

**United States Court of Appeals
For the First Circuit**

No. 21-1582

RIAN G. WATERS,

Plaintiff - Appellant,

v.

FACEBOOK, INC.; GOOGLE LLC; AIDAN KEARNEY,

Defendants - Appellees,

**JEREMY HALEY; MARTHA SMITH-BLACKMORE; WILLIAM
HIGGINS; JIM DALTON; MAURA TRACY HEALEY; JOHN DOES (1-10),**

Defendants.

Supplementary Record Appendix

Respectfully submitted by:

Pro Se Rian Waters



11/12/2021

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Table of Contents

Cong. Globe, 42d Cong. Appendix, 1st Sess., 68 (1871) Mr. Shellabarger	01
Cong. Globe, 42d Cong. Appendix, 1st Sess., 166-67 (1871) Mr. Williams.	02-03
Cong. Globe, 42d Cong. Appendix, 1st Sess., 263-265 (1871) Mr. Barry	04-06
Cong. Globe, 42d Cong. Appendix, 1st Sess., 296 (1871) Mr. Stevenson.	07
Cong. Globe, 42d Cong., 1st Sess., 443-47 (1871) Mr. Butler	08-11
Cong. Globe, 42d Cong., 1st Sess., 457 (1871) Mr. Coburn	12
Cong. Globe, 42d Cong., 1st Sess., 511-12 (1871) Legrand Perce	13-14

Ho. OF REPS.

Fourteenth Amendment—Mr. Shellabarger.

42D CONG....1ST SESS.

In my opening remarks upon this measure I shall not attempt to consider at all that state of the country which is supposed by a portion of the people, and by the President of the United States in his recent message, to require additional legislation of the kind provided for in this bill. I shall confine myself to a consideration of the qualities of this bill, its relations to the Constitution, our power to enact it, and, if I have time, the justness and wisdom of the measure.

In the first section of this bill it is provided—

That any person who, under color of any law, statute, ordinance, regulation, custom, or usage of any State, shall subject, or cause to be subjected, any person within the jurisdiction of the United States to the deprivation of any rights, privileges, or immunities to which, as such citizen, he is entitled under the Constitution or laws of the United States, shall, any such law, statute, ordinance, regulation, custom, or usage of the State to the contrary notwithstanding, be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress; such proceeding to be prosecuted in the several district or circuit courts of the United States, &c.

My first inquiry is as to the warrant which we have for enacting such a section as this. The model for it will be found in the second section of the act of April 9, 1866, known as the "civil rights act." That section provides a criminal proceeding in identically the same case as this one provides a civil remedy for, except that the deprivation under color of State law must, under the civil rights act, have been on account of race, color, or former slavery. This section of this bill, on the same state of facts, not only provides a civil remedy for persons whose former condition may have been that of slaves, but also to all people where, under color of State law, they or any of them may be deprived of rights to which they are entitled under the Constitution by reason and virtue of their national citizenship.

The first inquiry, then, is naturally where is the constitutional authority, or, if you please, where is the constitutional impediment authorizing or preventing such legislation? It is absolutely plain that if it was constitutional to pass the second section of the civil rights bill, then it is equally competent to pass into law this first section of this bill. Why do I say that? Because the same exact right is involved in each case. The constitutional right upon which it was competent to enact the second section of the civil rights bill was this: the civil rights bill was passed to enforce the provisions of the thirteenth article of amendments to the Constitution of the United States—was passed in virtue of the two provisions of that thirteenth amendment, one of which reversed and overthrew the State constitutions creating slavery and prohibited the States from "denying" the slaves citizenship, turned them into citizens; and the other, being the second section of that amendment, gave Congress power to enforce this first provision by "appropriate legislation;" or, in other words, to enforce the rights of citizenship to which the slave was admitted by the act of his emancipation.

That act, and I need not delay longer upon it, has already passed under the review of the supreme courts of at least three States of this Union, and I do not know of how many more; also under review of the circuit court of the United States of the district of Kentucky. Justice Swayne, in his opinion in that last-named case, an opinion exceedingly elaborate, exceedingly exhaustive, exceedingly able, sums up his conclusions by saying, "We have no doubt of the constitutionality of every provision of this act."

The exact legal effect of these decisions, sustaining the constitutionality of the civil rights bill, is to declare that the result of two constitutional provisions, one saying that the States shall not make citizens slaves, and the other saying that Congress may, by appropriate legislation enforce the first provision, is

to authorize Congress to define and punish as a crime against the United States any act of deprivation of the rights of the newly made American citizenship. That is the point, effect, and result precisely of these adjudications. If that is law, then that is the end of the discussion as to the right of Congress to pass this first section, because, surely, if the thirteenth amendment did so much as this, the far more explicit, complete, and careful provisions of the fourteenth much more did it by declaring all our people United States citizens; declaring that no State shall make or enforce any law abridging their privileges or immunities as such; declaring that the States shall not deny them equal protection of these equal laws, and then declaring that Congress shall have power, by appropriate legislation, to enforce the enjoyment of these privileges of citizenship by seeing to it that the laws do not abridge them nor the States withhold protection to them.

Then, Mr. Speaker, there is no doubt, there can be no rational doubt, of the right to enact the first section of this bill, provided the civil rights bill and the adjudications under that bill in the several States and in the circuit court of the United States be in accordance with a just judicial interpretation of the Constitution in that regard. And how can there be a doubt about a question like that? To say in our Constitution that all our people in the States shall be United States citizens, and also citizens of the States; to add this as a curative, new and additional part of the instrument, and in it to say that State laws shall not be made or enforced to abridge these rights of United States citizens nor the States deny protection of these rights under law, and that Congress may enforce these provisions securing these rights, and then to say that Congress can do no such thing as make any law so enforcing these rights, nor open the United States courts to enforce any such laws, but must leave all the protection and law-making to the very States which are denying the protection, is plainly and grossly absurd.

The section being in its terms carefully confined to giving a civil action for such wrongs against citizenship as are done under color of State laws which abridge these rights, it goes directly to the enforcement of that provision which says the State shall not make or enforce any law which shall abridge any privileges or franchises of citizens.

With these remarks in regard to the constitutionality of the first section, I have a single remark to make in regard to the rule of interpretation of those provisions of the Constitution under which all the sections of the bill are framed. This act is remedial, and in aid of the preservation of human liberty and human rights. All statutes and constitutional provisions authorizing such statutes are liberally and beneficently construed. It would be most strange and, in civilized law, monstrous were this not the rule of interpretation. As has been again and again decided by your own Supreme Court of the United States, and everywhere else where there is wise judicial interpretation, the largest latitude consistent with the words employed is uniformly given in construing such statutes and constitutional provisions as are meant to protect and defend and give remedies for their wrongs to all the people. These provisions of the fourteenth amendment are wholly devoted to securing the equality and safety of all the people, as is this section, and, indeed, the entire bill. In deciding whether the section or the bill is warranted by this fourteenth amendment, ought not the fact that it is so eminently just and fair, so eminently in accordance with the spirit of our institutions, so wholly devoted to the single and sublime work of preserving the rights and liberties and government of all the people,

and which gives not a power, except such as is, by the language employed, carefully confined and consecrated to the sacred duty of protecting the people and their Government, to have mighty weight in determining the question of the power to make it? Chief Justice Jay and also Story say:

"Where a power is remedial in its nature there is much reason to contend that it ought to be construed liberally, and it is generally adopted in the interpretation of laws."—1 *Story on Constitution*, sec. 429.

In the great case of *Gibbons vs. Ogden* (9 Wheat.) the Supreme Court were urged to decide that the powers held by the United States as against the States, in virtue of the clause giving power to make all laws necessary and proper to carry into execution the granted powers, were only such as would be given under a strict construction of these words. The words of Marshall in reply were: "There is not one sentence in the Constitution which prescribes this rule. We do not, therefore, think ourselves justified in adopting it." And it is with infinite force that Mr. Story reminds them who throughout our history have striven to deprive the United States of its just powers for the defense of the people and the Union, and to leave all power and sovereignty in the States, since the Union was formed "to establish justice, insure domestic tranquillity, to provide for the common defense, promote the general welfare, and to secure the blessings of liberty to the people and their posterity;" that—

"It would be mockery to ask whether these are odious objects." * * * "What peculiar sanctity have the State governments in the eyes of the people beyond these objects? Are they not framed for the same general ends? Was not the very inability of the State governments suitably to provide for our national wants, national independence, and national protection, the very ground-work of the whole system?"—1 *Story on Constitution*, section 415.

Surely, having in mind the beneficent purposes of the fourteenth amendment, and construing it in the light of these rules laid down by Marshall and Story, you do find in that amendment that power for protection of the citizens of the United States which this first section invokes.

I now come to the second section of the bill. That section, in brief, is one which seeks to supply the alleged deficiencies of the sixth section of what is called the enforcement act of May, 1870, enforcing the provisions of the fifteenth amendment. It is alleged that that act, where it defines and punishes criminally a conspiracy of two or more persons to deprive a citizen of the United States of any right to which he is entitled under the Constitution and laws of the United States, falls worthless, because of its too great generality and vagueness in the description of the particular act that shall constitute the crime. It is any conspiracy to deprive a citizen of any right. It is also alleged as to that section, that being found in the body of an act which is confined in its general scope to the enforcement of the fifteenth amendment and the right to vote, it will be construed in the light of the companionship in which it is found, on the principle *noscitur a sociis*; and that being so construed, it will be held to apply only to rights of which the citizen is deprived in regard to the matter of voting. For the purpose of removing both those doubts and questions, if there be any, (and I think there is a just and fair ground of doubt upon that matter,) we have inserted this second section of the bill. It provides—

That if two or more persons shall, within the limits of any State, band or conspire together to do any act in violation of the rights, privileges, or immunities of another person, which, being committed within a place under the sole and exclusive jurisdiction of the United States, would, under any law of the United States, then in force, constitute the crime of either murder, manslaughter, mayhem, robbery, assault and battery, perjury, subornation of perjury, criminal obstruction of legal process or resistance of officers in discharge of official duty, arson, or lar-

HO. OF REPS.

Fourteenth Amendment—Mr. Williams.

42D CONG....1ST SESS.

solidly voted to keep them out, and shouted in coarse, guttural tones, "unconstitutional!"

And now, when you disbanded confederate brothers, who, in violation of their parole, and in disguise and masked, in the dead hours of the night are holding their meetings in woods and caves, plotting the murder and assassination of Union men and poor defenseless women, and when Government revenue officers are menaced, and the cry of the victims comes to us from nearly every southern State to shield them from the murderous hands of these villains and assassins who prowl masked at midnight, shouting their exultations in the midst of their devilish and bloody carnival, you Democrats say "unconstitutional," "revolution," "oppression;" and when we attempt to amend the Constitution, you swear that is unconstitutional.

Mr. Speaker, I have no doubt but when our Democratic friends shall have uttered their last shout on earth against Republicanism and progress and protection to American citizens, and shall appear at the great judgment seat, and when Satan shall close up his bill of sale on these Democratic disloyal politicians who offered no prayer during the entire war for our success, but clogged up the wheels of progress, they will, when he calls them home to himself, say to him, "Satan, this is clearly unconstitutional." [Great laughter.]

Mr. Speaker, our duty is to give protection to every American, not only in our own land, but wherever on the civilized earth he may be found. Our flag is broad enough to cover all its citizens on the civilized globe, and when we find degenerate and traitorous rebels, in violation of their parole, on surrender of the rebel armies, with the same muskets, organizing into political clans, with horrid and blasphemous oaths, with grips, signs, and secret pass-words, whose aim is, through murder, arson, and intimidation, and whipping of women, to deprive the American citizen of any of his rights under the Constitution, and especially the ballot, the dearest right of a freeman, in order to give this rebel and disloyal Democratic party South the political control of the southern States, Congress should provide, by proper legislation, the most stringent laws for their protection; and, if necessary, I would go so far, they having failed to maintain a republican form of government, as to remand them to military rule, under control of Congress; for I hold that when a republican form of government is established and as a condition to the admission of a State, the Federal Constitution implies a maintenance of that Constitution, and if the evidence is conclusive that these late rebellious States simply adopted the constitutions to gain admission as States and to get representation in Congress, and then deliberately or permissively refuses, through her rebel courts and juries and witnesses, to secure to the loyal men their rights under the Federal Constitution, then the right of Congress to exercise its power to maintain such Constitution by national legislation, where the State fails to do so through conspiracy or for any other cause, is very clear and unquestionable in my mind, and should at once be exercised.

Mr. Speaker, we are told by Democratic friends, by word and printed speeches, that no necessity exists for additional legislation; that there is no such organization as Ku Klux which is general or dangerous in the southern States requiring legislation, even if they conceded us the constitutional right to do so. I now propose to show the falsity of that denial, and will prove from the most reliable testimony that such an institution does exist in nearly all the southern States; and, first, that its members are all Democrats; second, its object and ritual is to intimidate and murder leading Republicans and whip and scourge

negroes and Republican voters in order to drive them from the country or to their support, and to give the Democratic party political power; third, that its secret oaths demand perjury to screen its members who are guilty of crime, when arrested, and in all its bearings is wicked, unlawful, malignant and devilish; and lastly, that the Democratic party North stand as the apologists for these crimes, and hope to reach success by their perpetration and continuance, and its continuance is by them deemed essential to their political success in 1872.

I find, upon examination of the testimony taken before the Senate investigating committee, and sent to Congress by the President in his message on southern outrages, the following oath of this Democratic organization:

"You solemnly swear in the presence of Almighty God that you will never reveal the name of the person who initiated you; and that you will never reveal what is now about to come to your knowledge; and that you are not now a member of the Red String Order, Union League, Heroes of America, Grand Army of the Republic, or any other organization whose aim and intention is to destroy the rights of the South, or of the States, or of the people, or to elevate the negro to a political equality with yourself; and that you are opposed to all such principles: so help you God.

"You further swear before Almighty God that you will be true to the principles of this brotherhood and the members thereof; and that you will never reveal any of the secrets, orders, acts, or edicts, and that you will never make known to any person, not a known member of this brotherhood, that you are a member yourself, or who are members; and that you will never assist in initiating or allow to be initiated, if you can prevent it, any one belonging to the Red String Order, Union League, Heroes of America, Grand Army of the Republic, or any one holding Radical views or opinions; and should any member of this brotherhood, or their families, be in danger, you will inform them of their danger, and if necessary, you will go to their assistance; and that you will oppose all Radicals and negroes in all of their political designs; and that should any Radical or negro impose on, abuse, or injure any member of this brotherhood, you will assist in punishing him in any manner the camp may direct.

"You further swear that you will obey all calls and summonses of the chief of your camp or brotherhood, should it be in your power so to do.

"Given upon this, your obligation, that you will never give the word of distress unless you are in great need of assistance; and should you hear it given by any brother, you will go to his or their assistance; and should any member reveal any of the secrets, acts, orders, or edicts of the brotherhood, you will assist in punishing him in any way the camp may direct or approve of; so help you God."

Mr. Speaker, you will see that no soldier who defended the flag of his country could be taken into this Ku Klux Klan. It must be the pure rebel Democracy. I presume as the Union soldier approached these Democratic conclaves he would hear the voice of these masked villains, louder than the voice from the burning bush to Moses, saying to him, "Come not near this consecrated spot, where Democrats in midnight conclave are plotting the assassination of the loyal men who defended your flag." And now, sir, I give the testimony, taken before the same Senate committee, of the duties required of the members of that organization, from the same witness:

"Question. Upon the oath administered, the mode of procedure prescribed, and the government of the organization, so far as you have observed, are the members bound to carry out the decrees of the order, if they involve murder and assassination?"

"Answer. I think so, sir. If it was decided to take the life of a man, a camp is ordered to execute the sentence, and is bound to do it.

"Question. What would be the penalty if any member refused?"

"Answer. I do not know that any penalty was prescribed for that. A member could excuse himself from attendance at meetings or from going upon raids if he had a proper excuse. The penalty prescribed in the regulations for the punishment of any member who should disclose the secrets of the order was death. Each member was informed upon his initiation that if he disclosed the secrets of the organization he should be the first victim.

"Question. If any arrests should be made by the civil authorities for murders or other crimes committed in pursuance of the decrees of a camp, to what extent did the obligations of members bind them to assist and protect each other?"

"Answer. To whatever extent was in their power.

"Question. Did it go to the extent of giving testimony in behalf of each other or of acquitting if upon a jury?"

"Answer. I think that was one of the objects and intentions of the organization, that a person on the witness-stand or in the jury-box should disregard his oath in order to protect a member of the organization."

And another witness testifies that all its members are Democrats. Purely a political organization in the interest of Democrats, and the results of whose murders, whippings, and assassinations are to inure to the benefit of the Democratic party, either by compelling the loyal negroes and whites to abandon the country or to give their support to the Democratic ticket to secure them in life, person, and property. Mr. Speaker, I can only give the affidavit of one more witness who was a member of the Ku Klux Klan, whose testimony I find in the published report of the Senate committee establishing all the charges I have made:

F. U. Blanchard, a citizen of Alamance county, North Carolina, being duly sworn, deposes and swears as follows:

"I was initiated as a member of the organization of White Brotherhood about two years ago. I was initiated by George Mebane; there were about six present, all in disguise, save Younger. Mebane was in disguise until after I was initiated; then he took off his false face. The others I did not know. After Younger and myself were initiated we were asked "what we came there for." I answered, I did not know. They said, "We had you brought here to make something in the shape of a coffin for to put at Joseph McAdam's door to scare him." I told them, that is something I cannot do. Some of the party told me that if I did not do it I would be hanged, and put a rope around my neck, and one of them ran up a tree with a rope in his hands, and some one said "Hold on." There the matter stopped. I assisted in making the coffin or box. I did this, fearing that if I did not I would be punished with death, as I thought. After making this box it was left in the shop, which was an open one. On the next morning the coffin was missing. The coffin was finished on Saturday. The next I heard of this was that the coffin was placed at Mr. McAdam's door. I did not know the parties that placed at the door of Mr. McAdam this coffin.

I never afterward had anything to do with the organization, because, from the above, I was led to believe that its purposes were wrong.

I would have exposed the whole thing at the time if I had not been afraid of being punished by death by the organization. I do not think any man could have been convicted by the civil authority, for the reason that we were bound to swear for our comrades, even to the extent of an *alibi*, and no power but the military could have broken it up. I never had a gun; I was never in disguise. This organization was for the purpose of the advancement of the interests of the Conservative party.

F. U. BLANCHARD.

Sworn and subscribed before me, August 17, 1870.
W. A. ALBRIGHT, C. S. C.

I now reply to so much of the Democratic denial of the murders, assassinations, and whippings of loyal Republicans which occurred in four counties of North Carolina within the period of eighteen months, and in all cases the victims were Republicans; and in no one single case were the perpetrators of these crimes brought to justice, but the courts, officers and judges, connived and winked at these hellish atrocities:

Lincoln county.

Harriet Quickel, black, whipped and shot.
Sam Ward, wife, and daughter, black, whipped.
Rufus Friday and wife, black, whipped.
James Falls, black, whipped.
Charles Sumner, black, whipped and robbed of fifteen dollars.
John Connelly, black, whipped and shot.
William Magbee, black, robbed in the woods of all his money.
Reuben Litton, black, whipped and shot.
Jerry Wood, black, whipped and driven from home; life threatened if he returned.
J. Barringer, black, whipped and driven from home; life threatened if he returned.
Rufus Bindhardt, black, whipped and shot dangerously.
E. Wifong, black, whipped and shot dangerously.
Peter Hoover, black, whipped.
Lawson Friday, black, whipped and shot.
S. Motz, black, whipped.
John Miller, white, whipped and shot.
Adeline Fisher, white, whipped.
Mary Fisher, white, whipped.
Sally Fisher, white, whipped.
J. McMellen, white, whipped.
Jeff. Herndon, black, house robbed of two guns.

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42D CONG....1ST SESS.

Fourteenth Amendment—Mr. Pool.

SENATE.

Alamance county.

Wyatt Outlaw, colored, hung.
 William Puryear, colored, drowned.
 Caswell Holt, colored, whipped and shot.
 Murphy Reeves, white, shot.
 Hamilton Bron, colored, whipped.
 Joseph Harney, colored, whipped.
 Squire Alston, colored, whipped.
 William Harniday, white, whipped.
 Alonzo B. Corhiss, white, whipped.
 John Kingstaff, white, whipped.
 Leonard Kippy, white, whipped.
 Sandy Sellers, colored, whipped.
 Nathan Trollinger, colored, whipped.
 William Stimpson, white, whipped.
 Anthony Foster, white, whipped.
 Polly Gappins and daughter, white, whipped.
 John Baron, white, whipped.
 T. Siddell, white, whipped.
 George Kippy, colored, whipped.
 Andy Shaffner, colored, whipped.
 Eli Outlaw, colored, whipped.
 Lily Alston, colored, whipped.
 Alfred White, colored, whipped.
 Arch. Duke, colored, whipped.
 Don Worth, colored, whipped.
 James Cole, colored, whipped.
 John Overman, white, whipped.
 John Bass, colored, whipped.
 John Foust, colored, whipped.
 Amos Forshea, colored, whipped.
 Henry Holt, colored, whipped.
 Levi Dickey, colored, whipped.
 Alvis Pichard, white, whipped.
 Lizzie Elmore, white, whipped.
 Clay Thompson, colored, whipped.
 James Long, colored, whipped.
 Bill Long, colored, whipped.
 Porter Mabem, colored, whipped.
 John Baron, white, whipped.
 Monroe Freeland, colored, whipped.
 Hamilton Puryear, colored, whipped.
 Harney Albright, colored, whipped.
 Moses Albright, colored, whipped.
 Lindsay Kinnery, colored, whipped.
 John Albright, colored, whipped.
 Sally Holt and daughter, white, whipped.
 John Liggins, white, whipped.
 Alfred Hartwell, colored, whipped.
 Thomas Foust, colored, whipped.
 Matilda Foust, colored, whipped.
 Rachel Foust, colored, whipped.
 Alfred White, colored, whipped.
 Duncan Hazel, colored, whipped.
 John White, colored, whipped.

Catawba county.

Newton Willfong, colored, whipped and shot.
 A. L. Ramsour, white, whipped.
 Elijah Finger, colored, whipped.
 Newton Killian, colored, whipped.
 Sidney Matts, colored, whipped.
 Lawson Blackburn, colored, whipped.
 George Conly, colored, whipped.
 Jim Coulter, colored, whipped.
 Robert Sawyer, colored, whipped.
 Rufus Rhinehart, colored, whipped.
 Steven Warlich, colored, whipped.
 Isaac Robinson, colored, whipped.
 Daniel Bullinger, white, whipped.
 Letty Willfong, white, whipped.
 Maria Probst, white, whipped.
 Bob Robinson, colored, whipped.
 Michael Petrie, white, whipped.
 Peter Young, white, whipped.
 Mahala Willfong, white, whipped.
 John Fowler, white, whipped.
 William Hall, white, whipped.
 Henry Bost, white, whipped.
 Mony Carpenter, white, robbed

Mr. Speaker, with all this fearful array of crime and villainy in four counties of North Carolina sworn to by Federal officers, Democrats and Republicans, men on this floor say to the country that no disorder prevails, and that these charges are made for political effect. Sir, I am astonished to find how the blinded partisan can so far forget the rights of American citizens and a common humanity as to become on the floor of the American Congress the willing apologist of the assassin, the murderer, and the whippers of defenseless women. And when the courts of these States and officers of the law and juries conspire to defeat justice and punish crime, and the strong arm of the Federal Government interposes to give them protection, we are met with the charge that Congress is transcending its constitutional authority and infringing upon the rights of the States by protecting life, person, and property in those States where the State is powerless, by reason of conspiracy among its rebel officers, to afford protection to its loyal citizens.

Mr. Speaker, I warn my Democratic brethren on the other side of the House to beware

how they encourage lawlessness and murder in the ranks of their southern friends, which may in the end culminate in another civil war, for should such a calamity again come upon the country by your aid and counsel the loyal and scarred patriot, remembering the past, will close up that country, leaving it as God found the world, void and without form, and leaving in it no living thing. The fate of Sodom and Gomorrah will await it.

Mr. Speaker, since the commencement of the discussion of this bill I have been pained to see gentlemen on the other side of the House, who turned their backs on that flag [pointing to the flag over the Speaker's chair] and followed the lone flag with the serpentine emblem through our terrible conflict for four long years, and when, the war closed, their political and rebellious sins, which were as red as scarlet, we have washed by amnesty white as wool, dictating to us what laws were constitutional. Sir, I think that modesty would suggest to them silence for a while for their political pardon and a reasonable probation before full disclosures of their intentions.

Mr. Speaker, in the midst of the solemn awe of the nation, when Democratic gentlemen on the other side of the House are picturing to their imaginations the overthrow of the Constitution by a Radical Congress, and the subversion of the rights of the States, and the wisdom of the nation is devising legislation to protect her citizens, and the Constitution hangs poised on the verge of destruction, and all eyes are gazing on the uncertain and fearful result, I hear a timely voice, a faithful Democratic sentinel holding to our trembling lips the healing panacea. I find this in the person of my distinguished Democratic colleague from the third district of Indiana, [Mr. KERR,] and to him the nation owes a debt of gratitude for the timely discovery, solving the difficult constitutional problem which meets the emergency.

On the night of the 27th of March my worthy and distinguished colleague might be found at the hour of midnight reclining upon his Democratic couch, his brain racked with care and anxiety for the salvation of the Constitution. White-robed specters and masked figures appear before him, deep sleep falls upon him, and a vision appears to him, and a loud voice awakes him from his slumber and says to him, "Write the things which I say unto you." And he awoke from his slumbers, and a light shone upon him as brilliant as that which appeared to Paul on his way to Damascus, the only difference being that Paul's light came down from above and his appeared from below. It was the voice of Jefferson Davis, solving the problem how to bring peace to the South. Strip the white robe from the person of the assassin and the mask from his brow. Hear my colleague. I quote from his speech of March 28, as I find it in the Globe, from which I take two extracts, as follows:

"Give them back the utmost freedom of local self-government, of which you have so long and unjustly deprived them; remove from them all disabilities, and thus invite them to assume again all the rights, capacities, and responsibilities of freemen."

Again he says, in the concluding paragraph: "Then the South will become the cheerful handmaid to all other sections of our country in bearing our burdens and discharging our national obligations."

Sir, this is the Democratic remedy for all the evils that surround us. Give back to these States the four million bondmen who are now free, give full pardon and amnesty to Jeff. Davis, and restore him and his confederates to power, and then the work is accomplished and the dove of peace will brood over us for all time to come, and the wail of their murdered victims will cease.

Sir, I cannot, for one, consent to take the remedy; to me it is worse than the disease.

No vote of mine will ever give general amnesty to the leading and intelligent rebels who led the ignorant masses to rebellion while I can see one maimed soldier or hear the crutch of the limping soldier on your pavement, or the wail of one widow who gave her protector in defense of the American flag. These men should thank God that a merciful Government permits their vile and treasonable carcasses to exist on earth, to be hated of all men, and despised by God Himself.

Sir, there are greater calamities than Ku Klux organizations which might befall our Republic. If, by apathy and indifference of the Republican party, or dissensions in our ranks by the struggling politicians seeking elevation to place and to power, the Democratic party should triumph in 1872, their political leaders in their Legislatures and conventions and speeches openly proclaim the unconstitutionality of all the amendments of the Constitution upon which reconstruction is based, and, if honest in these declarations, must, on coming into power, procure their repeal. The proposition to the people of the United States hinted at in the American Senate by a distinguished Senator from Kentucky, and indorsed by a Representative from the same State in this House at the close of the last Congress, indicates with unerring certainty, should they come into power, that the rebel plowshare would furrow the graves of our heroic braves in the forfeited inheritance of the traitor Lee and our other national cemeteries, the pensioning of the rebel soldiers upon Government bounty, and the sure assumption of rebel claims for payment of southern property destroyed by the war, and in all probability the assumption of the rebel debt, leading in their final consummation to national bankruptcy, or the final repudiation of our national debt. Sir, I have faith to believe the sovereign people will in 1872 be found in solid column bearing in that canvass to final triumph the Republican banner with the inscription upon it in characters of living light, "Protection to American citizens of every right known to the Constitution."

Mr. Speaker, our Democratic friends see the handwriting upon the wall. Gallant little Connecticut, Cincinnati, and prominent points in my own State within a few days have spoken, and the telegraph brings to us the result of the confidence in the administration of General Grant, and a Republican victory is sure and certain if we but do our duty and see to it that the humblest citizen, black or white, shall have the full protection of our laws. Sir, the Democratic party to-day are in the condition of the guilty and condemned culprit, who stands in full view of the ax of the executioner, and might with great propriety repeat his last words so illustrative of their final decease:

"Great God! is this our certain doom.
 And are we still secure,
 Still hastening downward to the tomb,
 And seen and heard no more?"

Protection of Life, etc., at the South.

SPEECH OF HON. JOHN POOL,
 OF NORTH CAROLINA,
 IN THE SENATE OF THE UNITED STATES,
 April 5, 1871.

The Senate having under consideration the resolution of Mr. SHERMAN directing the Committee on the Judiciary to report a bill for the suppression of violence and disorder in the southern States—

Mr. POOL said:

Mr. PRESIDENT: When I had the honor to address the Senate a few days ago I gave notice that I should ask the attention of the body to some further remarks from myself, appearing especially to the condition of affairs in my own State. What has been said since that time

42D CONG. ... 1ST SESS.

Fourteenth Amendment—Mr. Barry.

HO. OF REPS.

It is a matter of profound regret that the present reign of terror in the South has defenders and apologists on this floor. It has also been a matter of regret that some gentlemen on this side of the House have been disposed to question and hesitate. They have not seen, as they should, the beginnings of a new rebellion. They will, in my judgment, discover their mistake, for the people whom they represent will not be blinded or deceived. They will, on the other hand, sustain those who shall promptly seek a remedy for these outrages, accounts of which every hour salute our ears. They are intensely loyal, and will insist that the badges of loyalty shall not point out victims for their murderers in the South. The Republican party only needs a pluck equal to its glorious record. If it has this, it will have a continued lease of power. It will be as victorious in peace as it was in war. It cannot forget the people in their constitutional rights; it must protect them in these rights. It must relieve them from burdens and shield them against the perils of barbarism. This Ku-kluxism is barbarism. The thousands who have fallen cry out against it. The Republican party cannot neglect this cry; its record and its genius forbid it. Legislation against these outrages the loyal sentiment of the nation demands. We shall neglect our duty and end our existence as a party if we refuse to grant it.

Some who have participated in this debate affect to believe that it will not be safe to intrust the President with the powers conferred by this bill. They have been unable, as his enemies ever have been, to point to a single instance wherein he has gone beyond the strictest construction of the law. This fact has not a little to do in giving him his impregnable place in the hearts of the people. The people have trusted President Grant and will again. The strength of their confidence in him it was easy for me to discover when in my canvass for a seat in this House I announced myself as in the fullest accord with the Administration. His patriotism has not been questioned; wherefore should he wish the injury of the South? The Government has displayed the largest clemency toward that section. Has President Grant ever sought to hold Congress back in any acts of mercy toward that section? Never. His message to this House has not the spirit of one seeking dictatorial powers. He submits to Congress the condition of the South and questions his power to crush or hold in check the reign of blood and death there. Could he do less than that? That message, it is true, was like a bombshell in the Democratic camp. The masked ally of the Opposition party was aimed at. The foster-parent and child were alike attacked. It may have been cruel in the President, but, in my opinion, the country will not call it an act of disloyalty.

When a President shall ask Congress to give him power to protect life, liberty, and property in any and every section of the land when in jeopardy, he but strikes the popular heart. The men who fight against this grant of power, though they talk ever so learnedly about the Constitution, will fail to catch the sympathy of the people. The law-abiding do not fear stringent laws; it is the lawless who squirm. The higher civilization to which we have believed our late war would lead us, if true to ourselves, should have all the support that legislation can give. I mean, of course, all proper constitutional legislation. Bare fear can play no good part in dictating such legislation. The bold, though prudent, man will best lead the way.

The Republican members of this House will permit me to express my profoundest thanks to the honorable gentleman from Ohio, [Mr. SHELLBARGER,] chairman of the committee

reporting the bill, for his untiring and effective efforts in bringing it before the House and the country. His eloquent appeals have not been in vain. His voice has been clear; personal prejudices and ambitions have not made it husky. Let his voice be that of the Republican party, and it will add to its history many a page of successful legislation in promotion of law, order, good government, and national prosperity.

Enforcement of Fourteenth Amendment.

SPEECH OF HON. H. W. BARRY,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

April 5, 1871.

The House having under consideration the bill (H. R. No. 320) to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes—

Mr. BARRY said:

Mr. SPEAKER: I find in the Book of books a declaration remarkably apropos to the question now pending before the House: "Woe unto the world because of offenses, for it must needs be that offenses come; but woe unto that man [or that party] by whom the offense cometh!" Sir, there has been a deliberate and persistent effort on this floor to deny, to palliate, or to defend the infamous crimes against law, against life, liberty, and property daily perpetrated by bands of affiliated midnight assassins in various parts of the South. Gentlemen on the other side of this debate, however, seem to have partially abandoned the effort to suppress the facts themselves, which they tacitly admit by putting in pleas of palliation, or even of justification. But denial is of very little force in the face of the overwhelming testimony before this House and before the country. Sir, there are men upon this floor who have looked the Ku Klux Klan fully in the face. This right arm that hangs helpless by my side was broken by a Ku Klux bullet. There are other gentlemen from the South who have likewise received polite attentions of similar tenor from their reconstructed brethren. The offense has come. It is rank, it smells to Heaven. The blood of loyal men has been poured out like water, not upon the battle-field, but in the murderous assault or amid the slumbers of midnight. Who is responsible for these things? What party composes the Ku Klux Klan?

Mr. GARRETT. If the gentleman will permit me—

Mr. BARRY. I cannot be interrupted now. The gentleman who desires to interrupt me can have his full time on this floor to assail the Government for not keeping faith with the rebels, and at the same time to refute his charges by their reckless bitterness. Were those charges true the gentleman would not be here to-day, for want of a constituency. We have listened *ad nauseam* to lectures of this character. The gentleman from North Carolina [Mr. LEACH] gravely informs us that he would not be willing to intrust to any man the extraordinary powers conferred by the bill now pending upon the President. I wonder whether the gentleman, when sitting in the so-called confederate congress, voted for the extraordinary powers conferred upon Jeff. Davis. Sir, no greater proof of the extreme leniency of the Government can be asked or offered than the licentious harangues which the Representatives of the defunct rebellion are uttering, without stint and in most execrable bad taste, upon this floor.

Who, sir, I repeat, are responsible for these Ku Klux murders and arsons, so persistently denied in spite of overwhelming evidence, so shamelessly palliated in both Houses of Con-

gress? This is the question to which the American people demand an answer. It is true they are weary of this reconstruction imbroglio. They would willingly give it the go-by in order to take up other questions of political and social science awaiting attention. But the resuscitated rebellion challenges immediate attention. Its exasperating impudence, its reckless disregard of truth and justice, its low, vindictive, implacable passions, are again ventilated in the halls of national legislation. I rejoice, however, in this intensity of malignity. I am glad that this bilge-water of Democracy still comes to the surface, giving to the American people a foretaste of its execrable character in time to arrest its intended mischief. I do not wonder that the Democratic leaders seek to suppress such facts and to cover up the villainy which they disclose.

Sir, the responsibility for the Ku Klux outrages rests upon the Democratic leaders, North and South. The rebel element in the latter is but giving vent to its inherent and inveterate hostility to freedom and the Union. The northern section of the party is repeating the crimes and blunders of political management which led the slave power into its disastrous rebellion of 1861. The objective point of the Democratic leaders is to consolidate the vote of the South upon the basis of hatred of the Yankee and of the negro, just as it was formerly consolidated upon the basis of slavery. The same murderous compact still subsists between the northern and southern wings of the party. The reign of terror which repressed with the most prompt and unscrupulous violence every utterance of individual opinion against slavery has been reinaugurated. A determination has been openly avowed in some quarters, and but feebly denied in others, to drive all loyal men from the southern soil, which is henceforth to be dominated by an organized banditti. To accomplish this purpose Union men are assaulted and killed in open brawl or are murdered in their beds at midnight. These tactics at first embraced only a sufficient amount of outrage to create a general alarm on the part of the Union men, and to induce them to emigrate to other quarters; but this plan is not working smoothly. The following paragraph from the Jackson Clarion contains a covert suggestion which is diabolical to the last extreme:

"In view of the advantage taken of the leniency extended to them by Sturges and Huggins, as evidenced by their slanderous publications, and the harm that is likely to result in poisoning the northern mind, we would advise our people, who are provoked to meet outrage with violence, not to send any more such characters out of the State. Better let 'em stay."

This paper, published at Jackson, the State capital, is the ablest organ of the Ku Klux Democracy perhaps in the whole South. It is edited by Ethel Barksdale, late a member of the confederate congress. Its intimations may be taken for words of command in the Ku Klux camp. What does this paragraph signify? Sir, it means that dead men tell no tales. It suggests with satanic coolness the assassination of Union men instead of their expatriation. This scheme of wholesale villainy, by the very necessity of crime, is hurried on to extremes which at first were probably not contemplated. Its perpetrators are awakening to its terrible reflex consequences to themselves in its reaction upon northern public sentiment. It threatens to overwhelm the whole infernal conspiracy with a torrent of loyal indignation, as it did in 1861. Its leaders, in desperation upon this discovery, seem to have entertained the possibility of so quietly disposing of the obnoxious Radicals that their fate would never be known. To cover this movement the northern Democracy are expected to brazenly deny the facts of these Ku Klux murders, or, if this is too great a strain upon popular credulity, their

Ho. OF REPS.

Fourteenth Amendment—Mr. Barry.

42D CONG....1ST SESS.

enormity is to be concealed by trumping up false counter-charges against the Administration and the southern Republicans. If this precious scheme of humbug can be perpetuated until the reconstruction policy of Congress is revolutionized and the rebellion reënthroned, their abominable purpose will be accomplished in part.

Sir, it is yet to be settled whether half a million American lives and \$10,000,000,000 have been expended in vain for the salvation of this country. The baleful fires of 1861 have been rekindled through the corrupt, reckless, and unprincipled interference of the northern Democracy. The whole Ku Klux movement is a piece of gratuitous mischief. At the close of the war the spirit of rebellion was stunned and paralyzed. When General Grant passed through the South he found no disposition to reopen the contest. The rebel leaders, expecting to be called to a fearful account for their misdoings, were not disposed to attract special attention by any individual demonstrations. The ignorant rank and file, finding no stimulus or direction from their leaders, were still less disposed to any outbreak. But the cockatrice's egg was in the nest; it was the northern Democracy that warmed it into life and hatched its pestiferous brood. It is idle to quote the observations made by General Grant in 1865 as representing the facts of 1871. The last semi-decade has witnessed a fearful transformation. The nest-egg of treason has been hatched; the rebellion is again skirmishing along the lines. To-day the lost cause is worshiped with more malignant fanaticism than ever. The spirit of caste, the original *animus* of rebellion, is still unbroken.

The transition from slave to free labor has not yet been accepted as a finality by the old lords of the soil. The corrupt and wicked sympathy of the northern Democracy has begotten the wild hope of again enslaving their former bondmen. They still look with contempt upon manual labor as the task only of Helots and slaves. They still refuse to conform to their changed circumstances and pressing necessities. Their evil habits of indolence and self-indulgence still cling to them. They still follow the routine of their old shiftless agriculture, and still bow to the broken scepter of king cotton, which no longer sways the markets of the world. They are still fleeced by speculators and middlemen. They raise cotton for fifteen cents a pound, and pay fifty cents a head for cabbages purchased by wholesale from farmers in Indiana at three cents a head. They stigmatize a varied agriculture as contemptible truck-patching, and still cling to their old royal staples, though every crop involves them in additional pecuniary embarrassment. At a time when the industry and commerce of the world are assuming a settled and economic character, demanding trained aptitudes and tireless energy as inexorable conditions of success, they are dreaming of the slipshod ease and luxury of the old days. Their estates are becoming more incumbered every year. Bankruptcy stares them in the face. Disgust and despair have stimulated their hatred of the "damned Yankee." Financial considerations have made the old landed aristocracy more bitter rebels than ever.

In illustration and proof of the foregoing estimate of the late ruling classes of the South, especially of Mississippi, I beg leave to cite the acts of the so-called Legislature of the latter State, convened by Andrew Johnson. Dismissing with a passing notice the dishonest apportionment of taxes, made with the corrupt purpose of relieving the land-owner of his legitimate share of the public burdens, let us glance for a moment at the legislation affecting the freedmen, showing, as it does, a deliberate purpose to reëstablish slavery under another form. In his inaugural address of

October 16, 1865, Governor Humphreys un-masks this feature in the rebel programme in the following significant terms:

"The planter cannot venture upon the cultivation of the great staple unless the laborer is compelled to comply with his contract, remaining and performing his amount of labor day after day and week after week, throughout the whole year; and if he attempts to escape, he should be returned to his employer and forced to work until the time for which he has contracted has expired."

How these recommendations were enacted into statutes by this so-called legislature may be seen by consulting the pamphlet laws of Mississippi for 1865. It was enacted that any freedman who should quit the service of his employer during the period of his engagement should be arrested and carried back. He should furthermore not only forfeit his back pay, but also the compensation of parties arresting him was to be deducted from the wages accruing during the remainder of his term of service. By another statute every freedman was required, by the second Monday in January, 1866, to find lawful employment, under a penalty of fifty dollars and costs, for the payment of which he was liable to be hired out in compulsory service to the lowest bidder. Minor orphans were to be apprenticed by the probate court during the remaining period of their minority. Freedmen were forbidden to keep fire-arms, ammunition, bowie-knives, &c. The old *ante bellum* statutes regulating the conduct of slaves and free negroes were specifically reënacted. This public document abounds in such legislation, showing that the legislating classes of Mississippi, who reluctantly ratified the thirteenth amendment, were determined from the first to render it inoperative. Like the old Bourbons, they had forgotten nothing and they had learned nothing. Sir, the revival of their arrogant assumptions is entirely due to the support given them by Andrew Johnson and the northern Democracy. But for this support the devil would have hecated to show his cloven foot so plainly.

As for the landless and uncapitalized classes, the poor whites, formerly stigmatized by the slaveholders as "whitetrash," their feeling toward the Government is merely the reflection of that of their masters. Just now they are in a savage mood, instigated to any possible act of violence. They are as impervious to a higher civilization as ever. Hatred of the negro is now added to hatred of the Yankee, and both these antipathies burn with unspeakable ferocity in the bosoms of men who are about as capable of independent thought as the companions of their old slave hunts, the bull-dogs, whose ferocity they emulate. Until they are reconstructed upon a higher model of manhood they will continue to answer with hound-like fidelity the call of their masters. These are the men who meet in Ku Klux conclaves to plan the murder of Union men. The only way to neutralize this immense mass of evil influence is to flood the country with a civilized population. But such a population is repelled by the presence of such savages. The game of the Democracy is to stimulate their repulsive features so as to repel immigration and to perpetuate the reign of barbarism at the South.

I listened with profound interest to the figures of the gentleman from Tennessee, [Mr. WHITTHORNE.] I would be most happy to coincide with him in opinion that the South has made a permanent progress in industrial civilization since the war. I am, however, painfully convinced that all that has been done in this direction is diametrically opposed to the views and wishes of the late ruling classes, and that it would all fall to the ground should they regain the control. I would secure the permanency of this prosperity by perpetuating and strengthening the influences which have secured it hitherto. The triumph of the Dem-

ocracy, however, will bring back that old barbarism which slavery found to be its only congenial atmosphere.

Whoever has lived long enough at the South to catch the drift of affairs knows that the improvements detailed by the gentleman are not the regular developments of southern civilization, but are importations from without. In fact, civilization in the South is utterly unprogressive, as is the civilization of every community ruled by a social caste. It was from the beginning centralized and enslaved, reduced to obedience to a small oligarchy, who, with the aid of the northern Democracy, are seeking to reëstablish their old dominion. It chattelized the human soul, and it stratified society into privileged and unprivileged orders. It did all this under the forms of democracy, showing that the most free and progressive political organization is worthless unless the social organization corresponds with it. It degraded the non-slaveholding whites by restricting their range of information and by denying the means of popular education. It deprived the public press of all independence of character, by limiting its patronage to those interested in the great monopoly. It subsidized the pulpit, and bought up the ministers of the gospel, in order that the influences of religion might be used to stultify the public mind, and to debauch the public conscience. It is in popular ignorance that the oligarchy is still entrenched.

With the fall of slavery, however, this reign of ignorance and malignant prejudice has given way. Immigration has come in already to some extent, and with a settled and peaceful social order it would come with a perfect flood-tide. The germs of a higher civilization have been planted, and all that is necessary for their genial growth is the quiescence of rebel agitation. The broad areas of unoccupied southern lands, teeming with untold resources of productive power, would soon be filled up with a population trained in the habits of industry and self-control of a free community. The state of things at the close of the war was favorable to this happy consummation. From all quarters came reports of quiet though sullen submission. But the demon of mischief was at work at the North and at Washington. The man who had crawled through a bullet-hole into the place of the martyred Lincoln soon forgot that "treason is a crime and must be punished." Repudiating the rôle of Moses which he had assumed during the war, he went over to the enemy and endeavored to overpower the voice of the loyal people of this nation by a combination of the defeated rebels of the South, the copperhead Democracy of the North, and such free and easy Republicans as were lying around loose in the partisan market ready to sell themselves at very low prices. I will not take up the time of this House by reviewing the struggle in which this reactionary movement came to grief. Through the military administration of the reconstruction acts, and the election of Grant and Colfax in 1868, the spirit of rebellion was held in check so far as to perfect the present governmental organizations in the lately revolted States.

But the snake was only scotched and not killed. In the canvass of 1868 was struck the most effective key-note of reactionary violence, the infamous Brodhead letter. The transformation of its author from one of the most radical and obnoxious of Republican politicians to an oracle of the most bitter rebel feeling will stand in history as one of the most remarkable political somersaults ever known. The recklessness of his turn-coat audacity has astonished and delighted his new-found friends. His words are a power with the disloyal element of the country. With the people at large, however, they are a power of a different sort. They have a remarkable faculty of exciting disgust and indignation. Had he

42D CONG.... 1ST SESS.

Fourteenth Amendment—Mr. Barry.

HO. OF REPS.

delivered his late tirade in the Senate against the Administration a few days previously he would have raised the Republican majority in Connecticut to something like its normal figures. But in proportion as he has rendered himself obnoxious to the loyal part of the nation, he has endeared himself to the hearts of the rebels. With him as their candidate for the Presidency, carpet-bagger as he is, they cherish the wildest dreams of a resuscitated slave empire at the South. As a specimen of the enthusiasm of his rebel worshipers, I quote the following paragraph from the speech of Mr. Landrum, the Democratic representative of Lowndes county in the Mississippi Legislature:

"These amendments, sir, [the fourteenth and fifteenth,] were ratified by fraud and violence, at the point of Federal bayonets, and I have the independence to stand here to-day and reiterate and indorse the sentiments of FRANK BLAIR of Missouri, that the reconstruction measures of the United States Government were null and void *ab initio*, and ought to be wiped out. And, sir, I say further, that those southern men who have supported the Government of the United States in these acts of tyranny over the southern people, such men for example as General James Longstreet, should be classed by the future historians as Benedict Arnolds, as traitors to their country."

This reconstructed individual professes to have been driven from Georgia at the opening of the war for opposing secession. How he found refuge for his Unionism in Mississippi is past finding out. At any rate, his loyal sentiments were not very permanent, for he goes on to say:

"Subsequent circumstances prevented me from joining my fellow-citizens of the South in making war against the Government at that time. But, sir, let a flag now be raised against that Government by anybody in behalf of the oppressed people of the South, and in vindication of their rights, and I will be the first to rally under that flag. I will take command of a body of troops and fight, so long as I have breath, to put down a haughty, corrupt, and tyrannical Government, for the deliverance of an outraged people."

This gentleman is not the only rebel in the South who, having skulked from the actual dangers of the late war, is now ready to take command of a body of troops. He does not talk of shouldering a musket in the ranks. Like many other southern politicians who precipitated the late rebellion, he would prefer to do the safer part of the work of devilment. But, sir, the mischievous influence of this class of men cannot be overrated. It is beyond doubt that they correctly represent the feeling of their rebel constituents. It is further true that they are backed up by men of far higher courage and far more dangerous force of character than themselves.

It is in conflict with these mighty reactionary forces that the problem of social and political reconstruction of the South is to be wrought out. Sir, the responsibilities and peril of the Union men of the South are beyond expression. We are the forlorn hope of civilization, called to stand in the breach and to face the music of assassination. It is true we have the great American people behind us, but a broad stretch of rebel hatred and violence intervenes between us and our supports. One and another fall by the knife or bullet of the Ku Klux. Amid the mocking sneers of the Democratic orators of this House, the groans of dying patriots in the South and the wails of their widows and orphans go up into the ears of the Lord of Hosts. Sir, the men who hold this advanced position in the interests of civilization deserve well of their country. The least that we can do here is to shield their reputation from the diabolical slanders that have been perpetrated against them in this House and in the disloyal press of the country.

We are by our enemies divided into three classes, namely, "carpet-baggers," "scalawags," and "niggers"—terms sufficiently illustrative of the malignant coarseness of those who use them.

The "carpet-baggers" are those American citizens, natives of other States, who, under the protection of the Federal Constitution, have transferred their citizenship to the South. Many of them were officers and soldiers of the Union Army and have a military record that is peculiarly obnoxious to the rebels. They are of that class of carpet-baggers that crushed the rebellion, rescued the country from being broken up into fragmentary and hostile States, and reestablished our national unity. These are the men who have rescued the North American continent from the disjointed civilization of Europe and have secured the reign of a free democratic brotherhood of humanity, "an ocean-bound Republic." Such men have an especial right, vindicated by the highest achievements of patriotic devotion, to a voice in the control of the political destiny of the nation saved by their valor from dissolution. The rebels of the South hate them for their effective resistance to their treasonable schemes. The northern Democracy hate them because their southern allies have hounded them on. This name "carpet-bagger" is not applied to the disloyal or time-serving northern immigrant who settles upon southern soil and who either joins in the chorus of disloyalty or renounces his manhood by concealing his abhorrence of rebellion. Sir, this opprobrious epithet is given only to those who maintain the unity of this nation, the authority of the General Government against treacherous sectionalism.

But let us look for a moment at what is implied in this war-cry of insane bigotry. The Federal Constitution secures to every citizen the right of emigrating to any portion of our national territory and of carrying with him all his sentiments, especially his loyal sentiments, and of ventilating, defending, and propagating them by the utmost freedom of speech. But it is assumed by the Democracy that a man may not come into any community and exercise this constitutional right if it be opposed to the feelings and vested interests of that community. Sir, all feelings and vested interests opposed to this freedom of speech are themselves unconstitutional, illegal, and revolutionary. Yet the Democracy, true to their past infamous record, foster these elements of treason and rebellion. They join in the fanatic cry of "carpet-bagger" like hounds in full chorus. It is a cry without meaning or force. Sir, we are all carpet-baggers or the descendants of such carpet-baggers as landed at Jamestown, Virginia, or came over in the Mayflower. The whole South was settled by carpet-baggers, many of whom "left their country for their country's good." The author of the Brodhead letter is a carpet-bagger. Of the two hundred and fifty-six Representatives and Delegates on this floor, only ninety represent districts in which they were born. Only one hundred and twenty-three represent districts in their native States. Only thirty members of the United States Senate represent the States in which they were born. There are one hundred and sixty-six carpet-baggers in this House and forty-four in the Senate, making two hundred and ten carpet-baggers in the American Congress. Sir, if you stop carpet-bagging you arrest the forward movement of civilization, you condemn the whole world to the stagnant social condition of Asia. Our western country was settled by carpet-baggers. Carpet-bagging has never before been challenged as a constitutional privilege of the American people. Under this constitutional privilege we have settled in good faith in the South, and we are determined to vindicate our rights. We call upon the national Government for assistance and protection, and we intend also to protect ourselves, *vi et armis* if necessary, from the violence which threatens us.

The term "scalawag" is applied to the native

loyalist who nobly refused to sympathize with the rebellion, and who has in consequence suffered indignities and hardships the half of which has never yet been told. As a specimen of their treatment by the rebel authorities during the war, I quote from the message of Governor Pettus, of Mississippi, of December 20, 1862, to the Legislature:

"I recommend that the Legislature pass an act disfranchising every citizen who shall be convicted of evading or refusing to perform the military duties required of him by law, either by leaving the State, or hiding out from home, or otherwise."

But it would be impossible to portray the sufferings of these men at the hands of the rebels and their governments. The heroic constancy and indomitable patriotism exhibited by many of them will constitute some of the brightest pages in the history of our great struggle for freedom and the Union. The Government failed to do its duty by these men during the war, and has grossly neglected their claims since its close. The least possible measure of justice that can now be offered them is prompt and effective protection. The neglect of the Government and the late decision of the Supreme Court giving validity to certain oppressive acts of the rebel government will not be likely to add to the number of those who will stand firm in their loyalty in future outbreaks.

The third and most numerous class of southern loyalists are the freedmen. These people are devoted to the Union by the strongest ties of interest and gratitude. By the nation at large they have been raised from cruel and abject bondage to the highest privileges of citizenship. Rightly discerning their true friends, they are almost unanimous in support of the Republican party, only a few of the ignorant and depraved being bought up by the Democracy. But this devotion to the cause of the Union has brought upon them the special hatred of the rebels. In their former condition of slaves their property value to their masters was their protection against rough treatment by the rabble. But that basis of protection exists no longer. The Republican party, by putting an end to slavery, destroyed that bulwark. They are now bound to replace it with other and more effective barriers; not merely such as will secure the inviolability of men as mere animals, as mere property, but such as shall vindicate their exercise of the highest rights of manhood, their perfect equality before the law. At present they are hated as constituting the main element of that Republican majority which has banished the spirit of rebellion from the State governments. They need the strong arm of the Government to encourage them in the assertion and maintenance of their rights under the fifteenth amendment. The ascendancy of their former masters is not yet such a thing of the past as to enable them to entirely disregard it. They have made wonderful advancement in five years. Another generation will find them in the front rank of intelligence and civilization. To lead these freedmen in the path of normal self-development, to discipline and direct their efforts and to consolidate them into an intelligent American community, such is the responsible yet glorious task of the Republican party of Mississippi and the South.

In regard to the proposed legislation of Congress for the protection of the loyal men of the South, I expect but little benefit from it independent of the local action and local organization of Union men themselves. The military power of the nation may serve as the rallying point of the loyal cause, but it cannot guard every loyal hearth against midnight assault. We must protect ourselves. In Mississippi we have a majority of forty thousand. We have overcome the enemy with the bayonet. We will show them that we can shoot more bullets than they can, if necessary. We will

HO. OF REPS.

Ku Klux Klan—Mr. Stevenson.

42D CONG... 1ST SESS.

This riot grew out of an assault upon Emerson Bentley, an Ohio boy, from Columbiana county, who was teaching school in Opelousas and editing a Republican paper. He was attacked in his school room among the children, revolvers were leveled on him while he was brutally beaten and warned away. The Ku Klux, apprehending resistance by the negroes, dispatched couriers to all parts of the parish and gathered their klans, who rallied to Opelousas in arms, killing as they came.

The only attempt at self-defense by the negroes was feeble and timid, and resulted in the wounding of one white man, the killing of a number of negroes, and the capture of thirteen. These were lodged by their captors in the parish jail to await judgment by the council of the Ku Klux Klan; and at night, between the two days of massacre, these thirteen captives were taken from the jail and shot. All white Republican leaders who survived were driven from the parish, and a number of German Republicans kept away from the polls; and two thousand colored Republicans were taken as captives of war, marked with badges of red flannel on their arms, enrolled in Democratic clubs with white rebel officers, led to the ballot-box, and compelled to vote for their enemies, the murderers of their brethren, and then furnished with "protection papers" certifying the fact that they had voted the "Democratic ticket." In this parish, where before the riot the Republicans had a majority of registered voters, not one ballot was cast for Grant or any Republican candidate. So deep and lasting was the impression made by this massacre that a year afterward it was requisite to keep national troops at Opelousas.

On the Red river, above Shreveport, an Arkansas Democrat, passing an old man's house, inquired if there were any Radicals there. A lad answered "Yes, there's one," pointing to an old man sitting by the door; when the white man raised his rifle and shot the old negro dead. Thereupon the colored people pursued the assassin, took him, and were holding him for delivery to justice, when the whites gathered in overwhelming force and the slaughter began. No white men were injured, but the number of negroes killed can never be known. They fled in every direction and were hunted as beasts of the chase through wood and swamp by bands of armed men who could not tell, if they would, how many they slew. We only know that scores were killed and many wounded, many missing who have never been heard from. Long after the riot was over bodies were found floating in the river; in one instance, several tied together by ropes run through their pierced hands; and, again, a dead woman with a dead child.

In the parish of St. Mary, where the officers were Republicans, the Ku Klux assassinated the sheriff and the judge, who were Republicans, and having thus terrorized the parish, they quelled all opposition. No living man except the perpetrators saw the deed. A witness says:

"The assassination took place on a Saturday night or a Sunday morning. I went up to Franklin, the parish seat, and when I got there I found that the body of Judge Chase was laid out in the court-house. It lay there with a blanket thrown over it. It seems that he had been shot in the forehead. It is said that there was a wound in the back, where he was apparently stabbed. The body was found near the bayou, below the hotel, lying on the ground, and was taken from there about three or four o'clock in the morning. Some persons said that about the time of the assassination they heard shots fired, and there seemed to have been a good many shots fired close together. The expression was that they sounded like a bunch of fire-crackers going off together. That was almost eight o'clock in the evening. Judge Chase had the reputation of being a prominent Republican leader. Colonel Pope was killed the same night. He had been elected sheriff of the parish of St. Mary by the Republicans. I saw his body. He was killed about the same time and about the same place, only that he was killed in his room, while Judge Chase is supposed to have run and to have fallen when he got near the bayou."

This double murder was caused in part by violent articles published in the Democratic organ of the parish, the *Planters' Banner*. Daniel Dennett, the editor, author of those publications, a native of northern New England, went South before the war as a peddler, became a teacher, married a lady with property in lands and slaves, became a planter and an editor, and when the war came, and ever since, proved his fealty to the South by abuse of northern men.

The day before the assassination the following article appeared in his paper:

"The recent disasters of the Radicals in St. Landry, and the dwindling of Loyal League clubs in the parish, have had a terrible effect on that little rat, Pope. He looks on the streets as though he had been chawed up by a terrier. He has a complication of diseases—his liver don't act, he has the colic, the toothache, and the yellow jaundice, and don't feel very well himself. If he dies, the shell of an English walnut would make a good sarcophagus in which to convey his precious remains to his northern friends; or, if he is to be buried on southern soil, as he has no 'forty acres' of his own in which to be buried, he should be put in a pair of oyster shells, and buried at low-water mark, where the tide ebbs and flows twice in twenty-four hours."

In the next issue, after the assassination, the following appeared:

Extracts from Planters' Banner of October 24, 1868.
 "Were they Ku Kluxes.—Some of our citizens believe, and not without very good cause, that a club of Ku Kluxes has lately been established in this parish, or the parish of St. Martin, and that the terrible event of last Saturday night was their first blow struck in this section of the State." * * * * *

"Assassinated.—Last Saturday at night, about half past eight o'clock, Henry Pope, Radical sheriff of this parish, and Valentine Chase, Radical parish judge, were assassinated at O'Neil's hotel by parties unknown.

"We were in Smith's store, corner of Odd Fellow's Hall, when the first reports of the pistols were heard. Walking rapidly toward the hotel we halted in front of Healy's coffee-house when the last shots were fired, ten or fifteen in all. Twelve or fourteen persons had rushed out of the coffee-house at the first alarm and were listening to the firing.

"As soon as the firing was over there was a solemn pause in the crowd and around the hotel. Inquiries ran rapidly from man to man in regard to the cause of the shooting, and who was shot, and all present appeared to be profoundly ignorant of the nature of the difficulty, and so many shots were fired that the idea suggested itself that it was a serious fight between parties at the hotel. Several parties cautiously proceeded to O'Neil's front gallery to inquire about the cause and results of the firing, but could learn nothing there, as all in the house were attracted toward the rear, where the firing occurred, and those who went to inquire returned to Healy's, not knowing but that it might be a fight instead of an assassination, and that the trouble might not yet be over. In fact, so many shots were fired that it justified the belief that it was a fight.

"In a short time, however, the news came that Mr. Pope, the Radical sheriff, was shot and killed, and that the assassins, being thoroughly disguised, had made their escape. As soon as the firing commenced all in the hotel fled to their rooms for safety and to go out of the way of danger, which gave the assassins ample leisure for escape. Mrs. Pope had just stepped to Mrs. O'Neil's room as the firing commenced. Mr. O'Neil was in the room at the time attending to his wife, who was sick. Upon the first report of the pistols on the gallery, near by, Mr. O'Neil closed his room door to protect his wife and children and Mrs. Pope from harm, not knowing the cause of the firing.

"Mr. Pope was on the gallery when the firing commenced, and quickly retreated to his room, where the shooting stopped, and where he expired.

"We saw nothing of the assassins except one, who passed by the crowd in front of Healy's with a six-shooter in his hand, so thoroughly disguised that no person could possibly recognize him. He was about of medium height and size. It is reported that those engaged in the homicide mounted horses near the court-house and galloped down the road.

"A Loyal League club was holding its weekly meeting at the negro church at the time the shooting was heard, but the members quickly retired to their homes when they heard the melancholy news of the tragedy.

"A strong police was immediately organized, and the town and vicinity were amply protected against disorder during the night.

"After midnight the patrol stumbled over what appeared to be a dead man, between the hotel and the bayou. A physician was called, and it proved to be the body of Valentine Chase, Radical parish judge, and upon examination life was found to be extinct. A guard was put over the body till morning, when a coroner's inquest was held over the two bodies, but no traces could be discovered in regard to the perpetrators of the two assassinations.

"There is some speculation in the community in regard to who committed the homicides, but it thus

far has been idle speculation. They have guessed that it was strangers from New Orleans and from other places, and some negroes have stated that they could put their finger upon the men who did it; but upon investigation they find these statements to be utterly false and unfounded.

"We have no idea of the real perpetrators of the crime, but from appearances we conclude that it must have been so well planned and so completely executed as to defy investigation."

This event so terrified the Republicans of St. Mary that they feared to have the funeral in that parish, and took the bodies to New Orleans. And there, as the hearse and procession passed along the streets, the rabble taunted and jeered, saying, "There go two more carpet-baggers."

The Governor appointed a new sheriff for the parish, and he was greeted by the following notice from the *Planters' Banner*, November 14, 1868:

"Another Wolf.—After we had written our peace articles this week, congratulating the people of St. Mary on the prospects of peace and quiet in all our borders, another wolf made his appearance in our fold. A Mr. Mentz, of Indiana, appointed the successor of Colonel Pope, as sheriff of the parish, insists on acting as sheriff in spite of the protests of the people; so it looks as if there is more trouble ahead. If Mr. Mentz thrusts himself upon a people who have given him proofs that neither the white people nor the negroes want him here, we shall through the columns of the *Banner* expose his miserable, rickety character.

"We were posted by respectable men in New Orleans in regard to the character he bears where he is best known."

Finding that he could protect no person, but was himself in hourly peril of assassination, he left the parish.

The spirit of Daniel Dennett is exhibited in the article which he wrote and published in the *Planters' Banner* of August 15, 1868:

"Thad. Stevens is dead.—The prayers of the righteous have at last removed the congressional curse! May old BROWNLOW, BUTLER, and all such political monsters follow the example of their illustrious predecessor! May his new iron-works wear him from earth, and the fires of his new furnace never go out! The devil will get on a big 'bender' now. With Thad. Stevens in his cabinet and BUTLER in Washington, he can manage things in both kingdoms to his liking. Lucky devil!"

Mr. Speaker, this example shows how far a northern man must go when he panders to the South. It should be a warning to statesmen entering that downward way which has led to destruction so many brilliant, ambitious men. The entrance is under a graceful arch of honor, festooned with flowers of flattery and labeled in gilded letters "Conciliation." He who passes within must leave his better judgment and conscience behind and is seldom seen again among patriots.

Yet Daniel Dennett hath his reward; his paper is indorsed by the leading men of his parish, and is one of the most influential journals in Louisiana. To such sheets, more than to any other single cause, the condition of the South is due; and upon the heads of such editors is the blood of thousands of innocent men.

Another riot occurred in the parish of St. Bernard, below New Orleans, in which the worst characters of that city participated. And in the city of New Orleans several bloody scenes were enacted, in which defenseless colored men were murdered. Masses of Democrats, "Knights of the White Camelia," firing rifles and revolvers into processions of Republicans; gangs of assassins hunting and chasing negroes through the public streets by day and night, and shooting them on sight, so that in many quarters for days together it was death for a man of color to appear.

General Edward Hatch says:

Question. How would the list of wounded compare with the killed?
 Answer. I think the wounded would bear a very small proportion to the killed. I will give you an instance. In front of my boarding-house, corner of St. Andrew's and Coliseum streets, I saw some men kill a negro; they wounded him two or three times, and finally finished him. It was done in the presence of ladies. There were no arrests made, and nothing done in the matter. It is very seldom a negro is simply wounded. If he is hit at all he is

Republican States of Mississippi and Florida, so that, if unchecked by the strong arm of the law, backed by military force, they will sweep all the States of the South.

Gentlemen from the South rise here in their places and tell us that in their districts there are no outrages. Democratic members read from reports of Governors and generals of two years ago that there were then no outrages, meaning to have it inferred that therefore there are none now. And we may take safely those statements to be true, for organization in its full force doing its hellish work has not yet existed everywhere in the South. In the rebellion the confederate army was not all at once organized in every State. Notwithstanding years of previous preparation, it took months to bring all the rebellious States into line. So it is no cause for wonder that this stealthy organization is not yet completed to its full extent in every one of the late slave States, as, if unopposed, it soon will be.

It is evident that the lawlessness of the South, at first undirected save by its hates, is now become organized in the service of a political party to crush its opponents, and to drive from their borders every friend of a Republican Administration. For this purpose it is organized. For this purpose it receives the orders and executes the decrees of a central chief. For this purpose it murders legislators and judges, burns school-houses and churches, murders mail agents, overawes courts and assaults the judges, breaks jails and kills or releases the prisoners as they are foes or friends, hinders the collection of the revenue and outrages its officers, and levies a stealthy war upon the United States, in which it is supported by a majority of those who favor the cause of secession in the South, or its vile bands could not sustain themselves for an hour; is connived at by and in collusion with State governments in some States, or is too powerful or too wary to be met in all where it has shown its monster head.

If it was not political in the beginning, yet as the objects of its fury, as to persons, were negroes and northern men who had gone South, the only friends of republican liberty; and as to property, school-houses, and churches, and the humble dwellings of the people—all of which we proudly claim to be the friends and instruments for the propagandism of Republican principles—it has necessarily become a political engine in the hands of the Democracy, who oppose liberty and equality of right in the South, and all education and religious instruction there. If I err in this, let any gentleman point me to a school-house or church built in the South for the use of the poor man, white or black, by money subscribed by a Democratic organization in the North, and I will retract the charge; while I can find hundreds of both built by Republican societies, both secular and religious.

I admit fully that these are grave charges, at once against the Democratic party and a portion of the people of the South; and if, as it is claimed, these things are mere figments of the imagination—if, as is claimed here in debate, these outrages are only sporadic, and are frowned down and punished by the communities in which they occur as a rule, or crime as committed and punished, to use the jeers and taunts of gentlemen, in Massachusetts, then we are open to all the charges made against us by the Democratic advocates on this floor of the maintenance of the present state of affairs in the South—that we are simply endeavoring to get up a cry for party purposes, and we ought to be hurled from our seats by a deceived and indignant people. Let me, therefore, exhibit a portion only of the proof upon which I propose to stand or fall, even if there were none other, in the judgment of every right-minded man.

DOCUMENTARY PROOFS.
North Carolina.

The recent trials and the reports of the Sen-

ate committee of investigation have shown the existence of a secret Ku Klux organization in this State, as we have already seen, of forty thousand men, controlling the election, murdering a State senator in the jury-room of a court-house on the day when a Democratic convention was sitting in the court-room overhead; able to put at defiance the courts; requiring martial law to be proclaimed by the Governor; strong enough to resist even that, and then strong enough to procure that Governor's impeachment for striving to execute the laws to protect his people and put down these crimes. Does any man doubt the existence of such an organization, under the names of "Heroes of America," "the Red Strings," "the White Brotherhood," "the Constitutional Union Guards," "the Invisible Empire," and the "Ku Klux Klan," all, save the last, significant of political organization? Does any one doubt that by the influence of these organizations the election in North Carolina was carried in the last campaign? Does any one doubt that the influence of these organizations has impeached Governor Holden, and now proposes to proceed with the impeachment of the Lieutenant Governor? If any one has doubts of all this, let him read the testimony of James E. Boyd, given under oath before the committee of the Senate, the substance of which no affirmative evidence has contradicted or denied:

"Question. What is your knowledge of the object and extent of this organization throughout the State?"

"Answer. I can only state from hearsay—what I have heard from members of the organization. The number of the members of the organization is supposed to be forty thousand. Their object was the overthrow of the reconstruction policy of Congress and the disfranchisement of the negro. There are two other organizations besides that of the White Brotherhood, as I said before. I was a full member of one of them and partly a member in the other. I cannot say that I considered myself really a member of the other. One organization was called the Invisible Empire. There is another organization, which rather superseded the White Brotherhood in my county, after it had gone on for some time, and was called the Constitutional Union Guards, whose oaths and manner of operation were about the same. There was very little difference; some change in the signs. The sign of recognition was by crossing the hand on the breast.

"Question. Were those separate organizations, with successive grades or ranks, all the same?"

"Answer. I think the Constitutional Union Guards and the White Brotherhood were not the same. The organizations originated in different parts of the county, having in view the same objects and with about the same grades. There was very little difference in their oaths or regulations, as to the manner of organization or proceedings. I never took the oath as a member of the Invisible Empire. I was at Raleigh last winter, and Dr. John A. Moore, who was at that time a Democratic member of the house of representatives of North Carolina from my county, and who was also a member of the White Brotherhood, and knew me to be such, informed me that there was another organization, which was intended to take the place of the White Brotherhood. It was known as the Invisible Empire; and he said that Hamilton C. Jones, a State senator from Mecklenburg county, had agreed to furnish him with the necessary authority to establish it in my county. He informed me what the signs were. The recognition was the same as that of the White Brotherhood, by turning the lapel of the coat as if looking for a pin, and if the party did not notice it, the one making the sign could inquire for a pin to call attention."

Here you find signs, pass words, and oaths. Look further, and you will find how night meetings were organized, showing that it was an organization to do its work by stealth and in darkness:

"They had a method of designating meetings in the day-time and night-time which I do not remember precisely, but I think a night meeting was designated by a half-moon drawn on a piece of paper, and the day of the month was put in different places about it, so that those who were well versed in the matter would understand it. The affidavit of John W. Long, who was a member of the organization, gave a full explanation of those things. It was admitted to have been correct, I believe, by other members of the organization."

Look still further, and you will find how this terrible banditti operated, and what was the objects and results of their awful work:

"Question. What has been the course of the leading men of your party, and of the press, toward you in consequence of the testimony given by you in exposing this organization?"

"Answer. I do not know, except as to the Sentinel, published in Raleigh by Mr. Turner, which is recog-

nized as the leading organ of the Conservative party. It has abused me very much, and consigned me to infamy in one of its articles directly after my evidence was published. Now, I had a conversation with Mr. Turner at Hillsborough. I was there at a meeting of the stockholders of the North Carolina railroad, on the 15th of July. I was at that time a candidate in Alamance county. He asked me the prospects of success. I told him I thought they were very good. He said then that he heard or had been informed or had some intimation that the Ku Klux were going to rise the night before election and go to the houses of the negroes and tell them if they went to the election and voted they would meet them on their return in the evening. I told him I thought it would be wrong; that I thought we would be able to carry the State, and it would be alleged as unfairness on our part, and would probably cause some interference on the part of Congress or the Government with the election; that we had had enough of such influence in North Carolina. Then he said: "If I were you, I would say nothing about it in my canvass, neither advise it, nor say anything against it; but if the boys can assist you in getting votes in that way, why all right. Everything is fair in election."

"Question. The popular name by which this organization is called being Ku Klux, what are the means adopted to deny connection with it?"

"Answer. In the explanation given by the person initiating it was stated that the organization was known to the public as Ku Klux, but that the proper name was White Brotherhood; and this difference was made so that when a person who was really a member of the White Brotherhood was put upon the witness-stand and asked if he was a member of the Ku Klux, he could safely swear he was not; that he did not belong to the organization whose members recognized that name.

"Question. In speaking about the punishing of men on these raids, in the first part of your testimony, what do you mean?"

"Answer. Whatever punishment was passed upon in the camp.

"Question. For what were they punished?"

"Answer. I do not know; just whatever they saw proper. If they thought the man ought to be killed for being too prominent in politics, they would have a meeting and pass sentence upon him. I have no doubt in my own mind (though I have no information from others that such was the case) but what Outlaw was killed in order to break up the organization of the colored voters in my own county, or frighten them away from voting.

"Question. Were other punishments inflicted in your county besides this?"

"Answer. Yes, sir. In consequence of Outlaw's murder a negro by the name of William Puryear, a half-breed fellow, who, it is said, saw some of his neighbors returning in disguise from Graham the night that Outlaw was hung, was drowned in the mill pond.

"Question. Were there any whippings in the county?"

"Answer. Yes, sir. I believe there were one hundred or one hundred and fifty in the last two years in the county, white and black. Some have been whipped two or three times."

Thus you will see it was political, and that its intents were, "all is fair in elections," even to murder. When did this organization, so terrible in its force, so secret in its action, so guarded by oaths, so heinous in its crimes, of which I have yet given you only two murders and a hundred whippings as specimens, begin? Let again the sworn testimony answer:

"Question. Do you know when this organization first started in North Carolina?"

"Answer. No, sir; my first knowledge of it was some time during the presidential canvass of 1868. I canvassed my county on the Seymour and Blair ticket, and went into the county of Randolph and made a speech at Liberty. There a gentleman from Guilford county, by the name of Higgins, came up to me and said that was his business; and I being a strong Democrat, and of course favorable to the cause, he had no delicacy in approaching me about it.

"Question. Was the order made use of to advance the cause of the Democratic party?"

"Answer. Oh, yes; undoubtedly.

"Question. Do you know who is the recognized leader and head of it in North Carolina?"

"Answer. I do not. President Johnson was said to have been the leader in the United States. That was the information given to the members when they came in."

What were its ramifications and what was its extent? Let again the sworn testimony answer:

"Question. Do you know whether that was true?"

"Answer. No, sir; only it was so stated.

"Question. Was there any understanding that the organization in the county was connected with the State organization?"

"Answer. Oh, yes, sir; that was understood, that it was connected not only throughout the State, but throughout the United States.

"Question. And ran down to a precinct?"

"Answer. Yes, sir; to a camp under command of a captain.

"Question. How long were you a member of the organization in good standing?"

"Answer. Well, sir, I suppose my standing was up to the time I was arrested by Colonel K. H. H.

But the fast-traveling minute-hand of the clock warns me that I must hasten on.

Tennessee.

You have already had these matters fully opened at your bar by the gentleman from Tennessee, [Mr. MAYNARD,] who has told you what he does know of the outrage and wrong in that State. You have also the fact that last year the Democratic Governor, after invoking in vain the whole power of the State to suppress these Ku Klux Klans, called upon the President of the United States for aid in that behalf, but could not obtain it because the Legislature was in session, and, although requested by repeated messages, they would not aid their Executive in that behalf to have life and property protected; so that they fully appear to be in collusion with that organization. So far as Tennessee is concerned, I desire to add only a single letter from the office of the supervisor of internal revenue to bring down the acts of this Ku Klux organization to the present time; and while I mourn, as I ought, the unnecessary shedding of blood, yet I thank God for the courage of that negro, who, in defending his own roof-tree and hearthstone, shot down the sheriff and constable who, as a leader of the Ku Klux, invaded both! Does any Democrat want more evidence as to the existence of the terrible order of Ku Klux Klans in Tennessee? If so, I refer him to the several acts of her Legislature on her statute-books, passed in attempting to suppress that order, but in vain, because there was no power in the State strong enough so to do.

UNITED STATES INTERNAL REVENUE,
SUPERVISOR'S OFFICE, DISTRICT OF TENNESSEE,
NASHVILLE, March 8, 1871.

GENERAL: We have to inform you of another of the numerous outrages which are of such frequent occurrence throughout Middle and Western Tennessee. We are informed by reliable men that on Thursday night last a large force of Ku Klux went to the house of two respectable colored men near Murfreesboro to take their lives, but failed to find them. They (the Ku Klux) returned to the house of these colored men on Friday night, and again the colored men were out; but on Saturday night last the Ku Klux again visited these two colored men and demanded admission, &c. The colored men refused to admit them or to come out. Then the Ku Klux fired on them through the window, one of the bullets striking a colored woman, wife of one of the men, and wounding her through the knee badly. The colored men then fired on the Ku Klux, and killed their leader or captain right on the steps of the colored men's house. The Ku Klux were masked and decorated with their infernal regalia. They tried to get the body of their leader away, but the colored men stood their ground bravely, and obliged them to leave him there. And there he remained until morning, when he was identified, and proved to be "Pat Inman," a constable and deputy sheriff of Rutherford county. These two colored men are now hiding for their lives, and are being searched for nightly by these fiends in human shape. They have succeeded in getting a letter to us, written by a reliable Union man in Murfreesboro, giving these facts, and got it through by a messenger, who also gives us these statements.

We immediately went to General Pennypacker, post commandant, and got an officer and fifteen men from the sixteenth infantry, and with two deputy United States marshals have sent for these colored men, and to arrest some of the Ku Klux if possible. The colored men reside near Murfreesboro, and are reputed to be honest, quiet men, but firm Union men. Their names are Wiley and William Kinsbro. We feel that they ought to be protected, and are trying to aid them; but unless your bill, or some similar one, becomes law and is vigorously enforced, no Union man can remain in Tennessee in six months more. Strange as it may seem to men residing in the quiet North, not one word is said against these outrages by the Democratic newspapers or native citizens, except by a few sound Union men.

Revenue officers and Union men are constantly driven off, whipped, maltreated, and shot frequently all over Middle and West Tennessee. Our revenue officers and deputy marshals were fired on only four days ago at Chestnut Mound, Smith county, Tennessee. And now we appeal to you and Congress for aid and protection.

Very respectfully,

WILLIAM A. GARETT,

U. S. Revenue Department, State of Tennessee,
W. H. GOODWIN,

U. S. Commissioner, late Judge Wilson Co. Court,
Hon. B. F. BUTLER, M. C., Washington, D. C.

Kentucky.

Do the Ku Klux banditti exist in Kentucky, that dark and bloody ground, where the savage and brutal passions of men never yet have found restraint either by time, place, or cir-

cumstance, civilization or education, so that neither the palsy of years can control them, gray hair soften them, the solemnity of place or occasion curb them, inasmuch that their untaught and untamed outbursts may break forth even in the Senate Chamber of the United States, their impotent rage exhibiting itself with the whining and piping voice of an imbecile and unhonored old age?

Listen to the evidence that the Ku Klux order still reigns in Kentucky, and its Legislature connives at its power, its outrages, its felonies and murders, by refusing to pass laws for their suppression. I quote the Louisville Courier-Journal of March 24, 1871, a Democratic journal, which, in describing the doings of the Legislature of Kentucky, thus avers the truth of its delineations. It says:

"Our sole object is good Democratic government. The record is down in good black and white. No man can go back of that." * * * "The Kentucky Legislature has adjourned at last. It eked out its existence as long as it was able, and died reluctantly. No one mourns it but itself." * * *

"The record it leaves behind it is simply disgraceful." * * * "Take its action on any one of the leading questions that came before it—the Cincinnati railroad bill, the Ku Klux bill, the conventional interest bill, the negro testimony bill—and we have nothing but a weary chronicle of purposeless imbecility and pretentious display." * * * "But what shall we say of its treatment of the Ku Klux bill? It piddled from first to last, and dared not act. Its timidity served to encourage violence, which increased its audacity. Outlawry went on unchallenged under its very elbow. It paid no attention to the North Benson affair, which rang all over the country. It did not so much as rebuke the raid upon Frankfort." * * *

"In the matter of the Ku Klux we see how its non-action has embarrassed us at Washington. Our Senators and Representatives are weaponless. They say nothing. The Legislature has put the weapons in the hands of the enemy." * * * "The idle gabble that the Ku Klux are Radicals in disguise is even weaker than the silly platitudes that there is no such thing as the Ku Klux at all. If the Ku Klux are Radicals, the more reason to put them down. If there is no such order, there is outlawry which calls for extraordinary appliances. These appliances our Governor recommended. The press urged them. But the Legislature stood with a cigar in its mouth and a champagne glass in its hand, and would do nothing." * * * "The record is down in black and white. No man can go back of that."

Is further evidence wanted of Ku Klux or their deeds in Kentucky? Let the many-times-attempted-to-be-murdered black mail agent on the route between her principal cities answer, who was trying to convey some intelligence to her citizens, guarded by soldiers of the United States, until the Government, tired of the profitless and dangerous attempt to enlighten them, left Kentucky to her own ignorance and darkness. Alas, for Kentucky when under Democratic rule! Neither rebel nor loyal in the war, endeavoring to maintain a treacherous neutrality when the life of the nation and the perpetuity of republican government hung trembling on the arbitrament of arms, not daring to stand openly with either side, but in fact in secret league with treason, she remained weak and powerless, to be raided over by the guerrillas of both, until, by the confession of her own favorite journal, she has lost in peace all semblance of a Commonwealth, and relapsing into barbarism, is impotent to protect her own capital from the raids of felon outlaws, who murder her citizens while her legislators stand approvingly looking on, with a cigar in mouth and a glass of champagne in hand. Thus her renown is to be only that of a battle-ground of disorder and anarchy. Let us write of her as was commanded in the Apocalypse the angel of the church of Laodicea, "I know thy works, that thou art neither cold nor hot: I would thou wert cold or hot. So then, because thou art lukewarm, and neither cold nor hot, I will spew thee out of my mouth."

Mississippi.

In this State we have a Republican Legislature and a Governor who was elected as a Republican, but of whose fidelity to his party and principles some of the best and most reliable men in that State have the gravest doubts. Let us see what effect on the Ku Klux the sup-

posed Johnsonizing even of the chief magistrate has had. It seems agreed, that so long as Governor Alcorn remained true comparative peace and quiet blessed the State. But within a few weeks the most terrible outrages have been perpetrated, and there is plenary evidence that the Ku Klux, extending its organization there, has control of the lives and fortunes of its citizens. The first piece of evidence that I shall educe is a letter written by a gentleman of the highest standing in that State. I suppress his name for obvious prudential reasons. His life would not be safe an hour if his name were known; but if I were able to give that name from the original letter, which I have, his statement would carry conviction to every one who heard it. Here, then, is the opinion of a distinguished citizen of Mississippi, well able to judge, written to one of her Senators:

[Confidential.]

MISSISSIPPI, March 16, 1871.

MY DEAR GENERAL: The condition of things in this State is far from being as promising or pleasant as it was before you left us. The people (I mean the rabble and their cursed leaders) have not yet been conquered, but only cornered; and, thoroughly organized, only await the slightest opportunity or assurance of weakness in the maintenance of the laws to break out in a grand carnival of the most hellish crimes.

Up to within a few weeks the country was comparatively quiet, and apparently it was safe to come and go anywhere in the State at pleasure, but the Governor up to that time seemed to be firm in his determination to enforce law and order at any expense or sacrifice; at least this was his position on paper, and the test had not been proved thoroughly.

But we are now on a different basis. This whole State is a smoldering volcano, seething and burning with a desire to burst forth and wipe out the true Republican element. I am afraid that most of these people, who, in the language of Governor A., are "racy of the soil of the South," desire to wipe out the northern Republican element as standing in the way of a speedy return, through violence and crime, to a system of compulsory servitude, that being what they all have been taught to believe is the only system with which lies success. With none but this element in power, and with an organized system of lawlessness or carelessness of human rights or even life, legislation might be framed to accomplish this purpose quite as effectually as slavery itself. I tell you, that though slavery is apparently dead and freedom has risen instead, that it will not last, unless the strong arm of some government is raised to crush out the hellish designs of Democracy. Law and order must be maintained and made respectable with the masses; and the spirit of crime and its accomplishment must be made odious here and crushed out.

Other published reports and documents sustain the existence of this state of things, which calls imperatively for the action of Congress. I will not trouble the House with the original extracts from the papers giving accounts of outrages, as they are thoroughly notorious to the country and never have been denied, but content myself with a simple statement of the facts, every one of which can be verified and will be verified by legislative investigation which is now going on there.

In Meridian a riot was inaugurated by white men in a court-room, in which the judge and eight or ten negroes were killed. Hon. William Sturgis, mayor of the city, was arrested by an armed band, and put on board the cars, and ordered to leave for the North, and compelled to promise he would never return. Hon. J. Aaron Moore, a member of the Legislature and a minister of the gospel, a colored man, was hunted through the woods, and every train guarded for his capture, and he only escaped with his life to Jackson. That night his house and all his property was burned over the heads of his family, and they were turned out of doors in a condition which in a moment will be described to you in his own words. The same night the African church in that town was burned. In the following letter Mr. Moore describes the condition in which he escaped with his life:

JACKSON, MISSISSIPPI, March, 1871.

Hon. A. AMES:

I take the opportunity to inform you that I have had a great deal of trouble. You have heard of it. I thank God that I am yet alive. I find a ha-
to get to Jackson; and after I got here my wife and children came and told me that our house was burned down and all that we had burned up. They didn't

have a rag of clothes but what they had on, and not a mouthful to eat. My family are in great suffering. I am driven from home, and have no house that I can put my family in. What shall I do? I thank my God that I am yet alive. There will never be any peace at Meridian until it is put under martial law; and, in my opinion, they should understand it. I have the honor to remain, your humble servant,
J. AARON MOORE.

Governor Alcorn has telegraphed here that a riot occurred in Meridian, which was at once suppressed, but that the matter was to undergo legal investigation. Gentlemen of the House of Representatives, I have the result of that legal investigation into the murder of eight men, the arson in the night-time of dwelling-houses and churches, and the forcible extradition, under threats by an armed band, of the mayor of the town, and the escape, with his life, of the representative of that city in the Legislature of his State. What do you suppose was the severe punishment meted out for such murders and felonies? Two men were bound over by the examining magistrate in the sum of \$500 each to answer to the grand jury for an unlawful assembly, or such other charges as might be brought against them, and another one in the sum of \$100. And this mockery of justice is the legal protection that Governor Alcorn gives to the citizens of his State!

The Governor's telegram goes on still further to say that some "minor offenses" have been committed on the borders of the State, near the Alabama line. What do you suppose those minor offenses were? I will give it in the words of a paper published in that State, showing the person upon whom it was committed and the motives of the perpetrators. Colonel Allen P. Huggins, assessor of the United States internal revenue for the third district, was seized by a band of one hundred and twenty armed men, whipped, and driven from the State, and has come to this capital to report the facts to the Treasury Department.

In the committee-room of your committee, which reported the bill now under discussion, were corroborated all these facts. He was presented to the gentlemen of the committee on both sides of the House, and they were thus afforded opportunity to put such questions to him as they desired for the discovery of the truth. Here, then, is the case of a United States officer, a gentleman of high character, a brave and gallant soldier of the Union during the war, his person scourged with one hundred lashes of an accursed whip, and himself driven from his home, simply because he was a United States officer in discharge of his duty.

Let me first read you the description of the crime, with the motives of its perpetrators, from a paper published in the State:

"Another Outrage.—Hon. Allen P. Huggins, the United States assessor of the third district, and who resides at Aberdeen, Monroe county, was a day or so ago compelled to go out in his county in pursuit of the ordinary requirements of his office. While so engaged he stopped for a short time at the house of a gentleman, where he was well received and all the courtesies that could be expected from a stranger were extended to him. It was about ten miles from Aberdeen.

"While there he was waited upon by about one hundred and twenty-five men, as we have been informed, and ordered to leave the county in ten days. It was also stated to him, as we are informed, that there were no particular complaints to make of him individually, but that the tax laws were so obnoxious that it was the intention of a certain class of the people to defeat them, if possible; at any rate, to resist their enforcement.

"Mr. Huggins was taken out by a masked body of about one hundred and twenty-five men, was given one hundred good, sound lashes, and then released. "The leader of the party said that there was no prejudice against Mr. Huggins individually, but that it was the intention of the people whom they represented not to pay taxes which were assessed upon them last year."

Now, hear the same thing described in the hellish language of the Ku Klux Klan that did it, as published in a Democratic journal, which ought to be respectable, in the town where he had his office; how the person of a soldier of the Union was disgraced with twenty-five lashes, and then, upon refusing to obey their commands, seventy-five more were inflicted, until the very life was crushed out of him.

The Tri-Weekly Examiner, published at Aberdeen, contains the following article in its issue of the 15th instant:

Our "Midnight Correspondence."
The following communication, dated from the realm whence "the ebon goddess looks down in rayless majesty upon a slumbering world," was dropped in the post office for us on Monday.
Of course we have no means of ascertaining whether it is genuine or not; but, as the paper upon which it was written had rather a sepulchral savor and the ink had been sanded with pulverized sulphur, we will submit it to the scrutiny and judgment of our readers, merely remarking that we have erased a portion which was personal in its allusions, in accordance with the rules of our office:

— MIDNIGHT, March 13, 1871.
Major JONES: Hearing a great many things that are not so, as to the proceedings of our organization, I have concluded to give a few facts, which you will please publish in your Thursday's issue. We disturb no man who holds his tongue and attends to his own business, leaves home only at proper times, and provides for his family decently, and correct the whites as often as the blacks.

We understand that Huggins says he did not promise us to leave; if such is the case, he reported falsely. We gave him twenty-five lashes gently, then asked him if he could leave this part of the "moral vineyard." He replied very independently that he could not make any such promise. One of the men that was killed at Metz then took charge of the silk ribbon, and gave him twenty-five more, but he still refused to make any such promise.

Count Bismarck then took charge of the ribbon, and went up among the stars with it and came down on him, and if there is any truth in him he belched it out. We gave him ten days, and he said he would be gone. We hope he will fulfill his promise, for if we have to call on him any more, Ulysses will have to appoint an internal revenue officer to fill his place. We understand that the major and others have gone down to Jackson to see about organizing the militia; if so, when they return please tell them to notify us through your paper. We want them to move their command up on Splunge and Sipsey. We want them all up there to fertilize and enrich that soil.

If any of the gentry wish to see us, they will please call at our office at about seven a. m.

Hoping to see this in your next issue, we remain, in the name of peace and order,
K. K. K.

But I have detained you with this document too long, the like of which was never before seriously published in a civilized community; but there appears to be too great evidence of its genuineness and the hellish purposes of its threats.

A few weeks before, four negroes were taken from the neighborhood of this same Aberdeen and carried across the borders of the State into Alabama and never yet have been heard of, and their bones, beyond doubt, are now whitening in some forest, denied even the sepulture of an unknown grave. And these are what Governor Alcorn tells you are "the minor offenses on the border of the State of Mississippi!" Judge ye what are the major.

Need I go further? Need I vex your ears or fill your souls with righteous indignation by a further recital of these grievous wrongs? If there were no others nor no more in the United States, would not Congress be justified in using the whole power of the Government, under the Constitution, to redress these wrongs and prevent their recurrence as a disgrace to the country and the civilization of the world? No other nation on earth would permit its citizens to be thus tortured and murdered and its officers stricken down defenseless and unavenged.

Compare the safety of an American citizen in his own country, on his own soil, under his own flag, with that of a British subject where ever the rising sun greets his flag all around the world. In far-off Abyssinia five British subjects were imprisoned, and that Government went to war, at an expense of millions of treasure, with the array of thousands of men, to punish the barbarous king who captured them and compel their release.

In Greece a lawless banditti, in the mountains, captured and murdered three British subjects, and the British Government made instant demand for reparation, and the whole power of the Greek nation was brought out to hunt down and punish the men who committed the murders, and yet England is not satisfied until full indemnity is made; while we are debating here whether the United States Government has any power under the Constitution

to either suppress such crimes or to punish the offenders, and men get up and suggest grave constitutional doubts, and men representing Republican constituencies question whether there is any competent legal authority in the United States to protect its own citizens under its own flag and upon its own soil, and yet a great political party, through its Representatives, denounce the bill which is intended and adapted as best we could to give the President of the United States, the Chief Executive of the nation, the power to redress these wrongs as "infamous." The bill, indeed, has one infamous feature. It puts its antagonists, who cover up these crimes and thereby become accessories in their commission, in a position before the civilized world that will make them infamous now and forever.

Alabama.
While my colleague from the eighth district [Mr. HOAR] was speaking he was interrupted by a gentleman who represents a district in that State on the other side of the House by saying that life and property were safe and undisturbed in his district. His colleague from the same State [Mr. BUCKLEY] rose in his place the other day and informed us that from his personal knowledge a mail agent of the United States was shot in the mail-car, even as he was sorting his letters, by disguised men, and nobody had been arrested for the deed.

I will not multiply further testimony of the bloody outrages in that State, save simply to call the attention of the House to a publication of the American Missionary of October, 1870, of the taking from the hands of the officer of the law and murder of Rev. W. C. Luke, a clergyman of the Methodist Episcopal church, and a missionary in that benighted region, whose only offense was that he was teaching the blacks the rudiments of an education under a commission from his bishop. Himself and four of his pupils were taken from the hands of the sheriff, who had arrested them, although they had done no wrong, and at midnight, by a band of thirty armed ruffians, hanged to trees, his murderers even refusing to transmit a last letter written to his wife and little ones as he was preparing to yield up his spirit to Him who gave it:

[From the American Missionary of October, 1870.]

Remarks of the editor.

"We do not often publish accounts of the outrages of these American Thugs. They are so harrowing to the feelings, the daily press so teems with them, and there seems so little hope of immediate relief, that we spare our readers.

"But this narrative is so entirely reliable, the facts are so touching, the innocence of the victim so complete, and the closing letter so calm, heroic, and Christian that we cannot withhold it. In the name of God and humanity, is there no remedy for these murders? Of what avail was the war? Of what value was the peace that leaves the land to groan under such outrages?"

"The Murder by Ku Klux of W. C. Luke.—About a year ago (July, 1869) W. C. Luke left his wife and children at their rural home in Canada, and bearing from his Methodist pastor a letter, telling of his long service as Sunday-school superintendent, he appeared at the A. M. A.'s rooms in Cincinnati, asking for information in regard to a suitable field where he might establish a village school for freedmen and make a home for his family.

"It so happened that I met him at the A. M. A.'s rooms, and he decided at once to go to Talladega, as clerk and carpenter, till the public schools of Alabama should open.

"Not having expected to go so far, he would be short of means, and so sawed wood the remainder of the week to pay his expenses over the Sabbath, till we should go to Talladega.

"We soon found him a faithful and earnest man, doing with his might whatever his hands found to do. He readily adjusted himself to our modes of prayer-meeting and Sabbath-school work, and became a working member of our church."

"Various threats were circulated, till finally shots were fired just over his bed after something had been thrown against his window, evidently to make him sit up in bed. But the lives of others only were endangered, as he happened to be absent that night.

"Luke seemed not disheartened, but he delayed sending for his family."

"The next day Luke and a large number of colored people from Petona were arrested with out form of law."

"At the preliminary trial all but four freedmen and Luke were released.

"Near midnight from thirty to sixty disguised

armed men rode up to the house where the sheriff was keeping the five men, and, after a plea or two from persons present in behalf of the prisoners, they quietly said to the sheriff 'Hands off!' and bound the five men.

"After considerable pleading they permitted brother Luke to write to his wife and a little time to pray. (I will inclose a copy of his letter, which was found sticking to a rail next morning.)

"They then took them half a mile from town and hung them to three trees by the roadside.

"Two apparently were taken down and shot to provide ropes for the others.

"At the coroner's inquest on Monday all five were laid side by side, with their hats turned over their faces and a rail pen put around them.

"The friends of Luke with difficulty and danger succeeded in getting his body Tuesday morning, and buried it in Talladega. The friends and relatives of the others dared not go near their bodies, as they lay there alone, under one of the trees on which they were hung.

"They were buried by the town a day or two later. "Luke's funeral was attended by many of the leading citizens, white and black, of whom not a few felt that this was the deepest affliction of their lives."

Copy of the letter written by W. C. Luke to his wife on the night of his death by hanging.

PATONA, July 11, 1870.

MY DEAR WIFE: I die to-night. It has been so determined by those who think I deserve it. God knows I feel myself innocent. I have only sought to educate the negro.

I little thought when leaving you so far away that we should then part forever.

God's will be done! He will be to you a better husband than I have been, and a father to our six little ones.

There is in the company's hands about two hundred dollars of my money; also my trunk and clothes are here.

You can send for them or let Henry come for them as you think best.

God of mercy bless and keep you, my dear, dear wife and children!

Your

WILLIAM.

Let each member of the House read that letter, and ponder on the circumstances of his death, as published in a Christian magazine, no word of which has ever been denied, and then let him vote against a bill to repress such outrages if he dare; and then reckon with the people of his country, and afterward with his God!

Florida.

Here it is also true that we have a Republican Governor and a Republican Legislature; but the Legislature is powerless to protect its members, and the Governor is inefficient or powerless to execute the laws; or else both are as supine and senseless upon this subject as we hitherto have been in Congress. The honorable Mr. Hamilton, our colleague in the last Congress, came to me in the House when we were voting the other day to adjourn this Congress finally, without doing any business, or afford any protection to life and property in his State, under the resolution introduced by my colleague, and, with tears standing in his eyes, informed me that his friend and representative from the county in which he has his home was murdered by the Ku Klux Klan, his only offense being that he was so popular with the community among whom he lived that he was the only Republican in the county who could carry it in the coming election against a Democratic competitor.

Even invalid women, who have been tempted to seek a home in that milder climate to eke out a life periled by disease, are not safe from outrage; and by the judgment of the court there is no law in Florida to protect them. Let me read to you extracts from two letters which I have received from gentlemen of standing and probity even while this bill is under discussion, and whose name, for reasons that appear in the postscript to one of them, I suppress, in proof of the fact that the laws of the United States do not even protect the occupants in the peaceful possession of property purchased from the Government, to say nothing of that owned by a less valid title:

ST. AUGUSTINE, FLORIDA, March 20, 1871.

DEAR SIR: * * * * * Hordes of ruthless, armed men, scarcely less desperate than savages, within the past three days, entered by force and took possession of property purchased by loyal citizens from the agents of the United States Government, and occupied by feeble, invalid ladies; and by these armed men these ladies, with their furniture and their protectors, were forcibly thrust out of

doors. And the intruders now hold possession in fearless defiance of any law that now exists, as through fear or prejudice all existing laws are inoperative. * * * * *

Hon. BENJ. F. BUTLER, M. C., Washington, D. C.

ST. AUGUSTINE, FLORIDA, March 24, 1871.

DEAR SIR: The case of outrage against loyal citizens of the South, who were invalid, timid ladies, by a disloyal horde of semi-savages, reported to you in my respects of the 20th instant, culminated on the 22d instant in this wise:

Complaint and affidavit had been made before a justice of the peace against the invading parties for a violation of the peace in entering by force and violence, and without pretense of law, and forcibly ejecting the persons and property of the loyal and lawful occupants and representatives of the owner of the premises, and asking that they might be restrained and held by sureties for their future peace.

The justice, on hearing counsel at the opening of the case, very gravely decided that he "failed to find any law in the statute-books making it an offense to enter a house unlawfully," and forthwith "dismissed the (ten or twelve) accused with costs to the complainant."

The foregoing will serve to illustrate and confirm the statement made in my previous reports, that our laws are inoperative in all cases where the conflict is between loyal and disloyal persons.

Reiterating our most earnest prayer for some immediate relief from all such and similar outrages, I remain, dear sir, very respectfully, your obedient servant.

[Name suppressed for prudential reasons.]

Hon. BENJ. F. BUTLER, M. C., Washington, D. C.

P. S.—Pending and during the aforementioned proceedings, repeated threats and intimidations were made by these disloyal parties, that parties taking sides against these outrages ought to be driven out of town, and that they had better be careful and not be found in certain localities in the woods, or they would be in danger of assassination in ambush.

Mark the complacency with which the Florida Justice Dogberry writes himself down an ass by declaring that there is no law in that State to prevent the forcible entrance of armed men upon the property in peaceable possession of others, turning them out, and keeping them out by force of arms. If that be true, is it not time that a bill was passed making an unlawful banding together to do any act to deprive any citizen of the United States of the peaceable enjoyment of life, liberty, and property guaranteed him by the Constitution a crime under the laws of the United States, so that the Constitution may become operative to give the citizen peace and protection under it? Georgia.

The affairs of this State have been fully discussed before the House again and again. The attempt to change a legislative majority by the murder of enough men to alter that majority; the violently thrusting from their seats of the duly elected members, and putting others not elected in their seats, which caused Congress to remand the State for a time again under military rule, and the fact that there have been for months past columns of advertisements by the Governor containing offers of reward, in the aggregate amounting to \$40,000, for the detection of eight different murders and outrages, not one of which rewards has been claimed; not one of the perpetrators of which has been punished, shows that the Governor, however well disposed, is powerless by the ordinary process of judicial and State executive power to protect the citizens against midnight bands of stealthy ruffians.

South Carolina.

The Executive of the State of South Carolina having found it necessary to call upon the President of the United States for interposition of arms renders it unimportant to produce evidence that in that State, at least, the State authorities are overborne by these organized bands. The President has issued his proclamation, under the law as it now stands, commanding these armed insurgents to disperse; but as they assemble each night and disperse with the rising sun each morning, such a proclamation, although required by law, seems almost as ludicrous as it is futile.

But how was the proclamation of your President—the only exhibition of executive power he could under the laws make—received by these sworn banditti? Let the murderous facts answer. After your President's proclamation

was published there, we hear that Dr. Win-smith, a resident and native of the State, a man venerable in years, loved in his community for the probity and virtues of his character, having filled many offices of trust and honor, was ruthlessly murdered at night by one of these bands who gather at night and disperse in the morning without any presidential proclamation. This act was done near the town of Spartanburg, and I append the sworn testimony of a witness as to the existing state of outrage in that community:

SPARTANBURG, SOUTH CAROLINA:

Personally appeared Henderson Cash before me, Enoch Cannon, notary public, and made oath that he was always loyal to the United States Government; that he is now forced to denounce the Federal Republican party to save his life, and that the Ku Klux had given him notice if he did not denounce Republicanism that they would kill him; and that they had been to and broke into his house on the night of the 25th of February; but that he (Cash) was in the forest, as usual, for the safety of his life. Said Cash further says that there is a general reign of terror in the community, which is in the community of Cowpens battle-ground, Spartanburg county, South Carolina, and that loyal men are afraid to sleep at home in consequence of the many brutal outrages inflicted upon loyal men for the support of the Republican party.

Sworn to, &c.

E. CANNON, Notary Public.

Your President's proclamation, therefore, and all the force of your Constitution and laws, are now powerless to protect the life of an honored citizen on your own soil under the flag, to sustain which as a symbol of your power you sacrificed three hundred thousand lives and five thousand millions of treasure. Now, indeed, it seems as if our sons and brothers died in vain.

Bear with me, even in the fleeting moments of time which remain, while I call the attention of the House a little more in detail to these crimes; to the condition of this new rebellion against the laws of the United States in South Carolina. She had the bad eminence to lead off in the late rebellion, and her people, by their lawless acts, entitle her to a like bad prominence in this new one.

In the beginning of this session of Congress, in the discussion of the motion of the gentleman from Indiana that the committees should be appointed by the Speaker, so that we might proceed in legislation, I offered to have read as a portion of my remarks an official report of the chief constable of that State, showing that since the 20th of October last, in five counties only, more than twenty men had been murdered, including two judges of probate, a legislator, and a county commissioner; that jails had been broken open, ten men taken therefrom and eight hanged, and that hundreds of men and women had been whipped, or were fleeing for their lives to the woods and swamps to protect themselves from rapine and murder. This official report was ruled inadmissible by the Chair upon the objection of the gentleman from New York, [Mr. Wood,] who now stands here denying that there are any outrages in the South demanding our interposition, while he objects to official evidence thereof being received, upon the ground, I suppose—for none was stated, and I confess my ignorance of parliamentary law—that it was not proper to show that a state of anarchy existed in a portion of the States of this Union as a reason why committees should be appointed, so that we could proceed to legislate to remedy the evil.

The gentleman from New York, having smothered the official evidence of the facts, stands up here and reads by the hour, more or less, the common-place phrases of the Governors of States, in their annual messages, wherein they flatter their people, in the hope of reflection, as evidence that all is quiet at the South, while he objects to the reading of the official report of twenty murders.

The movement was keen, astute, foxy, worthy of its author, but will deceive only himself.

The gentleman from Ohio, [Mr. MORRIS,] was driven to still greater strait for evidence

mankind than the rule of such men. They may carry an election; they may for a time terrify the friends of the country; but their reign, like the earthquake and the hurricane, can be but for a short season. The man who masks himself and rides at night, who drags the helpless from their beds to inflict scourging and murder, who overpowers in cowardly clans of a hundred to one the object of his spite, does to his own nature a monstrous wrong, demoralizes himself, wastes his power, and disfranchises all that is godlike in his soul. He may terrify for a time the poor victims of his malice, but they, too, can easily use such vulgar weapons, and he must soon grow weary in his shameful calling.

The rebellion left many scars behind it, many sad battle-fields with their mounds of dead, many orphans, many cripples, many burnt and desolate places, many great graveyards, many disappointed and grieving hearts; but the saddest of all the relics of the war are those malignant, treacherous, unrelenting souls, yet untouched by the magnanimous forbearance of their countrymen who have forgiven and almost forgotten their treason, now kept only alive in memory by their matchless malignity. These men cannot expect to thus defy the public sentiment of all the just, to outrage human nature, to carry on war upon mankind; to strike at the vitals of society by stealth, by treachery, by violence, by perjury, by conspiracy, and by death, and not be visited at length by all the power of an incensed nation, swift to do justice. The evidence of these wrongs has been accumulating. Men were slow to believe in their existence, but they have at length been forced upon the public view; and the whole people, appalled at their enormity, demand that they be stopped at once.

The commission of isolated outrages is not what is complained of, but of crimes perpetrated by concert and agreement, by men in large numbers acting with a common purpose for the injury of a certain class of citizens entertaining certain political principles. A mere assault and battery, or arson, or murder, done with or without premeditation, is a very different thing, and need cause and does cause no alarm; nor yet does the more formidable existence of local regulators. The law is believed to be sufficient to cover such cases, and the officers of justice amply able to arrest and punish the offenders. But there is a step beyond this, which calls for additional safeguards to the public, and which seems to be unprovided for. Our Government has been framed upon the presumption that all the citizens were well-disposed toward it, and would aid it in the administration and execution of the law, and that each separate community would of its own motion arrest and punish all criminals. Upon this theory we had acted until the breaking out of the rebellion.

Since its suppression we have drifted back to the old position; but find an altered state of circumstances, an unusual condition of society. We find that the commission of a certain class of high crimes is not noticed; that the offenders are not arrested, put on trial, or punished, as may best suit the people in certain districts; that there is no liberty of speech or suffrage and no protection to life and property in those places to all equally. We find that, in consequence of the rebellion and the acts of reconstruction, there is a persistent, organized effort to overthrow the law by secret crimes and by systematic perjury in cases of arrest and trial of those committing them, thus eluding the officers of justice. We find a society, with well-known names, such as the Ku Klux Klans and the White Brotherhood, with officers, with obligations of secrecy, with a large membership, numbering thousands, extending over counties and over States, whose object is to perpetrate these crimes and to screen from punishment others who are guilty. We find that this society is political in its nature, is exclusive in its membership, and is

utterly hostile to the Republican party and to the Union of the States, and that its victims are members of that party.

We may fairly say that, however bad it may be to commit crimes, it is an additional wickedness to conspire together to do so. It argues still greater depravity to organize their commission into a system, but the very height of criminal enormity is reached when these banded outlaws, with murderous hands, strike at innocent and helpless men for merely entertaining certain political opinions. The proof of these facts is before the country, and has been accumulating from year to year. The occurrences in Louisiana in 1868, resulting in the death of two hundred and ninety-seven persons and the driving of thousands of men from the polls by the Knights of the White Camelia, gave astounding proof of the existence of this Democratic, secret, murderous society. The reign of terror was absolute, and the life of a Union man was as a mere straw before this ruthless and abominable organization. The Governors of Louisiana, Alabama, Arkansas, Georgia, Florida, Tennessee, North and South Carolina, have invoked the aid of the General Government time and again to repress these outrages during the years 1868, 1869, and 1870. The officers in command of the departments of the southern States all report these organizations and their fatal fruits. Generals Thomas, Mower, Terry, Reynolds, Rousseau, Meade, Buchanan, Canby, Cooke, Hancock, Pope, Ames, Sickles, Halleck, and others stand up as witnesses against them. The records of the War Department are full of these facts. The evidence before the Senate committee in reference to affairs in North Carolina is an additional confirmation of them.

The following is the testimony in the Louisiana election cases, 1868, of General Edward Hatch, in charge of the Freedmen's Bureau in New Orleans in October and November, 1868, as to the crimes in that vicinity committed by Democrats on Union men to carry the election then:

"Question. Do you recognize this report?
Report of Brevet Major General Hatch, Assistant Commissioner Freedmen's Bureau.

Killed.....	297
Wounded by gunshot.....	50
Maltreated.....	142
Total.....	489

"Answer. Yes, sir; these are the numbers. No case was reported unless it was thoroughly investigated and substantiated. We reported sixteen killed at St. Landry. This was considered an exaggeration by General Rousseau, who sent his inspector, Captain Hooker, down to investigate these matters, and he reported five times as many killed as I did.

"Question. What color were the 297 killed and 50 wounded?

"Answer. Black.
"Question. What period of time does that embrace?
"Answer. Probably one month.
"Question. For the whole State?
"Answer. No, sir; just the parishes adjacent to New Orleans.

The records of the War Department contain reports which I notice briefly as follows for want of time:

"November 17, 1868, General George H. Thomas, commanding department of the Cumberland, forwards letter of Captain William Folck, inclosing a copy of a letter addressed by the Ku Klux Klan to Mr. Willard Davis, of Lexington, Kentucky, in which Mr. Davis is warned to leave the State within thirty days, or, if not, he will be hanged.

"Captain Folck states that similar letters were sent by the Ku Klux Klan to Mr. Cassins, Mr. Goodloe, Dr. Davidson, and others; that the lives of Union men are imperiled; that a few nights ago two men were taken from the jail at Nicholasville, Kentucky, by an armed force of seventy-two men, (mounted and masked,) and were hanged near the suburbs of the town.

"October 5, 1870, Governor H. Reed, of Florida, informs the President of the United States that in several counties of the State the officers of the law are set at defiance by organized bands of enemies of the Government; that it will be impossible without military aid to secure a fair vote at the election in November; requests the presence of at least five companies of Federal soldiers with energetic officers, to be placed at his disposition for a period not exceeding four weeks. Seven petitions, communications, &c., accompany Governor Reed's letter.

"April 30, 1869, Governor Warmoth, of Louisiana, in a communication to General Mower, commanding

department of Louisiana, inclosed letter from the judge of the twelfth judicial district of the State, relative to the crime and lawlessness prevailing in the parish of Franklin, and the necessity for the presence of United States troops there in order to secure the enforcement of laws and the life and property of citizens, and states he was constrained to inform him that at present there was no adequate protection for the law-abiding citizens of that parish, it having been one of the most turbulent in the State, and the civil authorities were powerless to protect them; asked, therefore, that a company of troops be sent to that parish, with instructions to sustain the civil authorities.

"General AMES, in addition to the above, reports as occurring since March, 1869, thirty-two murders, (including that of Colonel Cranc,) thirteen assaults with intent to kill, and thirteen outrages; states that a number of persons charged with committing these murders, &c., were arrested by troops and held at different posts for trial by military commission, thirteen of whom were taken from his control on their application to the United States judge.

The report contains reports of post commanders, sheriffs, and others, relating to murders, &c., in aggregate as follows: murders, twenty-two, and upward of forty outrages, (including murders, assaults, arson, &c.) the perpetrators, with but few exceptions, escaping.

June 14, 1869, J. De F. Richards, professor and president pro tempore of university at Tuscaloosa, Alabama, in a communication addressed to the Secretary of War and bearing the signatures of three other professors of that university, states that there exists in that section of the State a most deplorable condition of things, those opposed to the measures of reconstruction as adopted by Congress being exceedingly hostile and bitter against all who may differ from them politically, especially against northern men and the colored people. This extreme hostility, it is thought, exhibits itself in frequent acts of violence, murder, and assassination, and it is asserted that not less than twenty good and law-abiding citizens of Tuscaloosa county have been murdered by bands of outlaws within the past few months, yet not the first step has been taken to arrest and punish the guilty or protect the innocent. States that these disloyal, Democratic reconstructionists and felons laugh at the civil authorities and commit murder openly in sight of the court-house.

"July 20, 1869, D. Woodruff, of Tuscaloosa, Tuscaloosa county, Alabama, in a letter to the President, asks protection against Ku Klux outrages in that county; states that some twenty-six murders have occurred in that county within the past few months, besides other outrages, and as yet not a single arrest; recommends that Tuscaloosa county, which is the head center of Ku Klux outrages, be put under martial law, as it would arrest outrages all over the State and cause some respect for the State government, as it is at present openly defied.

"Governor Bullock, of Georgia, forwards statements relative to murders and rapes, outrages by Ku Klux, and the shooting of Warren Hays, colored, near Lexington, Georgia; also, reported violence and threats and lawlessness in Mitchell county, Athens, and other parts of Georgia.

"Letter from Mrs. Senator Adkins about the murder of her husband. Proclamation and reward for murderers of Dr. Danden, taken from Warrenton jail and shot. Report of investigation by G. W. Fitch, of violence to a colored woman in Clayton county, Georgia. Complaints of citizens of Morgan county of bands of robbers and assassins. Request for troops to be placed at disposal of sheriff of Warren county. Reported injustice to negroes in Pike county. Death from exposure and neglect of two freedmen, as given in Savannah Daily Advertiser; attention invited by General O. O. Howard. Disturbances among workmen on air-line railway, near Atlanta. Danger to life and property in Richmond county, near line of Columbia county. Mr. Brasil and family forced to flee from Glascock county. Lawless condition of affairs along the air-line railroad, and the facts of the insurrection thereon. Facts from Captain R. B. Hull, eighteenth infantry, relative to the murder of Senator Adkins, and report from Major Van Voast, eighteenth infantry, same subject. Illegal arrest and confinement in Oglethorpe jail of James D. Harden, colored, and many other outrages.

"May 17, 1869, Charles W. Arnold, postmaster at Albany, Georgia, petitions the President of the United States for protection against the Ku Klux Klan, which infest that State. States that an attempt has been made to Ku Klux him at Americus, Georgia, a small village about thirty-five miles from Albany, while in the discharge of his duty as revenue assessor. Further asserts that the men engaged in that attempt are known to him and his family, as also to Colonel W. C. Morrill, revenue collector second district Georgia, and United States Deputy Marshal Cox, residing at Americus, who will furnish the names of the parties, if he should be murdered hereafter. Every Republican, he adds, is in danger of losing his life.

"January, 1871, memorandum, without signature, left at the War Department, giving the names of some of the persons who have been put to death in Alabama within the last two years by persons wearing the disguise of the Ku Klux Klan:

"1. Alexander Boyd, esq., white, solicitor for Greene county, living at Eutaw, the county seat. Taken from his room in the hotel where he was boarding, in the night of May 21, 1870, by a band of Ku Klux, and put to death.
"2. Guilford Coleman, leading colored man in Greene county.

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Mr. COOK. Will the gentleman allow me to ask him a question?

Mr. ELDRIDGE. I wish I had time to spare to give to the gentleman.

Mr. COOK. I will not take more of your time than you did of mine.

Mr. ELDRIDGE. I have not so many minutes at my disposal as you had; but I will hear the gentleman's question.

Mr. COOK. Does not the gentleman misrepresent my argument when he says that I acknowledged that a combination to destroy rights secured by the United States Government is not an offense against the United States?

Mr. ELDRIDGE. I put the question to the gentleman whether combination or conspiracy was, *ipso facto*, an offense coming under the jurisdiction of the United States, and he expressly admitted that it was not. But he said that the combination, when it grew and increased, and became sufficiently strong, might produce a necessity which would call for the action of the United States Government, and especially so when the State authorities should invoke the aid of the Federal power.

Mr. COOK. I stated that an attempt to deprive any citizen of a right guaranteed by the United States Constitution is an offense against the United States, and a combination to do that is a crime that might be punished by the United States laws.

Mr. ELDRIDGE. The gentleman must excuse me for interrupting him; I have not time to yield further. I have given the language made use of in the debate yesterday, the answers to the questions which I put, and I have given the gentleman the full benefit of the statements he made.

Mr. Speaker, it is clear to me that gentlemen on the other side have failed to define this new Federal power. They have given us no idea of the extent of jurisdiction, except, as I have stated before, in general and glittering definitions, which have no meaning when you come to apply them to this bill. I asked my able and eloquent friend on my right [Mr. BINGHAM] to lay down the second section of this bill beside the definition he was giving, and he declined to measure it by any such measure. He had a right to so decline. But no gentleman here, to whom I have listened, has been able to define this power, or tell us where it ends or where it begins.

Are we, sir, to trust this great power in the hands of one man? Some gentleman has said that God never made a man in whose hands we could trust this power. Sir, if General Grant were the greatest man in the United States, and I do not think he is; if he were the wisest and best man in the United States, and I do not think he is; if he were the purest patriot in the world, and I do not think he is; if he were as pure in heart, as just in feeling, as magnanimous in mind, as forgiving in spirit, as the gentleman from Indiana [Mr. SHANKS] or the gentleman from Massachusetts, [Mr. BUTLER,] and I certainly think he is, I would not trust him with that power. Sir, it is of some interest for us to know in whose hands power is placed; but the power proposed by this bill should, in my judgment, never be conferred upon any one.

Mr. Speaker, the quiet and order of the people of the southern States since the war ended is the wonder of the world. History furnishes no parallel. They have consented and submitted to all that has been required of them by the conqueror, even to be ruled in some of the States by their former slaves. They have done all this in the vain expectation that they would be met in the same spirit of forbearance. They have not been so met, and to this fact I attribute most of the troubles that now exist.

The remedy, in my judgment, is amnesty; full, free, universal amnesty. Let the people of the States alone, let them settle down in quiet and peace, and all will be well. There will be no more outrages, no more Ku Klux

Klan, no more disregard of law. Then will peace and order again reign in that beautiful country.

[Here the hammer fell.]

Mr. WILLARD and Mr. VOORHEES next addressed the House in remarks which will appear in the Appendix.

Mr. PERCE. I desire to say a few words in regard to my own State, and in answer to the gentleman from Indiana, [Mr. VOORHEES.] I desire to say that, despite the assertions of that gentleman, there have been great outrages committed. There is no doubt that in my State men have been killed, whipped, scourged, driven from their homes, and hunted down like dogs, because of their political opinions. The murders and outrages committed at Meridian, Mississippi, where twenty-eight negroes and two white men were killed because of their political opinions, are perfectly appalling.

The Governor of the State believes that the State government is sufficiently powerful to put down these murderous bands and preserve the peace, and because of this belief it has been charged at the other end of the Capitol, and reiterated upon this floor, that he is an apostate to the party which elected him, while gentlemen on the other side quote him as authority that peace and good order obtain in Mississippi. I tell the gentlemen on the other side that Governor Alcorn is not an apologist for crime or violence, whether it be of Ku Klux or other origin; and, at the same time, I tell my friends on this side that a ten-line telegram is not a sufficient authority for them to brand a Republican Governor with apostasy. As was shown by my colleague [Mr. BARRY] yesterday, the riots at Richmond, at New Orleans, at Memphis, all occurred under the administration of Republican Governors whose party fealty never was or could have been challenged. And I claim the same exemption for Governor Alcorn in connection with the Meridian riot; and as proof of his real feeling in this regard, I ask that this official record—a ten-line telegram—his official record as contained in a message sent to the Legislature of the State on the 1st day of the present month, be read at the Clerk's desk.

The Clerk read as follows:

"The speaker laid before the house the following message from the Governor:

"To the Senate and House of Representatives:

"GENTLEMEN: While the State generally enjoys a repose unknown to it since the close of the war, the recent outrages at Meridian and at a few other places on our eastern border point to possibilities which demand special measures of detection and punishment. In anticipation of such a necessity, I asked you in my annual message for authority to deal with the crimes of the Ku Klux by an offer of reward as high as \$25,000, and added, what I now again urge upon you earnestly, that the rewards offered for the detection of men engaged in outrages perpetrated by what is called Ku Klux, in any county, shall, when paid by the Executive, be made a special tax upon that county." With the right to change the venue on the part of the State placed in my hands, a power which cannot fail in effectiveness will have been set in motion with certain success in not only detecting and punishing, but to a great extent in otherwise preventing the outrages of those midnight assassins.

To render still more effective the agencies of the government for the repression of organized lawlessness on our eastern border, or anywhere else that it may show itself hereafter, I invite your attention earnestly to my message of the 11th of February on the difficulties of the auditor of public accounts as to the exercise of my power under the militia law. The sixth section of that act authorizes me to organize the militia, but the auditor thinks he has no power to pay the expenses incurred in that organization; and, though that question has been under the consideration of your honorable bodies for now several weeks, I call your attention respectfully to the fact that even the accounts of General Stafford and Colonel Ireland for services in carrying out that organization remain still unpaid. I urge upon your consideration the expediency of settling the auditor's doubts in this matter and of placing it beyond question that the authority charged in the letter of the law with the right of calling out the militia shall not be excluded from the exercise of that right by a denial of his power to order payment for even a soldier's ration.

"Section thirty-five of the militia law gives me the power to organize and equip not to exceed one regiment of cavalry." With a question of my authority to order payment for a single saddle or a car-

tridge-box, this conveyance of power becomes a dead letter. I again invite the attention of your honorable bodies to this fact; and do so with the earnest request that in addition to actual authority to organize the militia generally, you give me actual authority to organize and call into the field a cavalry regiment of picked men for operation wherever masked assassins shall be seen; the cost of the subsistence of those troops to be levied as a special tax upon the county to which they shall have been called by the appearance of masked assassins. With this power made good in my hands, outside any scruples of the auditor of public accounts, such tax-payers as shall dare to tolerate by their sympathies the performances of the Ku Klux will very soon find out that that toleration will have cost them heavily in penal taxes."

Mr. PERCE. Governor Alcorn believes he can sustain and preserve the peace by State authority with the grant of powers asked for in this message. Admitting for the sake of argument, and for that purpose alone, that he can, I ask: if it be necessary to resort to such extreme measures in a State where we have a Republican Governor and State government, a Legislature, three fourths of which are Republican, and all the county offices in the hands of the party, what will become of the poor loyal Alabamians where they have a Democratic Governor, Legislature, and Government to aid and abet in their persecution? I do not agree with Governor Alcorn in his belief that he can by State authority put down the lawlessness and violence in the State. I wish to God I could. I believe there must be a power exercised from without the State to coerce peace and enforce the law. This power can only come from and be exercised by the United States, and hence the necessity for the passage of the bill now under discussion.

And, now, sir, the gentleman from Indiana [Mr. VOORHEES] stands upon this floor and states that the Republican Governors and Legislatures were at fault, because they had not asked the General Government for protection to the lives and property of the citizens of their States; that they were derelict and to that extent responsible for the outrages, the murders, the whippings. Sir, I ask that the following telegram from the superintendent of public instruction of Mississippi be read.

The Clerk read as follows:

JACKSON, MISSISSIPPI, March 29, 1871.

Hon. GEO. C. McKEE, Member House of Representatives, Washington House:

House resolution requesting Governor to call for troops to suppress violence passed the senate Saturday last.

H. R. PEASE,

Superintendent of Education.

Mr. PERCE. Mr. Speaker, I have had no desire to address the House upon the bill now pending, and did not enter upon the general debate. In the preliminary action preceding this measure and this debate, I was, perhaps, more active than any other member of this House, and I was content with the good I believe I have done in bringing the whole subject prominently before the country. If we have done nothing else, we have driven the Democracy from their covert of denial and concealment. Two short weeks ago and they denied the existence of such an organization as the Ku Klux Klan. Two short weeks ago their leaders declared that the southern country was as peaceable, quiet, and orderly as any portion of the whole land of equal extent and population. Now they admit the existence of the villainous organization, and, instead of denying, seek to palliate and excuse, and, by denunciation of better men than themselves and by calling names, seek to hide the enormity and extent of its hideous crimes, violence, and bloodshed.

Sir, the dens of the Ku Klux Klan have by this debate been penetrated by the light of truth and civilization, their hellish deeds have been arraigned before the bar of public sentiment all over the country, North and South, judgment has been pronounced against them by the people, and they inevitably must and will go down. Sir, I venture to assert that in the past two weeks there has not been a meeting of the Klan in all our borders, and if the Repub-

ican party is true to itself, to its traditions, and to the country, there will never be again. I have no fear of the reestablishment of this organization. What I do fear is, that the Democratic party of the North, which for the past four years have brought murder, rape, arson, rapine, and violence in the South to aid their partisan purposes, will invent some new and more terrible scourge with which to drive the people of the South lately enfranchised bodily into the ranks of the Democratic party. That they will do it if they can, without regard to the character of the crime to be committed or the degree of violence to be used, I have not the slightest doubt. It is our duty to prevent all crime and preclude the exercise of all violence, and by wise and timely legislation, secure peace, tranquillity, and quiet, accompanied by the free and uninterrupted exercise of all the rights and duties appertaining to American citizens throughout the entire country, without regard to the condition, race, or party affiliation of the individual citizen. To this end, I believe the Republicans, not only of this House, but of the whole country, are bending their best energies, while, in opposition, the Democratic party now, as in 1861, to day under the leadership of the author of the Brodhead letter, as they then were under the arch-rebel from my own State, are striving to drag the country back into anarchy and confusion and fly the black flag, with the old motto of "rule or ruin" at their front.

Mr. Speaker, I have not the time, nor do I desire to enter into an argument upon the constitutionality of this measure. I stand upon the broad ground that the Constitution of the United States was adopted by the people in order, as its preamble declares, to form a more perfect union, to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to the individual citizen; and to attain these objects life was breathed into the body-politic through the executive, judicial, and law-making powers of the General Government. If, then, an attempt is made to destroy the Union the Constitution provides the power to coerce a union.

If justice be not properly administered—and I care not if it be in one or many of the States—if domestic tranquillity ceases, and the blessings of liberty, with all its concomitants of security in life, person, and property, are not established and maintained, the Constitution through its law-making and administrative powers must come to the rescue, or constitutional liberty, under the law, falls to the ground, the Constitution becomes a myth, and the Republic a failure.

The question before the House is whether life and property and liberty are secure in the eleven States formerly rebellious. If they are not secure, I challenge the other side of the House to defend their course for one instant. They dare not assert here that they uphold and maintain a reign of violence. They dare not say they are in favor of a state of society before which, in atrocity, the reign of terror under the first republic of France pales and stands back abashed. Their only and sole defense is that this state of things does not exist, that all these tales of murder, bloodshed, and violence coming to us from the South are outrages only because they are lies, and when they abandon that ground they yield the whole question. They dare not openly champion midnight murder, and they dare not here, although they do through their organs in the South, apologize for crime and violence. And yet, sir, without one word of denunciation beyond the conventional assertion, uttered by many during this debate, that "I (the speaker) do not defend outrage or violence"—yet I say the members upon the other side are forced by testimony beyond contravention, nay, by the admission of members of their own party upon this floor, to admit the existence of the Ku Klux Klan, of the White Brotherhood, and kindred asso-

ciations; to admit of murder most foul and atrocious, and a state of society in some portions of our country but one remove, if that, from utter barbarity. Sir, the Representatives of the Democratic party in this House could, if they would, stop all these outrages. Let them meet in caucus and resolve they shall cease, and the effect will be peace from the Potomac to the Gulf. Nay, sir, let the leading members of that party write to the leaders of the southern Democracy, privately if they choose, that these things must cease, and we will have peace.

But, sir, I have no hopes they will pursue this course. The lust of place and power fills their hearts. They long to dip their hand into the United States Treasury, as their Tammany leaders do in the treasury of New York city and State; and to do this they are willing to dabble a little deeper in blood. What, then, Mr. Speaker, is the attitude of the Democracy upon the present bill? Sir, as in 1861, when members of the same party left this Hall, with tongues blistered by forfeited oaths and consciences and souls sored by perjury, and went forth to destroy the Constitution and Government they had sworn to support, now, as then, they prate of the Constitution. Let murder run riot; let the torch and whip destroy the property and mangle the body of the citizen; let the midnight assassin ride through the country-side burning and slaying and destroying; let life and liberty and property be so insecure that the traveler among the Indians upon our western plains is comparatively in safety; let all that make life worth living for be annihilated, all that make government a blessing go to the dogs, but save, oh, save the Constitution! Away with such sentiment! The Constitution is compatible with the enforcement of peace, good order, and domestic tranquillity, or it is not worth the saving.

Mr. Speaker, I will not say whether there are or are not members of the Ku Klux Klan now in the Halls of Congress, but whether there are or are not, their representatives rise like a black cloud upon the other side. Were it not for the silent support of the northern Democracy the organization could not last an hour. Were it not for their tacit consent it never would have sprung into being. I believe that this order is nothing but the successor of the Knights of the Golden Circle, which so hampered the cause of the Union during the rebellion. If not conceived in the North it has been connived at, fostered, and sustained. The great rebellion would never have come to pass had not the southern Democracy believed that the northern Democracy would defend and support their course. Up to a certain point, the fighting point, they did sustain secession; but when it came to blows, how they deserted their allies; and so it is now. There never would have been a Ku Klux Klan if the northern Democracy had not fostered its growth. But now, when its portentous crimes are brought to light, they disown their terrible bantling, and each in his turn, as he puts forth his feeble defense, protests "he would not; oh, no, he would not for one moment defend outrage and violence!" He has defended it. The Democratic party, its bad men and its good men, have stood idly by while the hellish dance of bloodshed and death went on, when one word from the party would have put the whole thing down. And I warn the northern Democrat that the southern Ku Klux will not now accept their weak defense as an evidence of faith or support. He is neither a fool nor a coward. He fought for his faith once, and never flinched; and these milk and water platitudes are not the support he gives or expects to receive from the Democracy.

Mr. Speaker, first or last, these questions must become national. The United States suddenly enfranchised four million slaves, and gradually they have been clothed with all the attributes of citizenship. Will the Govern-

ment ever abandon these citizens to the hostility of their organized but lawless oppressors? It cannot. They are entitled to the protection of the General Government until such time as they shall be by education and training elevated beyond the bondage of the mind, as they have been relieved from the bondage of the body. That they are fast casting off the old influences of slavery is a fact patent to all with whom they come in contact; but until the last vestige of their serfdom in body and in mind shall have disappeared forever, the Republican party will fail in the traditions of its past, in the duties of the hour, and in the hopes of a bright future, if it does not defend them against all comers.

Mr. BURCHARD addressed the House. [His remarks will be found in the Appendix.]

Mr. HANDLEY. Mr. Speaker, it is not my intention to detain the House, but I hold in my hand a letter received by due course of mail this morning from Hon. J. L. Pennington, who is a Republican member of the Alabama State senate. Mr. Pennington is a leading and influential Republican, a gentleman who stands high politically with the people of Alabama, and I deem this as the highest testimony that could be brought before this House from that State. I desire it should be read by the Clerk, and printed as a part of my remarks.

The Clerk read as follows:

NEW YORK, April 5, 1871.

DEAR SIR: As the Representative in Congress from the district in which I reside, I write this letter to say that I heartily indorse the views that I understand to have been recently expressed in Washington by Governor Lindsay and Judge Busted as to the peaceable condition of Alabama, and to enter my protest, as a citizen and as a Republican, against the proposed interference by Congress with the internal affairs of that State. Any interference by Congress or change of jurisdiction in criminal proceedings will only tend to aggravate and embarrass and make worse the condition of things.

What the people of Alabama need and desire, with but very few exceptions, is to be left alone; to be left to work, to raise cotton, build their railroads, develop their resources, and regain their prosperity. That there have been occasional disturbances and some lawless acts in Alabama no one will deny, but these things occur in all the States, and the only wonder is that in Alabama it has been no worse.

If the friends of Alabama in Congress desire to improve her condition, and promote and encourage obedience to law and add to the general prosperity and tranquillity, let them urge the removal of all the political disabilities imposed by existing laws on a portion of her people. Leniency, conciliation, justice will do more to prevent lawlessness and promote peace in the South, than severity and measures intended to humiliate and punish.

Those gentlemen now at Washington urging congressional interference with the local and domestic concerns of our State are not only the worst enemies of all our industrial pursuits, but they are doing more than all other enemies combined to destroy the Republican party. They are no true representatives of the Republican party, and have no right to speak for it; and if Republicans in Congress really desire to promote the peace and prosperity of the people of Alabama, I beg them to keep hands off and let us alone. Any additional interference by the General Government with the affairs of Alabama will seriously affect our State credit, suspend our works of internal improvement, and paralyze every industry.

You can make such use of this letter as you think proper.

Very respectfully, J. L. PENNINGTON.

Hon. W. A. HANDLEY, Washington, D. C.

Mr. DE LARGE next addressed the House in remarks which will appear in the Appendix.

Mr. FARNSWORTH and Mr. BINGHAM and Mr. AMBLER, by unanimous consent, offered amendments to be voted on hereafter.

Mr. SHELLABARGER. I wish to suggest some verbal amendments if there be no objection.

There was no objection.

Mr. SHELLABARGER. I wish to submit some verbal amendments to the proposition submitted by me yesterday. In the twenty-third line, second page, after the word "verdict," I move to insert the words "presentment or indictment."

The amendment was agreed to.

Mr. SHELLABARGER. In the same line, after the word "juror," I move to insert the words "grand juror."

The amendment was agreed to.