers at the time, and certainly for historians, is that by this point practically all crimes of violence had come to be denominated as "Ku Kluxings." The radical press was partly to blame for this, as some Republican editors were prone to translate any allegations of brutality against blacks or radical whites into part of a Klan conspiracy to restore the Democratic power structure. It was true that the Ku Klux pursued such a course and there was some basis for the charges, but many of the so-called ku-kluxings

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\(^8\)Ibid., 1954, 726-28.
were simple crimes of passion or personal disputes between individuals. Many cases that the army investigated in 1869 at the insistence of Radical officials, proved to have absolutely no political or even Klan connection. But anytime anyone was brutalized by a group or even another individual it was likely to be charged off to the Ku Klux.

It was this sort of atmosphere that so frustrated the conservative editors who had come to realize the harm of such publicity. They did what they could to try to reduce the Ku Klux fever but it had gotten out of hand as had the Klan itself. A common ploy of Democratic editors — along with the outright denials of the existence of the secret society — was to print short news items telling of some crime committed by a black man against another, for philandering or petty larceny or the like, and sarcastically label it "Another Ku Kluxing" or simply sign it "Ku Klux." Such tactics only served to increase the use of the word, however, until it became almost a synonym for crime and violence. It was, as one candid Radical observed, "a good name, and it sticks." He admitted that "everything that appears in

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9 See AGO, Papers Submitted to the Committee on Southern Outrages, RG 94, NA (microfilm), passim, for several such instances. (Of course, many of these investigations did prove a Klan connection and/or political orientation.)
disguise is Ku Klux, and he might have added that some criminals without disguise were called Ku Kluxers as well. And both sides contributed to the notoriety.

Thus, the Ku Klux Klan continued in Alabama for another few years, whether genuine or not, and the crimes laid at its door were more violent and hideous than ever. There was really no need for Radicals to exaggerate charges against the hooded order; they were quite terrible enough as they happened. Although much of this later activity was not the work of those who had originated the secret society, it was Ku Klux Klan work just the same, and the founders must share the blame with latter-day Ghouls, for they had set the precedents and created the atmosphere that produced the Klan syndrome which so persistently fixed itself in Alabama minds. Then when kukluxism outgrew all bounds of reason and outlived its conservative usefulness, these erstwhile "spirits" and their supporters were, for the most part, not strong enough in the work of suppressing it. In some areas, such as Limestone, Madison, and Monroe counties, they were, however, and by late 1870 disguised men were persona non grata even among Democrats in those places, but in other sections permissiveness, apathy, and continued support provided a fertile Klan environment for another two years.

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In north Alabama, despite the official disbanding of the order, night riding and outrages committed by disguised men reached frightening proportions in 1869 and 1870. Many of the crimes were of a personal nature and apolitical, as noted, but nonetheless practically all of the victims were black and/or Republican. Because of this extensive violence, the headquarters of the Second United States Infantry Regiment, which was the primary garrison command in the state, was shifted from Mobile to Huntsville, and the commander, Brevet Major General S. W. Crawford was clothed with sufficient authority to assist local authorities in whatever way needed "whenever proper application for assistance or protection" was made. Such applications were plentiful — the army was called upon by the governor, sheriffs, judges, justices of the peace, solicitors, politicians and private citizens. Crawford kept his troops busy, repeatedly sending out detachments on special assignments and shifting subordinate units around as functionally required. Most of this troop activity was in northern or western Alabama but small detachments were occasionally dispatched to the central and southern parts of the state to meet special requirements. The company

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11 General Terry to General Crawford, Atlanta, June 12, 1869, AGO, Papers Submitted to the Committee on Southern Outrages, RG 94, NA (microfilm).
and detachment commanders did a great deal of investigative work and their reports, often coolly objective, along with the statements they assembled are a valuable source of information on the Klan and the times. In any event, both General Crawford and Governor Smith were bombarded with requests for help during these months, indicating that, from the viewpoint of many Radicals at least, there was a reign of terror existing.

That the army was incapable of quelling the Klan disorder is indicated by the fact that Madison County, in which Huntsville is situated, was one of the most virulent Ku Klux counties in the state. It had been the scene of much Klan activity in 1868, including the so-called "riot," and conditions in 1869 and 1870 had become even worse as far as violence was concerned. The problem for the army was that only infantry troops were available and by the time they arrived on the scene of any reported Klan outrage the Klansmen had long since departed; nor could they pursue the Klan horsemen effectively. What was needed were mounted troops, and petitioners constantly reminded the authorities of that need. The army, of course, did have a deterrent effect on the Klan eventually as it assisted sheriffs in serving warrants and making arrests of individual Klansmen, but in squelching the Klan it seemed practically useless as most of the professional officers acknowledged.
Ku Kluxers continued to roam almost at will. There were a few more massive demonstrations around Huntsville, but the bulk of night riding activities now consisted of small-scale forays against individual blacks who would be threatened or punished for their political posture in the presidential election and warned to vote "right" in the congressional elections of August, 1869. In almost every instance any weapons the Negroes had would be confiscated or destroyed. Some freedmen's schools were burned but the churches of the blacks seemed to be even more attractive targets for Klan wrath as they were generally suspected of being centers of political life.  

There was almost a state of anarchy in the northeast corner of the state. D. C. Humphreys, a leading Radical in Huntsville and apparently a student of history, compared the situation "to the conditions of affairs just after the Revolution, under the Old Confederation: when many lawless persons were anxious to test the strength of any and all government."  

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12 There are simply too many individual cases to recount but for some idea of the extent of this sort of Klan activity see the testimony of John Wager, Freedmen's Bureau agent at Huntsville, who recalled literally scores of such outrages for the congressional committee in 1871. Ku Klux Report, "Alabama Testimony," 926-39. Also see AGO, Papers Submitted to the Committee on Southern Outrages, RG94, NA (microfilm), for dozens of affidavits from victims of such Klan intimidation.

13 Humphrey to Gov. Smith, Huntsville, Dec. 23, 1868,
Elsewhere throughout the Tennessee Valley, things were much the same. In those areas where the Klan had thrived prior to the disbandment it continued to thrive through 1869 and early 1870; its operations even more indefensibly terroristic. Limestone County was nearly as bad as Madison, which it bordered to the west. Disguised men continued to ride into Athens at night in direct contradiction to the alleged dissolution, and in the countryside frequent attacks were made upon freedmen and occasionally some white man who aroused the Klan's enmity. Many of the victims were apparently respected and hard-working Negroes whose only crime was radicalism. When the violence became indiscriminate and obviously as detrimental to conservative well-being as radical, there finally developed a backlash among moderate whites. Many people who had formerly supported the Klan idea now came to openly oppose it. As early as January, 1869, a countywide meeting was convened by leading Democrats for the purpose of "accepting the situation and pledging ourselves to sustain the civil authorities in the enforcement of the law." It was a long time before such opposition coalesced and became effective but as the year wore on and depredations continued the conservative concern mounted to a fever pitch. The editor of the Athens paper, who had once accommodated the Ku Klux in

Governor's Correspondence, Alabama Department of Archives and History.

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every way he could, became quite vehement in refuting its continuing terror. The psychological turning point seems to have come in July when fifteen masked men quietly rode into town and effected the release of three white prisoners who were being held for safe keeping in the Athens jail. They had been placed there by Lawrence County authorities under indictment of allegedly murdering a white man. The Athens editor was incensed: "It is time," he wrote, "for the people to rise in their strength and power and crush out and destroy these roving bands of marauders who prowl the county for purposes of booty and violence."

He continued his editorial campaign against the "Bogus Ku Klux," as he called them, into the fall and became even stronger in his denunciations of the bands of disguised men who ranged the county representing themselves to be genuine "ku-klux, when in fact they have nothing to do with that mysterious order." They were nothing more than "vile miscreants," he protested, and "fiends in human shape." In November this paper carried an item signed "Ex Cyclops" which said that it had come to the attention of those responsible and law-abiding men who had once united under the name of Ku-Klux, but who had disbanded and ceased to exist, that lawless men were perpetrating criminal deeds and

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14 Athens Post, July 16, 1869.
sullying the name of genuine Klan. It warned that if they did not desist the power of the real Ku Klux would be invoked to destroy them. Public expressions of this sort were indicative of the expanding anti-Klan feelings in Limestone County that eventually became predominant and led to effective suppression of the rampant terrorism. Leading conservatives began to support their Radical law enforcement officials and by late 1870, except for sporadic outbursts in the rural fringes, night riding and violence by disguised men had largely ceased in the county.

Further to the west, in Lauderdale County, north of the Tennessee River, and Colbert and Lawrence below that stream, the terrorism also continued after the election. Governor Smith's correspondence for 1869 contains dozens of messages from frightened citizens of that section. A Florence Republican wrote: "Our county is full of Ku Klux .... last Saturday night our town was visited by the Ku Klux to the number of 150 or more.... Several persons have been killed in the County in a misterious \[sic\] way — in a word terrorism and anarchy reins \[sic\] in this county ...." From Tuscumbia, in Colbert County, and Courtland and Moulton in Lawrence, the word was the same: the Klan was rampant, send help. "I have been a steady Union man and

Republican, Governor, but I tell you our cause is defeated if we don't get some support from the authorities . . . . " lamented a Tuscumbia Radical. What was needed, he said, was a squadron of cavalry. 16

Lawrence County, which had seen heavy Klan organization in the 1867-68 phase, was also plagued with continuing terrorism in 1869 and after. But here, as in Limestone, there was a growing disposition to end the terror. The sheriff and his deputies seemed determined to arrest all wrongdoers and were supported by most of the citizens. In June, 1869, a number of alleged Klansmen were arrested and confined at Moulton, charged with murder and violation of the state anti-Ku Klux law. Three of them threatened to turn state's evidence. Prior to the trial, the group was set free by other masked men and the three turncoats allegedly murdered. Three of the other accused were later recaptured. These were the ones sent to the Athens jail, which was supposedly more secure, but, as related above, they were subsequently released from their confinement there by disguised friends. 17

16 Neander Rice to Gov. Smith, Florence, Nov. 23, 1868; A. Bresler to Gov. Smith, Tuscumbia, Feb. 16, 1869; in Governor's Correspondence, Alabama Department of Archives and History.

17 Moulton Advertiser, June 21, 1869; Sheriff William Lentz to Gov. Smith, Athens, July 15, 1869, Governor's Correspondence, Alabama Department of Archives and History. For this and other outrages in Lawrence County also see Joseph Lee to
year later, conditions had become so inhospitable for the Klan in Lawrence that the freedmen, with white support, had become emboldened to openly resist Ku Klux depredations. On the night of August 12, 1870, a party of eight to twelve disguised men was heading to the Foster plantation near Courtland with the intention of meting out some punishment on a black man who had killed eight sheep of a white neighbor's (and who was awaiting legal trial for that crime). But they were surprised by an ambuscade manned by over thirty armed blacks. In the ensuing skirmish one white man was killed, others apparently wounded, and a number of disguises were abandoned along with six mules by the hastily retreating nightriders. The local white citizenry responded admirably to the deputy sheriff's request for a posse to arrest the known marauders. Some of the alleged Klansmen left the county but others were arrested and tried. No convictions came out of this, but the whole episode demonstrated that Lawrence County was becoming an increasingly unhealthy place for Ku Kluxers. The military investigated this affair and the officer in charge concluded in his report that "the citizens of the county seem to be alive to the importance of vindicating the outraged majesty of the law against these displays of violence and fully determined that

General Crawford, Moulton, July 22, AGO, Papers Submitted to the Committee on Southern Outrages, RG 94, NA (microfilm).
no effort of theirs shall be wanting to bring the perpetrators to justice."

The situation was a bit different in Morgan County, just east of Lawrence and south of Limestone. There had been some typical Ku Klux developments there in 1867 and 1868 but these had mostly dissipated after the presidential elections, especially in the southern part of the county where there were few blacks to maltreat. In that section and in mountainous Blount County to the south the Klan syndrome had devolved into a feud between rival groups of whites. One side followed the Ku Klux methods of organized raiding in disguise, disarming blacks and whipping them, and occasionally murdering radicals of both races. The other side, consisting mostly of white Unionists, was equally well organized but operated in the daylight without masks and seemed to be basically concerned with combating the other group. This anti-Ku Klux organization was quite strong both in south Morgan County and Blount. For a time it appeared that a local civil war was imminent. Judge Charlton, of Morgan County, wrote Governor Smith that "the people are in a more warlike attitude in this

\[18\] Report of Lt. John C. Bateman, Huntsville, Aug. 20, 1870; also statements of Justice of the Peace W. W. Baker, Courtland, August 18, 1869, John Phelan, Courtland, Aug. 17, 1869, and Deputy Sheriff E. J. Simmons, Courtland, Aug. 18, 1869, all in AGO, Papers Submitted to the Committee on Southern Outrages, RG 94, NA (microfilm).
county at this time than at anytime during the rebellion." The
dispute for power continued through 1869 with the "antis" occasion-
ally making large-scale forays, as in February, 1869, when they
rode into Somerville about seventy strong and, while disturbing no
one, "boldly proclaimed their intention of revenging every outrage
of the KKK."^20

By late 1869, the anti-Ku Klux had gained the ascendancy
in Blount County and the "disguisers" were generally curbed accord-
ing to one of the opposition leaders. This does not seem to have
been the whole story, however, certainly not for lower Morgan
County. An army investigator sent into that region in March, 1870,
reported that six different Ku Klux murders had occurred there
since the first of the year, one of which was that of the Judge
Charlton, mentioned above, who had helped organize the anti-Klan
group. The Ku Klux-styled band seemed to have control in Morgan,
reported the officer, and "the civil officers are paralyzed with fear
and make no effort to discharge their duties." He concluded, how-
ever, that the whole situation was so muddled with a blend of
family, personal, and political quarrels "that it is very difficult to

^19 Charlton to Gov. Smith, Somerville, Dec. 15, 1868,
Governor's Correspondence, Alabama Department of Archives
and History.

^20 Athens Weekly Post, Feb. 27, 1869.
ascertain where the one commences and the others end." Nevertheless, the situation deteriorated so badly there at one point that the sheriff of the county slipped into Huntsville and made the "most extraordinary statement" to General Crawford that he intended to suspend the functions of his office. 21 He was persuaded to return, however, and by summer, 1870, the turbulence began to subside somewhat.

In the northeastern block of counties, including Jackson, Marshall, Dekalb, Etowah, Cherokee, Calhoun, St.-Clair, and Cleburne, the Ku Klux does not seem to have had much of an existence prior to 1868. Then, beginning in the fall of that year, Klan action flared up in the so-called Sand Mountain region of the state, and for much of the next two years some of these counties rivaled the worst of the Ku Klux sections. They were counties of relatively small black populations; and although there was the usual victimizing of the colored people, not a small amount of the Klan effort was part of personal and political feuds between whites.

Jackson County, furtherest to the north, was perhaps more thoroughly organized by the secret society than the others, and the Klan operated regularly around Scottsboro and Stevenson performing a lot of old-style vigilance work and the new-style political and

racial terrorism. Blacks were whipped, some were murdered, freeing whites from jail was common, and the Klan even provoked a minor international incident when James D. Weir, a British subject, was whipped for his pro-black inclinations. This latter incident occasioned protests from the British minister in Washington and a correspondence between Secretary of State Fish and Governor Smith, who relayed his regrets with the assurance that he would "secure Mr. Weir the fullest protection to which all law abiding persons are entitled, whether citizens of Alabama or subjects of a foreign government."²²

Below Jackson County in the more hilly sections of the northeast, the Ku Klux footing was probably not as secure and all-embracing as elsewhere but it was enough to produce some of the most sensational Klan episodes of all, particularly the developments at Asheville, in St. Clair County, and Patona, in Calhoun.

The Asheville affair, which finally resulted in the stationing of a detachment of troops there for several weeks, resulted from a political feud between rival white groups similar to that in Blount and Morgan counties. Although there had been intermittent

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²²Ibid., 993-97, 1170, 1185-87, 1235; James D. Weir to Gov. Smith, Huntsville, May 15, 1869; Governor's Correspondence; Gov. Smith to Hamilton Fish, Montgomery, April 28, 1869, Governor's Letterbooks, both in Alabama Department of Archives and History; Montgomery Alabama State Journal, quoted in Huntsville Advocate, May 4, 1869.
garden-variety Klan activity in the area for some months, with disguises and all, in the climactic events of early July, 1870, there were no masked men involved. It was, however, classed as a Ku Klux outrage, and to some extent it was as most of the men involved on one side of the fracas were probably Klansmen, and the opposition was that class typically opposed by the Klan, though in this instance all of them white.

What happened in Asheville was that a man by the name of Springfield, reputed to be a highly respected Republican leader, had, despite being on fairly good terms with leading conservatives in the county, came to be despised by a large sector of the Democratic youth. He was warned by these young hotbloods to leave the county or be killed but instead he barricaded himself in his home along with about a dozen partisan supporters. The sheriff of the county proposed to dislodge Springfield and his armed friends by means of a peace bond and summoned a posse comitatus of about two hundred young Klan types to help him serve the papers. He neglected, however, to take the proper legal steps, nor for that matter did he even accompany the posse (or mob) to Springfield's home, where they proceeded to lay siege upon the embattled Republicans. Shots too numerous to count were fired into the house but miraculously no one was hurt. Later Springfield gave himself over to the sheriff and the mob reluctantly dispersed. An army
investigator arrived two days later and after a cursory examination of the explosive situation recommended the stationing of a troop detachment at Asheville for extended duty. "I have never, with an experience of four years in this country, seen a more complete subordination of the civil authorities of a county to the mob element than I witnessed in St. Clair," he wrote his commander.

When the troops arrived they found Springfield wounded by an assassin's bullet and the whole town up in arms. The troop commander had to give protection to Springfield and numbers of other people. "People are afraid even to go to the depot unless I send a guard with them," he reported. It was a desperate situation in which the army, constantly harassed, was barely able to maintain the peace. With rare audacity, the anti-Springfield group fired on the soldiers from ambush on several occasions. "My men are about worsted out," lamented Captain McLoughlin, "civil law is dead in this county. The mob rules." He requested that the rest of his company be sent to augment his beleagured force. Eventually the presence of the troops had the desired pacificatory effect, along

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with the passing of the fall elections, and things in Asheville settled down a bit. Springfield later was appointed a Deputy United States Marshal and left the community.

The Patona or Cross Plains affair, which happened the same month in Calhoun County, was even more sensational in that it resulted in the lynch murdering of several people and became something of a national cause célèbre for the Radicals. On July 10, a black youth hired to hold a white man's horse at the small village of Cross Plains accidentally let the animal escape for which he was cuffed severely by the white man who may have been a bit intoxicated. The Negro threw a brick at his tormentor, whereupon white onlookers attacked him. The young Negro returned to the predominantly black community of Patona, which was nearby, and gathered a crew of some thirty or forty armed friends under the auspices of William Luke, a white coadjutor who taught a freedmen's school there. They returned to Cross Plains to "make the night hideous" for the whites, which they did by roaming the streets, shouting threats and firing their guns. But no one was hurt at this stage. The next evening, however, they returned and allegedly fired at whites departing a church service. The whites returned the fire and finally caused the Negroes to retreat to Patona. Before another expected skirmish developed, warrants were sworn for the arrest of Luke, who was a Canadian citizen,
and several of the blacks, three of whom were picked up. After a
day of desultory preliminary hearings, the four were put under
guard to spend the night on the front porch of a store building,
there being no available jail. Late that night some fifty or sixty
disguised Klansmen rode into town, easily overpowered the guards,
and carried off the four accused men and another unfortunate Negro
who had been put in the makeshift prison on a minor charge. All
five of these men were precipitantly executed by the Klan near the
gate of town. The same band of Klansmen was also suspected of
hanging another Negro a few miles away on the same night.

This exercise of Klan justice stirred feelings of outrage
over the state and nation, not only among radicals but conserva-
tives as well. Governor Smith was shaken out of his complacency
and took vigorous steps to try to ferret out the guilty parties. He
went himself to Cross Plains, along with General Crawford, and
an eminent team of investigators and prosecutors was assembled
for the inquisition, including former governor Parsons and Supreme
Court Justice T. M. Peters. Smith was to be frustrated in this
effort, one of his strongest against the Klan, for although scores
of witnesses were heard and some nine men arrested on suspicion
of taking part in the murderous affair, no true bills were found
and no Klansman was punished. In the investigation, ironically, it
was proved that the white man, Luke, had not actually taken part in
the Cross Plains shooting and had counseled the blacks against it. For that matter, it was determined that the young blacks involved had not really fired indiscriminately into the women and children churchgoers but had intended only to attack their young white antagonists who were across the street from the crowd. 24

Despite the strong response it provoked in this instance, the Ku Klux was for a season in command of things in this section of Alabama. As one disconcerted area Radical put it to Governor Smith, something had to be done or all Union men would have to leave. They were "laying out every night to keep the KK from whipping them." The problem was, he said, "their [sic] is so many Kluklucks hear [sic] that they can prove anything they want ...." He was desperate, he told the governor, and willing to do anything to stop the Klan, even to joining the "Malisha [sic]." 25

Along the Mississippi border, in the prairie counties of the west, Klan violence and terrorism had also continued unabated. The inclination to disband seemed less general here than in the Tennessee Valley. It may be, as Professor Fleming has said, that

24 This synthesis of the Patona Ku Klux incident is compiled from the testimony of several witnesses in ibid., 77-79, 229, 275, 386, 428-29, 462-72, 481-85, 1236-38.

25 William Powell to Gov. Smith, Cross Plains, Oct. [sic], 1870, Governor's Correspondence, Alabama Department of Archives and History.
the order to disband simply never reached many of these dens, but it is also possible that in these heavily black counties the whites felt more intimidated by the free blacks and their white radical friends and consequently adhered to the Klan for very basic reasons of self-protection and social preservation. The malaise that many Alabamians were coming to feel after 1868 regarding the impropriety of the Ku Klux Klan movement was hardly noticeable in counties like Hale, Greene, and Sumter where whites were outnumbered three and four to one by the blacks. In these areas the Klan was truly what one Republican judge called it, "an anti-negro organization." It might be composed, for the most part, of "wild, reckless, and irresponsible men," with very few men of "age, character or influence" belonging to it, but in these western counties, even the planter class, while deploiring some of its specific acts and begrudging its disruption of labor, generally continued to sympathize with the Klan's intention to keep the Negro in his place. One observer recorded their reaction:

They recognize the fact of his emancipation, but repudiate the idea of his right to equality before the law. They seek, by means outside the law, to regulate his conduct as a man and his rights as a citizen .... Hence, when a difficulty arises between a white man and a freedman, who no matter from what the cause ... contracts for labor ... personal violence ... insulting words ...
any supposed larceny or other offense, has become obnoxious to the sentiments of the white in the neighborhood in which he lives, it not unfrequently happens that such freedman receives a visit from some of the Ku Klux in disguise, and is punished generally by the infliction of stripes, but sometimes even with death. 27

Such a discerning observation seems particularly applicable for the western Black Belt, since terrorism against the blacks was sustained there long after the Klan had failed in its political mission of 1868. Maltreatment of freedmen was commonplace and although much of it had a political orientation the racial connotations were clear even in that — to recapture political control would facilitate racial control. Thus, the Klan plan was a dual one here: to frighten the Negroes into a submissive posture and to rid the country of white Radical leaders and militant blacks who were making the first task difficult. The reason that Klan manifestations were so exorbitant was that neither of the solutions were simple ones. The blacks were strengthened and encouraged by their own numerical superiority, and there was a profusion of carpetbagger and scalawag opportunists in the area to channel that strength. The Klan had to work hard at both tasks simultaneously and all the while tread a thin line between functional control and open racial warfare. In all of this the Klan in this section seemed to be quite

provincial in its thinking. Statewide or regional problems were not the main issue with them, and yet the eventual success that came to their plans was largely the result of developments upon which they had little influence.

There were countless "Ku Kluxings" in the area, and many radicals of both races were murdered or driven from the section. During 1869 and 1870 Governor Smith was deluged with requests for help as was General Crawford, and troops were consistently on duty throughout these counties. "A standing army" was needed in Greene County according to the president of the Loyal League there. There was "abiding danger" to blacks in that county who felt they were "more slaves today than we was before."\(^{28}\) The author of these sentiments was to meet death shortly at the hands of the Klan.

Eutaw, in Greene County, was the scene of several celebrated Klan incidents. Although there had been many Klan killings there before, the first that brought notoriety to the sleepy prairie village was the brazen murder of the white county solicitor, Alexander Boyd. Boyd, a convicted murderer himself, and hated by most whites, had publicly boasted that he knew the names of those who had been marauding in the county and maltreating the

\(^{28}\)James Martin, *et. al.*, to Gov. Smith, Union, May 25, 1869, Governor's Correspondence, Alabama Department of Archives and History.
Negroes and that he intended to prosecute them. On a March night shortly after he had made this threat a party of Ku Kluxers, some thirty or forty strong, rode arrogantly into Eutaw, entered the hotel where Boyd was rooming, dragged him from bed and in methodical, dispassionate fashion put several bullets into his head and body, quickly bringing his death. In unhurried manner the Klan then departed after riding once more "around the public square as a final gesture of nonchalant defiance." The blacks were incensed by this and for a time race war seemed the prospect. The Republicans launched a vigorous investigation of the affair, the grand jury examining more than five hundred witnesses, but nothing developed except a theory that the hooded assassins had ridden in from the northwest, probably from Pickens County or Mississippi, or even Tennessee. Boyd was buried beneath the laconic epitaph: "Murdered by the Ku Klux." The governor's special investigator on this case, John A. Minnis, assessed the affair much as had the grand jury, that it was probably the work of some outside organization acting in collusion with the local den. He further concluded that there was slight chance of getting convictions in local courts for such crimes. Since many other citizens felt the same way, there was a strident demand for troops or martial law. 29 The

troops were sent, but Governor Smith still was unwilling to invoke the militia law.

A few months later, Guilford Coleman, one of the leading black Republicans in the county, was taken from his house by "parties in disguise" and never heard from again. Radical Congressman Charles Hays, from the fourth congressional district, wrote one of his colleagues that Coleman's death was perhaps the greatest loss to the party since Boyd's assassination. The party was "terribly demoralized," he said, and if something was not done he was afraid that there would be no votes cast in the district for the Republican ticket in the November (1870) elections.

The next Ku Klux sensation in Eutaw developed in connection with the election and directly involved Congressman Hays. It was also called a "Ku Klux riot" by the radicals though again in this instance no disguised men participated. The 1870 election

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numerous letters to Governor Smith from Eutaw and Green County in April and May, 1870, including report of J. A. Minnis, Eutaw, May 20, 1870, in Governor's Correspondence and special Ku Klux folder with 1870 correspondence, Alabama Department of Archives and History; Report of Lt. Charles Harkins, Eutaw, April 13, 1870, with attached statements, AGO, Papers Submitted to Committee on Southern Outrages, RG 94, NA (microfilm); Horn, Invisible Empire, 121-25.


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was notorious for the schisms in both parties. Ex-governor Parsons had gone over to the Radical side and Radical Senator Spencer had broken with the moderate wing of his party, which included Governor Smith who was running for reelection. Spencer, as noted earlier, was covertly supporting the Democrat Lindsay for governor, as well as some conservative legislative candidates, hoping this would help him be rid of his more moderate senatorial colleague, Willard Warner. In any event, the whole campaign was muddled by these partisan cross-currents in addition to the Klan and League maneuverings.

The situation was so bad in some sections of the western counties that Republican candidates were afraid their lives would be forfeited if they campaigned alone. Congressman Hays was apparently one of these for he wrote after the difficulties at Eutaw that he had thought that if "Governor Smith came here" to Eutaw along with "other men of distinction" like ex-governor Parsons and Senator Warner, that their speeches would be tolerated. He was wrong. This was in late October, 1870, and as it turned out both parties had scheduled political rallies for the same day in Eutaw, an impossible situation with the Democrats on one side of the courthouse square and the Radicals on the other. The Democrats finished their meeting first then came around to harass the Republicans, some of the young white hotbloods pressing
right up to the speaker's rostrum. Hays, who was most obnoxious to the whites, was advised against speaking but courageously persisted. As he mounted a table to begin his address, someone pushed him over, and a general melee ensued involving an open fire-fight between the blacks and the better-armed whites. Reports of casualties varied, the radicals determining that five blacks had been killed and fifty-four wounded, the conservatives claiming that only one black was killed. The Negroes, who had initially, and with some discretion, taken flight, finally rallied and prepared to do battle when the local army detachment was mustered and interposed between the two warring groups.

This incident received predictable treatment in the press, radical editors proclaiming it to be a perfect example of rebel recalcitrance and conservatives treating it rather blandly as a case of young boys letting off steam by firing their guns in the air. Hays recalled after the incident that he was told by a white man, probably from Mississippi, "Well, you sent for your United States Senator, and for your governor, and for your United States officer, and for your member of Congress to come here, and, God damn you, we have cleaned you all out." Governor Smith pressed another energetic investigation of this incident, and although several whites were arrested and indicted, there were no convictions because of reluctance on the part of witnesses,
including Congressman Hays, to testify. Thus, even though no masked men were involved in this affair, the terror of the Klan was becoming unbearable for the Radical party. This was the "Ku Klux spirit" that Professor Fleming alluded to, but it was more than simple white cooperation: it was a determination to purge their country of radicals at any cost. 31

In all of these major Klan episodes there was generally the charge or alibi that the outrages were the work of outsiders. In this section they were usually said to come from Mississippi, in the north, from Tennessee, and over in the east Georgians received much of the blame. Indeed, there does seem to have been much collusion between dens when there was any serious or critical work to be done, though generally the assistance was not from so far away. This provided the local Klansmen, many of whom were known to the authorities, with a perfect alibi. They were always home tending a sick wife or performing some other such mission when a capital Klan outrage occurred. The reverse was true also, as Mississippi dens called frequently upon their


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Alabama friends for help in eliminating particularly obnoxious radicals. Mississippi Republicans were hurt and incensed by the Ku Klux "wave that has often come over upon us from Alabama." John Hunnicutt, the Pickens County Klansman who left a fascinating account of his role in the secret society, told of several "exciting" deeds which he was called upon to do for his neighbors across the state line. One of these, incredibly, involved himself and a friend secret ing themselves inside a Lowndes County polling place in the 1870 elections and exchanging over six hundred Radical votes for Democratic ones. 32

Elsewhere in the western section, conditions were much the same as in Greene County. Sumter, on the Mississippi line, probably had more sustained and widespread terrorism than any other county. At Livingston, Gainesville, other small communities, and in the rural areas, the Klan ranged quite freely. The Radical sheriff, A. W. Dillard, was afraid to venture into some parts of his county because of Klan warnings and eventually resigned out of fear and futility. A Negro legislator from the county besought the governor to either send a "good strong force"

32 Ibid., "Mississippi Testimony," 1153; Hunnicutt, Reconstruction in West Alabama, 75-78.
of soldiers to the county or to say nothing because "loud sounding proclamations" only made matters worse. 33

A major Klan project in Sumter for some time had been the elimination of Gerard Chouteau, a Republican planter and physician. Chouteau was the foremost political organizer of the blacks, and he continually admonished them to arm for protection and to stand up for their rights. His actions were considered by most whites to be "prejudicial to the general welfare of the county." He was harassed by the Klan so persistently that he kept armed guards around him but the terror was too much for his family and he was forced to move into the county seat of Livingston. The attacks against him continued even there, and finally, on August 12, 1869, the Klan came into town in force and laid siege to Chouteau's home, killing a white man, John Coblentz, who had sided with him. On the same night Negro legislator George Houston fell victim to an attack from the same Ku Klux band and sustained a serious bullet wound. The conservative Livingston paper played down these incidents, characteristically blaming the whole situation on the "incendiary conduct" of Chouteau and Houston. But the pressure was obviously too much for these two, and the Klan won its victory

when both Chouteau and Houston permanently departed the county. Troops were dispatched to Sumter County temporarily, but again Governor Smith declined to go further.

Things quietened in Sumter during the early part of 1870, but as the campaign of that fall quickened so did the turbulence. A number of Republican rallies were disrupted, and the blacks began to arm themselves for resistance. The possibility of open conflict was serious and even conservatives showed alarm. Some of them concurred in the need of troops. One resident reported that "if some stabilizing force is not brought to this County quickly ... insurrection may soon be upon us." The worst fears seemed confirmed on the twelfth of August, when rumors circulated in the county that hundreds of armed blacks were coming into Livingston from the northern part of the county to attend a Republican convention. Whites armed themselves for the prospective conflict and called in reinforcements from the areas. Meanwhile, a party of some 200 white men rode out with the sheriff to meet the black "army." The reports proved to be exaggerations as less than fifty Negroes were encountered, not all of whom were armed. These, however, were disarmed and turned back, and the Republican convention was delayed for some days. Both sides defended their actions and denied any wrong intentions.

34Ibid., 1574-75, 1594-95, 1602-04, 1693-98, 1816-21; Livingston Journal, Aug. 20, 1869.
but it was indicative of the mercurial situation that finally erupted in a minor fray at Livingston in October that was similar and actually a prelude to the Eutaw "riot."

Further north in the western tier of counties, the Ku Klux situation was also deplorable in 1869 and 1870, but the more northerly one went, away from the Black Belt, the less widespread it seemed and the less universal was its support. Pickens and Tuscaloosa counties had virulent terrorism, particularly the latter where Ryland Randolph and his Tuscaloosa Independent Monitor continued an unrelenting remonstrance against radicalism in any form. An exceptional sore spot with Randolph had been for some time the University of Alabama, which was reopened by the Republican administration in 1868. He carried on an unrelenting attack upon the radical faculty and students, labeling many of them journalistically as proper subjects for "Ku Kluxing." His tirades finally led to a shoot-out on a Tuscaloosa thoroughfare between a student and himself which resulted in the loss of a leg for the doughty but bigoted editor. Randolph's campaign was successful, however, (the Klan, too, had

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been threatening the college community), and the school was again suspended in 1870. It was reorganized again and permanently reopened a year later under less partisan and subjective circumstances. 36

Apart from the vendetta against the university, the Tuscaloosa County Klan was vigilant as well against individuals of both races who made much demonstration of their Radical party preferences. In the western part of the county, around the Sipsey river area which embraced portions of Pickens County as well, there developed what appeared to be a systematic campaign to drive the more outspoken Republican Negroes out of the area, and it was relatively successful. Large numbers of blacks — and some white radicals — were threatened, whipped, and otherwise harassed until they sought refuge in Mississippi or elsewhere. As one such refugee later recalled it, "they put out an oration that they intended to whip every damned nigger that voted." 37 The sheriff seemed totally incapable of stemming the violence, unable even at times to raise an adequate posse to pursue the disguised culprits. Even the radicals were concerned about the "intemperateness" of

36Ibid. , 112-14, 417-18; Fleming, Civil War and Reconstruction, 611-15.

37Ibid. , 1993-95.
Sheriff T. P. Lewis and blamed much of their trouble on his incompetence. But the futility of arrests and trials was apparent to the more realistic Republicans, for as one complained to the governor, "how can we be sure that every white man on the jury does not belong to the KK's." Such whining was justifiable to the radicals, many of whose very lives were in jeopardy. They no doubt felt, as did Mayor Woodruff of Tuscaloosa, that their section and the whole reputation of the state was being "sacrificed upon this Moloch of rebel hate."

In Fayette County, just north of Tuscaloosa and Pickens, there was an unusual Ku Klux situation by this time. The Klan, which had gotten off to a slow start there, was by 1869, in almost complete control of the county. There was also an anti-Klan group, which styled itself the "Mossybacks," composed mostly of Union army veterans, but the Ku Klux clearly had the upper hand. There were four dens in the county, composed largely of young men of little property, and their object was clearly more racist than political. Only a few blacks lived in Fayette County and the Klan seemed determined to displace them all. The United States District Attorney estimated in 1871 that the black population had dwindled

38 S. A. M. Ward to Gov. Smith, Tuscaloosa, May 5, 1869, J. C. Loomis to Gov. Smith, Tuscaloosa, May 11, 1869, Mayor D. Woodruff to Gov. Smith, May 26, 1869, Governor's Correspondence, Alabama Department of Archives and History.
until there were probably not many more than fifty Negroes in the entire county and that as many as forty had been killed in the previous two years. The Klan rode roughshod over the local authorities, and the Radical sheriff was actually indicted several times on charges of voluntary escape, that is, refusing to hold accused Klansmen out of fear for his own life. One of his deputies was charged with petty larceny on another occasion for confiscating two Klan uniforms. On several occasions disguised men rode into Fayetteville, the county seat, during court sessions for the purpose of intimidating the juries. There was really little need for that, however, because no convictions could be obtained against the few Ku Kluxers who were arrested as summoned witnesses would invariably fail to appear.

In the summer of 1870 disguised men imperiously rode into Fayetteville and held a convention in the courthouse, along with some of their unmasked friends, for the purpose of nominating conservative candidates for office. Things finally became so bad that Sheriff Treadway was forced to move from the county seat to a community some fifteen miles away for his own protection. He repeatedly requested troops from General Crawford and "marshall law" from Governor Smith. An army detachment finally arrived in late October and for a time supported the sheriff in arresting suspected Klansmen. But it was to little avail because,
as the detachment commander reported:

It seems impossible to bring these parties to justice any further than to release them upon bail to appear before the next term of the circuit court and ... this plan has ... failed in each case, for the reason that the witnesses leave the country at the time of the trial, and thus the case is compelled to stand over or be dismissed. 39

The years 1868 and 1869, then, seem to have marked something of a watershed period in the history of the Ku Klux in Alabama Reconstruction. Much of the terrorism was clearly racially inspired, though there is little doubt that the political situation under Governor Smith, the disesteemed legislature, and a predominantly Radical local officialdom produced an environment conducive to the racist terrorism. People lost faith in and had little respect for authority, which apparently was, in many areas, little deserving of respect. The result was that a great deal of racism and common criminality which would have remained submerged in a more normal situation was allowed to manifest itself in the Ku Klux guise.

At the same time it would be incorrect to underplay the political role of the Klan after 1868. There were elections in 1869

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and again in 1870, and increases of Ku Klux violence, especially in areas where black votes were critical, can certainly be correlated to those campaigns. Even when there was no election imminent, much of the Klan terror, which might be racially or criminally inspired, was still given a political twist. Hardly a black person who was ever whipped or mistreated simply for being a black person did not receive strong inference from his persecutors that his politics was all wrong too.

The watershed aspect of these years for Klanism is underscored by the noticeable decrease in Ku Klux-type outrages after 1870. Part of this is attributable to the elections of that year which saw the installation of a Democratic regime under Governor Lindsay. The Klan could no doubt claim some credit for that conservative victory for despite an overall increase in the Republican vote of some 1310 over the 1868 presidential election, there was a startling decrease in the Republican column in some heavily black counties where the Klan had been most active. In Sumter and Greene this was most dramatic: in the former the Democrats had a 617 vote majority in 1870 compared to a 1047 loss in 1868 and in the latter a majority of 35 compared to an 1868 loss of 2058. Tuscaloosa County, which went Democratic in both of these elections, nevertheless showed a decrease of almost 400 votes for the

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Republicans. 40 These figures, while certainly indicating that something caused black voters to stay away from the polls in some places and that Klan intimidations were probably a large part of it, should not be overrated. There was a great deal more to this election campaign than Klan violence, not the least of which was the substantially increased Democratic vote and the previously discussed interparty frictions (Senator Spencer's machinations) which plagued the Radicals. It should also be noted that the Republican vote in other Klan-infested sections, such as Madison County in the north, was not markedly decreased.

The Democratic party was, for whatever the reasons, temporarily reestablished in 1870. Governor Lindsay launched a conservative administration which included the replacing of many local Radical officials, and much of the avowed motivation for the Klan disappeared. The Klan did not disappear. There would be Ku Klux-type outrages for some time to come, but never again to the extent of the peak years of 1869 and 1870. In 1872 and 1874, in the political wars of those years, some Klan spirit was noticed around the state, but the climate was no longer favorable — the support was gone and partisan opposition had become formidable.

CHAPTER XI

THE ALABAMA KLAN:
OPPOSED, INVESTIGATED, OUTLAWED, FINISHED

Head Qtrs, 3 Div. KKK
May 28CMD

Special Order
No. 69

As the Klan has for some time been idle and now
wishes more work, you are in ten days to take the life
of Jacob Fisher if he is to be found and in proof that it
has been done you are to bring in his head which is to
be preserved in the archives of the Klan.

By order of 1
B. G. P. U.

Governor Smith had played down the Klan terror from its
beginning. Not that he did not believe it was happening (he had too
many direct complaints and protests for that), but apparently he
was never convinced of the widespread nature of it, or he would
not admit it publicly. His actions indicate some belief that it
could be controlled by local officials if they acted promptly and
vigorously. In a circular letter that went out to all sheriffs in
February, 1869, he reminded them that they had "ample authority"
under state law and through the use of the posse comitatus to

1Klan notice in 1869 folder, Governor's Correspondence,
Alabama Department of Archives and History. The place of origin is
unknown as is the threatened Jacob Fisher. Glue residue on back in-
dicates the message had been plastered on a wall or door someplace.

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protect all citizens and that he expected it to be done. The military was standing by, he noted, and if absolutely necessary they could be called upon to "render the requisite assistance." But, as we have seen, he never believed the breakdown of authority or the threat to the Radical order to be serious enough to warrant the political and social risks of a militia muster or a declaration of martial law. He was, of course, catering somewhat to the conservative side in this, and many of his more radical constituents were perturbed. It was this sort of political provincialism that helped produce the rift in Alabama Republicanism. Senator Spencer and others who had more of a national party outlook and who were greatly concerned with the federal patronage would eventually disassociate themselves to some degree from Smith, Senator Warner, and such pseudo-radicals as ex-Governor Parsons and form almost a separate Radical clique in the state power structure.

Governor Smith, on the other hand, was not unaware of the damage that the Ku Klux Klan was doing to the party and to individual Radicals. He showed much sympathy for Klan victims, consistently pressed investigations of more notorious outrages, and kept pressure on local law enforcement agencies to do their

\[2\] Quoted in Athens Weekly Post, Feb. 16, 1869; noted in several other papers, including Huntsville Advocate, Feb. 18, 1869, and Livingston Journal, Feb. 21, 1869.
duty. He was caught in the political dilemma of trying to hold the rather fluid Republican majority together without totally alienating the mass of Alabama whites. He clearly identified with the latter group more than his black constituency. There were moral and economic ramifications to his problem as well: although a humane and gentle man and obviously distressed by the brutality, he would not admit to the epidemic character of the Klan problem for that would be an admission of his own weakness and also serve to discourage outside financial investment which was desperately needed in Alabama. So he maintained something of a head-in-the-sand attitude toward the whole business; doing what he could as exigencies demanded, while at the same time maintaining the public facade that the violence was under control in the state. In September, 1868, Smith showed his ambivalency when he went along with a delegation to Washington to present a memorial to President Johnson from the newly convened state legislature requesting more troops for the Klan-ravaged state. He undermined the urgency of the request by telling the press that the disturbances were quite localized and that troops were not really needed in Alabama. 3

3 Fleming, Civil War and Reconstruction, 694-95. For the memorial see Acts of the Sessions of July, September and November, 1868, of the General Assembly of Alabama ...., 292.
The violence associated with the November election was nevertheless, enough to convince Governor Smith that there was real danger for the party in the Klan movement. One member of the legislature, M. T. Crossland, had allegedly been killed by masked men\(^4\) and many others had been assaulted or threatened; hence, when the state assembly met in November, the governor called upon it to investigate the activities of the secret society with an eye toward some legislative enactment against it. The committee appointed to investigate the situation made its report on December 14, 1868, which attested to the fact that there was indeed "... a secret organization of men, who disguise themselves with masks and other costume, for the purpose of committing crimes and outrages upon peaceable and law-abiding citizens." The organization was "commonly known as the Ku Klux," reported the committee, and was "purely political in its character," as could be adduced by the "remarkable fact" that no Democrat or conservative ever fell victim to its murderous designs so far as could be determined. The committee unabashedly recommended martial law for certain counties where it found the Klan to be most endemic, and the passage of an adequate anti-Ku Klux law.\(^5\)


\(^5\)Alabama General Assembly, Report of Joint Committee
With Governor Smith's support the legislature fell to the task of outlawing the Klan. They worked quickly and hard on the bill, holding night sessions which prompted the rather derisive remark from one upstate conservative editor that "they had better look sharp, for the Ku Klux travel at night." Two laws resulted from this effort. The first made simple masquerading a misdemeanor and the committing of assault or the destruction of property while disguised a felony subject to heavy fine and imprisonment. Anyone killing a disguised assailant was immune from punishment and local officials were subject to punitive action for failing to execute the law. The second bill, passed a few days later, was an attempt to force the execution of the first. It revived the archaic legal tradition that a community be held responsible for the wrongdoings of its individual citizens. Under this law a county was liable to the next-of-kin of victims of mob violence for punitive damages up to five thousand dollars. County solicitors were required to prosecute the claims for bereaved relatives and if, in the case of Klan outrage, no one put forward such suit, the solicitor was supposed to initiate proceedings anyway, with the money going to state welfare.

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on Outrages (Montgomery, 1868). The report was also printed (and downgraded) by some conservative papers. See Moulton Advertiser, Jan. 15, 1869.


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institutions. An inducement to county officials was provided in the clause which said that these monetary damages could not be claimed if the offending parties were arrested and punished. Protests from Mobile and other sectors led to the passage of a supplementary act which provided for licensed masquerading during Mardi Gras and for other reasons of amusement, but even that was to be closely controlled. 7

The laws were certainly severe enough and they brought abundant protests from the conservative side. There was decided reaction to the preamble of the initial act which described in vivid terms the "wide-spread and alarming evil" of the Ku Klux organization. Many felt it to be an exaggerated description of conditions in the state. 8 Protests against the second measure came from both sides as frightened officials envisioned a plethora of manufactured suits to recover the $5000 damages. A. N. Worthy, a Negro senator from Pike County, who opposed the bill, said that he did so:

Because, in effect, it offered ... an inducement to the amount of $5000 to every wife who is tired of her

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husband; to every derelict husband; to every son who wants his father's estate; to every next of kin who values money more than the life of him who stands between him and the coveted money, to arrange and accomplish the assassination of the person who stands in the way of his desires. A burnt cork, a half yard of crape wrapped around the head of the corpse, will furnish the necessary disguise, and the law furnishes $5000 worth of consolation to the bereaved family, who have lost a member .... For five thousand dollars many a man will be found who will submit to a sound beating, pre-arranged by him and his friends, who will be sure to touch no vital part, nor break a bone. 

At least one county solicitor believed the law to be a hindrance to the arrest and conviction of disguised plunderers. After the law had been in force several years he told a congressional committee that some solicitors had been less than zealous in ferreting out such malefactors because a successful prosecution on their part would mean the loss of the ten per cent damage commission. The law as written, he said, put a premium on "non-prosecution of the real offenders by making the county responsible in case there is no prosecution." 

Whether solicitors were truly culpable in the corruption of the law is, of course, questionable, but there were apparently a goodly number of such suits against the counties. Conservative papers from time to time reported the execution of such suits

9Quoted in Huntsville Weekly Democrat, Dec. 12, 1868.
around the state in the years 1869-71, some successfully some not.

The Athens Post, in commenting on four such suits in Jackson County against suspected Klan actions, offered a possible remedy:

It is suggested that when the loyal element commence this game, the Kuklux should assault each other and get up some cases of their own. If the property of Jackson is to be confiscated under this outrageous law, there is no need of letting the "loil" have all of it. 11

Although Jackson County was a rather active Klan county, it appears that most suits of this sort were gotten up in areas where the hooded order was less vigorous. Fear of Klan retaliation probably served to deter such legal actions in the sections where it was strongest. There is some evidence, however, that even in the virulent Klan areas cases were occasionally contrived solely for the purpose of reaping some financial benefit. In Pickens County a white Baptist preacher who publicly offered five dollars to anyone who would beat him up so that he might execute the Ku Klux law got his wish when he was actually visited by the Klan and soundly thrashed. It is not reported how he came out with the courts. Governor Lindsay later told of several such damage cases that were pending. 12

11 March 6, 1869.

This feature of the state Ku Klux law seems to have been most actively prosecuted though it brought no observable relief from the Klan terrorism. The main section of the act, that which made a felony of any disguised criminality, was practically a nullity. The severity of the penalties allowable under these clauses apparently made officials unwilling to pursue them and most cases involving alleged Klan outrages were prosecuted under the existing criminal code. The success of that prosecution was something less than sensational. Witnesses often failed to show up, or, if appearing, were quite likely to perjure themselves; alibis were readily offered and proved — many no doubt false; white juries were unquestionably biased and black jurors easily intimidated; all in all it was a situation which made the job of defending accused Ku Kluxers relatively simple. An abundance of contemporary testimony and the weight of protests to the governor indicates that there were no convictions under the state Ku Klux law. ¹³

Although the pro-Klan atmosphere was largely responsible for the failure of the laws, corrupt or inept local officials, most of whom were Radical party patronage recipients, also must share the blame. There were many judges and sheriffs, justices of the peace, and solicitors who were classified as incompetents even by their own

party colleagues. Some men were simply not strong enough or capable enough to effectively execute the law against the Klan under the circumstances prevailing in certain places — which were unquestionably difficult. Better men might have been able to handle such situations but in the hostile environment of some Alabama counties, it is not likely.

With the passing of the 1868 elections, which brought a normal subsiding of Ku Klux operations, and with the coincident passage of the anti-Klan law, it nevertheless began to appear as if the Klan might be on the run. All Klan activity did not cease, of course, but there was a noticeable slowdown as Klan leaders mulled the future of their organization. When the disbandment notices began to circulate in early 1869, Governor Smith apparently thought the Klan era was closing and he expressed the feeling in public and private. He was supremely mistaken and his radical constituents quickly let him know it. Several letters appear in his files for this period which informed him that the Klan had either never departed or had reappeared — some citing personal encounters as proof.

\[\text{\textsuperscript{14}}\text{Ibid., 617-18, 968, 1144-46, 1178, 1822, 1870-71, 1920-21.}\]

\[\text{\textsuperscript{15}}\text{Athens Weekly Post, Apr. 16, 1869; W. S. Blackford to Gov. Smith, Greensboro, May 13, 1869, James D. Weir to Gov. Smith, Huntsville, May 15, 1869, Sol Clayton to Gov. Smith, Lebanon, May 28, 1869, Governor's Correspondence, Alabama Department of Archives and History.}\]
Smith's policy in regard to the Klan continued to be vacillatory for the remainder of his tenure in office. He encouraged local authorities in their efforts to suppress the violence, rendered state investigative and adjudicative assistance on several occasions, and freely endorsed requests for dispatching of troops around the state, but he steadfastly resisted the pressures for a militia campaign. Criticism of the governor mounted, and he felt called upon to defend his policy before the state legislature in the fall session of 1869. While acknowledging lawlessness in some sections of the state, he still maintained that local officials could control it by firm action. The authority was there under existing laws, he said, and the courts were functioning. Arrests could be and were being made; therefore, a declaration of martial law, the raising of militia, and the suspension of the habeas corpus would serve no purpose as any arrested parties would still have to be tried in the civil courts. Such a policy would, on the other hand, serve to increase tensions while resolving nothing and would be, on his part, "a palpable assumption of unwarranted power."\textsuperscript{16} There would be no martial law or militia and many radicals viewed this reluctance to act as weakness on the part of the governor.

\textsuperscript{16}Alabama House Journal, 1869-1870, 71-3; Trelease, White Terror, 264-65.
As the Klan depredations increased again in 1870, the requests for militia were renewed. General Crawford, from Huntsville, added the weight of his position in support of such a plan, but by Crawford's own testimony, no such volunteer companies were ever actually mustered. Governor Smith, however, was finally convinced of the necessity of militia in mid-1870, after the Eutaw incidents and the extreme terrorism in Fayette County. He wrote President Grant asking to borrow federal weapons for proposed state militia troops, but the only place such a policy seems to have been implemented was in Fayette. There the anti-Klan "Mossy-backs" were apparently enrolled for a time as a volunteer militia company under Sheriff Treadway but with no more success now than in their previous efforts against the Klan. It was useless to arrest people anyway, Treadway explained, because he could not hold them. He too wanted martial law, which implied suspension of the civil courts. 17 It was in response to

such demands that Smith explained to the assembly that the state constitution did not authorize suspension of the civil courts even in the event of martial law.

The victims of Klan brutality were not satisfied with the governor's assistance; which to them seemed totally inadequate. The same situation also prevailed in other sections of the South as authorities elsewhere appeared to be equally incapable of dealing with Klan terrorism. The only remedy apparently rested with the federal government which was at the moment considering anti-Ku Klux legislation of its own. In the meantime, sufferers of Klan violence had to cope as best they could. Some of them stood up and met their disguised tormenters on their own terms.

The traditional or romantic view of the Ku Klux Klan has it that those marked for Klan threats or punishments generally cowered before the shrouded regulators, meekly accepting whatever orders or punishments were meted out to them. It was assumed that these victims (all wrongdoers, of course), contritely admitted the error of their ways and promised to straighten up, leave the country, or do whatever penance demanded of them. At first the spectral image was supposed to have provided the necessary incentive for those conversions but later, it was admitted, some physical inducements were required. It has already been shown that the ghostly pranking had only a brief moment of
effectiveness and was never altogether perfect. In the end it was the fear of bodily punishment that gave weight to Ku Klux threats and demands — but that was not perfectly effective either.

From the beginning there were some intended Klan targets who showed remarkable resolve in the face of both the mumbo-jumbo and the physical intimidation. One such resolute radical wrote Governor Smith saying that if the "Clan" tried anything at his house he would certainly disable a few of them. It is clear that many others, black and white, felt the same way because Klan bullying was often met with disquieting and even overpowering resistance. Many black victims were neither fooled nor impressed by the masks and trappings. They knew their tormentors as their white neighbors and they stubbornly refused to be intimidated. A particularly indomitable Negro was Miles Prior of Avery, in Jackson County. Prior's independent attitude probably irritated the Klan more than his politics but for some reason he was visited by them many times, even in daylight. Although his house was fired into frequently, he never submitted to any whipping, but rather took the offensive against his masked attackers on occasion and drove them away with his shotgun. Once when a disguised mob was trying to take Prior and other freedmen from a jail cell, probably to be lynched, he asked his cellmates if they would fight. He was told there was no hope except to pray. "I am no Christian man," he reportedly said, "... I
must fight." Then, after holding the door against the mob for several minutes and shouting that "ten men can't hold me and a regiment can't shoot me," he lunged out into the crowd and fought his way to freedom in the darkness. He was, as one of his fellow prisoners told it, "a very brave man."

Such individual bravado, although exceptional, was not unique. There are many other reported examples of blacks who were not cowed by the Klan but fought back resolutely, usually alone and against great odds. Robin Westbrook of Marengo County was another. Visited one night by six men disguised only by smut on their faces, Westbrook, whose only guilt seems to have been a stubborn independence in regard to work arrangements, fought bravely against his assailants, wounding one of them severely with a "dog iron" from his fireplace. As his wife told it, the Klansmen broke into their barricaded cabin and cornered them in a back room:

"You are that damned son-of-a-bitch Westbrook?"
He \(\overline{\text{Westbrook}}\) says, "Yes I am." The man struck him with his gun. This man had a gun and ran at him and struck him on the head .... Then my husband took up the dog-iron and he struck three or four of them, and the first man he struck he knocked down. They got him jammed up in the corner, and one man went around behind him and put two loads out of a double-barreled gun in his

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shoulders .... and another man says "kill him, God damn him," and he took a pistol and shot him right down, here in the neck, over the left shoulder.
Then he fell right down and hollered. He didn't live no more than half an hour after they shot him.

Unfortunately, most of the blacks and white radicals who showed this sort of mettle ultimately met a crushing fate as did Westbrook. Even the aforementioned Miles Prior, of heroic dimension, was finally forced to move to Tennessee. The Klan had all the advantages of firepower, mobility, secrecy, freedom of action and (generally) community support. Thus, it took a special kind of man to resist them independently, and not many ventured to do so unless they were of a special character or else driven beyond the limits of reason by fear and frustration.

Most Klan victims were not of such character and, while it would be incorrect to say that the majority of them submitted meekly to their punishment, it is true that most of those who were caught did submit. A beating, a simulated or near-hanging, or even some more grotesque kind of torture was infinitely preferable to the death that often accompanied resistance. This was what the Klan relied on to achieve its successes: that most radical victims would be more influenced by self-preservation instincts than any social or political philosophies. Thus, it was able to bend a lot of

\[19\text{Ku Klux Report, "Alabama Testimony," 1243.}\]
people to its will, forcing blacks to acknowledge an inferior social status and inducing radicals of both races to either renounce their radicalism or leave the country. And these sort of victories continued for the Klan long after the hoods were put away, for the Ku Klux syndrome prevailed in Alabama for generations after the organization itself was gone.

In the meantime though, during the days of Reconstruction, those facing the wrath of hooded society survived as best they could. They appealed to all Radical authorities for help and, if it did not come and they were caught, they fought or they submitted. Even more commonly they simply tried to evade their tormentors. If Klan warnings were received or if Klan visits were likely, most people just absented themselves until the threat passed, either going to someone else's house or hiding in the woods. "Laying-out," as it was called, was quite common in the worst Klan areas, with some discreet individuals spending their nights outside, away from their homes, for weeks at a time if a "ku-kluxing" was imminent.

Occasionally the blacks would get together armed and in force to meet a threatened Klan attack\(^{20}\) and when that happened it was usually the Klan that showed discretion by retreating from the

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\(^{20}\)One such incident has been previously discussed; the Courtland episode of August, 1870, which left one Klan member dead and the whole disguised party scattered before a well-planned ambush.
field. There were several incidents in Alabama when Ku Klux raids were thwarted either by concerted resistance on the part of the blacks or by timely sniping from the window of a cabin by some individual. But such encounters were also exceptional and, although a few Klansmen were wounded and killed, the secret society, where it lived in strength, usually demonstrated that strength forcefully. What was needed was federal legislation, and it was soon forthcoming.

Federal authority had been a limited suppressant upon Klan action from the outset through means of troop deployments but after the readmission of the several states and the ending of Military Reconstruction that means had been severely curtailed. The army had been most effective against the Ku Klux when it had enjoyed the power of its own judicial administration. A few Klansmen had been tried and convicted by military tribunals but the number was insignificant beside the larger number who were turned over to civilian authorities as a matter of conciliatory policy and who generally went uncondemned. Still, the threat had been there and in some sections of Alabama and other southern states it had restrained the labors of the Klan somewhat. Then, with the phasing out of Military Reconstruction, the army had lost its freedom of action and was reduced to assisting civil officials through properly channeled requests. We have seen that this, too, may have had a mitigating effect on the
activities of the hooded society, but in Alabama and elsewhere competent local authorities were *sine qua non* for truly effective army action. This meant, in effect, that where the army was most needed it was generally ineffective — the policy being that troop detachments were usually placed under the command and control of sheriffs or other requesting officials; on the other hand it was also reported that the "mere presence of the troops" did tend to have a "tranquilizing effect on lawless communities." The Klan never dared to openly test the strength of the army, and it is quite possible that without the restraining influence of the military the Radical regime in the state might have succumbed to the terrorism. Infantry troops, circumscribed as they were by regulations and political considerations, were not, however, the answer for the suppression of rampant Kukluxism.

Congress provided the first federal legislative weapon against the Klan with the Enforcement Act of May 31, 1870. The

21 General Crawford testified that he found the great "stumbling block" in Alabama to be the inefficient civil officers: "They would get into difficulty, and could not enforce the law, and .... The first desire was to call for soldiers, and as soon as they got them they would get behind them, expecting the soldiers to do everything." On occasion Crawford refused to honor requests for troops from the more notoriously incompetent officials such as Sheriff Doyle of Madison County where the general kept his headquarters. Doyle was intoxicated much of the time and Crawford hesitated to let him use the military "... simply on account of his personal character." *Ku Klux Report,* "Alabama Testimony," 1163-64.

Fifteenth Amendment had just been ratified and this law was designed to prevent any intimidation of black voters by either physical or economic means. Individual acts of intimidation were to be classed as misdemeanors, but Section 6 of the act made it a felony for two or more persons to band or conspire together or to go about in disguise "upon the public highways or upon the premises of another" with the intention of violating the provisions of the act or infringing any rights or privileges granted under the constitution. Punishments under this section could reach a maximum of both five years imprisonment and five thousand dollars in fine. The whole strength of the Justice Department was to be utilized in the execution of the law as well as whatever part of "the land or naval forces of the United States, or of the militia" as deemed necessary by the President. 23

With the passage of this law it would seem that the federal government had all the power it needed to proceed against the Klan, and indeed most of the later prosecutions of Klansmen would be based on Section 6 of this bill, but it had hardly been printed before there was a clamor for still stronger legislation.

It is unclear why there was not an immediate and vigorous federal campaign against the Klan under this act. Perhaps federal

23United States Statutes at Large, XVI, 140-46.
authorities hoped its mere existence would deter the hooded order, with the fall elections of 1870 to provide a test. If that was the case, the Democratic gains in Alabama and other states were clear evidence of the futility of such hopes. Another possibility is that the Justice Department was simply incapable of gearing up for such a vast undertaking on short notice. The whole federal judicial system was antiquated and in the southern districts there was already a problem of crowded dockets and overworked courts officials. In Alabama, one federal judge, Richard Busteed, served all three districts in the state, and the northern and middle districts shared a single district attorney. The courts were burdened as it was and the addition of new jurisdictional responsibilities was certain to cause problems. The strain that was put on the system under this initial enforcement bill and the later supplements to it would eventually lead to a very difficult situation. If effective federal action was to come in connection with the Klan, the very scope of that organization indicated that the Justice Department would have to augment its staff. Marshals, deputy marshals, commissioners and clerks were needed as well as attorneys and judges if the job was to be done thoroughly.

Notwithstanding the lack of impetus from Washington, some federal officials immediately proceeded against Klansmen in 1870 under the conditions of Section 6 of the Enforcement Act. District Attorney John A. Minnis of Alabama seems to have been one of the most zealous. Minnis was a native Alabamian who was an early Republican convert. Legally trained, he advanced rapidly in the Radical hierarchy and by 1870 was the United States Attorney for the north and middle districts of the state. Although he vigorously pursued his job, he obviously was an honorable man and did not receive the castigation from the conservative side that was hurled at some of his scalawag colleagues. By late 1870 and early 1871 he had prosecuted several alleged Klansmen for violations of the enforcement law. By his own testimony, however, none of these initial actions proved successful. He was immediately plagued (and would continue to be) by uncooperative United States Commissioners, intimidated grand jurors, vanishing witnesses, and defendants with perfect alibis; the latter being the biggest hindrance of all. Nevertheless, Minnis proceeded apace and his

Southern History and Politics Inscribed to William Archibald Dunning (New York, 1914), 205-27; and Everette Swinney, "Enforcing the Fifteenth Amendment, 1870-1877," Journal of Southern History, XXVIII (May, 1962), 202-18. Swinney's article is somewhat revisionistic, taking a positive and sympathetic view of the enforcement policy while at the same time emphasizing the political and economic expediency which surrounded the whole affair.
spirited and systematic campaign against the Ku Klux soon began to show results.  

The unsettled conditions in the South, especially the turmoil in the Carolinas and the violence associated with the fall elections of 1870, had produced a storm of protests from radicals in the North and cries for help from those in the South. Despite the fact that the Grant administration had not resolutely applied the powers that it already possessed in regard to the Klan, there was growing pressure for even stronger legislation. President Grant finally submitted to the pressure and gave his support to two new bills that were soon enacted. 

The first of these was the second Enforcement Act, passed in February, 1871, which was commonly called the Election Law. Consisting of nineteen minutely specific sections, this bill gave the central government virtually complete control of the whole registration and electoral process in the states. Although ostensibly for the control of federal elections only, some conservatives believed that the real purpose of this act was the supervision of state elections which were usually held concurrently. Whether their suspicions were valid or not is unknown, but it is interesting to  

25 Ibid., 527-35.  

26 United States Statutes at Large, XVI, 433-40; Burgess, Reconstruction, 256-57.
note that when the Democrats came back into control of Alabama state and local elections were moved up to August to put them beyond the purview of federal election supervisors.

Radicals had for some time been considering direct legislative means by which the Ku Klux organization could be suppressed. A stringent anti-Klan bill, drafted by Benjamin F. Butler of Massachusetts, was passed in the Senate only to be defeated in the House by a coalition of Democrats and moderate Republicans. There seemed little chance of passing such a bill without strong administration support, which was wavering. By late March, however, President Grant was persuaded that both peace and the party would be jeopardized without such a law. Consequently, on March 23, 1871, he sent the following message to Congress:

A condition of affairs now exists in some of the states of the Union rendering life and property insecure .... The proof that such a condition of affairs exists is now before the Senate. That the power to correct such evils is beyond the control of 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 judgement of Congress shall effectively secure life, liberty and property and the enforcement of law in all parts of the United States.

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28 James D. Richardson (ed.), A Compilation of the Messages and Papers of the Presidents, 1789-1897, House
Congress responded, after no little anguish, with a bill drafted by Representative Samuel Shellabarger, which was voted into law on April 20. This was the third Enforcement Act or, as it was usually known, the Ku Klux Act. This bill, which one conservative historian said "simply threw to the winds the constitutional distribution of powers between the states and the United States," gave the chief executive authority to declare a state of rebellion in troubled areas, suspend the writ of habeas corpus, and use the full force of the government to restrain those who might "conspire together, or go in disguise upon the public highway or upon the premises of another for the purpose of... depriving any person or class of persons of the equal protection of the laws, or of equal privileges or immunities under the laws...."  

Although this act went further than the 1870 law it supplemented, it did not, apart from the habeas corpus provision, greatly amplify the federal authority already existing. Democrats and moderate Republicans in and out of politics and in both the North and the South nevertheless displayed a great deal of horror


29 Burgess, Reconstruction, 258.

30 United States Statutes at Large, XVII, 13-15.
over the bill. To conservatives and southern partisans it seemed clearly unconstitutional, a blatant extension of executive power, and a move toward military despotism and tyranny. Congressional Democrats issued an address "to the people of the United States" which received wide publication. It stated:

Under the pretense of passing laws to enforce the 14th amendment and for other purposes, Congress has conferred the most despotic powers upon the executive and provided the official machinery by which the liberties of the people are menaced and the sacred right of self-government in the states ignored if not tyrannically overthrown. They are at variance with all the sanctified theories of our institutions. 31

The Democratic opposition might be expected to cringe at such a measure for they could see it only as benefitting the Republicans in 1872, but a number of important Republicans opposed the bill on constitutional grounds — men like Schurz, Trumbull, Garfield and Blaine. The editor of the respected Nation, no lover of the South, perhaps put their sentiments in the best practical terms. Of the law, he said that although its "intent is veiled in language purposely vague and verbose ... its design is plain ... it means this or nothing: that for the first time persons guilty of homicide, arson, robbery or other crimes against private persons and property, may be brought

within the jurisdiction of United States Courts."32 State sovereignty seemed endangered.

But despite the legalistic and partisan furor it stirred up, the Shellabarger bill became law, and the federal government at last systematically began the work of suppressing the Klan. Although the relative merits of the enforcement laws are still debatable,33 there is little to question as to their effect upon the Klan: they were clearly destructive to the organization.

Even before the executive and judicial machinery was set in motion (which was not tardy this time), the act began to have a repressive influence on the Alabama Klan. Conservative editors over the state, while depreciating the tyranny of the Ku Klux Act, at the same time warned their readers to be circumspect in avoiding its pitfalls. "Give no excuse to the tyrant to suspend our courts," warned a Calhoun County editor. And in an editorial entitled "Be Guarded," the conservative Athens editor advised his

32The Nation, XII (April 20, 1871), 268.

33Swinney, in his recent study of the enforcement policy, draws an analogy between these laws and the civil rights legislation of the 1960's, stating that on principle neither of these programs were particularly innovative but, rather, "consistent with traditional usage," and "... essentially in accord with the democratic credo." This is a particularly interesting viewpoint in light of the fact that almost all of the enforcement laws were later invalidated either by court decisions or superseding legislation. "Enforcing the Fifteenth Amendment," 204.
readers to "refute the vile slander by eschewing all civil commotion and violation of law and make no departure from the line of right." This he believed would cause the law to redound against the radicals and help to "disenthrall the South." 34

There had been numerous outrages in the state during 1870, as previously indicated, and there was reason enough to condemn them on principle. Many state Democrats had begun to do so (including the same Athens editor), who were cognizant of the residual effects of Klan terrorism. Now they were getting a pointed demonstration of radical backlash in these enforcement acts, which could never have been enacted had the South not provided ample "bloody shirt" material. With these laws passed, it was even more important that order be established so as not to provide cause for their application in Alabama.

The laws, nevertheless, were fully applied in the state although federal prosecution of Klansmen was centered in South Carolina where the writ of habeas corpus was suspended in nine turbulent counties and hundreds of arrests made by military and civilian authorities. 35 Relatively few were convicted in South

34 Jacksonville Republican, May 12, 1871; Athens Post, April 28, 1871.

35 See Trelease, White Terror, 401-08, and Horn, Invisible Empire, 232-43, for two rather antithetical views of the South Carolina prosecutions.
Carolina, or anywhere else for that matter, and still fewer ever served prison sentences under these laws. But this rigorous assault from the central government, which was systematic and expansive (including the broad use of undercover agents, an army of deputy marshals, an enlarged military presence, and an expanded federal court structure), certainly had a singular impact upon the Klan and Klan-like organizations everywhere. In the Klan states of North and South Carolina, Mississippi, Alabama, Georgia, Florida and Tennessee, the Attorney General's Reports for the years 1870 through 1877 show a total of 3583 cases instituted under the enforcement acts. Although relatively few convictions resulted, the threat of conviction was real where the government pressed the case and even if accused Klansmen did escape conviction the trouble, expense, and hazard of a federal trial was enough to give pause to most erstwhile masked marauders. Granting the point, which apologists have made, that the "need" for the Klan had passed and that these later troubles were not the work of the "genuine" Ku Klux anyway, it seems clear that the

36 It was stated by Professor Fleming that more than twelve hundred deputy marshals were appointed in Alabama alone. This certainly seems an exorbitant figure unless it includes all those who were temporarily deputized for service on federal posses. See his Documentary History of Reconstruction, II, 135.

37 See Swinney, "Enforcing the Fifteenth Amendment," 218, for a collation of these figures.
effect of these federal laws and the vigorous (though brief) application of them was to drive from existence those organizations that were operating in the Klan mode.

This was no less true in Alabama than elsewhere. United States Marshal R. W. Healy and District Attorney Minnis were quite active in the pursuit of suspected violators. The usual troubles were encountered in trying to obtain indictments and convictions but the very vigor of the campaign helped produce the desired results. There had been a noticeable decline in political-type Klan violence after the election of the Democratic Lindsay in 1870 but there was still ample racist terrorism and enough organized criminality to keep the federal agencies busy.

Minnis seems to have been especially active and vigilant in pursuit of justice for all Alabama citizens. He constantly traversed his two districts working with both federal and state authorities to control the lawlessness that now came within his jurisdiction. If local officials were willing and adequate to the task, as they were in Limestone County, he much preferred to have crimes of violence prosecuted under the state code. In several instances he helped in arrest procedures and arraignments, then turned the cases over to county solicitors of whose competence he was sure. This way the intent of the law was served and the burdens of the federal court system relieved at the same time. Minnis was also willing to
authorize the more able county solicitors to function in his stead as federal officials if he felt that would serve an effectual purpose. By these methods costs were reduced (which was no small consideration), and justice was assured for the victims of the disguised terrorists.

Both Minnis and District Judge Busteed agreed that the federal enforcement laws were necessary for peace and tranquility — and for Radical survival in Alabama. Most other Radicals felt the same way, although Governor Lindsay and fellow Democrats attested to the good order within the state. Minnis kept the pressure on, bringing some 134 persons to trial between 1870 and 1877, mostly for "conspiracy" under Section 6 of the 1870 act. These numbers are insignificant compared to the many hundreds who were indicted in the Carolinas and Mississippi, and only thirteen seem to have been convicted in the state (with record of only one actual prison sentence), but they were enough. The little remaining backbone was taken out of the Klan. This was evidenced in the quietness of the 1872 election.

The efficacy of the enforcement policy for the Radicals was also demonstrated in that same election. With the Klan throttled, the Republicans eased back into control of the central state

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administration and were enabled to cast the state's electoral votes again for Grant. The Black Belt counties returned heavy Republican majorities and this made the difference. The Klan was obviously missed by the Democrats and it was their turn to cry, claiming that they had been harassed and intimidated by the army and other federal officials, particularly the election supervisors. The Radicals had it their way for another two years but, as earlier noted, their primacy was rapidly deteriorating because of internecine bickering in the party and the burgeoning "color line" campaign of the opposition. Reading the signs correctly, many carpetbaggers began to leave the state and without their discipline and support the black vote became quite unstable. Any political justification the Klan might have once claimed was almost gone — but so was the Klan. The federal government pursued it to the end.

Minnis continued diligently at his work under the law, and conservatives continued diligently to protest the tyranny of the law. The Montgomery Mail and Advertiser called the enforcement policy odious and designed to "break the spirit of our people and make them slaves to federal power ...." Innocent and peaceable citizens

were being "snatched" from their homes and businesses, accused
this Democratic editor, and "the spy, the bayonet, the suborned
witness, the bribed jury, and the partisan judge in full sway over
the lives, property and rights of all southern people."40 Times
were changing, however, and after 1872 the Justice Department
for a number of reasons, began to slow the pace of the prosecu-
tions. Inadequacies of the courts, shortage of funds, difficulty of
convicting, and political expediency have all been offered as reasons
for a slowdown, 41 and they all have some validity, but there seems
a simpler explanation: that there was just less conspiratorial Ku
Klux activity to investigate. In any event, the laws practically
became dead letters after 1874. By the end of the century they had
become literally dead, erased from the statute books by repeal and
adverse court decision.

In the 1874 election, which saw Governor Houston victorious and the Democrats permanently restored to power, there was
coercion and intimidation on both sides, but it was of a new kind.
The conservatives used racist tactics as always, but now quite
openly, sans disguises and with a great deal more subtlety. They

40 June 27, 1872.

41 Davis, "Federal Enforcement Acts," 225-27; Swinney,

42 Ibid., 228; Fleming, Civil War and Reconstruction, 707.
carefully avoided any blatant conspiratorial arrangements even though it was apparent that the pressure was off as far as prosecutions under the enforcement acts were concerned. The Radical tactics appear less determined but perhaps even more desperate. The Union League organization had broken down under conservative pressure and the flight of radical managers, and the remaining party leaders were faced with the possibility of losing control of the black vote to the opposition. Defections came rapidly, and Republicans were reduced in some areas to attempted bribery or intimidation to keep down growing Democratic strengths. The enforcement acts could still give service in this connection. Federal deputyships made attractive lure and were apparently offered freely. A Republican committeeman wrote Marshal Healy suggesting that good use could be made of appointments to the "high and exalted office of United States deputy marshal." The entire state could be carried, he said, with "twenty-thousand blank commissions .... Bait is good, and especially for democratic office-hunger." In the Black Belt radical deputy marshals, government detectives, and military authorities reportedly trumped up charges against leading Democrats and arrested them under authority of the Ku Klux Act, never planning to try them but only to remove them from circulation during the election. 43 The effectiveness of the Democratic

43Fleming, Civil War and Reconstruction, 707; Isaac
"new departure" (which in Alabama consisted of the color-line tactics together with a real pitch for black votes as well), is indicated by the reduced Republican margins in practically every county.

During the height of the enforcement prosecutions Congress had concurrently launched a sweeping investigation of its own into the Klan situation in the South. The purpose of this investigation is not exactly clear as the joint committee which was to conduct it was organized on the very day the Ku Klux Act became law, April 20, 1871. Thus, it is not likely that its purpose was to substantiate the need for stronger legislation — such was out of the question. Democrats always believed that it was inaugurated for the purpose of collecting "bloody shirt" material for the 1872 elections, and that may have indeed been the intention. Once the committee began its work, it became a good sounding board for determining the effect of the enforcement acts and, once it was completed, the report it prepared became a political weapon for both sides. The Republicans claimed that the evidence collected showed the need for extending that part of the Ku Klux Act which was temporary (the provision for suspending the writ of habeas corpus), and the Democrats that it demonstrated the political nature of all the southern troubles.

Heyman to Marshal Healy, Opelika, Oct. 20, 1874, in Fleming, Documentary History of Reconstruction, II, 136; see also ibid., 135, 137-38.
Whatever the political vagaries that created it, the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States began its work in May and developed into the most extensive and elaborate investigation in the history of Congress up to that time. Under the chairmanship of Senator John Scott of Pennsylvania, the twenty-one man committee (seven senators and fourteen congressmen, with a thirteen to eight balance of Republicans to Democrats), embarked upon what is probably the most delightfully partisan congressional investigation of any extent even up to the present time.

The committee began its hearings in Washington, taking testimony from a wide variety of witnesses there from May until September. A subcommittee of three visited South Carolina in June and July, and in the fall other subcommittees were dispatched southward to the more notorious Klan states of Mississippi, Alabama, Georgia, Florida, and North Carolina. As noted in an earlier chapter, the testimony taken by the committee in Washington and by the various subcommittees constitutes the single most valuable source of lore for the historian of the Klan. It is remunerative for the student of general southern history as well, for much

44 For organization and structure of the committee see Ku Klux Report, "Report of the Committee," 1, 2.
of the information found here on society, politics, and the
economy of the section is available nowhere else.

As an effective investigatory body, the committee was
of dubious value as far as its ostensible purpose was concerned,
for it fell into partisan wrangling from the outset, with both the
majority and minority members making unconscionably clear
efforts to prove their respective points. The Republican members
strenuously sought to show that the Ku Klux Klan was a political
society of Democratic orientation, designed especially for the
oppression of Republicans of both races and particularly for the
thwarting of black voting power. The Democrats just as diligently
worked to prove that the Klan was not broadly based, had no
political cast, and had functioned generally as an agency for the
preservation of law and order in a few areas where it was amply
justified by radical usurpations. Neither side seemed greatly
interested in what the other was doing or discovering except as part
of the oneupmanship game of presenting rebuttal witnesses to dis-
credit testimony elicited by the opposition. The majority had the
advantages that usually accrue to that side, most patently with the
various chairmen changing the rules of evidence and admissibility
of testimony quite capriciously from time to time.

The final report to the Congress proved nothing and could
probably have been written without the lengthy and arduous
investigation. No one's mind had been changed a degree in either direction. Both the majority and the minority were certain of the correctness of their view and no amount of testimony was likely to alter the situation. It really did not matter anyway as the reams of testimony gathered dust in the congressional printer's office for months before it was printed for anyone to read, and the majority went ahead and presented its report without waiting for that technicality.

The whole thing, in the end, was projected merely as supportive evidence both for and against the extension of the Ku Klux Act. Congressman Maynard of Tennessee spoke for the majority position in 1872:

_"Sir, we could not afford to let these volumes of testimony drift down into history unless our statute book should show that we made some effort to redress these mighty wrongs and bring them to an end. The beneficial effect of this law in the suppression of violence and the prevention of these horrible crimes cannot be questioned...."

Let this session of Congress adjourn with the law unamended, and it will not be twenty-four hours before it will be known in every Ku Klux den in the South that the power to suspend the writ of habeas corpus is gone; and in my judgement you will see at once a revival of the old atrocities._

Congressman Wood of New York epitomized the Democratic view of the situation in a short speech in May, 1872. The whole

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_45 Congressional Globe, 42d Cong., 2d sess., Appendix, 583._
blame for any continuing southern turmoil, he said, lay with the Republicans. Why should there be an extension of the law when they already held power?

They have had the magistracy. They have had the prosecuting attorneys. They have had their detectives ... paid out of the Federal Treasury there as their spies. They have had the United States marshals to arrest, and they have had the jails .... They have had the Federal tribunals in which to try and punish. They have had the military power by which, under the suspension of the habeas corpus, they could inflict condign punishment without the slow process of law. And yet, sir, they complain of those outrages. Why, Mr. Speaker, how inconsistent, how absurd, where they have absolute power. I hold, sir, that where such power exists, if crime exists, the responsibility is upon the Republican party, and not the southern people.46

The Democratic view prevailed finally and the habeas corpus suspension section of the Ku Klux Act was allowed to expire at the end of the year. There was a changing climate of opinion in Washington. In a series of Supreme Court decisions in the 1870's and 80's the essential parts of the enforcement laws were constitutionally invalidated, and almost a full century was to pass before the political and social atmosphere in the nation would be again conducive to extension of federal authority into state and local matters for the protection of basic citizen's rights.

Notwithstanding its ultimate inutility, the Ku Klux investment, as it proceeded, had provided the nation with a fascinating diversion. It was hailed with appreciation or derision in the polarized press of the day. The New York World reported:

It is now understood that the Congressional committee is to take the Ku Klux in hand. By all means. And let this commission not rest until it nabbed a Grand High Cockalorum of this fraternity, or at least a Sub-exalted Gnome, and when nabbed, let the captive be put in a cage and shown throughout the country. The columns of the newspapers have too long had a monopoly of these curious beings.  

It was generally referred to as the "Smelling Committee" in the South, and most southern conservatives viewed it as "another monstrous humbug" sent upon them by the radicals. It was compared with the Spanish Inquisition, which one Georgia editor reported as never having been "more disgraceful and dangerous than is this rotten concern."  

The subcommittee which visited Alabama in October and November of 1871 was composed of Senators Pratt and Rice and Representatives Blair, Beck, and Buckley. Blair and Beck were the Democratic members but were never present at the same time, so the usual construction was three Republicans and one Democrat.


C. W. Buckley was a Radical Representative from Alabama and was strongly moved to prove a Democratic conspiracy in his adopted state. Twenty-three Alabama witnesses had been summoned to Washington in the summer and one hundred and thirty-one more would be examined in subcommittee sessions at Huntsville, Montgomery, Demopolis, Livingston, and at Columbus, Mississippi, where some west Alabama witnesses were heard. Of these one hundred fifty-four who testified, sixty-four were summoned by the minority and the other ninety by the Republicans. Forty-three of the total were blacks, of whom two were summoned by the Democrats.

The character of the testimony, from the standpoint of articulation though not necessarily its veracity, was generally better on the minority side, as most of its witnesses were well educated men of high social classes, with many of them legally trained and able to handle themselves well in the tense court-like atmosphere of the hearings. Some of Alabama's leading conservative citizens were called and, under the clever direction of Blair or Beck, their testimony was allowed to range over the whole history of Radical Reconstruction with pointed emphasis upon the social unrest caused by the federal policy and the official malversation that came with it.

Most of the conservatives were less than candid about their knowledge of the Klan and but few admitted any intimacy with the
secret society. They were generally agreed that there had probably been some such organization in parts of the state in 1867 and 1868 but that it had long since disbanded. The Klan "outrages" of the past two years had been grossly exaggerated, they typically claimed, and while admitting that there might have been excessive criminality in the state at times past most of them were at pains to show that it was a product of the radical program and was not politically or conspiritorially directed. A large percentage of them (and majority witnesses as well), were in agreement that where the Ku Klux had developed it had come primarily as a response to the disordered conditions and as a reaction to the Union League. The latter reason was, of course, somewhat ironic in view of the alleged apolitical nature of the Klan. The rationale was that the Union League was the catalyst producing much of the civil disorder. Among these men there was almost universal agreement that the Klan troubles had ended and that the federal enforcement program was unnecessary. They pointed to the arrests and trials that had already occurred as proof of that: the defendants in these cases, it was said, were not political conspirators but common criminals. Many asserted, somewhat inconsistently, that granting amnesty to the remaining southerners under disabilities would go far in bringing an end to the lingering unrest.

A large part of the minority strategy was to destroy the credibility of Radical witnesses, and Beck and Blair worked hard
at it. This was not always an easy matter as the chairman, Senator Pratt, from time to time introduced surprise witnesses for whom the minority did not have time to produce a rebuttal and on a number of occasions he refused to admit written statements for the minority. Procedural problems such as this were always voted upon and invariably the Democrats lost their point three to one. Of course, Blair and Beck also had a problem in that much of the opposition testimony in regard to outrages was true and impossible to refute.

The Radicals summoned a wide variety of witnesses, ranging from high-placed carpetbag or scalawag officials and military authorities to lowly uneducated freedmen. Most of the blacks interrogated had been confronted directly by the Klan, and the stories they told were often quite gruesome (though probably true to a large extent). This seemed to be the Republican strategy: to compile as many gory tales of Klan violence as they could and to give them a political connotation. In this they succeeded quite well although many of their witnesses (higher placed Republicans, mostly) backfired on them and presented testimony that generally or to some degree supported the Democratic contentions. The Radicals did not produce a Klan defector here as in some of the other states so there is not in the Alabama testimony a lot of detailed exposition of Ku Klux secrets. Nevertheless, all sorts of
hearsay revelations were accepted and all sorts of Klan lore imparted. 49

There was also a considerable amount of repetition in the Radical testimony with the same incidents being reported upon (with fascinating variations), by several witnesses. The Huntsville "riot," the Eutaw and Livingston "riots," and the Patona affair were given repeated exposition. This is confusing for the reader but it can at the same time help to produce an accurate picture if interpreted properly.

There is an index to these three volumes of Alabama testimony and although its composition evidences a clear radical bias-ness 50 it, too, is illustrative of contemporary attitudes and helpful to the reader if used properly. Klan violence is categorized under four headings: whippings, outrages, shootings, and killings. In the

49 One of the wildest stories, to which the subcommittee solemnly listened, was the tale of a "Ku Klux baby" told by A. S. Lakin, an itinerant Methodist minister and one of the more notorious radicals in north Alabama. Lakin related apparently in all seriousness, the story of a Blount County mother who, after seeing a band of disguised Klansmen, gave birth to a stillborn child that was a "perfect representation and facsimile of a disguised Ku-Klux." The dead child was exhibited at one of Lakin's camp meetings and supposedly created quite a sensation. Ku Klux Report, "Alabama Testimony," 118-19. Several conservative witnesses testified that the infant had been dead in its mother's womb for some time before delivery and was partially decomposed.

50 Radical testimony and "outrage" materials are given a decided edge in regard to space and arrangement.
index the same incident frequently appears in more than one class. This apparently led later to some expansion of statistics by radical proponents. Despite the great volume of testimony and the unquestioned horror it illuminates, careful examination of this material reveals that something less than a reign of terror had prevailed in the state. Of the sixty-four counties in the state, outrages of any class were reported in only twenty-nine of them. In all, only two hundred and fifty-eight distinct incidents were testified to, of which some one hundred and three were "killings."

These, of course, are no small figures, but when one considers that these witnesses were referring to outrages going all the way back to 1866, the impact is somewhat diminished. Many of the murders were also shown to have had positively no Klan connection. On the other hand it is certainly true that every Ku Klux outrage was not reported here and countless others were alluded to in the testimony but not clearly spelled out. Military and Justice Department records contain information of other Klan activity that did not appear in this testimony. Then, too, it should be remembered that the investigation took place in late 1871, a good two years after the Ku Klux movement had peaked in most parts of the state. A lot had been forgotten, and the more recent episodes were of a somewhat different type. There was enough remembered and recalled for the subcommittee, however, to show that the Ku
Klux Klan had been no simple regulatory agency or fraternal body. It had unquestionably been a potent factor in the social and political affairs of the state in the past, but there was every indication in the testimony from both sides, that its day had passed.

Conservatives in Alabama were naturally frightened and horrified by the investigation, and the "smelling committee" was scoffed at and taken to task in the Democratic press; yet there emerged during the proceeding something of a hopeful note from around the state as well. Some editors believed that the testimony would "open the eyes of those howling about the awful state of affairs in the South," and that the "class" of witnesses called by the majority was helpful to the Democratic cause because the hideousness and rascality of some of them was being revealed through their own testimony. The hope was that in the end the investigation would prove "damaging to the Radical party." Congressman Beck echoed these feelings in statements to the press. He was, he said, "thoroughly disgusted" with all the silly Ku Klux stories he had listened to in the state. Whatever had prompted

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51 The discussion of the investigation was derived from the three volumes (2008 pages) of testimony relating to Alabama and from the committee Report, which contains some rare information on the economic and political condition of the state. Ku Klux Report, "Alabama Testimony," passim; See also Walter L. Fleming, "The Ku Klux Testimony Relating to Alabama," (pamphlet, n. d.), 1-6; which is an extract of an article of the same title that appeared in The Gulf States Historical Magazine, (November, 1903).
the investigation, he was sure that "the result has been to fully vindicate Alabama." 52

In Congress, J. H. Sloss, one of the new Democratic representatives from the state, epitomized the feelings of most conservative Alabamians in a long speech against the extension of the Ku Klux Act:

The majority report of the committee on Southern Outrages ... is but a tissue of exaggerations and misrepresentations from beginning to end.

Listen to some of their statements and believe them if you can. They assure you ... without a blush that the South is the most infernally, diabolically lawless land on the face of the earth; that there men are hunted down and killed for political opinions. Yet, strange to say, these men, so reckless in utterance of such radical opinions on the stump and from Congress are alive, fresh and robust, and here today to draw their pay and tell you these horrible stories. 53

Sloss was more right than he knew. Klan terrorism, in his state at least, was on the wane, and inferences drawn from Radical testimony about the past were distorted portrayals of conditions as they now existed. But on the other hand, Congressman Beck was quite wrong in saying that the testimony vindicated Alabama. The Ku Klux Klan had lived and thrived there and the

52 Athens Post, May 12, June 30, Nov. 3, 1871; Jacksonville Republican, June 24, July 22, 1871; Montgomery Advertiser and Mail, June 14, 1871.
53 Congressional Globe, 42d Cong., 2d sess., Appendix, 570.
investigation had revealed the extent of its terror. Justification
for its early existence there may have been in the minds of its
participants and fellow travelers, but exculpation for the horror
it became there could be none.

As far as it affected the secret society itself, all the
rhetoric was beside the point. The vigorous federal action against
it had only accelerated the dissolution that changing conditions and
new strategies had begun. By 1874 it was dead and the Democratic
ascendancy of that year sealed its grave; there was no call for
even the Klan "spirit." The original Ku Klux may have risen
"phoenix-like from the ashes to save Alabama" but it had hardly
done so. Perhaps it had weakened Republican morale somewhat
— certainly individual Republicans had their morale absolutely
destroyed by it — but it also strengthened their hand by providing
the emotional atmosphere from which much of the sustaining
Radical legislation was drawn. It might be suggested that the Klan,
or the Ku Klux syndrome, even lengthened the period of Radical
domination in the South, though this is hardly the case in Alabama.
But it is interesting to note that the conservatives or Democrats
only achieved their ultimate and lasting domination of the state
after the secret society had become a memory. Perhaps then the
Ku Klux Klan was really more effective as an idea or a memory
than as a functioning organization; for the racial stridency it
helped to kindle in the state, once it crystallized, would serve the Democrats of Alabama well for a hundred years. Though how well that racism (of Ku Klux memory) has served the state itself is certainly debatable.
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