



122 Commerce Street  
Montgomery, Alabama 36104  
334.269.1803

[eji.org](http://eji.org)

RECONSTRUCTION IN AMERICA



# RECONSTRUCTION IN AMERICA

Racial Violence after the Civil War, 1865-1876

# RECONSTRUCTION IN AMERICA

Racial Violence after the Civil War, 1865-1876



The Memorial at the EJI Legacy Pavilion in Montgomery, Alabama. (Mickey Welsh/Montgomery Advertiser)

# CONTENTS

<b>INTRODUCTION</b>	<b>6</b>
<hr/>	
<b>JOURNEY TO FREEDOM</b>	<b>8</b>
<b>Emancipation and Citizenship</b>	
Inequality After Enslavement	<b>11</b>
Emancipation by Proclamation—Then by Law	<b>14</b>
<hr/>	
<b>FREEDOM TO FEAR</b>	<b>22</b>
<b>A Terrifying and Deadly Backlash</b>	
Black Political Mobilization and White Backlash	<b>28</b>
Fighting for Education	<b>32</b>
Resisting Economic Exploitation	<b>34</b>
<hr/>	
<b>DOCUMENTING RECONSTRUCTION VIOLENCE</b>	<b>42</b>
<b>Known and Unknown Horrors</b>	
34 Documented Mass Lynchings During the Reconstruction Era	<b>48</b>
Racial Terror and Reconstruction: A State Snapshot	<b>52</b>

<b>THE DANGER OF FREEDOM</b>	<b>56</b>
Political Violence	<b>58</b>
Economic Intimidation	<b>63</b>
Enforcing the Racial Social Order	<b>68</b>
Organized Terror and Community Massacres	<b>73</b>
Accusations of Crime	<b>76</b>
Arbitrary and Random Violence	<b>78</b>
<hr/>	
<b>RECONSTRUCTION’S END</b>	<b>82</b>
Reconstruction vs. Southern Redemption	<b>84</b>
Judicial and Political Abandonment	<b>86</b>
Redemption Wins	<b>89</b>
A Vanishing Hope	<b>93</b>
<hr/>	
<b>A TRUTH THAT NEEDS TELLING</b>	<b>96</b>
Notes	<b>106</b>
Acknowledgments	<b>119</b>

# INTRODUCTION

In 1865, after two and a half centuries of brutal enslavement, Black Americans had great hope that emancipation would finally mean real freedom and opportunity. Most formerly enslaved people in the United States were remarkably willing to live peacefully with those who had held them in bondage despite the violence they had suffered and the degradation they had endured.

Emancipated Black people put aside their enslavement and embraced education, hard work, faith, and citizenship with extraordinary enthusiasm and devotion. By 1868, over 80 percent of Black men who were eligible to vote had registered, schools for Black children became a priority, and courageous Black leaders overcame enormous obstacles to win elections to public office.

The new era of Reconstruction offered great promise and could have radically changed the history of this country. However, it quickly became clear that *emancipation* in the United States did not mean *equality* for Black people. The commitment to abolish chattel slavery was not accompanied by a commitment to equal rights or equal protection for African Americans and the hope of Reconstruction quickly became a nightmare of unparalleled violence and oppression.

Between 1865 and 1876, thousands of Black women, men, and children were killed, attacked, sexually assaulted, and terrorized by

white mobs and individuals who were shielded from arrest and prosecution. White perpetrators of lawless, random violence against formerly enslaved people were almost never held accountable—instead, they frequently were celebrated. Emboldened Confederate veterans and former enslavers organized a reign of terror that effectively nullified constitutional amendments designed to provide Black people equal protection and the right to vote.

In a series of devastating decisions, the United States Supreme Court blocked Congressional efforts to protect formerly enslaved people. In decision after decision, the Court ceded control to the same white Southerners who used terror and violence to stop Black political participation, upheld laws and practices codifying racial hierarchy, and embraced a new constitutional order defined by “states’ rights.”

Within a decade after the Civil War, Congress began to abandon the promise of assistance to millions of formerly enslaved Black people. Violence, mass lynchings, and lawlessness enabled white Southerners to create a regime of white supremacy and Black disenfranchisement alongside a new economic order that continued to exploit Black labor. White officials in the North and West similarly rejected racial equality, codified racial discrimination, and occasionally embraced the same tactics of violent racial control seen in the South.

**It was during Reconstruction that a century-long era of racial hierarchy, lynching, white supremacy, and bigotry was established—an era from which this nation has yet to recover.**

Most Americans know very little about the Reconstruction era and its legacy. Historians have frequently overlooked this critical 12-year period that has had profound impact on life in the United States. Our collective ignorance of what happened immediately after the Civil War has contributed to misinformed stereotypes and misguided false narratives about who is honorable and who is not and has allowed bigotry and a legacy of racial injustice to persist.

In 2015, the Equal Justice Initiative issued a new report that detailed over 4,400 documented racial terror lynchings of Black people in America between 1877 and 1950.

**We now report that during the 12-year period of Reconstruction at least 2,000 Black women, men, and children were victims of racial terror lynchings.**

Thousands more were assaulted, raped, or injured in racial terror attacks between 1865 and 1876. The rate of documented racial terror lynchings during Reconstruction is nearly three times greater than during the era we reported on in 2015. Dozens of mass lynchings took place during Reconstruction in communities across the country in which hundreds of Black people were killed.

Tragically, the rate of *unknown* lynchings of Black people during Reconstruction is also almost certainly dramatically higher than the thousands of unknown lynchings that took place between 1877 and 1950 for which no documentation can be found. The retaliatory killings of Black people by white Southerners immediately following the Civil War alone likely number in the thousands.

EJI presents this report to provide context and analysis of what happened during this tragic period of American history and to describe its implications for the issues we face today. We believe our nation has failed to adequately address or acknowledge our history of racial injustice and that we must commit to a new era of truth-telling followed by meaningful efforts to repair and remedy the continuing legacy of racial oppression. We hope this report sparks much needed conversation and encourages communities to join us in the important task of advancing truth and justice.

Bryan Stevenson, Director

# JOURNEY TO FREEDOM

## Emancipation and Citizenship

“

Just before the war, a white preacher, he come to us slaves and says: “Do you want to keep your homes where you get all to eat, and raise your children, or do you want to be free to roam around without a home, like the wild animals? If you want to keep your homes you better pray for the South to win. All that wants to pray for the South to win, raise your hand.” We all raised our hands ‘cause we was scared not to, but we sho’ didn’t want the South to win.

—Mr. William M. Adams, formerly enslaved in Texas<sup>1</sup>

**I don’t believe in the colored race being slaves ‘cause of their color, but the war didn’t make time much better for a long time. Some of them had a worse time.**”

—Ms. Liney Chambers, formerly enslaved in Tennessee<sup>2</sup>

**D**uring the Transatlantic Slave Trade, an estimated 10.7 million African men, women, and children were kidnapped and sold into captivity in North America, South America, or Central America.<sup>3</sup> An estimated two million more people died during the brutal voyage across the Atlantic Ocean.<sup>4</sup> Though enslavement existed in other parts of the world, the unique system that developed in the United States became a racialized caste system rooted in a false but violent and persistent idea of racial difference.<sup>5</sup> Chattel slavery in this country permanently deprived the enslaved of any legal rights or autonomy and permitted their violent economic exploitation.

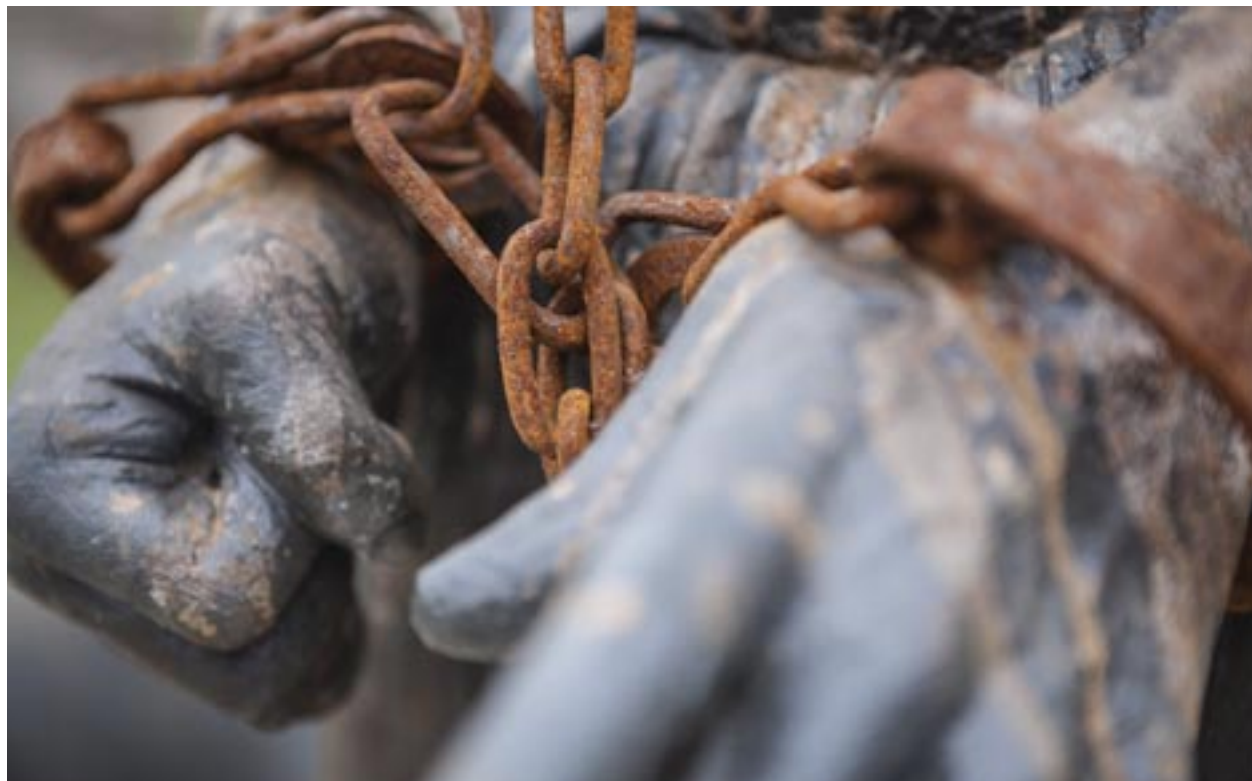
Enslavement in the English colonies persisted after the Revolutionary War and the creation of the United States. Indeed, as the United States laid the foundation for its experiment in freedom and democracy, it also oversaw and benefitted from the kidnapping, human trafficking, lifelong bondage, and complete dehumanization of African people—a system of enslavement repeatedly enforced by the nation’s courts, political institutions, core documents, and most revered founders.

In 1808, Congress banned the international slave trade and halted the trafficking of African people to the country<sup>6</sup> but did nothing to end enslavement within the nation's borders. This resulted in a large unmet demand for enslaved Black people, especially in territories like Mississippi and Alabama that were gaining statehood and attracting white settlers with agricultural ambition.

The Domestic Slave Trade emerged to fill the void. The potential profit to be made from selling Black people already enslaved in the country skyrocketed. Though less well known than the Transatlantic Slave Trade, the domestic sale of enslaved Black people from the Upper and Eastern South resulted in the trafficking of millions—including many free Black people kidnapped and sold into enslavement<sup>7</sup>—and fueled a massive increase in the Deep South's enslaved population over the next 50 years.<sup>8</sup>

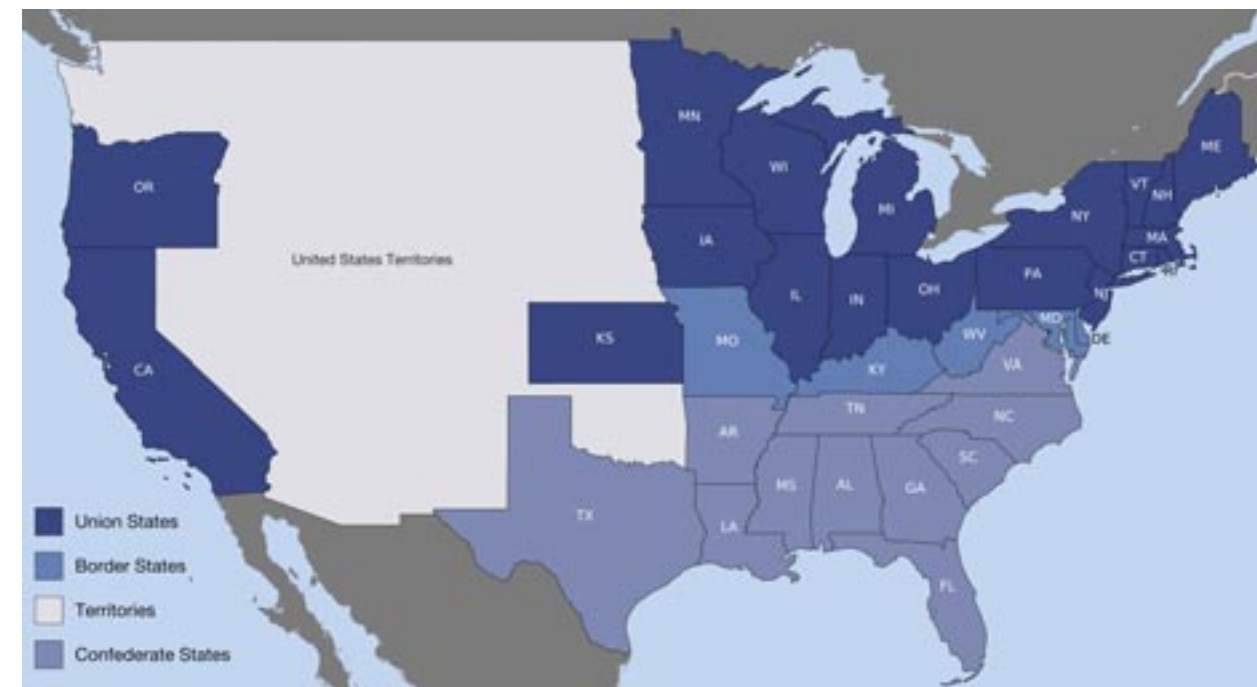
**In 1860, just a year before the start of the Civil War, enslavement was an entrenched and growing system, far from dying out or fading on its own.**

Over four million Black people were enslaved in the United States—more than at any point in the nation's history<sup>9</sup>—and unprecedented numbers of Black people in this country were trapped in brutal, inhumane conditions.<sup>10</sup> Even as growing political support for the abolition of slavery pushed the country closer to war, few white people who supported a legal end to the institution expressed a commitment to eradicating the harmful ideas of racial difference created to defend it.<sup>11</sup>



*Nkyinkyim Installation* by Ghanaian artist Kwame Akoto-Bamfo at the National Memorial for Peace and Justice in Montgomery, Alabama. (Human Pictures)

## Union and Confederate States, 1861-1865



## Inequality After Enslavement

On the question of racial equality, there was often little distinction between slavery's white supporters and detractors. "God has made the negro an inferior being not in most cases, but in all cases," leading pro-slavery New Yorker John H. Van Evrie wrote in the 1850s.<sup>12</sup> Even New England abolitionist Dr. Samuel Gridley Howe openly expressed the view that Black people were naturally inferior to white people. He tried to drum up support for abolition by assuring white people that Black people would "dwindle and gradually disappear from the peoples of this continent" if freed.<sup>13</sup> Clearly an end to enslavement alone would not emancipate Black people from racism. But first things would have to come first.

**Beginning in 1861, 11 Southern states determined to maintain enslavement seceded from the Union to form the Confederate States of America.**

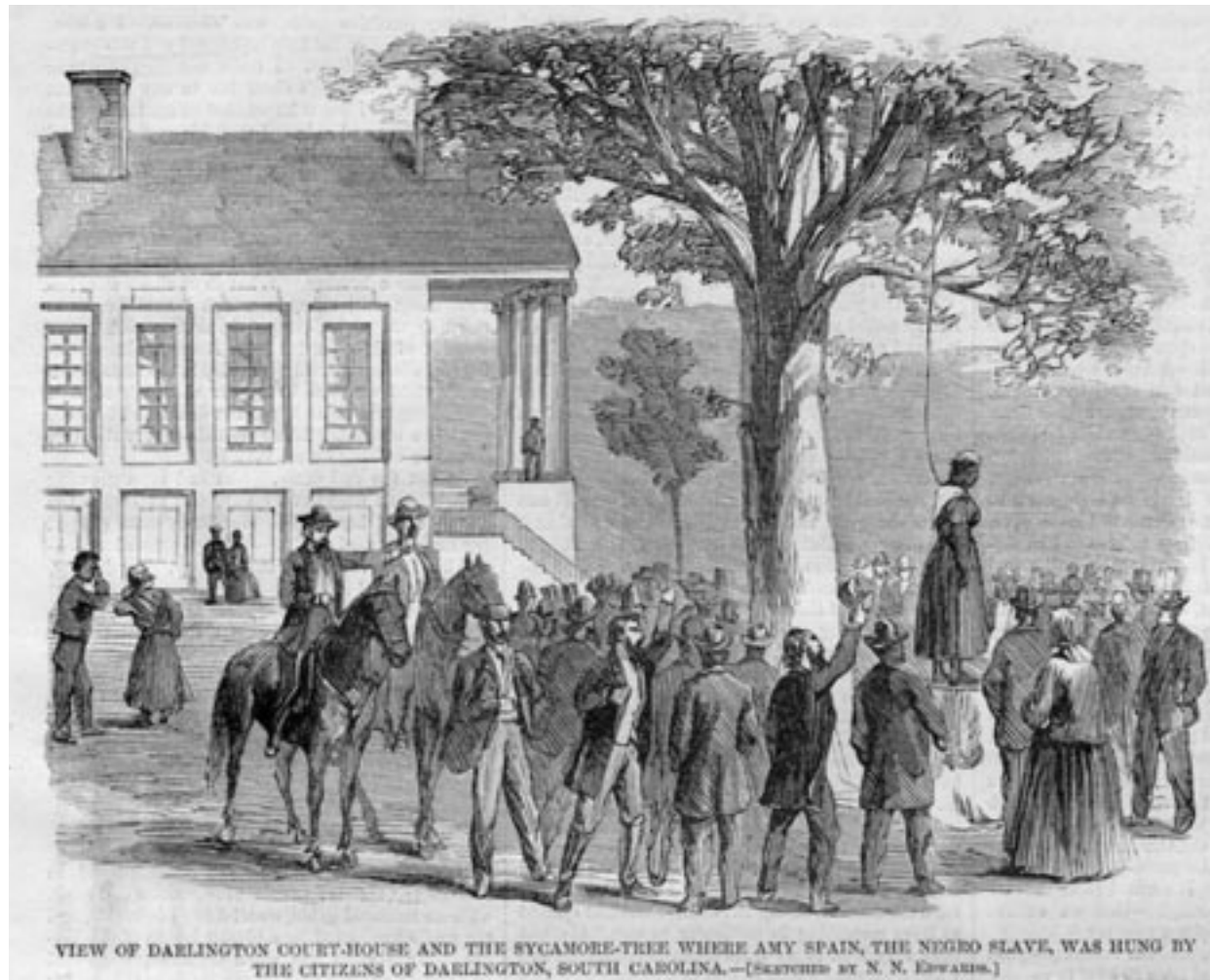
In South Carolina, the first state to secede, legislators declared that "[a]n increasing hostility on the part of the non-slaveholding States to the institution of slavery" was a primary catalyst for their action.<sup>14</sup> As Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, North Carolina, Arkansas, and Tennessee followed, the Confederacy developed a platform of "states' rights" and "home rule" that aimed to preserve white supremacy and enslavement.

Even before the war's end, Confederate hatred for Black autonomy and power led to brutal attacks. Black soldiers in the Union Army symbolized the height of Black "disobedience" and became immediate targets for violence that exceeded even the bounds of war.<sup>15</sup>

When an outnumbered "colored" unit of the Union Army surrendered Fort Pillow, Tennessee, to Confederate forces on April 12, 1864, the rules of war required the Confederates to take the 262 Black soldiers as prisoners. Instead, the Confederates massacred the Black men, along with nearby Black civilians. A later

federal investigation concluded: "It is the intention of the rebel authorities not to recognize the officers and men of our colored regiments as entitled to the treatment accorded by all civilized nations to prisoners of war."

On March 10, 1865, Confederate soldiers in Darlington, South Carolina, hanged a young Black woman named Amy Spain from a sycamore tree on the courthouse lawn. Accused of "treason and conduct unbecoming a slave" for aiding Union forces who had briefly occupied the town, Ms. Spain was killed just weeks before the end of the Civil War.<sup>16</sup>



The hanging of Amy Spain. (Harper's Weekly, 1865)

By the time the war ended with Confederate surrender to the Union on April 9, 1865, President Abraham Lincoln had issued an Emancipation Proclamation abolishing slavery in the rebel territories and Congress had advanced a constitutional amendment that aimed to abolish slavery nationwide. "Slavery is dead," read an editorial in *The Cincinnati Enquirer* published days after the surrender. "The negro is not; there is our misfortune."<sup>17</sup>

If the end of the war led the United States government to abandon the millions of Black people still living in the war-torn South amidst a beaten Confederacy, those emancipated people's futures in freedom would be bleak and short-lived. In a November 1865 letter to Major General Steadman of the Union Army, 125 freedmen in Columbus, Georgia, begged federal troops to stay in the city:

**"We wish to inform you that if the Federal Soldiers are withdrawn from us, we will be left in a most gloomy and helpless condition. A number of Freedmen have already been killed in this section of country; and . . . we have every reason to fear that others will share a similar fate."**<sup>18</sup>

Formerly enslaved Black people understood that federal intervention was necessary to require white Southerners to honor their rights as Americans. Their letter ended by pleading for federal troops "not to leave us to the tender mercy of our enemies—unprotected."<sup>19</sup>

Decades later, in his 1903 book, *The Souls of Black Folk*, W.E.B. Du Bois described the reality Black people faced. "Not a single Southern legislature stood ready to admit a Negro, under any conditions, to the polls," he explained.

**"Not a single Southern legislature believed free Negro labor was possible without a system of restrictions that took all its freedom away; there was scarcely a white man in the South who did not honestly regard Emancipation as a crime, and its practical nullification as a duty."**<sup>20</sup>

After the Confederacy's defeat, the United States was preserved but devastated, and faced an uncertain future. Many of the day's most pressing questions asked: what would happen to the entrenched institution of slavery? And what fate would befall the millions of Black people who had been enslaved at the war's start?

The 1863 Emancipation Proclamation left these questions unanswered. How the nation would travel from war to peace depended on how it would chart Black Americans' path from slavery to freedom. Reconstruction became that path, but its initially hopeful promise proved to be short-lived, dangerous, and deadly.

Five generations of an enslaved family in South Carolina, 1862. (Library of Congress)





President Abraham Lincoln's Emancipation Proclamation, a limited war-time measure, took effect in 1863. (AP)

## Emancipation by Proclamation—Then by Law

In September 1862, President Abraham Lincoln issued a preliminary proclamation announcing that, by executive order, he would declare the freedom of millions of Black people enslaved within the Confederacy—effective the following January. Enslavement was the core catalyst and conflict of the Civil War and the Emancipation Proclamation brought that conflict to a head.

For years before the Civil War, white people in the South had grown increasingly worried that federal authorities would try to force abolition upon the South, and increasingly certain that the resulting social and economic upheaval would destroy them all.

“Can [white people] without indignation and horror contemplate the triumph of negro equality, and see his own sons and daughters in the not distant future associating with free negroes upon terms of political and social equality?” Alabama official Stephen F. Hale asked in a 1860 letter to the governor of Kentucky.<sup>21</sup> If slavery was abolished, Hale warned, “the two races would be continually pressing together,” and an “amalgamation or the extermination of the one or the other would be inevitable.”<sup>22</sup>

That fear and anxiety largely fueled the Confederate states’ secession movement. After Alabama seceded from the Union a year later, Hale represented the state in the Confederate Congress as one of many voices in a pro-slavery chorus. Hale died from battle wounds in 1862,<sup>23</sup> months before Lincoln’s preliminary proclamation, but the Confederate reaction largely mirrored his views.

“They call Mr. Lincoln an ‘ape,’ a ‘fiend,’ a ‘beast,’ a ‘savage,’ a ‘highwayman,’” read an October 1862 issue of *Harper’s Weekly*, reporting on Southern reaction to Lincoln’s preliminary proclamation.

“[The Confederate] Congress is resolved into a dozen committees, each trying to devise some new form of retaliation to be inflicted upon United States citizens and soldiers, if we dare to carry the proclamation into effect, and tamper—to use the words of the *Richmond Enquirer*—with “four thousand millions” worth of property!”<sup>24</sup>

The Confederate Congress responded to the preliminary proclamation with a resolution denouncing Lincoln’s act as “a violation of the usages of civilized warfare, an attack on private property, and an invitation to servile insurrection” and vowing to resist enforcement.<sup>25</sup> But the proclamation did not enjoy uniform or widespread support in the North, either.

In the 1862 midterm elections, candidates challenging Lincoln’s political allies warned that Emancipation would bring an influx of free Black people into Northern states. “The general theme in the campaign, from New York to Iowa,

was ‘Every white laboring man in the North who does not want to be swapped off for a free nigger should vote the [anti-Lincoln] Democratic ticket.’”<sup>26</sup> Indeed, many Northern states already had laws restricting emigration of free Black people, and had little more commitment to racial equality than their counterparts in the South. By the time election results were tallied, the anti-Emancipation message had won in Illinois, Wisconsin, Indiana, Ohio, and Pennsylvania and vaulted Horatio Seymour—the fiercely pro-slavery “white man’s candidate”—to the governor’s office in New York.<sup>27</sup>

**For all the opposition it inspired, the Emancipation Proclamation—more war measure than humanitarian act—stopped far short of ending slavery in the United States when it took effect on January 1, 1863.**

Black people recently freed from slavery in the 1860s. (Library of Congress)



On its face, the order declared the freedom of only those enslaved people held in states in rebellion against the United States, namely South Carolina, Mississippi, Florida, Alabama, Georgia, Texas, Arkansas, and North Carolina. The proclamation *exempted* Tennessee, as well as Union-occupied portions of Virginia and Louisiana, and left slavery wholly intact in the border states of Maryland, Delaware, Kentucky, and Missouri.<sup>28</sup>

Many Southern planters attempted to hide the news from enslaved people, using threats and violence to force silence and attacking those who dared attempt to flee.<sup>29</sup> Where federal troops were present, however, many enslaved people courageously fled bondage and sought protection and freedom in Union camps.<sup>30</sup> For the many more enslaved people living where federal forces were absent or unreachable, Lincoln's declaration did nothing, and the hold of enslavement lasted well beyond 1863.<sup>31</sup> Up until the war's end in 1865, local newspapers in Montgomery, Alabama, continued to advertise auction sales of enslaved people and publish ads seeking the return of "runaways."<sup>32</sup>

In an August 1864 letter, a Black woman named Annie Davis living in Maryland asked Lincoln himself to clarify whether she remained in bondage. "Mr. President," she began,

(Library of Congress)



**It is my Desire to be free. To go to see my people on the Eastern Shore. My mistress wont let me. You will please let me know if we are free and what I can do. I write to you for advice. Please send me word this week. or as soon as possible and oblige [sic].<sup>33</sup>**

Ms. Davis's letter survives at the National Archives among correspondence received by the Colored Troops Division. There is no evidence she ever received a reply.

If abolition was to become permanent and widespread, what began with the limited Emancipation Proclamation would have to become broader, national law. In December 1863, as the war continued and the Confederate states remained in rebellion, Congress proposed a constitutional amendment to abolish slavery. It passed the Senate in April 1864 and, after extended debate and initial defeat, passed the House in January 1865. Ratification required approval by 27 of the 36 states, including in the South where states were still fighting a war to secede.

Within months, the Confederacy had surrendered, President Lincoln had been assassinated, and new federal laws required the rebel states to ratify the abolition amendment to be readmitted to the Union. The former Confederate states reluctantly complied. In early December 1865, Georgia became the 27th state to ratify, and the Thirteenth Amendment was adopted soon afterward. Several states nonetheless continued to resist ratification in symbolic defiance, even after legal abolition had been achieved—Delaware,<sup>34</sup> Kentucky,<sup>35</sup> and Mississippi<sup>36</sup> did not officially ratify the Thirteenth Amendment until the 20th century.

Perhaps more importantly, ratification of the Thirteenth Amendment did not reflect or require a commitment to racial equality or an agreement that enslavement *should* end.

**The Thirteenth Amendment's adoption meant that the Constitution banned racialized chattel slavery—it did not mean that white Southerners recognized Black people as fully human or that Southern officials would enforce their new legal protections absent federal oversight.**

George King, a Black man in Oklahoma, recalled in 1937 how freedom was explained to him when he was emancipated in South Carolina decades earlier: "The Master he says we are all free," Mr. King said, "but it don't mean we is white. And it don't mean we is equal."<sup>37</sup>

Following the war, Black autonomy expanded but the white American identity remained deeply rooted in white supremacy. Southern white communities rejected the notion that federal law recognized their former property as people, and they resented the Union troops still stationed in the region to enforce this new reality. This Southern white resistance to Black legal rights required the law to go further in order to make Black freedom truly meaningful.

The year after the war's end, a U.S. Congress still operating without representation from most Confederate states passed the Civil Rights Act of 1866, declaring Black Americans full citizens entitled to equal civil rights.<sup>38</sup>



Cudjoe Lewis, a man formerly enslaved in Alabama, with great-granddaughters circa 1927. (McCall Library, University of South Alabama)

President Andrew Johnson, who took office following Lincoln's death, was a Tennessee native sympathetic to Southern sentiments. He vetoed the bill and vocally questioned "whether, where eleven of the thirty-six states are unrepresented in Congress at the time, it is sound policy to make our entire colored population, and all other excepted classes, citizens of the United States."<sup>39</sup> But Johnson also objected to the act's substance:

**The bill, in effect proposes a discrimination against large numbers of intelligent, worthy and patriotic foreigners and in favor of the negro, to whom, after long years of bondage, the avenues to freedom and intelligence have just now been suddenly opened. He must of necessity, from his previous unfortunate condition of servitude, be less informed as to the nature and character of our institutions than he who, coming from abroad, has to some extent, at least, familiarized himself with the principles of a Government to which he voluntarily entrusts life, liberty, and the pursuit of happiness.<sup>40</sup>**

## Military Reconstruction

In February 1867, Congress approved the First Reconstruction Act, which outlined a process for restoring the Confederate states to the Union, and sent it to President Andrew Johnson for review and signature. Remembered by some as “a champion of the white South,”<sup>41</sup> Johnson denounced and vetoed the bill, calling it an attempt to “coerce the [Southern] people into the adoption of principles and measures to which it is known that they are opposed and upon which they have an undeniable right to exercise their own judgment.”<sup>42</sup>

Johnson preferred a more lenient policy that would cancel Confederate debt, pardon former Confederates in exchange for their pledged loyalty to the Union, and restore former Confederate states to the Union once they denounced secession and wrote new constitutions that abolished slavery. Johnson instituted this policy of “Presidential Reconstruction”—which did not require Southern states to guarantee voting rights for Black men or involve Black people in the writing of new state constitutions—when he took office following President Lincoln’s 1865 assassination.

By 1867, Congress had grown frustrated that former Confederate leaders were controlling Southern state governments and actively working to undermine Emancipation and the Reconstruction Amend-

ments.<sup>43</sup> In March 1867, Congress overrode President Johnson’s veto and the First Reconstruction Act became law.

The act implemented “Reconstruction” as a longer period of post-war transition that empowered African American men as an electorate and excluded former government officials who had aided the Confederacy.<sup>44</sup> It divided 10 former Confederate states into five Reconstruction districts held under federal military control and led by commanding generals. Tennessee was excepted, since it had been readmitted to the Union in 1866. Each state had to complete a series of requirements to earn full federal restoration; the first was to hold a state convention of elected delegates and draft a new constitution establishing voting rights for men of all races.

Over the next two years, three additional laws were passed to form the collective Reconstruction Acts. Together, they authorized the commanding military generals to register voters and hold elections for delegates;<sup>45</sup> declared that “the governments then existing in the rebel States . . . were not legal state governments;”<sup>46</sup> and authorized the election of state officials and representatives to Congress while the new state constitution was up for ratification.<sup>47</sup>

To earn full restoration to the Union, these states had to write new constitutions, have the constitutions ratified by a majority of voters, elect new officials under the new constitutional guidelines, ratify the Fourteenth Amendment to the United States Constitution, and secure reinstatement from Congress.

The 10 former Confederate states held their required constitutional conventions between November 5, 1867, and February 8, 1869. Of the 1,027 total delegates who participated, 258—nearly 1 in 4—were African American men. In some states their numbers were much greater. Black men made up the majority of delegates at the South Carolina convention, nearly half in Louisiana, and more than a third in Florida.<sup>48</sup>

Even with the protection of federal troops and the force of federal law, Black people empowered to participate in the remaking of the South faced violence at the hands of resentful white mobs. At least 26 African American delegates to constitutional conventions were victims of Ku Klux Klan attacks.<sup>49</sup> Newberry, South Carolina, delegate Lee A. Nance was shot and killed outside of his home in October 1868. That same month, a Black man named Benjamin Randolph was shot in the head while riding a train, one day after giving a controversial

political speech in Abbeville, South Carolina. “Future generations will look back with horror,” read a resolution by the South Carolina legislature following Mr. Randolph’s murder, “upon the parties who, in open daylight, made an attack on him from behind.”<sup>50</sup>

As Reconstruction continued, violent white resistance to Black political power, citizenship rights, and freedom spread terror throughout the South, diminishing Black electoral influence and restoring to office many former Confederate officials who still promoted white supremacist policies.

**Terror campaigns enabled white people opposed to racial equality to gain control of most Southern state legislatures. By 1876, pro-Reconstruction officials controlled state governments in only three of the former Confederate states.**



(Randolph Linsly Simpson African-American Collection, Yale Collection of American Literature, Beinecke Rare Book and Manuscript Library)

In April 1866, Congress—still celebrating the Union’s Civil War victory and persuaded by passionate rhetoric insisting rights legislation was needed to make that bloodshed meaningful—overrode a presidential veto for the first time in United States history to enact the Civil Rights Act.<sup>51</sup>

Lawmakers next successfully passed the Fourteenth Amendment, which declared Black people’s citizenship and established the civil rights of all citizens. This proposal also found a foe in President Johnson. In his message to Congress announcing that the amendment had been sent to the states for consideration, Johnson ques-

tioned the legitimacy of the process and made clear his administration’s disapproval.

**I deem it proper to observe that the steps taken by Secretary of State, as detailed in the accompanying report, are to be considered as purely ministerial, and in no sense whatever committing the Executive to an approval or a recommendation of the amendment to the State legislatures or to the people.<sup>52</sup>**

Before the Fourteenth Amendment could become an enforceable part of the Constitution, 28 of the 37 states had to ratify it. Likely emboldened by Johnson’s defiant message of opposition, Southern legislatures refused—10 of the 11 former Confederate states rejected the amendment with overwhelming majorities and Louisiana did so unanimously.<sup>53</sup> The amendment fell short of the required state ratifications and could not yet be adopted.

**In response, and again over President Johnson’s veto, Congress passed the Reconstruction Acts of 1867, imposing military rule on the South and requiring states seeking readmission to the Union to ratify the Fourteenth Amendment.<sup>54</sup>**

The Reconstruction Acts also established voting rights for African American men, dramatically altering the South’s political landscape. By July 1868, enough states had ratified the Fourteenth Amendment and it was adopted. The United States Constitution now declared all persons born in the country were citizens, regardless of race, and thus entitled to the “privileges and immunities” of citizenship, due process, and equal protection

under the law.<sup>55</sup> Two years later, in 1870, the United States ratified the Fifteenth Amendment, explicitly prohibiting racial discrimination in voting<sup>56</sup>—but leaving women of all races disenfranchised for another 50 years.<sup>57</sup> Together, these legal developments established the meaning of citizenship for Black people who, just a few years earlier, had been denied that status by the nation’s highest court.

In *Dred Scott v. Sandford* in 1857, the Supreme Court declared Black people born in the United States ineligible for national citizenship and unable to claim the rights and immunities guaranteed by the Constitution.

Now, little more than a decade later and following the national upheaval of civil war and political reconstruction, the nation for the first time beheld a new legal creation: the Black American. Throughout the country, Black men, women, and children—some of whom had been free for generations and others who were enslaved until very recently—were for the first time legally protected from racialized enslavement, recognized as United States citizens, and legally guaranteed the rights of that status.

Political participation, education, and economic advancement soon emerged as the immediate goals and most powerful symbols of freedom. Those also proved to be the earliest targets of overwhelming post-Emancipation racial violence.

# FREEDOM TO FEAR

## A Terrifying and Deadly Backlash

“

**So determined were most white Southerners to maintain their own way of life that they resorted to fraud, intimidation and murder in order to re-establish their own control of the state governments. . . . The new civil war within the Southern states stemmed from an adamant determination to restore white supremacy.**

—Historian Henry Louis Gates<sup>58</sup>

**D**uring Reconstruction—the period of legal, political, and social re-creation that followed the Civil War—federal officials and troops remained in the South to enforce Black people’s new rights of freedom and citizenship and to administer educational and other programs for the formerly enslaved. For the first time, Black people in the region comprised a community of voters, public officials, landowners, wage earners, and free American citizens. But continued support for racial hierarchy meant that American slavery and the ideas underlying it could not be changed solely through elections and laws. As white people attacked Black people for asserting their rights, the Reconstruction era’s initial hope and progress gave way to devastating, deadly violence.

Most white people refused to accept Emancipation and Black citizenship. They instead responded to Reconstruction’s progress by using force and terror to disenfranchise, marginalize, and traumatize Black communities while killing countless Black people.



The 1866 New Orleans Massacre. (Harper's Weekly)

**Shortly after passage of the Thirteenth Amendment, white mobs began to target Black people simply for claiming their freedom.**

On July 30, 1866, at what is today the Roosevelt Hotel, New Orleans was hosting a convention of white men working to make sure Louisiana's new constitution would guarantee Black voting rights. In the weeks leading up to the convention, local press denounced the attendees as traitors and invaders. "Within a short time," warned the *Louisiana Democrat*, "we may expect to see the State of Louisiana a member of the Union, with nigger suffrage, nigger Senators, and nigger representatives."<sup>59</sup>

When local Black men staged a march to support the convention, the seething opposition erupted in violence as white police and mob members indiscriminately killed Black people in the area. "For several hours, the police and mob, in mutual and bloody emulation, contin-

ued the butchery in the hall and on the street, until nearly two hundred people were killed and wounded," a Congressional committee formed to investigate the massacre concluded in 1867. "How many were killed will never be known. But we cannot doubt there were many more than set down in the official list in evidence."<sup>60</sup>

As Reconstruction continued, the terror attacks that white mobs committed grew more structured and group-based. "A lawlessness which, in 1865-1868, was still spasmodic and episodic, now became organized," W.E.B. Du Bois later observed. "Using a technique of mass and midnight murder, the South began widely organized aggression upon the Negroes."<sup>61</sup>

Organized and violent white resistance to Reconstruction was born in Pulaski, Tennessee, on December 24, 1865, when six Confederate veterans formed the first chapter of the Ku Klux Klan (KKK).<sup>62</sup> Functioning from its inception as a political paramilitary arm of white supremacist interests, the Klan engaged in a campaign of terror, violence, and murder targeting African Americans and white people who supported Black civil rights. The Klan and similar organi-

zations, including the Knights of the White Camelia and the Pale Faces, were largely independent and decentralized but shared aims and tactics to form a vast network of terrorist cells. By the 1868 presidential election, those cells were poised to act as a unified military force supporting the cause of white supremacy throughout the South.<sup>63</sup>

In Georgia on October 29, 1869, Klansmen attacked and brutally whipped 52-year-old Abram Colby, a formerly enslaved Black man who had been elected to Congress by enfranchised freedmen. Shortly before the attack, a group of Klansmen comprised of white doctors and lawyers tried to bribe Mr. Colby to change parties or resign from office.<sup>64</sup> When he refused, the men brutally attacked him. Mr. Colby later testified before a Congressional committee:

**"[The mob] took me to the woods and whipped me three hours or more and left me for dead."**<sup>65</sup>

The Memorial at the EJI Legacy Pavilion in Montgomery, Alabama, is inscribed with the names of 500 Black people lynched during Reconstruction. (Jose Vazquez)



In Chattanooga, Tennessee, when a Black man named Andrew Flowers defeated a white candidate in the 1870 race for justice of the peace, Klansmen whipped him and told him that "they did not intend any nigger to hold office in the United States."<sup>66</sup>

On the night of March 6, 1871, a mob of armed white men hanged a Black man named James Williams in York County, South Carolina, and terrorized the local African American community, assaulting residents and burning homes.<sup>67</sup> Mr. Williams, enslaved before the Civil War, had recently organized a coalition to protect the freedom of Black people in York County.<sup>68</sup> White residents circulated rumors claiming that he posed a threat,<sup>69</sup> and as his former enslaver later testified, his presence "caused a great deal of uneasiness."<sup>70</sup> Details of the lynching were sparsely documented but federal officials arrested and prosecuted several alleged members of the mob. One testified during trial that, after hanging Mr. Williams, the mob stopped to get "some crackers and whiskey."<sup>71</sup> Despite the admission, all charges were later dismissed or discontinued and no one was ever held accountable for Mr. Williams's death.<sup>72</sup>

York County, South Carolina

In 1871, federal investigators found evidence of 11 murders and more than 600 whippings and other assaults in York County, South Carolina, where nearly the entire white male population had joined the Klan.<sup>73</sup> When local grand juries failed to take action, federal authorities urged President Ulysses S. Grant to intervene, describing the state as “under the domination of systematic and organized depravity” that created a “carnival of crime not paralleled in the history of any civilized community.”<sup>74</sup> More than 60 years later, W.E.B. Du Bois described Klan violence as “armed guerilla warfare” and estimated that, between 1866 and mid-1867, the Klan committed 197 murders and 548 aggravated assaults in North and South Carolina alone.<sup>75</sup>

Indiana to Missouri

A similar white terrorist campaign started in Indiana and spread throughout the country. Calling themselves “whitecaps,” mobs of poor, white farmers targeted Black people they viewed as economic competition and threatened them with death if they refused to abandon their land or give up their jobs. In most cases, local law enforcement’s indifference or inability to protect Black residents allowed the whitecaps to commit violence and murder without fear of legal repercussions.<sup>76</sup> In Missouri, one newspaper reported that the whitecaps had “become almost as formidable and mysterious as the famous Ku-Klux.”<sup>77</sup>

Warren, Kentucky

In Warren, Kentucky, on September 5, 1868, a white mob affiliated with the Ku Klux Klan surrounded the house of William Glasgow, a Black man and former Union soldier who had pledged to vote in favor of Black rights in the upcoming election. The mob demanded that he come outside. When Mr. Glasgow refused, the mob broke into his house and killed him in front of his wife, then went to another cabin and hanged an “inoffensive negro” who had also served in the Union Army.<sup>78</sup>



The Memorial at the EJI Legacy Pavilion features the locations and estimated death tolls of 34 Reconstruction-era massacres that targeted Black communities. (Jose Vazquez)

St. Helena Parish, Louisiana

Less than two months later, on October 29, 1868, a white mob in St. Helena Parish, Louisiana, seized and shot to death John Kemp, a literate Black coroner and active political organizer.<sup>79</sup>

Columbia, Florida

Later that fall, Prince Weaver, a prominent African American in Columbia, Florida, hosted a social gathering at his home. Five or six disguised men fired on the gathering, killing 13-year-old Samson Weaver and severely wounding three others. Prince Weaver reportedly had “been warned against” holding political meetings at his house. After the attack he learned that the shots were intended to kill him and fled his community in search of safety.<sup>80</sup>

**These acts were not committed only by marginalized extremists. Countless white people participated in attacking and killing Black people to defend white supremacy.**

As historian Eric Foner explains, the “wave of counter-revolutionary terror that swept over large parts of the South between 1868 and 1871 lacks a counterpart either in the American experience or in that of the other Western Hemisphere societies that abolished slavery in the nineteenth century.”<sup>81</sup>

The growing wave of terror and racial violence persisted throughout Reconstruction. As white communities grew increasingly bold and confident in their ability to kill Black people with impunity, the violence expanded beyond organized groups like the Klan.

In the first years after Emancipation, Black people who bravely seized new opportunities to exercise political power, pursue education, and resist economic exploitation risked their own lives to chart a new path. Racial violence killed many and terrorized many more with the knowledge that their long-sought and hard-won freedom now placed them in danger.

## Black Political Mobilization and White Backlash

The Black community mobilized after passage of the Reconstruction Amendments, organizing meetings, parades, and petitions calling for the implementation of their legal and political rights, including the right to vote. During the first two years of Reconstruction, Black people formed Equal Rights Leagues throughout the South. These groups held state and local conventions protesting discriminatory treatment and demanding the right to vote and equality before the law.<sup>82</sup>



Hiram Revels, the nation's first Black senator. (National Archives)

**As a result of this activism, in 10 of the 11 former Confederate states, approximately 80 percent of eligible Black male voters were registered by the summer of 1867.<sup>83</sup>**

As new local, state, and federal governments formed, scores of newly-emancipated Black men exercised their right to vote and organized campaigns to run for elected office.

When Senator Hiram Revels of Mississippi, the first African American elected to serve in Congress, took office on February 25, 1870, Senator Charles Sumner—a white Massachusetts



Robert Smalls, Civil War hero and Reconstruction-era Congressman. (Library of Congress)

politician who had helped lead the legislative civil rights efforts that followed the Confederate defeat—exclaimed: “All men are created equal says the great Declaration, and now a great act attests this verity. Today, we make the Declaration a reality.”<sup>84</sup>

Sen. Revels was a Mississippi-born preacher and veteran of the United States Colored Troops who personified African American Emancipation and enfranchisement. In 1869, Black voters elected him to a seat in the Mississippi state senate. The next year, he was elected to fill a United States Senate seat previously occupied by a white enslaver.<sup>85</sup>

Sen. Revels toured the country after taking office and was introduced to audiences as the “Fifteenth Amendment in flesh and blood.”<sup>86</sup> In an 1871 speech advocating for the end of school segregation, he declared, “I am true to my own race. I wish to see all done that can be done for their encouragement, to assist them in acquiring property, in becoming intelligent, enlightened, useful, valuable citizens. I wish to see this much done for them, and I believe God makes it the duty of this nation to do this much for them.”<sup>87</sup> Although he served only a year in office, Sen. Revels broke new ground for African Americans in Congress—and others followed.

In 1874, Robert Smalls was elected to Congress from Beaufort County, South Carolina. Twelve years earlier, while working as an enslaved crewman aboard the *Planter*, a Confederate ammunition transport ship, Mr. Smalls piloted the ship out of Charleston harbor and delivered it to the Union Navy. Recognized for his bravery and skill, he became one of the first African American pilots in the United States Navy. In the House of Representatives, Rep. Smalls fought tirelessly against racial segregation in the military, railroads, and restaurants.<sup>88</sup>



(Library of Congress)

During Reconstruction, an estimated 2,000 Black men served in elected office from local and state positions all the way up to Congress.<sup>89</sup> Almost half of elected Black officeholders served in South Carolina and Louisiana, where Black people had the longest history of political organization. In most other states, African Americans were under-represented compared to their population. Some Black leaders had gained their freedom before the Civil War, while others had worked as skilled artisans during enslavement or served in the Union Army. A large number of Black political leaders came from the church, having worked as ministers during enslavement and in the early years of Reconstruction.

In all, 16 African Americans served in Congress during Reconstruction, more than 600 were elected to state legislatures, and hundreds more held local offices across the South.<sup>90</sup> The newly elected and racially integrated Reconstruction governments took bold action at the state level, repealing discriminatory laws, rewriting apprenticeship and vagrancy statutes that had widely led to Black people’s re-enslavement and arrest after Emancipation, outlawing corporal punishment, and sharply reducing the number of capital offenses. African Americans also served on juries and won election to law enforcement positions like sheriff and chief of police.<sup>91</sup>

At the same time that African Americans were participating in government in unprecedented numbers, many white elected leaders worked to undermine and substantially diminish Black political power.

In his 1867 annual message to Congress, President Johnson declared that Black Americans had “less capacity for government than any other race of people,” that they would “relapse into barbarism” if left to their own devices, and that giving them voting rights would result in “a tyranny such as this continent has never yet witnessed.”<sup>92</sup> This rhetoric from the nation’s highest office encouraged white people, especially in the South, who stood determined to destroy a politically-empowered Black voting bloc.

In August 1870, a Black legislator named Richard Burke was attempting to organize a meeting of African Americans in Sumter County, Alabama, when he was shot and killed near his home. Mr. Burke was accused of encouraging armed Black people to stage a protest in Livingston, Alabama, but the *Southern Republican* newspaper reported that the charges against Mr. Burke were most likely made up as an excuse to kill him for his political leadership.<sup>93</sup>

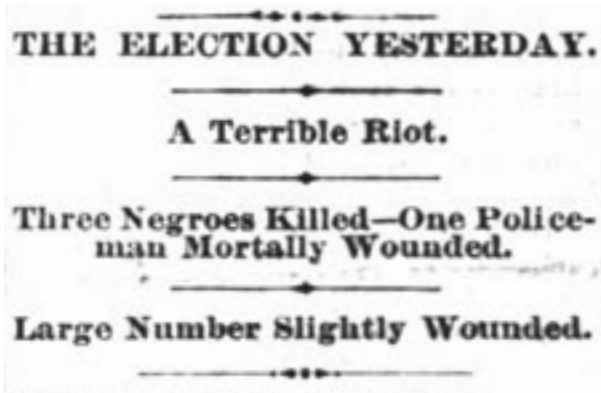


**Across the United States, white mobs waged bloody massacres to prevent Black communities from exercising their voting rights.**

In September 1868, Colonel Pearce and Captain Murphy—two politicians supporting Black

civil rights—attempted to enter the town of Camilla, Georgia, to speak at a public event. An armed mob of white men met them outside town and warned them that white residents were prepared to respond with violence if they honored their speaking engagement. When the men refused to be intimidated by the mob, the sheriff informed them that “the people would not allow Radical[s] to speak at Camilla.” Instead of offering the men protection, the sheriff threatened them against exercising their constitutional right to assemble. At the courthouse, a white mob violently attacked Colonel Pearce, Captain Murphy, and several Black people attending the event. In the end, newspapers reported that seven African Americans, including a woman and a baby, had been killed and at least 30 other people were wounded.<sup>94</sup>

Less than two months later, on election day in Savannah, Georgia, a group of Black men standing in line at a polling station were accused of blocking the door and an altercation between Black and white voters ensued. Responding police officers fired into the crowd, injuring at least 20 people and killing three Black people: Sam Parsons, Peter Hopkins, and a third unidentified victim.<sup>95</sup> Massacres in New Orleans in 1868 and in Eufaula, Alabama, and Vicksburg, Mississippi in 1874, are among the many more examples.



Headline reporting election violence in Savannah, Georgia. (Atlanta Constitution, Nov. 7, 1868)

## Fighting for Education

During enslavement, white people restricted or denied Black people's access to education. The myth of racial difference was rooted in the "fact" of Black inferiority and intellectual incapacity and their resulting dependence on benevolent white "masters." Yet white hostility to Black literacy and education was actually evidence that enslaved people *wanted* to learn, and that the development of Black knowledge—particularly knowledge of their own claim to rights and freedom—was a threat to white racial dominance.

"In most of us colored folks was the great desire to [be] able to read and write," John W. Fields, 89, recalled in 1936, decades after he was emancipated from enslavement in Ken-

Black students in class at Tuskegee Institute in Alabama, 1902. (Library of Congress)



tucky. "We took advantage of every opportunity to educate ourselves. The greater part of the plantation owners were very harsh if we were caught trying to learn or write. . . Our ignorance was the greatest hold the South had on us."<sup>96</sup>

By the outbreak of the Civil War, nearly every Southern state prohibited the education of enslaved people and barred them from possessing reading material or writing instruments. Some of these laws authorized death as punishment.<sup>97</sup> On two different occasions in 1854, white "slave patrollers" in Mt. Meigs, Alabama, burned alive enslaved Black people suspected of possessing anti-slavery pamphlets.<sup>98</sup>

**At the end of the Civil War, the ability to read and write became a symbol of freedom in the Black community.**



African American students on the lawn of Howard University, 1867. (Library of Congress)

Schools for African Americans were places "where the children of a once enslaved people may realize the blessing of liberty and education,"<sup>99</sup> Frederick Douglass stated in one of his final speeches. "Education . . . means emancipation. It means light and liberty. It means the uplifting of the soul of man into the glorious light of truth, the light only by which men can be free."<sup>100</sup>

Although Black schools were illegal in most Southern states, free African Americans had built, funded, and maintained small schools across the South for more than 3,000 Black children by 1860.<sup>101</sup> By 1863, 5 percent of enslaved people had secretly learned to read and write.<sup>102</sup> In the immediate aftermath of the Civil War, newly emancipated African Americans established additional schools in churches and other gathering places.

With the aid of the Freedmen's Bureau, philanthropy from Northern aid societies, and funding from state Reconstruction governments, Black schools quickly opened across the South. Government agencies and charities provided most of the funding, but African Americans emerging from enslavement actively pursued educational opportunities for themselves and their children. Despite their minimal resources, Black communities purchased land, constructed buildings, and raised money to hire teachers.

Rural Black families moved nearer to towns and cities to give their children access to schools. And children, in turn, shared knowledge with older people who had to work rather than attend class, reviewing the day's lessons with their parents and grandparents after school hours.

“ [A Black person] riding on a loaded wagon, or sitting on a hack waiting for a train, or by the cabin door, is often seen, book in hand delving after the rudiments of knowledge. A group on the platform of a depot, after carefully conning an old spelling book, resolves itself into a class.<sup>103</sup>

—Freedmen’s Bureau official

The first years after Emancipation also witnessed the creation of the nation’s first Black colleges, including Howard University in Washington, D.C., and Fisk University in Tennessee.

**Black education was a target of violence as white communities clung to ideas of Black inferiority and sought to trap Black people in a “freedom” limited to subservience.**

In fall 1870, white mobs burned “nearly every colored church and school-house” in Tuskegee, Alabama.<sup>104</sup> In Calhoun County, Alabama, that year, a white mob outraged at the growth of a local Black school lynched four Black men named Tony Cliff, Berry Harris, Caesar Frederick, and William Hall, and also killed William Luke, a white man who had moved to Alabama from the North to teach freedmen.<sup>105</sup> A Georgia newspaper reported merely that “several negroes and one white man have been buried to their long home through the false teachings of that white man.”<sup>106</sup>



Emancipated Black Americans sought education and work to realize the promise of freedom. (Illustration by Jamiel Law)

## Resisting Economic Exploitation

“ The slave expected to get 40 acres of land and a mule but nobody got it as far as I know. We never got nothing.

—Ellis Ken Kannon, a Black man enslaved in Tennessee as a youth<sup>107</sup>

At the end of the Civil War, most Black people lived in the South, where agriculture remained the dominant industry and land ownership had long been the clearest path to economic independence and self-sufficiency. For the many Black people thrust into freedom with years of experience working the land for white profit, scholar Edward Royce explains the prospect of finally holding their own land “gave them the opportunity to reap the fruit of their own labor and to take care of themselves” and held the potential to “make them truly free.”<sup>108</sup> Many formerly enslaved people dreamed that Emanci-

pation would bring that opportunity, but for most it never materialized.<sup>109</sup>

News circulated after the war that the federal government was committed to land distribution. Whatever may have been planned, President Lincoln’s April 1865 assassination by a Confederate sympathizer killed the prospect of meaningful Black economic advancement. Vice President and Tennessean Andrew Johnson rose to the presidency initially promising to punish Southern “traitors,” but by 1866 he had issued 7,000 pardons to secessionists.<sup>110</sup>

Johnson also rescinded orders granting Black farmers tracts of land that the Union had seized from Southern white rebels during the war and instead returned the property to former Confederates.<sup>111</sup> This left Black people vulnerable to white Southerners who still held the vast majority of land and resources and remained determined to exploit Black labor—“free” or not.

“There is really no difference, in my opinion whether we hold them as absolute slaves or obtain their labor by some other method,”<sup>112</sup> a white Alabamian remarked in 1866. Another white Alabama resident similarly described the white South’s idea of post-war restoration:

“ There is a kind of innate feeling, a lingering hope among many in the South that slavery will be regvanized in some shape or other. They tried by their laws to make a worse slavery than there was before, for the freedman has not now the protection which the master from interest gave him before.<sup>113</sup>

Left to navigate the “free market” from a position of generations-long disadvantage, in a system dominated by white people determined to maintain racial inequality, Black people found that freedom often meant poverty and desperation. Because most formerly enslaved people lacked the cash to buy land outright, and white landowners routinely refused to provide them credit, the government’s refusal to provide targeted assistance meant that most freedmen could not build their own farms.

**Instead of facilitating Black land ownership, President Johnson’s policies ushered in sharecropping—a new practice that soon replaced slavery as a primary source of agricultural labor and Black exploitation in the South.<sup>114</sup>**

A white manager weighs cotton picked by African American sharecroppers circa 1870. (CORBIS)



Under the sharecropping system, Black laborers cleared, planted, and harvested land they did not own in exchange for a share of the crop, minus costs for food, supplies, and lodging (often in the same quarters they had inhabited while enslaved). Because the Johnson administration required landowners to pay off their debts to banks first, white people frequently shirked their duty to pay Black sharecroppers, who had no recourse.<sup>115</sup> Even when they were paid, Black sharecroppers were typically disadvantaged by the contracts they’d signed under duress, and they were often told that their debt to the landowner was higher than their wages. This trapped many Black families in a cycle of debt for generations, preventing them from accumulating capital to build wealth or buy their own property.

Many Black farmers had to take high-interest loans as their only means of purchasing exorbitantly-priced necessities, deepening the debt trap. When they tried to enforce contracts at the end of the season or negotiate better ones, they were met with violence from landowners or organized “regulators” who used terror to force agreement.<sup>116</sup>



In freedom, Black men, women, and children worked together to gain knowledge and share it with one another. (Illustration by Jamiel Law)

Despite these overwhelming obstacles, some African Americans did manage to acquire land, build businesses, and achieve social mobility during Reconstruction. In a few cases, Black people in the South obtained assistance from the Freedmen’s Bureau and combined personal resources to buy shared farms or small plots of land.<sup>117</sup> Shortly after the war’s end, some Black people—particularly those in or near larger cities—also began to open small businesses and establish themselves as blacksmiths, barbers, shoemakers, builders, and grocers.<sup>118</sup>

In Nashville, Tennessee, in 1871, a formerly enslaved Black man named Henry Harding owned and managed one of the city’s most popular hotels and built a net worth of \$35,000. He later became one of the two largest Black taxpayers in Davidson County.<sup>119</sup>

In Washington, D.C., the availability of some government jobs and establishment of Howard University created a magnet for Black intellectuals and civic leaders. African Americans who moved to the nation’s capital purchased property, built successful businesses, and pursued education for themselves and their children. In the years following the war, “the District of Columbia witnessed more than a doubling in the number of Black [people] who owned businesses (156 to approximately 318) and a significant increase in their average real and personal property holdings.”<sup>120</sup>

More than 90 percent of Black Americans resided in the South by 1870, and only 1 percent (30,000) of the more than three million African Americans in the region owned land.<sup>121</sup>

## Many Black people became ensnared by a new form of slavery through the criminal law—convict leasing.

As the Southern labor market faced a void left by Emancipation, Southern legislators used a loophole in the Thirteenth Amendment—which banned involuntary servitude *except as punishment for crime*—to establish convict leasing.

The convict leasing system worked to re-enslave Black people using the criminal justice system. (Illustration by Jamiel Law)



After creating discriminatory “Black Codes” to criminalize newly freed Black people as vagrants and loiterers, states passed laws authorizing public officials to lease prisoners to private industries. While states profited, prisoners earned no pay and faced inhumane, hazardous, and often deadly working conditions. Under these laws, thousands of Black people were forced into a brutal system that historians have called “worse than slavery.”<sup>122</sup>

In Mississippi, convict leasing began in 1868. Colonel Edmund Richardson, a white man and antebellum millionaire who used convict labor to rebuild his fortune,<sup>123</sup> signed a contract with the state allowing him to keep all profits from the labor of imprisoned men—nearly all of whom were Black and formerly enslaved.<sup>124</sup> According to an 1871 state report reviewing the leasing system, Richardson doled out labor assignments by race, sending only Black convicts to clear and build levees on swampland he owned in the Delta. The few white prisoners and old and sick Black prisoners remained at the state penitentiary in Jackson.<sup>125</sup> Though largely uncritical, the report reviewing Richardson’s operation between 1868 and 1871 documented dozens of prisoners killed by violence or disease.<sup>126</sup>

The widespread economic exploitation of Black people continued for generations after slavery’s end. Those who challenged this system of domination faced threats, violence, and even murder.

Late in the summer of 1865, a white mob brutally killed six Black men in Duplin County, North Carolina: Charles Winters, John Hirst, John Middleton, Thomas Bradley, and two men whose names were not recorded.<sup>127</sup> According to the testimony of a Union soldier, the six men had entered into a sharecropping agreement with their former slaveowner and continued to work on the plantation where they had been enslaved.<sup>128</sup> When the white man later tried to evict the men without compensation for the work they had done, they insisted on their right to be paid. In response, the white man gathered his armed white neighbors, including law enforcement officers, and killed all six Black men.<sup>129</sup> While some newspapers attempted to justify the violence by reporting that one of the Black men tried “to run away while his house was being searched for stolen property,” other reports made no attempt to conceal the white

landowners’ intent “to terrify the negros into leaving without their share of the crop.”<sup>130</sup> This kind of violence was widespread.

In a January 1866 letter to the Freedmen’s Bureau, Brevet Major General Clinton B. Fisk, stationed in Centreville, Tennessee, reported that white residents were using rampant violence to maintain economic control over Black people. “Since April 15, 1865,” he wrote, referencing the date of President Lincoln’s death, “there have been numerous outrages committed against freedmen in this district.”

**“The violence committed was generally death. The Rebels adopted this course to keep them in bondage up til June last when a federal garrison was stationed at this place. During the rebellion the freedman was kept under the control of their rebel masters by violence for if any left their former master they sent the young bands of Bushwhackers after him and when was found he was deliberately shot down. This deterred many from leaving and this today keeps them from getting remuneration for their work which they perform under dread of maltreatment . . . I know of some 5 or 6 having been killed in that manner all for the above purpose.”<sup>131</sup>**

## The Freedmen's Bureau

In March 1865, Congress established the Freedmen's Bureau to provide formerly enslaved people with basic necessities and to oversee their condition and treatment in the former Confederate states. In practice, the Bureau often fell short at this vast and historic undertaking, as white mobs and institutions throughout the South continued to oppress, attack, and exploit African Americans during Reconstruction. Local Bureau offices served as central community locations to document reports of violence committed against freed people, register Black people to vote, verify labor contracts between formerly enslaved people and employers, provide food and medical care, establish schools, and perform marriages.<sup>132</sup> The offices often faced both internal and external impediments to carrying out these functions.

Many of the Bureau's difficulties began when it was established as a division of the War Department and authorized to operate for only one year after the war's end. Congress appropriated no budget for the Bureau and instead left its staffing and funding to the military<sup>133</sup>—an institution ill-suited for the task of overseeing the complex social restructuring required to counter the effects of centuries of enslavement and entrenched racial hierarchies. Some lawmakers proposed making the Bureau a permanent, independent agency or making it part of the Interior Department but those ideas met bipartisan opposition.<sup>134</sup> In 1866, President Johnson vetoed Congress's first attempt to extend the Bureau's operations beyond one year. The measure was rewritten and passed over a second veto.<sup>135</sup>

Bureau offices were poorly staffed and under-resourced, unable to cope with the numerous needs of formerly enslaved people still facing widespread violence and discrimination alongside the trauma and poverty borne of generations in bondage. The Bureau Commissioner's office was responsible for overseeing operations in the entire former Confederacy with a staff of just 10 clerks. As of 1868, the Bureau had only 900 officials to serve millions of formerly enslaved people across the South.<sup>136</sup>

Local Bureau offices quickly became targets for racist violence. Many white people in the South saw the Bureau as a symbol of unjust federal occupation and resented that federal officials were working to assist formerly enslaved people while Southern white communities remained devastated by the failed Confederate rebellion. White Southerners greatly hindered the Bureau's ability to enforce federal law by denying its authority. When two freedwomen brought a case against a white man named Maynard Dyson in Virginia in 1866, he ignored the Freedmen's Court's summons and refused to comply with the court's order that he compensate the women. Dyson's attitude was common, and strained resources rendered the Bureau largely powerless to force compliance.<sup>137</sup>

In many instances, white Southerners' disregard for the Bureau escalated to violence against schools and teachers that educated Black children. In 1869, a white mob burned down a freedmen's school in Clinton, Tennessee. A teacher later explained in a letter to the Bureau that, days before the fire, the school had raised the American



Students and teachers outside the Freedmen's Bureau school on St. Helena's Island, South Carolina, 1866.

flag to celebrate the recent presidential inauguration of former Union General Ulysses S. Grant.<sup>138</sup> Bureau records document many attacks on schools, including in Travis County, Texas;<sup>139</sup> Queen Anne's County, Maryland;<sup>140</sup> and Rockbridge County, Virginia.<sup>141</sup> In 1868, the white owner of a Clarksville, Tennessee, building that freed people wanted to use for a school declared that he would rather "burn it to the ground than rent it for a 'nigger school.'"<sup>142</sup>

In the face of waning political will to protect Black people's lives and rights and under growing political pressure from the South, Congress unceremoniously dismantled the Freedmen's Bureau in 1872—seven years after the war's end, five years before the end of Reconstruction, and at the height of deadly violence targeting African Americans. Today the Bureau's records

supply some of the most detailed descriptions of the Reconstruction era, while also documenting the agency's own shortcomings and failures.

"The passing of a great human institution before its work is done leaves a legacy of striving for other men," W.E.B. Du Bois wrote in 1901.<sup>143</sup> While the Freedmen's Bureau was launched as a federal effort to provide support and protection to formerly enslaved people as they struggled to exercise new freedoms, the inadequate and incomplete commitment to that purpose enabled fierce white resistance to undermine the Bureau's effectiveness, and ensured that the work of protecting Black freedom would remain an unfulfilled task for years to come.

# DOCUMENTING RECONSTRUCTION VIOLENCE

## Known and Unknown Horrors

“

**The freedmen here have been kept in perfect terror of their lives by the desperate men of the County who are hostile and active in abusive assailing and murdering this inoffensive people all over the County for any and every pretext that human ingenuity can devise and often without any plea whatever.**

—Freedmen's Bureau official in Sherman, Texas, October 1866<sup>144</sup>

**T**he historical record is filled with scattered but consistent and devastating descriptions of the terror and brutality that thwarted what should have been a time of hope and promise. Despite the plentiful reports from observers describing the frequent and largely unchecked murders and assaults Black people suffered during the Reconstruction period of 1865 to 1876, there is no established casualty count or reliable total number of victims killed. Quantitative documentation of the violence of this era remains imprecise and incomplete.

In his foundational book, *Been In The Storm So Long: The Aftermath of Slavery*, historian Leon F. Litwack acknowledges several reasons for the sparse record. For one, Southern newspapers often suppressed reports of white violence targeting Black people, alleging that the stories unfairly cast the South in a bad light.<sup>145</sup> In addition, the boldness and impunity with which these attacks were committed meant that many victims simply disappeared, leaving no obvious trace of their fate. The trauma of racial violence also left many Black victims and witnesses afraid to report attacks or provide testimony against the white mobs responsible.<sup>146</sup>

And finally, the indifference and even complicity of local legal systems left few authorities to whom attacks could be reported, even if people were brave enough to do so.

“Whether dealing with slaves or freedmen, southern courts and jurists seldom wavered from the urgent need to solidify white supremacy, ensure proper discipline in blacks, and punish severely those who violated the racial code . . . After their initial experiences with the judicial system, many freedmen found little reason to place any confidence in it. The laws discriminated against them, the courts upheld a double standard of justice, and the police acted as the enforcers.”<sup>147</sup>

Today, newspaper articles, summary records gathered and preserved by the federally-organized Freedmen’s Bureau, and testimony taken during Congressional hearings account for most surviving narratives of white violence targeting Black people within the first years after the Civil War. Those records provide only a partial list of the total Black victims killed and assaulted in acts of racial violence during this period. But review of these records paints a haunting and devastating picture of a period of deadly attacks that yielded thousands of documented victims and terrorized Black communities across the South with near-daily acts of lynching and assault.

The Freedmen’s Bureau’s records are the most comprehensive and reliable official accounting of Reconstruction violence against Black people, but they are not without limitations. Records of murders and outrages digitized and transcribed online span only 1865 to 1868, while those covering later years remain in archives awaiting consolidation and processing.<sup>148</sup> Through review of those 1865-1868 records, Congressional testimony, and newspaper reports from the era, the Equal Justice Initiative has documented more than 2,000 Black victims killed during the Reconstruction era, from 1865 to 1876. This is a staggering figure compared to the more than 4,400 victims documented for the 74-year era of racial terror lynching that spans 1877 to 1950. It is an even more horrific figure considering the thousands of additional victims who may be documented in other records, or who are undocumented and forever lost to history.

The incomplete data now available should not be used to derive trends or comparative rankings. But aggregating these known numbers can make the terror of this period more tangible by painting a picture of the widespread nature of the violence and the ways attacks were often concentrated in time and space.

Figure 1 identifies the counties in which EJI’s current records document acts of racial violence during Reconstruction that were reported to the Freedmen’s Bureau or documented in news coverage from the era. The map clearly illustrates that violence was concentrated in the South and touched most counties in the region but also stretched to the Midwest and North.

The map represents a minimum rather than a maximum. Because records are scattered and incomplete, the lack of documentation of violence in a particular county does not mean that Black people in those counties were not targeted for whippings, shootings, rapes, lynchings, and other acts of racial violence.

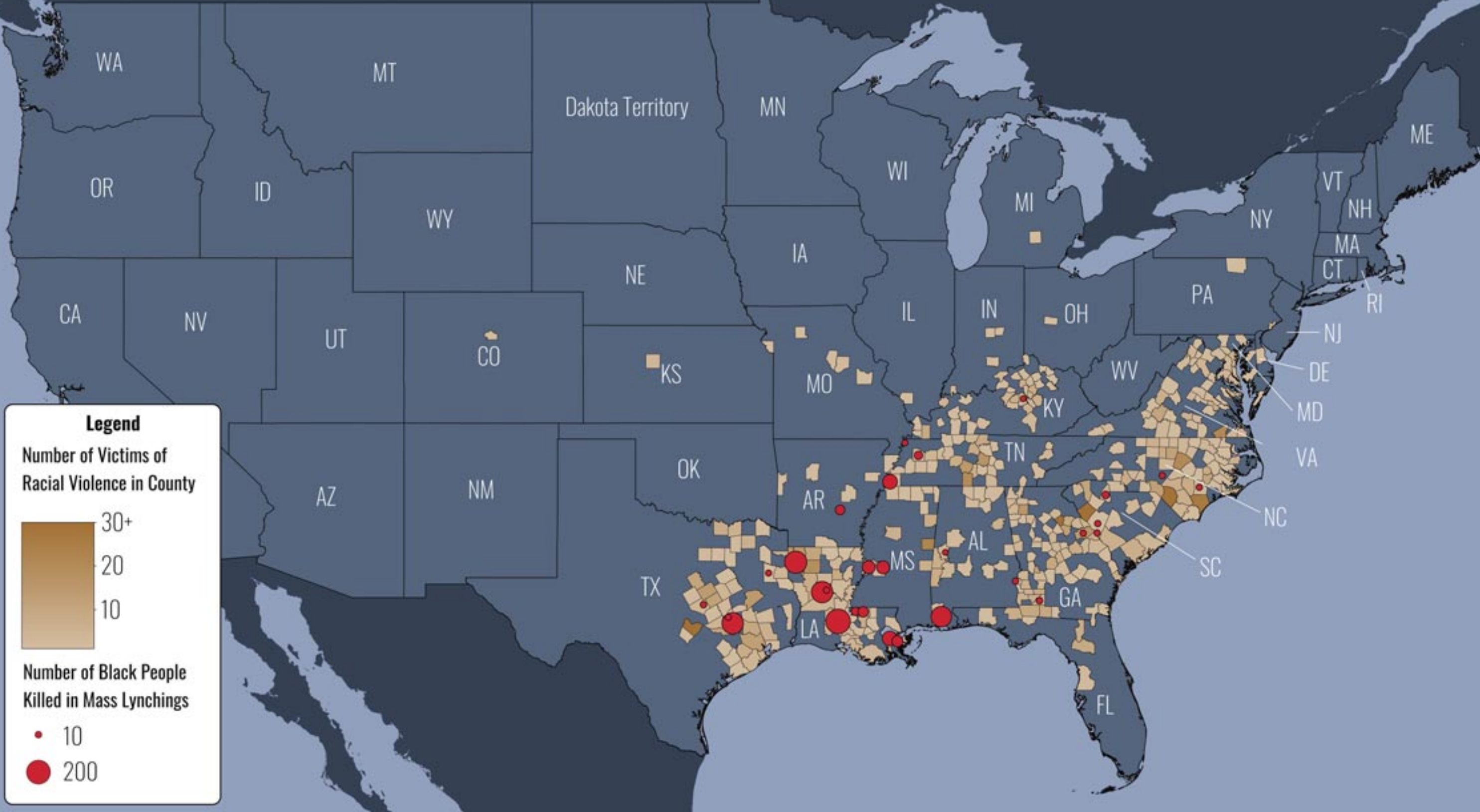
Figure 2 shows 34 documented massacres during the Reconstruction era in which white mobs attacked Black communities and killed three or more people in one act of racial violence. In some cases, the estimated death tolls reached 100 or more victims. These massacres all took place in the South and were frequently waged by mobs seeking to brutally suppress the Black vote or to instill fear and terror in the entire Black community by killing alleged “suspects” accused of unproven offenses.

Even as we examine the information we can glean from aggregate data, the limitations of this approach cannot be overstated. “How many Black men and women were beaten, flogged, mutilated, and murdered in the first years of Emancipation will never be known,” Litwack has observed.

**“Nor could any accurate body count or statistical breakdown reveal the barbarity and depravity that so frequently characterized the assaults made on freedmen in the [purported] name of restraining their savagery and depravity – the severed ears and entrails, the mutilated sex organs, the burnings at the stake, the forced drownings, the open display of skulls and limbs as trophies.”<sup>149</sup>**

To acknowledge and understand the human toll and devastating terror wrought by the attacks that targeted Black people during this hopeful and fearful era, we must go beyond the incomplete numbers to learn about the stories that have survived—and to contemplate the many that have not.

**Figure 1**  
**Racial Violence During Reconstruction, 1865–1876**



# 34 Documented Mass Lynchings During the Reconstruction Era

It is certain that many more mass lynching events than those listed here took place during Reconstruction, and it is likely that hundreds or thousands more people were killed in mass violence during this period than can be documented today.

## Mobile County, Alabama, 1865

White mobs kill an estimated 138 Black people over the course of several months.

## Duplin County, North Carolina, 1865

Six Black men lynched after demanding that a white landowner pay them for their work.

## Memphis, Tennessee, 1865

Approximately 20 Black Union soldiers attacked and killed.

## Bell County, Texas, 1866

Violent attacks by the Ku Klux Klan leave approximately seven Black people dead.

## Pine Bluff, Arkansas, March 1866

Twenty-four emancipated Black men, women, and children living in a refugee camp are found dead, hanging from trees.

## Memphis, Tennessee, May 1866

White mobs attack the Black community, killing at least 46 people and destroying homes, schools, churches, and businesses.

## New Orleans, Louisiana, July 1866

White mobs attack advocates marching for Black voting rights, killing an estimated 33 Black people.

## Millican, Texas, July 1868

An estimated 150 Black people are killed by armed white mobs.

## Camilla, Georgia, September 1868

White mobs attack Black residents gathered to protest political disenfranchisement, killing at least seven Black people.

## Opelousas, Louisiana, September 1868

An estimated 200 Black people are killed over several days after attempting to participate in the political process.

## Caddo Parish, Louisiana, October 1868

At least 53 Black people are killed by white mobs wielding racial violence to suppress the Black vote.

## New Orleans, Louisiana, October 1868

White mob attacks and kills 14 Black men on Canal Street.

## St. Bernard Parish, Louisiana, October 1868

White mobs attack Black community to discourage voting, killing at least 35 Black people.

## Algiers, New Orleans, Louisiana, October 1868

White mobs use violence to suppress the Black vote, killing at least seven Black people.

## Bossier Parish, Louisiana, October 1868

White mobs terrorize the Black community in widespread attacks leading up to election day, killing at least 162 Black people.

## McDuffie County, Georgia, November 1868

A Black man named Perry Jeffreys, his wife, and four of their sons are attacked and lynched by white mobs targeting Mr. Jeffreys for voting.

## Moore County, North Carolina, February 1869

After a Black man named Daniel Blue testifies against white men accused of racial violence, a white mob attacks his home and lynches his wife and five children.

## Henderson, Texas, April 1869

A white mob hangs five Black men—including two preachers—on the public square outside the courthouse without trial.

## Tiptonville, Tennessee, November 1869

White mob seizes five Black men from jail and lynches them without trial.

## Eutaw, Alabama, November 1870

White mobs attack a political meeting of Black residents and white allies, killing four Black people.

## Harrodsburg, Kentucky, August 1870

White mobs violently suppress the Black vote, lynching four Black people.

## Union County, South Carolina, 1871

White mobs lynch up to 12 Black men during rampant Klan terrorism.

## Colfax, Louisiana, April 1873

White mobs kill at least 150 Black people in violence intended to disenfranchise Black voters and restore white supremacy.

## Grant Parish, Louisiana, November 1873

White mob lynches six Black men without trial.

## Bryan, Texas, March 1874

White mob lynches six Black men without trial.

## Trenton, Tennessee, August 1874

White mob abducts 16 Black men from jail and lynches them without trial.

## New Orleans, Louisiana, September 1874

Three days of violence leaves 11 dead after White League terrorist organization attempts to overthrow Louisiana's Reconstruction government in so-called Battle of Liberty Place.

## Eufaula, Alabama, November 1874

Armed white men attack Black voters at the polls on election day, killing at least six Black people.

## Vicksburg, Mississippi, December 1874

When Black residents organize to protest the removal of an elected Black sheriff, white mobs attack and kill an estimated 50 Black people.

## Clinton, Mississippi, September 1875

Armed white mobs attack the Black community after a political meeting, killing an estimated 50 Black people.

## West Feliciana Parish, Louisiana, May 1876

White mobs lynch at least 17 Black people in violent effort to suppress the Black vote.

## Edgefield County, South Carolina, May 1876

White mob lynches six Black men without trial.

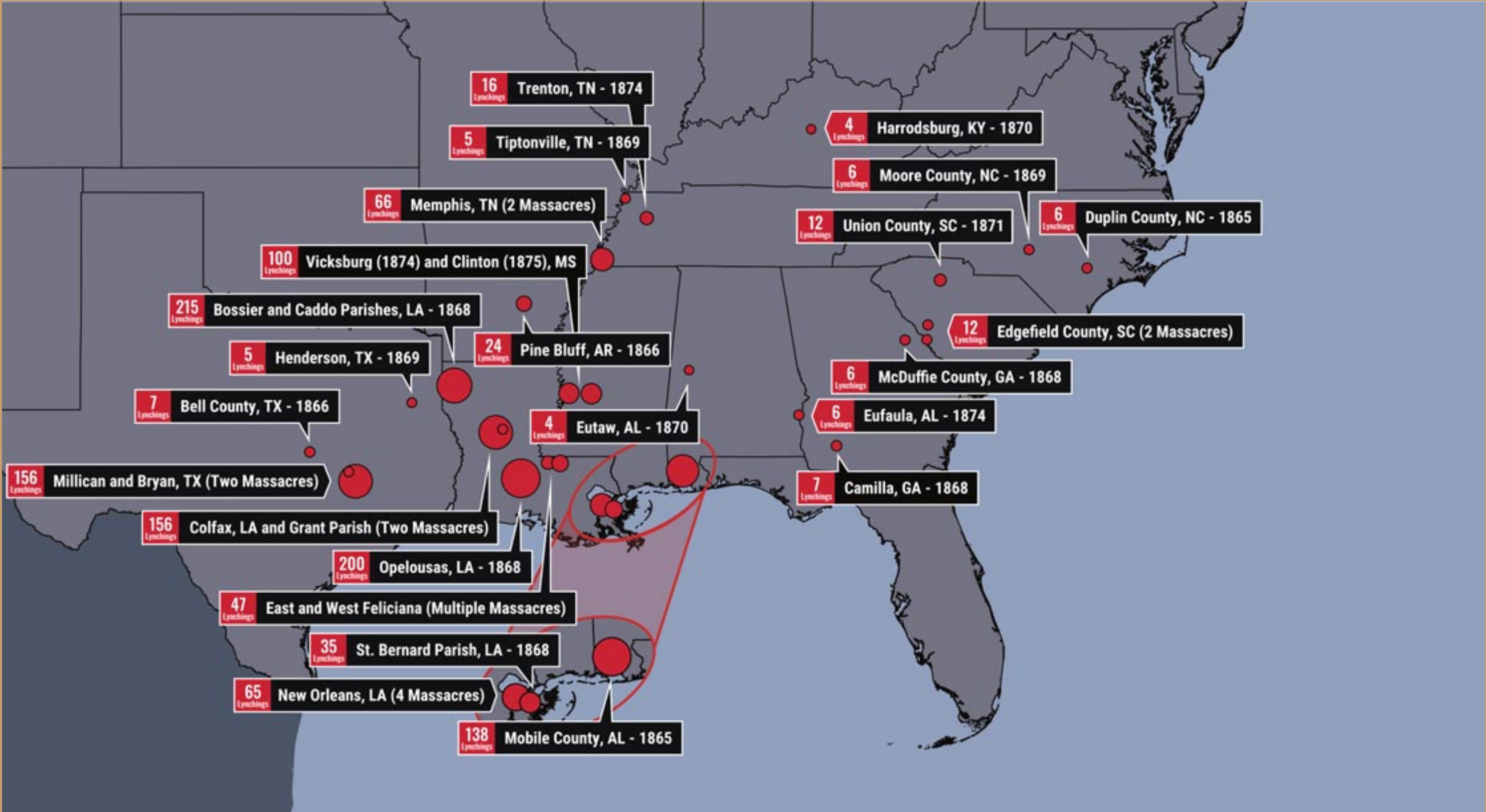
## Hamburg, South Carolina, July 1876

In violence leading up to election day, a white mob attacks Black men stationed at the National Guard Armory, killing at least six.

## East Feliciana Parish, Louisiana, 1875-1876

White mobs lynch at least 30 Black people in racialized attacks over several months.

**Figure 2**  
**Racial Terror Massacres During Reconstruction**



# Racial Terror and Reconstruction

## A State Snapshot

### Alabama

EJI has documented nearly 200 Reconstruction-era victims of Alabama racial violence, including those lynched, assaulted, raped, or killed throughout the state and including victims killed in massacres in Mobile, Barbour, and Greene counties. Perpetrators and supporters of this violence were never prosecuted. Some went on to hold elected office, including Governor George Houston, for whom Houston County is named, and Governor Braxton Bragg Comer.<sup>150</sup>

### Arkansas

After the Civil War's end, many Black people who had fled slavery during the war were homeless, living in abandoned Union soldier camps or other makeshift settlements. In March 1866, after a disagreement between former Confederate soldiers and emancipated Black people living in a refugee camp near Pine Bluff, the camp was burned down and 24 Black men, women, and children were found dead, hanging from trees.<sup>151</sup>

### Delaware

In 1865, Delaware legislators refused to ratify the Thirteenth Amendment abolishing slavery and Governor Gove Saulsbury declared that Black people were a “subordinate race.”<sup>152</sup> In 1867, Black Union Army veteran William “Obie” Evans was lynched in Leipsic in Kent County after being accused of burning down a white man's barn. Later reports acknowledged his likely innocence.<sup>153</sup>

### Florida

Many Black men killed in Reconstruction violence in Florida were targeted for exercising their political rights. In Columbia County in 1869, a politically active Black man named Lisher Johnson was abducted by a white mob and never seen again, though his hat, shoes, and clothes were found in the woods. The next year in the same county, another Black man named Robert Jones was shot and killed in his home after a white man threatened him for voting for pro-Reconstruction candidates.<sup>154</sup>

### Georgia

In Georgia, the site of extensive racial violence during Reconstruction, EJI has documented more than 300 acts of murder and other attacks, including the November 1868 massacre of Perry Jeffreys, his wife, and four sons in McDuffie County. After learning that Mr. Jeffreys (or Jeffers) planned to vote for presidential candidate Ulysses S Grant, white mobs attacked the family, hanged Mrs. Jeffreys and shot and burned one son; days later, they seized Mr. Jeffreys and three sons from a train as they tried to flee and shot them to death in the woods.<sup>155</sup>

### Illinois

In February 1874, after a white woman was robbed and killed in Carbondale, a Black man named Charles Wyatt deemed “suspicious” for spending a \$20 bill was arrested for the crime. As a lynch mob of over 400 white men gathered, authorities moved Mr. Wyatt to Murphysboro, but the mob followed, seized Mr. Wyatt from jail, and hanged him without trial.<sup>156</sup>

### Indiana

In 1871, George Johnston, Squire Taylor, and a man identified only by the surname Davis were lynched in Clark County. A mob of about 70 white men hanged the three Black men from the same tree after they were accused of killing a white family. Soon after the men were lynched without trial, the press reported evidence that they were innocent.<sup>157</sup>

### Iowa

In 1850, just four years after Iowa became a state, its legislature passed a law banning settlement by free Black people, mirrored after an act the territorial legislature had passed in 1839. Radical state legislators managed to repeal the law in 1864, but that same year Iowa's legislative majority rejected a proposed bill to extend voting rights to Black men.<sup>158</sup>

### Kansas

Luke Barnes, James Ponder, and Lee Watkins—three Black men—were arrested and accused of killing a white man in Ellis County in 1869. Before they could be tried or defended, a white mob seized the men from jail and hanged them from the trestle of the nearby railroad, where they were found dead the next morning.<sup>159</sup>

### Kentucky

EJI has documented racial violence in at least 37 Kentucky counties. On election day in 1870, violence broke out in Harrodsburg, Mercer County, as white men angered by the presence of Black voters supporting pro-Reconstruction candidates clashed with Black crowds. One white man and four Black people were killed, and 15 to 20 Black people were wounded.<sup>160</sup>

### Louisiana

During Reconstruction, Louisiana was the site of repeated massacres in places like Colfax, Opelousas, New Orleans, St. Bernard Parish, Orleans Parish, and West Feliciana Parish that killed hundreds of Black people and traumatized countless more in order to suppress Black voting rights.<sup>161</sup> EJI has documented more than 1,000 lynchings and other incidents of racial violence in Louisiana during the 12-year Reconstruction period; this exceeds the number of racial terror lynchings documented in the state during the 80-year period that followed Reconstruction.

### Maryland

The “border state” of Maryland did not join the Confederacy, but it legally permitted slavery until November 1, 1864, when its new state constitution went into effect. Although the state constitution marked the legal end of slavery, the last enslaved people were likely not freed until the Thirteenth Amendment was ratified in 1865. During Reconstruction, Maryland was the site of violent and sometimes deadly racial terror. In Harford County alone, a Black man named Isaac Moore was lynched in 1868 and a Black man named Jim Quinn was lynched in 1869.<sup>162</sup>

### Michigan

In March 1863, just two months after President Lincoln's Emancipation Proclamation went into effect, white mobs in Detroit angered by growing migration of freedmen to the city and outraged by the trial of a mixed-race man accused of assault waged violent attacks on the city's Black community, killing at least one Black man and leaving hundreds of Black people homeless.<sup>163</sup> Anti-Black violence continued in the state during Reconstruction, including the 1866 lynching of John Taylor near Lansing.<sup>164</sup>

## Mississippi

During Reconstruction, Black people in Mississippi were the targets of repeated massacres, including in Vicksburg in December 1874, where white mobs attacked and killed at least 50 Black citizens who had organized to protest the removal of their elected Black sheriff, Mr. Peter Crosby.<sup>165</sup>

## Missouri

Many Black people were lynched in Missouri during the Reconstruction era, including George Bryan in Livingston County in 1873; Edmund Moore in Charleston County in 1875; and Raphael Williams in Platte County in 1876.<sup>166</sup>

## New York

In 1862, in the midst of the Civil War, New York voters elected Governor Horatio Seymour, the “white man’s candidate” and a strong supporter of Southern slavery.<sup>167</sup> A year later, a mob of up to 3,000 people lynched a Black man named Robert Mulliner in Newburgh.<sup>168</sup> Weeks later, white mobs resentful of the Union draft attacked and killed dozens of Black people in the New York City Draft Riots.<sup>169</sup>

## North Carolina

The Ku Klux Klan and other white mobs exacted assaults and murder at the slightest allegation during this era. In 1869 in Orange County, after a young Black man named Wright Woods was accused of expressing interest in a young white woman, four white men abducted Mr. Woods from work. He was missing for nearly a week before a neighbor found vultures surrounding his hanging corpse. A note attached to his foot reportedly read: “If the law will not protect virtue, the rope will.”<sup>170</sup>

## Ohio

In 1865, Ohio voters elected Governor Jacob Dolson Cox, a Union Army General who supported President Andrew Johnson’s limited view of Reconstruction and opposed enforcing voting rights for Black people in the South.<sup>171</sup> In 1876, a mob of 50 white men lynched a Black man identified only by the name “Ulrey” in Urbana, Champaign County.<sup>172</sup>

## Oregon

Oregon’s 1857 constitution banned Black people from living in the state and aimed to prevent the mass migration of freedmen if and when slavery was abolished in the South. The Fourteenth Amendment, ratified in 1868, invalidated this ban but the state did not officially repeal it until 1926.<sup>173</sup>

## Pennsylvania

Though Pennsylvania began legally abolishing slavery in 1780, the 1860 census was the first to document no enslaved Black people residing within the state and the issue of racial equality remained controversial during and after the Civil War.<sup>174</sup> In 1871, white mobs in Philadelphia terrorized Black communities on election day to discourage voting and killed at least three Black men.<sup>175</sup> In 1874, a Black man named Albert Brown was lynched in Bradford County.<sup>176</sup>

## South Carolina

In 1860, South Carolina was one of only two states in the nation with more enslaved residents than free. It was also the first state to secede from the Union in 1861 and like much of the South, ended the war “grimly determined that freedom would not substantially alter the condition of the former slaves.”<sup>177</sup> Racial violence by the Klan and other white mobs grew so widespread and deadly during Reconstruction that it attracted federal investigation, led to passage of the 1871 Ku Klux Klan Act, and caused President Grant to declare martial law later that year.<sup>178</sup> In Abbeville County alone, Freedmen’s Bureau records document 77 acts of racial violence against Black people within seven months in 1868—that amounts to a whipping, rape, shooting, or lynching once every three days.

## Tennessee

EJI has documented more than 200 incidents of racial violence in Tennessee during Reconstruction, including the 1866 Memphis Massacre and the 1874 lynching of 16 Black men in Trenton, Gibson County. Just weeks after the war’s end, white men attacked and killed 20 Black Union soldiers in Memphis on May 1, 1865, based on doubtful rumors that the Black men were planning to attack white Confederate veterans who had massacred Black soldiers at Fort Pillow during the war.<sup>179</sup>

## Texas

Lynchings and other violence documented in Texas during the Reconstruction era span more than 45 counties and include a deadly massacre in the Brazos County community of Millican in 1868. That July, after a local Black preacher began organizing Millican’s Black community to defend itself against the growing

threat of Klan violence, Klansmen fired on a group of Black people investigating a rumored lynching. Over the next two days, hundreds of white men from neighboring towns terrorized the local Black community and dozens more Black victims were killed. Scholars today estimate 150 Black people were killed but the exact death toll remains unknown.<sup>180</sup>

## Virginia

In 1869, a mob of white men abducted two Black men named Jacob Berryman and Charles Brown from jail and hanged them without trial.<sup>181</sup> EJI has documented more than 120 incidents of Reconstruction-era racial violence in 40 Virginia counties—even more than the number of racial terror lynchings documented in the state between 1877 and 1950.

## West Virginia

In 1874, a mob of 20 white men abducted and lynched a Black man named John Taliaferro from jail in Martinsburg, Berkeley County. News of his death was reported under the headline, “A Sample of Southern Justice.”<sup>182</sup>

## Wisconsin

In 1861, a young Black man named George Marshall Clark was lynched in Milwaukee after he and another Black man were accused of getting into a drunken fight with three white men who were also intoxicated. After one of the white men died from his injuries, a mob of up to 50 white men seized Mr. Clark from jail and hanged him.<sup>183</sup> Mr. Clark’s companion was later tried, acquitted, and smuggled out of the city to avoid the same fate.<sup>184</sup>

# THE DANGER OF FREEDOM

---

“

**The reign of terror is set up in this county. I will not undertake to give a minute description of it; time and space is not sufficient. Suffice it to say that the history of the darkest ages of the world does not, in my estimation, afford a parallel.**

—Joe Easley, freedman living in Sulphur Springs, Texas, July 17, 1868<sup>185</sup>

**All told, Reconstruction was the darkest page in the saga of American history.**”

—Eric Foner, historian<sup>186</sup>

**J**ust by daring to venture into the light of freedom and opportunity, Black men, women, and children who exercised the rights gained through federal legislation and the Reconstruction Amendments became targets of deadly racial violence wielded by white people determined to ensure freedom would be anything but a joyful story.

Individually and in mobs, white people attacked and killed Black people throughout the South for leaving plantations, participating in politics, and asserting economic independence. Others were maimed or killed for small social infractions or merely for being associated with someone accused of an offense. Reconstruction violence targeting Black people also occurred in the North—less frequently but often with the same motivations. Some violence had no trigger at all, and those seemingly random and arbitrary attacks were an especially terrifying tool of control and intimidation.

For all that we can never know about the countless undocumented acts of violence and unknown victims, the narratives we do know illustrate the suffering and survival of a people who had already endured so much.

# Political Violence

The Fifteenth Amendment and federal laws requiring states to respect the voting rights of Black men enabled unprecedented numbers of African Americans to cast votes and hold elected office in the South. Black voters overwhelmingly supported candidates allied with the vision of President Lincoln and other leaders who advocated for Black civil rights. White Southerners bitterly resented Black voters' growing political influence, which they saw as an obstacle to restoring former Confederates' self-governance, and blamed Black voters for white supremacist candidates' repeated losses.

**To suppress political reform and hinder Black political development, white mobs targeted African American leaders and political officials, as well as Black community members who worked to encourage Black political engagement.**



This 1874 illustration depicts the discrimination and violent intimidation that Black Americans faced when voting in the South during Reconstruction. (Library of Congress)

## Guilford Coleman

In 1870, Guilford Coleman, a Black delegate to the Alabama state convention, was abducted from his home and killed the week he returned from nominating a Reconstruction governor in Demopolis. Investigation into Mr. Coleman's murder was minimal but reports indicated he was beaten and dumped into a well solely for his political involvement. Reports warned that pro-Reconstruction politicians "dare not canvass the district, lest they lose their lives."<sup>187</sup>

## Jack Dupree

In 1871, 60 members of the Ku Klux Klan brutally lynched Jack Dupree, the well-respected Black president of a local political club in Monroe County, Mississippi. The mob dragged Mr. Dupree from his home within sight of his three young children and his wife, who had recently given birth to twins. The mob stripped Mr. Dupree of his clothes and beat him until he was nearly dead, then slit his throat, cut out his heart and intestines, and threw his corpse into a nearby creek. Mr. Dupree's remains were never found, but a witness who was forced to hold the mob's horses described the attack and recalled hearing his screams.<sup>188</sup>

## Joe Cody

Attacks on political leaders and organizers were meant to intimidate Black people and keep them from leading their community to political empowerment, but Black people were also targeted simply for voting. In 1868, a Black man named Joe Cody refused white residents' commands that he vote for the pro-white supremacy ticket in Warren County, Georgia. In response, a group of

white men seized Mr. Cody from his home, whipped him, and pulled out his hair.<sup>189</sup>

## Lewisburg, Tennessee

In January 1868, according to a report to Tennessee Freedmen's Bureau officials, a mob of 25 white men terrorized the Black community in Lewisburg to intimidate Black voters.

**[T]hey told us to put up our right hand and swear that we would never again give a Radical vote, that if any of us did they would kill us and furthermore if any colored men knew of an other col. man voting the Radical ticket he also would be killed unless he informed of the col. man who so voted. Then they told us to go home and never leave it unless we got a pass from our employers the same as we used to get from our Master before the War.**<sup>190</sup>

The mob also severely beat and threatened to lynch a Black man named Wesley Givens before removing the rope from around his neck and ordering him to leave the area within eight days.<sup>191</sup>

## Abbeville, South Carolina

In Abbeville, South Carolina, white mobs injured many African Americans in attacks before the 1868 election and declared that anyone who voted for the civil rights ticket would be killed.<sup>192</sup>

# Opelousas, Louisiana

In states throughout the South, elections triggered mass violence that indiscriminately terrorized Black communities, killing dozens or hundreds and sending a clear message to many more that political activity would result in death.

In the fall of 1868, the town of Opelousas was the site of Louisiana's deadliest Reconstruction-era massacre.<sup>193</sup> Over the course of about two weeks, white citizens terrorized African Americans to suppress Black voter turnout in the upcoming election, killing an estimated 200 people and devastating the local community.

Louisiana's Reconstruction government had adopted a new state constitution that April. In compliance with the Fifteenth Amendment, it declared that Black men were entitled to vote and guaranteed Black children access to education.<sup>194</sup> Former Confederates seeking to regain power and restore white supremacy in the state opposed these provisions. They also resented the federal officials and white Northerners present in Louisiana to enforce Black civil rights. The desire to keep Black people oppressed after Emancipation was especially strong in Opelousas, the seat of St. Landry Parish. Though the parish was home to just 14,000 people, an estimated 3,000 white male residents were members of the Seymour Knights—a branch of the white supremacist Knights of the White Camelia, which was similar to the Ku Klux Klan.<sup>195</sup>

Soon after the Civil War's end, a local city ordinance announced: "No Negro or freedman shall be allowed to come within the limits of the town of Opelousas without special permission from his employer, specifying the object of his visit and the time necessary for the accomplishment of the same."<sup>196</sup>

White residents of Opelousas grew increasingly resentful of Black voting rights as the 1868 election approached. On September 28, a group of local white men threatened and then severely beat Emerson Bently, a white man who'd written an article that exposed local voter intimidation. Mr. Bently had moved to Louisiana from Ohio to teach with the local Freedmen's Bureau. Also a voting rights advocate and newspaper editor, he was a rare white ally of Black voters in St. Landry Parish and had been threatened repeatedly before the attack.<sup>197</sup>

After hearing about the attack on Mr. Bently, Black men in the community armed themselves for protection and 27 were soon arrested or killed by white mobs. Over the next two weeks, armed white men patrolled Opelousas and surrounding communities, terrorizing and killing Black residents indiscriminately. By some estimates, the violence killed at least 30 white people—including some who were targeted by mobs for being sympathetic to Black rights—and left an estimated 200 Black people dead.<sup>198</sup>



Mount Pleasant Baptist Church in Opelousas, Louisiana, was burned in a suspected arson in April 2019—the third Black church burned in St. Landry Parish in 10 days. (William Widmer/ The New York Times/Redux)

Press accounts of the violence were skewed because white mobs destroyed the printing presses used by progressive publications and killed a white man who worked as an editor of the pro-Reconstruction *St. Landry Progress* newspaper. White supremacist newspapers dominated post-massacre reporting and flooded the press with inaccurate tales of a "race riot." It would be eight years before another progressive newspaper was launched in the parish.<sup>199</sup>

Weeks after the massacre, a Franklin, Louisiana, newspaper victoriously declared, "The negroes in St. Landry are, for the first time since the war, polite and well disposed, and work well."<sup>200</sup>

“Our white people deeply regret the necessity which compelled the citizens of St. Landry to kill and cripple so many negroes in the late Opelousas riot, but the negroes for more than a year have laughed at the warnings and advice given them by the planters and citizens of that

parish . . . a fight was inevitable. It was the last and only effectual argument that could be used with the negro . . . A carpet-bag editor and his miserable, incendiary sheet caused the riot. The editor escaped, and a hundred dead negroes, and perhaps a hundred more wounded and crippled . . . are the upshot of the business.<sup>201</sup>

The brutal attacks in Opelousas terrorized Black voters into silence. Former Union General Ulysses S. Grant won the 1868 presidential election without a single vote from St. Landry Parish. Recounting this "remarkable case," W.E.B. Du Bois later observed: "Here occurred one of the bloodiest riots on record, in which the Ku Klux killed and wounded over 200 Republicans, hunting and chasing them for two days and nights through fields and swamps . . . [P]rior to the Presidential election in November, 1868, half the state was overrun by violence, and midnight raids, secret murders, and open riot kept the people in constant terror."<sup>202</sup>

The hostility and anger directed at the increased status and rights of Black people also sparked attacks against Black people asserting their political rights in the North. On October 10, 1871, African American activist and Union Army veteran Octavius Catto left the Philadelphia school where he served as a teacher and administrator and headed to the polls to cast his ballot in the city's mayoral election. The election was only the second in Philadelphia to allow African American men to vote, and local white voters threatened by the emergence of a new African American voting bloc tried to suppress the Black vote with violence. Beginning days before the election, white policemen and mobs terrorized the Black community.

On the morning of the election, several African American men were shot and some were killed, simply for being on the streets on election day. Despite these dangers, 31-year-old Mr. Catto was determined to exercise his vote. A Northern man with Southern roots, Mr. Catto's family had moved North from South Carolina after his father's emancipation from slavery, and he had grown into an active advocate for equal rights. In 1863, he helped to organize Black infantry units and aggressively lobbied for their inclusion in the Union military effort. Three years later, he staged a one-man protest against Philadelphia's segregated street cars.

Mr. Catto successfully cast his vote in the mayoral election on October 10, 1871, but on his way home from the polls, he was shot and killed by Frank Kelly, a white man with ties to white supremacist party leaders. Though Kelly was arrested and tried for murder, he was acquitted by an all-white jury.<sup>203</sup>

Octavius Catto, a Black activist and educator, was shot and killed after voting in Philadelphia in 1871. He is buried at Eden Cemetery in Collingdale, Pennsylvania. (Top: The Urban Archives: Temple University; Bottom: L. Blanchard)



## Economic Intimidation

In the years following the Civil War, many Black people were violently attacked or killed for trying to leave the plantations of their former white “masters.” For every Black person injured or killed in one of these attacks, many more were terrorized by the message that “acting free” could get them killed.

**White resistance to Emancipation sought to preserve the racial hierarchy and economic exploitation of enslavement by depriving emancipated men and women of the most basic rights: to choose where to live, and when and where to work.**

In 1865, the Freedmen's Bureau documented multiple examples of such attacks in Texas alone. Near Mill Creek, a white man shot and killed a Black man named King Davis for attempting to leave the land where he had been enslaved.<sup>204</sup> In Liberty County, a white farmer handcuffed and brutally beat Stephen Bryant and his wife after their two sons left the plantation without the farmer's permission.<sup>205</sup> And when a Black woman named Selina Parker made plans to move to Houston, the white man who had once been her “owner” beat her severely, stole her money and clothes, and kidnapped her child.<sup>206</sup>

Also in 1865, Union General and future Senator Carl Schurz reported to Congress on conditions facing Black people in the South. He warned that white people's determination to retain control over Black people was sparking widespread violence.

**[There exists] a desire to preserve slavery in its original form as much and as long as possible...**

**The [white] people . . . still indulged in a lingering hope slavery might yet be preserved—or to introduce into the new system that element of physical compulsion which would make the negro work. . . . [T]he main agency employed for that purpose was force and intimidation. In many instances negroes who walked away from the plantations, or were found upon the roads, were shot or otherwise severely punished, which was calculated to produce the impression among those remaining with their masters that an attempt to escape from slavery would result in certain destruction. A large proportion of the many acts of violence committed is undoubtedly attributable to this motive.<sup>207</sup>**



(Illustration by Matt Rota)

**In Walker County, Texas, a white mob with a pack of hunting dogs tracked down a Black man named Isaac and shot him for leaving the plantation where he had been enslaved.<sup>208</sup>**

Violence in response to Black economic independence continued throughout the South for years after the abolition of slavery.

In September 1867, a white man in Wilmington, North Carolina, assaulted a Black man named John Henry Hill because he insisted on being paid for his work.<sup>209</sup> That year in Washington, Louisiana, the local constable shot a Black man named John Keller five times, tied him to a horse, and beat him to death. The constable was Mr. Keller's employer and killed him for traveling to visit his sick wife after he was denied permission to go.<sup>210</sup>

In 1872, Congress heard testimony about a violent raid in Noxubee County, Mississippi. According to witnesses, a band of about 20 white men in disguise took over several plantations to "straighten out the niggers" and "make the negroes subservient" by instilling fear. The mob whipped 25 or 30 people in the area and shot and killed a Black man named Dick Malone who had "encouraged Black men to arm themselves and, if [the white men] came around, to give them a fight."<sup>211</sup>

One of the testifying witnesses was a white man named John Taliaferro who had participated in the violence before turning informant. This raid and others, he explained, aimed to terrify Black people into fleeing the land they were renting so they'd be forced to work for the white planters. After such an attack, he went on, Black people who heard about the violence would leave their homes and sleep in the woods to evade roaming night raids.<sup>212</sup> Taliaferro also testified many of the county's most prominent citizens and landowners were members of the Ku Klux Klan.<sup>213</sup>

**Though free by law, most formerly enslaved people were not safe to exercise even the most basic expression of that freedom by leaving the sites of their former bondage and making independent economic choices.**

Aside from limited arrests and prosecutions undertaken by federal officials, the vast majority of white individuals and mobs that committed violence against Black people faced no consequence and had no fear of punishment.

## Reconstruction Violence Beyond the South

Reconstruction violence was not limited to the South. Deep racial hostility and the terrifying threat of violence permeated life for Black people across the country, even in the 16 “free states” where slavery had been mostly abolished before the Civil War.

As disagreements over the continuation of slavery escalated into a more prominent political dispute in the 1840s and 1850s,

people in the North feared that Emancipation in the South would bring a wave of Black migrants to their states. Anti-Black sentiment grew more explicit in the North and states like Iowa, Illinois, and Oregon took steps to ban Black migration.<sup>214</sup>

By 1860, Black people in the North—who comprised less than 2 percent of the population—were subjected to discrimination



Destruction of an orphanage for Black children during the 1863 New York City Draft Riots.

and resentment in every aspect of their lives.<sup>215</sup> In July 1863, several days of “draft riots” broke out in lower Manhattan in New York City. White mobs angered by the threat of being drafted to serve in the Union Army and resentful of fighting a Civil War to end slavery randomly attacked Black people on sight. The violence was quelled by state militia and federal troops, but not before more than 100 people were killed, most of them Black men.<sup>216</sup>

In the years after the Civil War, Black people in the North faced prejudice and presumptions of guilt whenever a crime was discovered and suffered brutal violence at the hands of white mobs without any trial or process.

In 1866, a Black teenager named John Taylor was lynched by a mob of 200 white people in Mason, Michigan.<sup>217</sup> John was enslaved at birth in Nelson County, Kentucky.<sup>218</sup> He joined the Union Army at age 14, and later enlisted in the Michigan Colored Infantry.<sup>219</sup> After he was accused of killing a white girl near Lansing, the 17-year-old was denied a trial. A white mob convinced that a legal execution was “too good for such a wretch” seized him from jail.<sup>220</sup> Press accounts described his torturous murder at the hands of a mob yelling messages of anti-Black racial hatred.<sup>221</sup>

The next year, in Georgetown, Colorado, Edward Bainbridge was accused of fighting with a white man in a local bar.<sup>222</sup> A white lynch mob kidnapped him from jail and left his body “dangling in the air.”<sup>223</sup>

Black people in the North were also targeted for exercising their citizenship rights. In 1871, on election day in Philadelphia, three Black men named Octavius Catto, Isaac Chase, and Jacob Gordon were killed by white mobs wielding violence to suppress the Black vote.<sup>224</sup>

In summer 1875, a large crowd gathered at the local fairgrounds in Hancock County, Indiana, to watch the lynching of a Black man named William Kemmer. Mr. Kemmer, whose last name was also reported as “Keimer,” had been accused of assaulting a white woman. He died in a public spectacle lynching before he could prove his innocence. Thousands reportedly gathered to view his corpse and read a note the lynch mob had pinned to his coat: “It is the verdict of one hundred and sixty men at Hancock, Rush and Shelby, that his life is inadequate to meet the demands of justice.”<sup>225</sup>

While Reconstruction-era violence was most frequent in the South, Black people living in the North and West also faced lynchings, racially motivated violence, and bigotry that continued for decades.

## Enforcing the Racial Social Order

Beyond economic and political control, white Southerners used violence to punish perceived transgressions of racial social boundaries. During Reconstruction, many African Americans were beaten or killed for minor social transgressions against white people, such as speaking disrespectfully, refusing to step off the sidewalk, arguing, bumping into, or insulting a white person, or any other grievance a white man, woman, or child claimed.

**Black people knew that they could be attacked and killed for violating any social rule, intentionally or accidentally, as defined by any white person at any time.**

One summer evening in 1865, married couple Ed and Jinny Scott were walking down Main Street in Richmond, Virginia, with two friends. The four Black people parted to allow two white men in Confederate uniforms to pass, but the men were outraged that they had not stepped off the sidewalk. One of them hit Jinny Scott in anger and she fled for safety. Her husband came to her defense, warning the white man, “If you strike her again I will strike you.” In response, a white mob seized Mr. Scott and beat him severely, tortured him for hours, and took him away in a partially-sealed coffin. Reporting the attack to Freedmen’s Bureau offi-

cials several days later, Mrs. Scott said she had not seen her husband since.<sup>226</sup>

In Georgia in 1867, a white man stabbed a Black man named Andrew Price for not bringing him a cup of coffee fast enough.<sup>227</sup> Another white man shot a Black man named Hilliard Thrasher in the back for contradicting him.<sup>228</sup> In 1865, a Black man named Plans Stanley was standing outside after church services in East Liberty, Texas, when a white man stabbed him, cursing, “God Damn your Black soul I will learn you to stand in the way of white ladies.”<sup>229</sup>

In 1866, a white man in Grayson County, Texas, shot and killed a Black man named Jack Stone for failing to tip his hat.<sup>230</sup> In the same county the previous year, a white man shot and killed a Black man named Thomas Daniels when he refused to change how he was doing his work.<sup>231</sup> For being rude to his white employer, Roland Carswell was beaten, attacked with a knife, and fired at with a shotgun in Dougherty County, Georgia, in 1868.<sup>232</sup> Throughout the former Confederacy, white people were determined to maintain the total dominance of white supremacy and they were willing to kill to do it.

One of the racial boundaries white men protected most fiercely was the prohibition on sexual, romantic, or any intimate contact between Black men and white women. For decades before Emancipation, the strongest and most fervent arguments against abolishing slavery claimed that freeing Black people would leave white women vulnerable to Black men’s alleged sexual aggression and result in rampant race-mixing and a collapse of civilization.<sup>233</sup> When freedom did come, any white person’s perception that a Black man was seeking intimacy with a white woman could result in deadly mob violence.

### Saxe Joiner was lynched in Unionville, South Carolina, in March 1865—just weeks before the end of the Civil War.

(Illustration by Matt Rota)



Despite the Emancipation Proclamation, Mr. Joiner—a literate and skilled Black carpenter—was still enslaved by a white “master.” The master found a note Mr. Joiner had written to a white girl staying in the home offering her “protection from the Yankees,” and interpreted it as a sexual advance. The white man had Mr. Joiner arrested. Soon after, local white men abducted Mr. Joiner from jail and hanged him from a tree.<sup>234</sup>

## Sexual Violence Targeting Black Women

Black women seeking to assert the rights of citizenship and freedom after Emancipation faced dangers based on their race and sex just as they had for generations while enslaved. Black women were killed in the same lynchings and massacres that took the lives of Black men, but they were also more likely to suffer the trauma of sexual violence.

In May 1870, 15 white men raped a Black woman while other members of the mob lynched her husband. Days later in the same North Carolina community, another white mob raped a Black woman and “afterwards stuck their knives in various parts of her body.”<sup>235</sup> News of incidents like these spread through the entire African American community, devastating Black women with the terror of their dual vulnerability.

Enslaved Black women had no legal means to resist or protect themselves from sexual assault by white slaveowners. As early as the 1830s, Black abolitionist Maria Stewart called for the law to recognize Black women as full humans with rights to control their bodies and to grant or withhold consent, but reality lagged far behind.<sup>236</sup> In Missouri in 1855, a young enslaved Black woman named Celia was convicted of murder and hanged for killing a white man who had enslaved and repeatedly raped her. The court rejected her self-defense claim, concluding that enslaved Black women had no right to resist white slaveowners’ sexual advances.<sup>237</sup>

White Southerners were determined to maintain the economic exploitation and political dominance they had enjoyed during

slavery, and white men refused to relinquish their freedom to violate Black women with impunity. Even before the Civil War’s end, Southern state legislatures implemented laws providing different sexual protections to white women and Black women. The Georgia Code of 1861 specified a mandatory sentencing range for raping a white woman but let courts decide whether and how to punish rapes of Black women.<sup>238</sup>

Indifferent and complicit law enforcement officers undermined federal attempts to protect Black women. In October 1866, a Freedmen’s Bureau agent delivered arrest warrants for two white men accused of beating a Black woman named Silvey Soilean and killing her son, but the local Louisiana sheriff refused to arrest them.<sup>239</sup> That summer in Louisiana, Bureau records reveal an even more devastating story:

**Capt. N. B. Blanton, Sparta, reports Cuff Canara, freedman, and Dan Docking, white, had a quarrel because Docking had twice committed a rape on the freedman’s wife. Canara started to Agent of Bureau, was tracked by hounds for ten miles and fired on by Dan Docking, Norman Docking, and John Palmer. Shot in left side of back & (illegible) finally reached agent, having killed 3 out of 4 of the dogs. Warrants issued for arrest of parties but they have not been found, and from statement of people does not think they will be arrested, the people appearing to think the**

**freedman had committed the greater crime by killing the dogs, than the man who shot him.**<sup>240</sup>

Scholar Estelle Freedman writes that white people “deepened the association of rape as an act committed by a Black man against a white woman” during Reconstruction and “presumed that Black women either welcomed [forced sexual relations with white men] or had no moral purity to defend.”<sup>241</sup> The same white men who professed a fanatical concern for white women’s purity and safety held tightly to the social and legal view of Black women as promiscuous, lacking virtue, and without the right to refuse the lust of any white man.

This particular narrative of racial difference shielded white men from shame and consequence when they employed sexual assault as yet another means of terrorizing Black communities during Reconstruction. In 1868, after a white Virginia judge was accused of assaulting a Black woman, he tried the case himself, jailed the woman overnight, and forced her husband to pay court fees.<sup>242</sup> In June 1866, also in Virginia, a Black woman named Peggy Rich reported that a white man named James Smith had assaulted her. He attacked Ms. Rich again after he was released on bail and was later acquitted of both charges.<sup>243</sup>

In September 1866, a Black woman named Rhoda Ann Childs reported to the Freedmen’s Bureau that eight white planters had come to her Georgia home demanding to see her husband. When they learned Mrs. Childs was alone, the men kidnapped, beat, and sexually assaulted her. Mrs. Childs’s affidavit describes that one of the men “ran his pistol into me, and said he had a hell of a



Black women students at the State Normal School in South Carolina, 1874. (University of South Carolina Archives)

mind to pull the trigger,” and several of the men restrained her while one “applied the strap to my private parts until fatigued into stopping, and I was more dead than alive.” After another of the men—a former Confederate soldier—raped Mrs. Childs, the mob robbed her home and beat her daughters.<sup>244</sup>

In 1871, Harriet Simril testified before a Joint Congressional Committee that three white men had raped her in Columbia, South Carolina, after her husband refused to vote for the white supremacist ticket. In a courageous statement to federal lawmakers, Ms. Simril named her attackers and described their brutality: “spitting in my face and throwing dirt in my eyes . . . and after that they dragged me out into the big road, and they ravished me out there.”<sup>245</sup> The details of the attack were deemed too obscene for inclusion in the committee’s published volumes but the defiant courage Ms. Simril and so many other Black women exhibited in reporting such attacks stands as enduring evidence of the sexualized terror Black women suffered during Reconstruction and their determination to survive.

In May 1866, Tom Conyers, a Black man, was accused of offering a white girl a dime to have sex with him and repeating the proposition when she refused. As Mr. Conyers was being escorted from the courthouse to the jail in Daviess County, Kentucky, a mob including a former Confederate soldier and the white girl's father seized and hanged him from a tree.<sup>246</sup>

In Orange County, North Carolina, in 1869, after a mixed race man named Cyrus Guy allegedly made a snide remark to a white woman, a white mob hanged him from a tree at a busy intersection and left him for days beneath a message written in blood to warn other “mullatos” to know their place. It read: “For insulting white ladies.”<sup>247</sup>

*Nkyinkyim Installation* by Ghanaian artist Kwame Akoto-Bamfo at the National Memorial for Peace and Justice in Montgomery, Alabama. (Human Pictures)



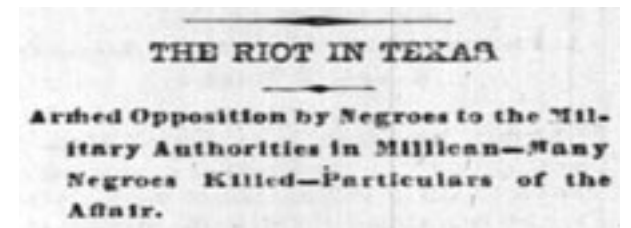
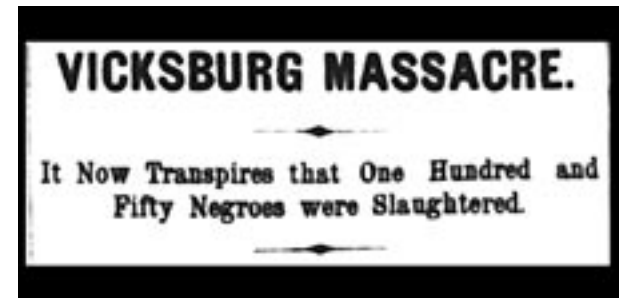
Purportedly committed to protect white women and prevent interracial sex, this violence was steeped in hypocrisy. Before and after Emancipation, the same communities that lynched Black men for mere allegations of impoliteness or insults toward white women ignored and excused white men's blatant sexual attacks against Black women and girls. Slave traders regularly raped the women they purchased<sup>248</sup>—one freedman told of a trader who sexually assaulted a Black woman in a group of enslaved people he was preparing to sell and then allowed his companions to do the same for several days before she went to auction.<sup>249</sup> These attacks persisted during Reconstruction, unchecked and unpunished.

## Organized Terror and Community Massacres

As terror groups like the Ku Klux Klan gained prominence and boldness in the years following the Confederacy's defeat, they regularly waged raids on entire communities, targeting Black leaders and sending a message of intimidation and fear to all Black people.

In January 1869, Daniel Blue testified against Klan members accused of burning the home of another Black person in North Carolina. A mob of Klansmen retaliated by breaking into Mr. Blue's home one night and murdering his pregnant wife before setting upon the couple's children, killing all five. One Klansman reportedly murdered the last child by “kicking its brains out with the heel of his boot.”<sup>250</sup>

**Community-wide massacres grew terrifying in their frequency, as individual incidents of violence escalated into large-scale attacks. White mobs destroyed property and killed dozens or even hundreds of African Americans just for being Black and within reach.**



The white press often labeled these events as “riots” even though they rarely featured mutual combat or white casualties. More accurately described as “massacres,” these lawless bloodbaths left many Black people dead and injured and saddled Black communities with trauma that endured for generations.

Though it is difficult to accurately quantify the total number of Black people killed in these mass attacks during Reconstruction, the era is full of documented massacres with staggering death tolls in communities including Memphis, Tennessee, and New Orleans, Louisiana, in 1866; Opelousas, Louisiana, and Millican, Texas, in 1868; Union County, South Carolina, in 1871; Colfax, Louisiana, in 1873; and Vicksburg, Mississippi, in 1874. These attacks reflected the ease with which white resentment erupted into death and destruction for Black communities and the relative impunity with which that violence spread. The frequency of mass murders ensured that no Black person could escape the constant threat of terror.

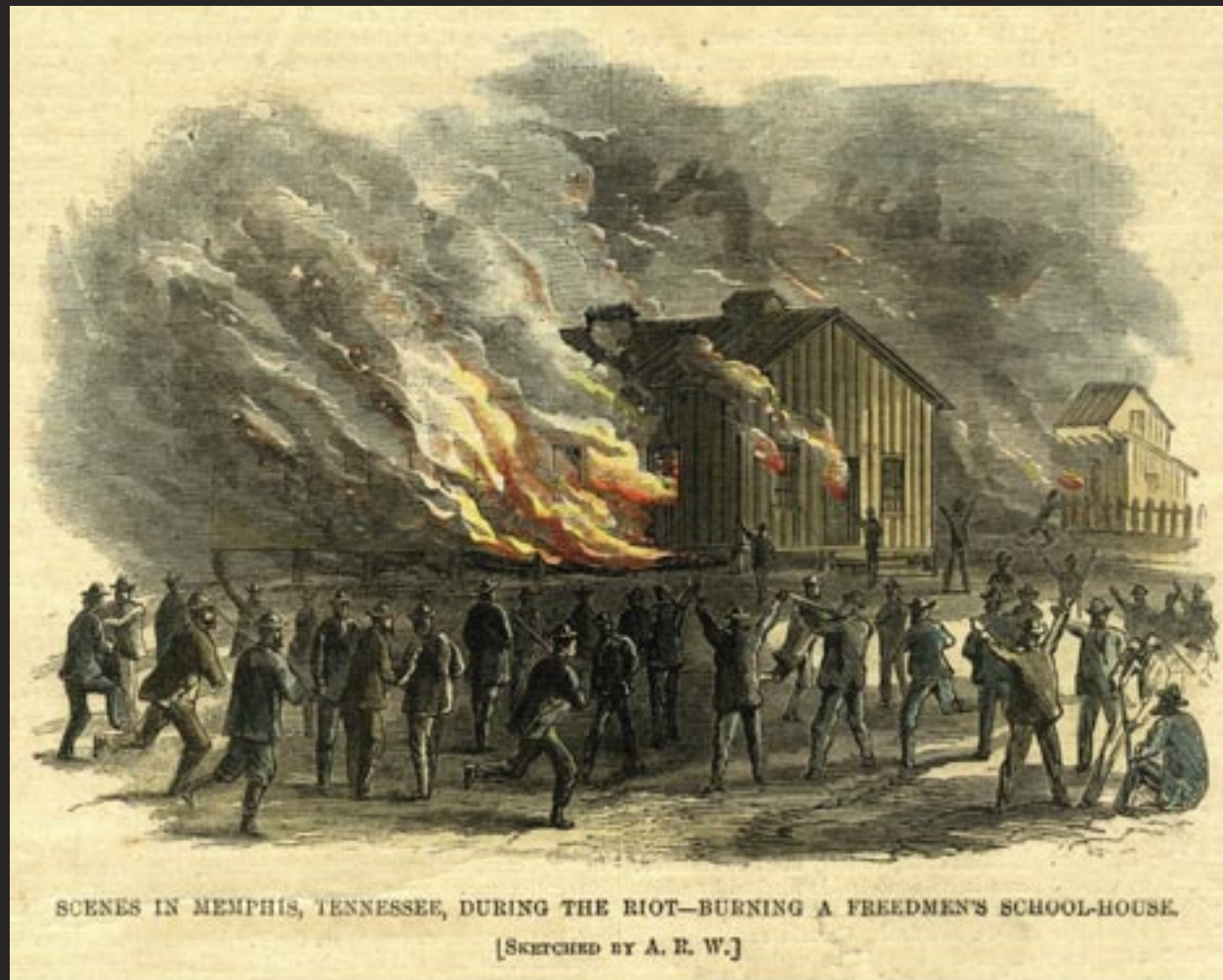
# Memphis, Tennessee

In the immediate aftermath of the Civil War, Memphis and other large Southern cities became popular destinations for newly emancipated Black people in search of safety, resources, and opportunity. As the site of a Freedmen's Bureau office and a base for federal troops, Memphis was a particularly sought-after location and it experienced a Black population surge.<sup>251</sup>

Within a year of the war's end, tensions in Memphis were high, particularly between

white Irish immigrants—who comprised most of the city's police force—and Black residents—who were regularly subjected to police harassment and brutality for appearing “suspicious.”<sup>252</sup> White newspapers worsened this situation by encouraging white Memphis residents to view Black people as dangerous and lawless.<sup>253</sup>

In May 1866, a group of Black Union soldiers in uniform were socializing on the streets of South Memphis days after they



The Memphis Massacre. (Harper's Weekly, May 26, 1866)

had been discharged when four white police officers ordered them to disperse.<sup>254</sup> The frustrated soldiers refused to leave<sup>255</sup> and the ensuing argument escalated into a shootout.<sup>256</sup> No one was injured except a white officer who accidentally shot himself in the hand, but word of the conflict spread rapidly.<sup>257</sup> Angry white mobs formed and proceeded to inflict terror on South Memphis, where the majority of Black people lived. City recorder John C. Creighton encouraged the deadly attack by telling the mob: “Boys, I want you to go ahead and kill every damned one of the nigger race and burn up the cradle.”<sup>258</sup>

From May 1 to 3, white mobs indiscriminately beat, robbed, tortured, shot, raped, and killed Black men, women, and children. They also destroyed property and looted anything of value.<sup>259</sup> At least 90 Black homes were destroyed by fire, many with residents still inside, and the mobs burned down all of the city's Black churches and schools.<sup>260</sup>

African American survivors later recounted the brutal violence to a Congressional committee formed to investigate the massacre. One woman testified that when her 16-year-old daughter, Rachel Hatcher, tried to save a neighbor from his burning home, a white mob surrounded the building and shot the young girl to death.<sup>261</sup> Another witness reported that a white mob shot guns into the Freedmen's Hospital and injured patients, including a small, paralyzed child.<sup>262</sup>

African Americans received little protection from local authorities during the attacks, as the city's mayor was reportedly drunk throughout the massacre<sup>263</sup> and many law enforcement officials joined the roving mobs.<sup>264</sup> “Instead of protecting the rights of

persons and property as is their duty,” the Freedmen's Bureau's investigation later concluded, “[local police] were chiefly concerned as murderers, incendiaries, and robbers. At times they even protected the rest of the mob in their acts of violence.”<sup>265</sup> Union troops stationed in the city provided little help, claiming their forces were too small to take on the deadly white mobs.<sup>266</sup>

Even after the massacre's toll of death and destruction was revealed, Memphis's white community refused to take responsibility. A Freedmen's Bureau investigation reported that most white people only regretted the financial costs of the violence.<sup>267</sup> An editorial in *The Memphis Argus*, a white-owned newspaper, declared, “The whole blame of this most tragical and bloody riot lies, as usual, with the poor, ignorant, deluded Blacks.” The paper attributed the massacre to Black gun ownership:

“[W]e cannot suffer the occasion to pass without again calling the attention of the authorities to the indispensable necessity of disarming these poor creatures, who have so often shown themselves utterly unfit to be trusted with firearms. On this occasion the facts all go to show that but for this much-abused privilege accorded to them by misguided and misjudging friends, there would have been no riot. . . . The universal questions asked on all corners of the streets is, “Why are not the negroes disarmed?”<sup>268</sup>

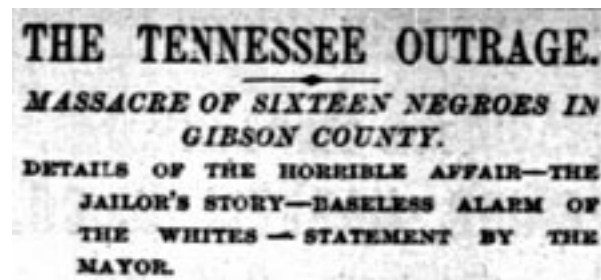
No white people were ever held legally accountable for their participation in the Memphis Massacre.<sup>269</sup>

## Accusations of Crime

Many Black people killed during the Reconstruction era were lynched after being accused of a crime and before receiving any trial or fair investigation. Though functioning courts and jails existed in most Southern communities, many Black “suspects” were deprived of the due process rights their citizenship now guaranteed, especially when they were accused of an offense against a white person.

Indeed, white mobs and their defenders regularly justified deadly attacks as necessary to curb and punish Black criminality that would otherwise run rampant now that Black people had been freed. A review of the 1919 book, *The Truth About Lynching and the Negro in the South*, summarized the author’s argument that “the lynching of Black men prevents their becoming over-dangerous to the white South.” Allegations of Black men raping white women, the book’s author concluded, needed to be punished by periodic lynching—preferably by burning.<sup>270</sup> Published at the early 20th century peak of racial terror lynching, such assertions were rooted in the bloodshed that emerged during Reconstruction.

In August 1874, an armed mob of several hundred white men abducted 16 African American men from jail in Trenton, Tennessee, after they were accused of shooting at two white men. Six of the men were afterward found lying along a nearby road: four were dead, their bodies “riddled with bullets,” while the other two were severely wounded and later died before receiving medical attention. The other 10 Black men abducted from the jail were eventually discovered drowned at the bottom of a nearby



(New York Times, Aug. 30, 1874)

river.<sup>271</sup> The dead were reported as Bob Baten, Stephen Bryant, Jarrett Burrows, George Green, Bill Ivey, Nick Ivey, Dug Jamison, Bob Love, William McGhee, Hays Peebles, John Reagan, Dick Shaw, Tom Shelton, Albert Williams, Alfred Williams, and Dan Williams.<sup>272</sup>

Soon after this mass lynching, a local newspaper published a letter from a white resident that excused the mob’s murderous actions as “self-defense” and insisting that the Black men —“these incarnate devils”—had received the punishment they “richly deserve[d].”<sup>273</sup> The letter declared, without evidence, that if allowed to live, the dead Black men “might [have] violate[d] the persons of a dozen ladies, burn[ed] a hundred houses and kill[ed] as many men.”<sup>274</sup>

**Forged after Emancipation and used to fuel the growth of prisons, convict leasing, and racial terror lynching, the stereotype of innate Black criminality produced a presumption of guilt that burdened Black men, women, and children in the U.S. for years to come.**

**It is impossible to give the number of negroes that have been killed.**

**There is a great many missing that have not been heard from. . . . The freed people have had all their arms taken away from them, and they are in the most deplorable condition of any people on earth.**

**All that were living in the county by themselves, have been robbed of every thing of the least value—even taking the under dressing of freed women, their bed clothes; in a word every thing of the smallest value, and then driven from their homes into the woods.**

**It is the most sickening sight I ever witnessed to see . . . .**

Freedmen’s Bureau Correspondence  
Hopkins County, Texas, July 17, 1868<sup>275</sup>

## Arbitrary and Random Violence

Though Black people could become targets of violence for asserting their independence and rights or for being accused of crime or social transgression, some of the most terrifying acts of Reconstruction violence were those that seemed random and arbitrary.

**Individual Black people and families were robbed, harassed, beaten, or killed simply for existing and crossing paths with the wrong white person at the wrong time.**



(Illustration by Matt Rota)

In 1866, Jane Bugg reported to Freedmen's Bureau officials that a group of white men had come to her home in Gallatin, Tennessee, and demanded \$200 from her husband, Stephen. When he told the men he didn't have that much money, they beat Mrs. Bugg and her husband, then shot and killed him.<sup>276</sup>

A group of white men came to the home of Lewis Powell in Hickman, Tennessee, in 1868, and demanded feed for their horses and food for themselves. When Mr. Powell left the home to try to avoid conflict, the white men shot and killed his wife in front of their three daughters.<sup>277</sup> In Prince Edward County, Virginia, in 1868, four Black women were at home singing when a white man ordered them to stop. They refused and the man entered the house, beat the women severely, and cut one of them with a knife. Despite the brutal attack, the man was fined just \$15 and issued a judicial warning.<sup>278</sup>

Some attacks came without the slightest precipitating conflict. In Fannin County, Texas, in 1866, a group of Black people were on their way to see a show when a group of white men—to “thin the niggers out a little and drive them back to their holes”—shot and killed three Black people and wounded many more.<sup>279</sup>

**In September 1869, a group of about 26 African American men, women, and children were picnicking in Robinson Spring, Florida, when two armed white men shot at the group 15 times, instantly killing a Black man named Wyatt Young fishing in a nearby creek, and a 2-year-old boy named Stewart Livingston.<sup>280</sup>**

On August 29, 1873, a Black man named Dan Calhoun was sleeping near Brighton Station on the Paducah Railroad in Tennessee when three white men poured turpentine on his clothes and set him on fire. Mr. Calhoun ran shrieking for help but suffered severe burns before the fire was extinguished. He died the following day. One of the white men later admitted that he committed this fatal crime “just for the fun of seeing [the Black man] jump.”<sup>281</sup>

During Reconstruction, African Americans experienced freedom and citizenship rights for the first time in national history. But this was a dangerous period during which Black people were targeted by white people intent on thwarting progress toward racial equality.

Historian Eric Foner describes Reconstruction as “the darkest page in the saga of American history.”<sup>282</sup> In a letter to the Freedmen's Bureau in 1868, a Black man living in Texas described the hopeless and unprotected status under which many African Americans suffered. “I am this morning situated like a mariner whose vessel is sinking,” the letter began, “and he is dripping out slips of paper, hoping they may fall into some friendly hands, that the world may know what became of him.”

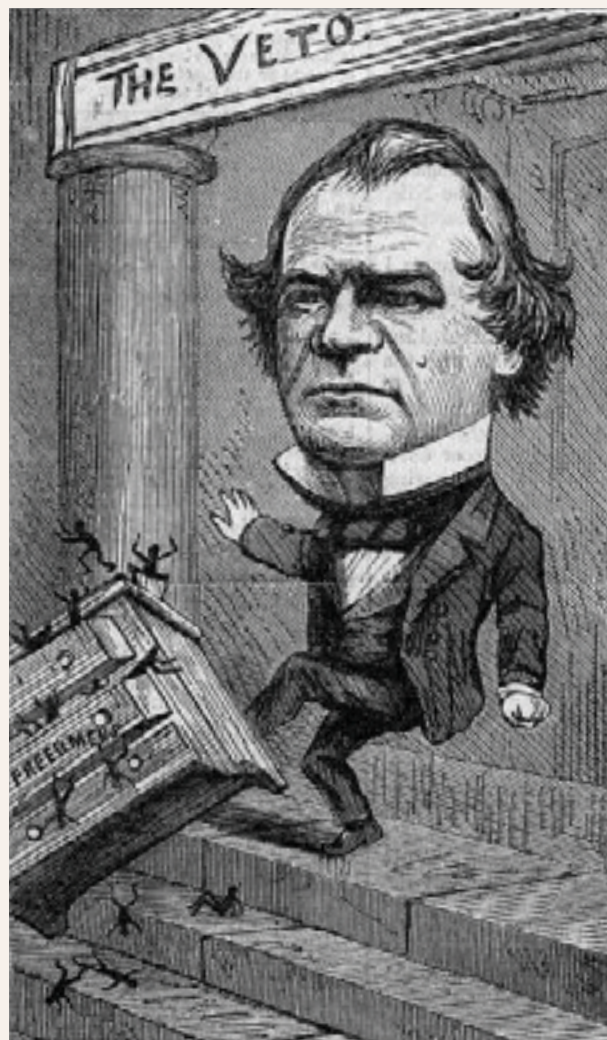
**[T]here is generally some pretext got up by the rebels for every murder. The would-be social class of rebels stand ever ready to fabricate false hoods and make excuses for all murders committed by their friends.<sup>283</sup>**

## The Impeachment of Andrew Johnson

Vice President Andrew Johnson was elevated to the presidency in April 1865 after a Confederate sympathizer assassinated President Abraham Lincoln soon after the end of the Civil War. Progressive federal officials were initially optimistic that President Johnson would prioritize protecting the rights of emancipated Black people and hold Southern states accountable for secession,<sup>284</sup> but that hope was short-lived.

Within one month of taking office, President Johnson—a former slave holder from Tennessee—issued an amnesty proclamation granting full pardons “to all white persons who have, directly or indirectly, participated in the existing rebellion.”<sup>285</sup> That same day, he formally recognized state governments in Tennessee, Virginia, Arkansas, and Louisiana, even though they remained largely controlled by former Confederate officials.<sup>286</sup>

In his first State of the Union Address later that year, Johnson announced that he would only require the former Confederate states to accept the Thirteenth Amendment abolishing slavery in order to “resume their places in the two branches of the National Legislature” and “complete the work of restoration.”<sup>287</sup> Johnson explicitly refused to require voting rights for Black people and instead left states to decide their own electoral policies.<sup>288</sup> He also ignored the pleas of a delegation led by Frederick Douglass, who “took exception” to Johnson’s “entirely unsound and prejudicial” views on Black voting rights.<sup>289</sup>



Thomas Nast political cartoon depicting President Andrew Johnson's attempt to veto the Freedmen's Bureau. (Harper's Weekly, 1866)

Progressive officials like Representative Thaddeus Stevens of Pennsylvania and Senator Charles Sumner of Massachusetts argued that lenient treatment of the former

Confederate states would undermine abolition and Black citizenship.<sup>290</sup> “If we leave [freed Black people] to the legislation of their late masters,” Rep. Stevens remarked, “we had better left them in bondage.”<sup>291</sup> Indeed, Southern states quickly sought to re-establish enslavement by constitutional means, including convict leasing and sharecropping.

The Johnson Administration's disregard for Black civil rights also may have emboldened white mobs to wage increasingly violent terror campaigns against Black people throughout the South, including in cities like Memphis<sup>292</sup> and New Orleans.<sup>293</sup> Rather than condemn the violence, Johnson pardoned thousands of secessionists and blamed the bloodshed on “the Radical Congress”—federal representatives who favored laws enforcing Black rights.<sup>294</sup>

Northern outrage at Johnson's rhetoric helped progressive candidates win a supermajority in Congress, which overrode his vetoes of radical legislation like the Civil Rights Act of 1866, the Fourteenth Amendment, and the Reconstruction Acts of 1867. To prevent Johnson from removing key executive officials, Congress in 1867 passed over presidential veto the Tenure of Office Act, which required Congressional approval for any presidential removal of an executive officeholder.<sup>295</sup> Johnson violated the law twice within a year, and in February 1868, Reps. Stevens and John Bingham proposed an impeachment resolution.<sup>296</sup>

Although the official charges hinged on Johnson's removal of executive officers, his opposition to meaningful Reconstruction

was clearly a strong motivation for Congress's action. “[T]he bloody and untilled fields of the ten unreconstructed states, the unsheeted ghosts of the two thousand murdered negroes in Texas, cry, if the dead ever evoke vengeance, for the punishment of Andrew Johnson,” declared Rep. William D. Kelley of Pennsylvania.<sup>297</sup>

The House of Representatives quickly approved the impeachment resolution by a vote of 126 to 47.<sup>298</sup> A week later it issued 11 articles of impeachment.<sup>299</sup> The Senate trial characterized the Congressional battle with Johnson as “one of the last great battles against slavery”<sup>300</sup>—but he was spared removal from office by one vote. Johnson remained president for the few months remaining in the term, and Ulysses S. Grant won the 1868 election.

To the end of his presidency, Johnson continued to oppose Reconstruction and what he deemed “coercive” methods of protecting Black civil rights. “The attempt to place the white population under the domination of persons of color in the South,” he said in December 1868 in his last State of the Union address, “has impaired, if not destroyed, the friendly relations that had previously existed between them; and mutual distrust has engendered a feeling of animosity which, leading in some instances to collision and bloodshed, has prevented the cooperation between the two races so essential to the success of industrial enterprise in the Southern States.”<sup>301</sup>

Today, Johnson remains the first of only three American presidents ever impeached while in office.

# RECONSTRUCTION'S END

---

“

**When Congress intervened by its reconstruction measures to defeat the reactionary program of the South, there swept over that section a crime-storm of devastating fury. Lawlessness and violence filled the land, and terror stalked abroad by day, and it burned and murdered by night.<sup>302</sup>**

**O**rganized white resistance to Black freedom and citizenship used violence and terror to render the promise of Reconstruction a nightmare.

Though Black communities and their supporters worked to fight that terror and ensure the success of Reconstruction, the era's promise was ultimately destroyed and abandoned through political and legal sabotage.

## Reconstruction vs. Southern Redemption

Congressional efforts to document and respond to raging anti-Black violence in the former Confederacy culminated in an effort to gather facts about the scope of the problem. From April 1871 to February 1872, 21 Congressmen composing the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States travelled through the South to investigate escalating racial violence in the region. These proceedings yielded 13 volumes of first-hand testimony from Black and white witnesses, including state officials, former Confederate soldiers, formerly enslaved people, clergymen, teachers, and other community members.<sup>303</sup>

At the Alabama hearings, John Childers, a Black laborer living in Sumter County, reported that he had been confronted by a white mob, struck in the head with a gun, and threatened with additional harm if he voted for pro-civil rights candidates. Mr. Childers tearfully recounted the brutal beating that his young daughter received at the hands of her white employer after the man's child misplaced a hat while in her care.<sup>304</sup> Just nine years old, Mr. Childers's daughter died of her injuries eight days later.<sup>305</sup>

I came home the 4th of July. I found my little daughter at home. She had run away from the place where she was abused; but I saw the rest of the children playing in the yard, and she was in the door sitting there, and I thought that was strange because she was a mighty playful chap, and I asked, “What are you sitting here for?” And she says, “Pap, Mr. Jones has beat me nearly to death. [The witness weeping.] . . . She pulled up her coat here and showed me. “Look here, papa, where he cut me,” and there were great gashes on her thighs, as long as my finger. I buried her with them.”<sup>306</sup>

Federal efforts to address racial violence included this type of Congressional inquiry, federal military occupation of Southern states, and the operations of the Freedmen's Bureau. At the same time, a growing group of African American leaders also worked to speak out against the racial violence of the era and agitate for meaningful help. Many Black people, including the formerly enslaved, emerged as community leaders in the first years after Emancipation when Black citizenship was established and the fate of Black Americans was a national issue.

Black political and social leaders were among those most often targeted for mob attack and murder. Those who chose to run for office or organize communities knowingly put their lives at risk. Many Reconstruction-era leaders served as ministers or teachers, and Black churches and schools were also targets of violence.<sup>307</sup>

”



Freedmen in Richmond, Virginia, 1865. (Library of Congress)

The Union League, a Black-led organization, was founded in 1863 to support African American participation in politics, education, and social efforts. The League's meetings had to happen covertly due to threats by the Ku Klux Klan and other white supremacist groups; by 1868, League participation declined in the face of growing Klan violence—but in its brief existence, the Union League successfully introduced thousands of Black citizens to the American political process and demonstrated Black people's willingness to risk great harm to work toward their own advancement.<sup>308</sup>

While federal officials made weak attempts to combat racial violence and Black communities tried to organize in their own defense, former Confederates worked to parlay violent terror into renewed political power.

**“Redemption” was the political movement to restore white supremacy as a foundational institution in the South.**

Its advocates, called Redeemers, were white businessmen and wealthy planters who had enslaved Black people just a few years earlier. Immediately following the Confederate defeat, the federal government imposed restrictions that rendered these white men unable to vote, hold office, or otherwise exercise control over the lands and governments they had once ruled. Meanwhile, free Black men were now voting and holding office as representatives of their states. Redeemers staunchly opposed the progressive politicians who achieved adoption of the Reconstruction Amendments and passage of the Civil Rights Act—but this was not merely a political dispute.<sup>309</sup>

Forced to rejoin the Union and accept the abolition of slavery, Redeemers remained most loyal to the doctrine of white supremacy and adamantly opposed to anything that threatened its continuation. This ideology, rooted in the philosophical foundations of slavery and anti-Black racism, was bitterly antagonized by Black political representation and suffrage. Redeemers began an unrelenting campaign to intimidate Black voters, disrupt pro-civil rights political gatherings, undermine elections, and return power back to white leaders who supported the former Confederacy's ideals.<sup>310</sup> Redeemers also supported and legitimized the racial violence committed by paramilitary organizations like the Ku Klux Klan.

## Judicial and Political Abandonment

In response to growing racial terror in the South, Congress passed a series of Enforcement Acts in 1870 and 1871, the broadest being the Ku Klux Klan Act of 1871.<sup>311</sup>

**These laws empowered the federal government to prosecute civil rights violations as crimes and authorized individuals to seek redress in federal court when their civil rights were violated.**



The Supreme Court of the United States, 1868.

Southern white leaders, echoing earlier arguments used to justify slavery, decried the Ku Klux Klan Act as “the crowning act of centralization and consolidation” that “brushe[d] away at once and finally the all State machinery and local authority and substitute[d] in their place the Federal bayonets.”<sup>312</sup> In their view, federal action to punish racial violence was an unjustified intrusion on state authority, even if state governments were doing nothing to combat the racial violence themselves.

The United States Supreme Court ultimately agreed with the white Southerners’ argument, issuing opinions that severely undermined the legal architecture of Reconstruction. While African American voters faced murder and terror, the Court was more concerned that this federal law might “fetter and degrade the State governments.”<sup>313</sup> From the nation’s founding to 1865, the Supreme Court had struck down just two Congressional acts as unconstitutional.<sup>314</sup> Between 1865 and 1872, the Court did so 12 times.<sup>315</sup>

The Court’s intervention was orchestrated by John Archibald Campbell, a white lawyer and former Supreme Court Justice who had voted with the majority in the 1857 *Dred Scott* decision that held that Black people could not be American citizens.<sup>316</sup> Campbell, himself a slaveowner, later left the bench to help lead the Confederate States of America. He bitterly opposed Reconstruction after the war’s end.<sup>317</sup>

When Louisiana’s Reconstruction legislature implemented regulations consolidating New Orleans slaughterhouses into one location outside the city, Campbell saw an opportunity to rob the Thirteenth and Fourteenth Amendments of their purpose.<sup>318</sup> He filed suit on behalf of a group of white butchers and argued that the Louisiana law forbidding slaughterhouses within city limits interfered with the butchers’ livelihoods in violation of the Thirteenth Amendment’s ban on slavery and the Fourteenth Amendment’s “privileges and immunities clause.” By bringing cases based in facts unrelated to the Reconstruction Amendments’ core purposes, Campbell hoped to use the laws as “weapons to bring about Reconstruction’s ultimate demise.”<sup>319</sup>

The Supreme Court obliged. After consolidating Campbell’s and several other cases into *The Slaughterhouse Cases*, the Court in 1872 held that the Fourteenth Amendment protected only the “privileges and immunities” conferred by *national* citizenship—a narrow category of rights mostly irrelevant to the struggles facing Southern Black people.<sup>320</sup> The majority reasoned that rights derived from a person’s state citizenship were enforceable only in state courts, which were increasingly dominated by Redeemers. *The Slaughterhouse Cases* marked the 13th time in seven years that the Supreme Court struck down federal laws designed to protect freedmen and the decision greatly limited the Fourteenth Amendment’s reach. In a dissenting opinion, Justice Stephen J. Field predicted that the amendment would be left “a vain and idle enactment.”<sup>321</sup>

At the same time, Congress and new President Ulysses S. Grant began to retreat from other federal efforts to protect Black rights and lives.

Southern racial violence became an increasingly divisive issue and a politically weakened President Grant grew reluctant to intervene. Mississippi's Reconstruction Governor Adelbert Ames, a Union military veteran and a transplant from the North, requested federal troops to suppress intense white violence targeting Black communities during state elections. President Grant refused and instead sent an exasperated letter encouraging Ames to broker a "peace agreement" between the state militia and the white mobs, explaining that "[t]he whole public are tired out with these annual autumnal outbreaks in the South."<sup>322</sup>

Congress and President Grant also took affirmative steps to empower former members of the Confederate Army.

**The Amnesty Act of 1872 ended office-holding disqualifications for most Confederate leaders and other civil and military officials who had rebelled against the Union.<sup>323</sup>**

By the time of the 1872 amnesty, the vast majority of white former Confederates in the South were free to own land, vote, hold office, and make laws. Only a few hundred Confederate leaders remained under restriction.<sup>324</sup> The very same people who had so recently fought to maintain white supremacy and retain slavery were now well positioned to seize control of their state governments, create laws and policies to suppress the new civil rights of Black people, and enable continued racial terror.



Jefferson Long (Library of Congress)

Born into enslavement in 1836, Rep. Jefferson Long was elected Georgia's first Black representative to Congress in 1870. He became the first Black person to speak on the House floor when he urged rejection of the Amnesty Act:

**Mr. Speaker, I propose, as a man raised a slave, my mother a slave before me, and my ancestry slaves as far back as I can trace them . . . If this House removes the disabilities of disloyal men by modifying the test-oath, I venture to prophesy you will again have trouble from the very same men who gave you trouble before.<sup>325</sup>**

The Act passed and Rep. Long's unheeded warning became reality.

## Redemption Wins

Empowered by the Amnesty Act, Confederate veterans regained political control by espousing white supremacist rhetoric and employing terror tactics of intimidation. Confederate Colonel James Milton Smith was elected Georgia's governor in 1872 and returned the state to white supremacist rule, vowed to undo the influence of post-war Reconstruction "misrule," and quickly partnered with the like-minded legislature to roll back gains that Black Georgians had accumulated under the Reconstruction administrations.<sup>326</sup>

In Virginia, a few months after his 1874 inauguration as governor, former Confederate General James L. Kemper delivered an address to the General Assembly outlining the racial regime he planned to construct:

**“Henceforth, let it be understood of all, that the political equality of the races is settled, and the social equality of the races is a settled impossibility. Let it be understood of all, that any organized attempt on the part of the weaker and relatively diminishing race to dominate the domestic governments, is the wildest chimera of political insanity. Let each race settle down in final resignation to the lot of which has inexorably consigned it.<sup>327</sup>**

That same year, large numbers of white supremacist candidates were elected to office in Alabama largely due to the use of violence, threats, terror, and fraud. In Eufaula, Alabama, a branch of the paramilitary White League waged a bloody attack against Black voters to ensure white supremacist victory at the ballot box.<sup>328</sup> The Alabama election of 1874 restored former Confederate leaders to legislative and executive authority, ended Reconstruction in the state, and elected Governor George Houston. He led a political effort to reverse the aims of Reconstruction in Alabama and restore the dominance of "the great governing race—the white people of the land."<sup>329</sup>

By 1875, the state legislature was dominated by white supremacists who called a Constitutional Convention to amend Alabama's "Reconstruction Constitution" ratified just seven years earlier. The 1868 convention's 100 delegates had included 18 Black men and 79 white supporters of Reconstruction's aims.<sup>330</sup> Delegates to the 1875 convention, by contrast, included 80 Redeemers, seven Independents, and just 12 Reconstructionists—four of whom were Black.<sup>331</sup> Among other provisions, the new Constitution—ratified with more than 70 percent of the vote—mandated "[s]eparate schools . . . for the children of citizens of African descent."<sup>332</sup>

With many Southern governments "redeemed," white violence against Black people intensified.



**The Equal Justice Initiative has documented at least 12 large scale massacres in Louisiana, Alabama, Texas, Tennessee, Mississippi, and South Carolina between 1872 and 1876, many of which targeted politically active African Americans.**

On Easter Sunday in 1873, 300 white people attacked a courthouse in Colfax, Louisiana, after Black protestors peacefully challenged fraudulent election results.<sup>333</sup> Even after the outnumbered Black crowd waved white flags of surrender, the assault continued and scores of unarmed Black men who sought shelter in the courthouse or attempted to flee were shot and killed. Approximately 50 African Americans who survived the afternoon of bloodshed were taken prisoner and later executed by the white militia. As many as 150 African Americans were killed in the massacre, described as “the bloodiest single act of carnage in all of Reconstruction.”<sup>334</sup>



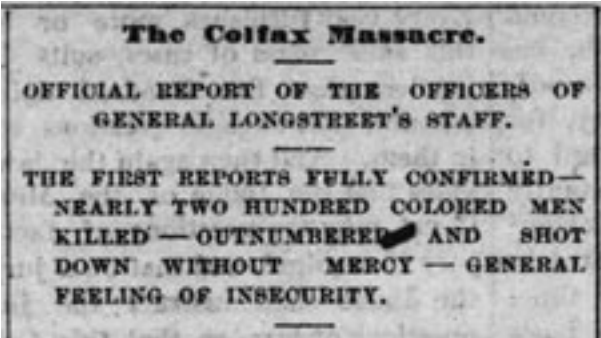
(Charles Harvey Weigall/Harper's Weekly, May 10, 1873)

Federal prosecutors in Louisiana brought criminal charges against members of the Colfax mobs under the Enforcement Act. Despite overwhelming evidence, one defendant was acquitted and jurors failed to reach verdicts against any others. Before retrial, the defense challenged whether the federal court had jurisdiction to hear the case at all, arguing for the first time that the Enforcement Act was unconstitutional as applied to private persons who were not state actors. The court allowed the trial to proceed, but when three defendants were convicted of conspiracy, the judge ruled the Enforcement Act unconstitutional and dismissed the indictments, initiating an appeal to the Supreme Court.<sup>335</sup>



**In *United States v. Cruikshank*, decided on March 27, 1876, the Court upheld the lower court’s dismissal and ruled that the Fourteenth Amendment protected citizens only from state action and *not* from violent attacks committed by private individuals.**<sup>336</sup>

This ruling rendered the Enforcement Act a dead letter and severely limited the Fourteenth Amendment. African Americans in the South were now at the mercy of white terrorists and had no recourse in federal courts, as long as the terrorists remained private actors.



(Rutland Weekly Herald (Rutland, Vt.), May 1, 1873.)

Federal protection disappeared almost immediately after the *Cruikshank* decision. The Justice Department dropped 179 Enforcement Act prosecutions in Mississippi alone.<sup>337</sup> Black people had few federal troops to turn to for protection, as the government had already withdrawn troops from all Southern states except Florida, Louisiana, and South Carolina. Violence grew more frequent and bolder—white mobs committed attacks on African Americans undisguised and in broad daylight.<sup>338</sup> Black people dreaded the withdrawal of the few remaining federal troops.

In 1876, when a politically beleaguered President Grant decided not to seek a third term, Republican Rutherford B. Hayes ran against Democrat Samuel J. Tilden. Hayes, an abolitionist and Union army veteran injured in the Civil War, lost the popular vote to Tilden, a former New York governor supported by the majority of Southern states. But the Electoral College results were disputed, sparking a contentious Congressional debate and threatening regional political conflict.<sup>339</sup>



A formerly enslaved woman, photographed in Putnam County, Georgia, in 1941. (Irving Rusinow/National Archives)

In January 1877, a bipartisan electoral commission created to resolve the election controversy voted to award the popular vote and the contested Electoral College votes to Hayes, giving him a narrow victory over Tilden. In exchange, Hayes agreed to use his presidential authority to withdraw all remaining federal troops from the South.<sup>340</sup>

**The “Compromise of 1877” ended Reconstruction as part of a political deal, with no inquiry into whether its goals had been accomplished.**

Within two months of taking office, President Hayes ended federal troops’ role in Southern politics. Southern Redeemers rejoiced at Reconstruction’s demise.

“This is the Centennial crow that our old game rooster, who has been cooped up for twelve long years, now sings in clarion tones . . . We can now shout [and] join our anthems of joy and glory with the victory of our time honored old party. Hallelujah!”<sup>341</sup> the white supremacist John W. Burgess exalted. “The white men of the South need now have no further fear that the [federal powers] will ever again give themselves over to the vain imagination of the political equality of man.”<sup>342</sup>

## A Vanishing Hope

The presence of federal troops in the South during the Reconstruction era acted as a penetrable dam holding back some of the violence, political suppression, and racist rhetoric of those intent on restoring white supremacist rule. Just 12 years after Emancipation, that dam vanished.

The vast majority of Black people in America still lived in the South, where without federal protection they were at the mercy of the same white officials who had very recently waged a war to keep them in bondage. In the words of Henry Adams, a Black man living in Louisiana, “The whole South—every state in the South—had got us into the hands of the very men that held us as slaves.”<sup>343</sup>

On the defeat of Reconstruction, *The Nation* offered a solemn assessment: “The Negro will disappear from the field of national politics. Henceforth, the nation, as a nation, will have nothing more to do with him.”<sup>344</sup>

For millions of Black men, women, and children, the abandonment foretold a grim future:

**“The decision to remove soldiers from the South led to the restoration of white supremacy in voting through the systematic disenfranchisement of Black people, virtually accomplishing over the next eight decades what slavery had accomplished in the country’s first eight decades . . . Reconstruction would not remove the original stain of slavery so much as smear it onto the other parts of the Constitution’s fabric . . .”<sup>345</sup>**

The legal and military abandonment that came with the fall of Reconstruction was devastating. It threatened many of the social and political gains Black people had managed to make amidst the terror and violence that followed the Civil War.



(Illustration by Dola Sun)

As a new era of white supremacy took hold in the South, education remained a priority among African Americans. But accessing education became more difficult in the face of growing hostility and dwindling resources. White employers fired Black workers for attending school and unchecked white supremacist groups like the Ku Klux Klan burned down school buildings and beat and murdered students and teachers.<sup>346</sup> Reconstruction efforts to educate freedmen had established the South's first system of universal public education. But the continuation of that system now relied on the support of Southern white leaders, many of whom remained convinced that Black education was wasteful and even dangerous.<sup>347</sup>

In many ways, the 1881 launch of the Tuskegee Institute represented a continuing Black commitment to educational achievement. The remarks Alabama governor and former Confederate Colonel William C. Oates gave at a Tuskegee graduation ceremony in the 1890s illustrates white officials' hostility toward Black education in the post-Reconstruction South.

"I want to give you niggers a few words of plain talk and advice," Oates began, denouncing the previous speaker.

**No such address as you have just listened to is going to do you any good; it's going to spoil you. You might just as well understand that this is a white man's country as far as the South is concerned, and we are going to make you keep your place. Understand that. I have nothing more to say.**<sup>348</sup>

Reconstruction's end greatly impeded Black economic and political advancement. With federal lawmakers and courts disinterested in enforcing Black people's constitutional rights to equality and fair treatment, discriminatory laws and lending practices barred Black people from land ownership for decades. By 1910, for example, more than 40 percent of white farmers in Georgia were landowners, compared to just 7 percent of the state's Black farmers.



A woman once enslaved by President Andrew Jackson sits with her great grandchildren, 1867. (Carl Giers)

A schoolhouse for Black students (Library of Congress)



Southern state governments quickly went to work altering their constitutions to disenfranchise Black citizens and codify racial hierarchy. From 1885 to 1908, all 11 former Confederate states rewrote their constitutions to restrict voting rights using poll taxes, literacy tests, and felon disenfranchisement.<sup>349</sup>

After Louisiana's post-Reconstruction constitution imposed these restrictions on voting rights, the number of Black registered voters dropped from 130,000 during Reconstruction to just 5,000 by 1900 and just 1,000 by 1904.<sup>350</sup> In the words of John B. Knox, an Alabama lawyer and president of the state's 1901 Constitutional Convention, "If we would have white supremacy, we must establish it by law—not by force or fraud."<sup>351</sup>

Local and state laws combined to trap Black people in a form of second-class citizenship by mandating segregation in schools, trains, buses, motels, and restaurants; outlawing interracial marriage; authorizing economic exploitation through convict leasing and mandatory labor contracts; and barring Black people from holding public office, voting in elections, or serving on juries. But perhaps the most devastating legacy of Reconstruction's failure was the deadly violence that continued to plague Black communities for decades.

**The premature withdrawal of federal troops unleashed a bold wave of violence that overwhelmed the few remaining protective structures and cemented Black people in an inferior economic, social, and political position—an "era of second slavery."**<sup>352</sup>

With the last meaningful layer of federal protection removed and the Supreme Court's tolerance of extrajudicial violence, legal oppression and racial terror lynchings became defining features of Black life in America for the next 80 years.

Over the century that this racial caste system reigned, lynching became the weapon of choice and a technique of enforcing racial exploitation. Between Reconstruction and World War II, thousands of African Americans were lynched, often in public acts of torture that traumatized Black people across the country. Reconstruction is the prologue to that story—the thousands of Black people killed between 1865 and 1877 foreshadowed the bloodshed that would persist as the ideology of white supremacy continued to strangle the hope for equality.

# A TRUTH THAT NEEDS TELLING

“

As the egalitarian spirit of post-Civil War America evaporated under the desire for national reunification, Black Americans, simply by existing, served as a problematic reminder of this nation's failings. White America dealt with this inconvenience by constructing a savagely enforced system of racial apartheid that excluded Black people almost entirely from mainstream American life – a system so grotesque that Nazi Germany would later take inspiration from it for its own racist policies.

—Nikole Hannah-Jones, *The 1619 Project*, 2019<sup>353</sup>

In 1863 the Negro was granted freedom from physical slavery through the Emancipation Proclamation. But he was not given land to make that freedom meaningful. At the same time, our government was giving away millions of acres of land in the Midwest and the West, which meant that the nation was willing to undergird its white peasants from Europe with an economic floor, while refusing to do it for its Black peasants from Africa who were held in slavery two hundred and forty four years.

And this is why Frederick Douglass would say that emancipation for the Negro was freedom to hunger, freedom to the winds and rains of heaven, freedom without roofs to cover their heads. It was freedom without bread to eat, without land to cultivate. It was freedom and famine at the same time.

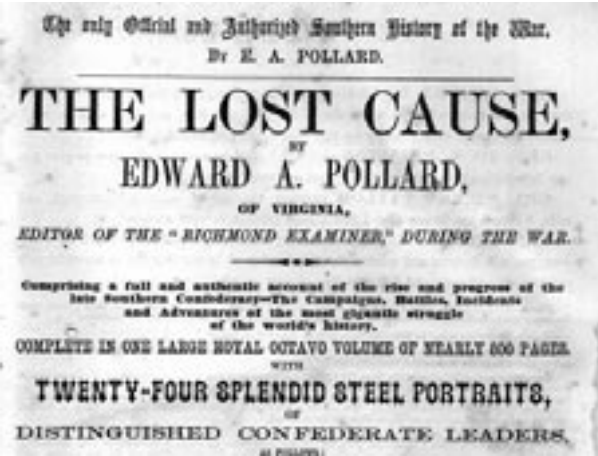
And it is a miracle that the Negro has survived.

—Rev. Dr. Martin Luther King Jr., 1967<sup>354</sup>

If Reconstruction has been a largely under-studied period of American history, the racial terror that Black people suffered *during* Reconstruction is nearly absent from public memory. The deadly attacks Black communities endured in the first years of freedom—and the institutions that tolerated that violence—laid a foundation for the era of racial terror lynching that followed and the segregation and inequality that endure still. Even as we have fewer details, retain less documentation, and know the names of fewer victims of Reconstruction-era violence than of later periods, we cannot learn the lessons of Reconstruction's failures or comprehend the legacies of that violent trauma until we confront the devastation it wrought and challenge the public narratives that deny the truth of that past.

The Union prevailed as victors in the Civil War, but white Southerners and supporters of the Confederacy won the narrative war by distorting memory of the conflict and the Reconstruction period that followed. In the South, Reconstruction was largely documented as a vengeful period in which Northern political interests imposed illegitimate rule and Black dominance on a beleaguered but determined white South that ultimately regained its rightful claim to self-rule. As early as 1866, Edward Pollard's book, *The Lost Cause*, praised the Confederate rebellion as a constitutional and noble cause. That view was soon a "civil religion" embraced throughout the white South by clergy, political leaders, and social organizations like the United Daughters of the Confederacy (UDC), founded in 1895.<sup>355</sup>

**Today, thousands of Confederate monuments across the United States serve a function more potent than simply honoring the dead or re-counting historical events.**



Those installed around the turn of the 20th century aimed to *invent* historical fact by romanticizing and glorifying enslavement, valorizing those who fought to preserve it, and reframing Southern secession as an honorable effort to defend local autonomy and states' rights. "The men were right who wore the gray, and right can never die," reads the inscription on the Confederate Monument at the Colbert County Courthouse in Tuscumbia, Alabama. Erected by the UDC in 1911, the monument includes the prayer, "God of our fathers, help us to preserve for our children the priceless treasure of the true story of the Confederate soldier."

In his 1935 book, *Black Reconstruction in America*, W.E.B. Du Bois described white Southerners' Reconstruction narratives as "deliberate and unbounded attempts to prove a case and win a dispute and preserve economic mastery and political domination by besmirching the character, motives, and commonsense, of every single person who dared disagree with the dominant philosophy of the white South."<sup>356</sup> He continued, "One cannot study Reconstruction without first frankly facing the facts of universal lying."<sup>357</sup>

Monuments to the Confederacy were installed generations after the Civil War. That activity quickened in response to the increasingly successful mid-20th century campaign for African American rights and equality—a period some have termed a "second Reconstruction."<sup>358</sup> To oppose *that* civil rights movement, Southern states, elected officials, and organizations defending white supremacy used public displays of Confederate iconography and anti-Reconstruction rhetoric to defiantly signal an ongoing resistance to racial equality.

During 1938 proceedings on a proposed federal anti-lynching bill, Senator Claude Pepper read into the Congressional Record a telegram message from Florida Governor Fred P. Cone, who



Marchers gather to celebrate the legacy of the Confederacy in downtown Montgomery, Alabama, in 2011. (Stephen Chu)

opposed the use of federal law to prosecute lynching in the South. It read: "We do not want a return of the shackles of Reconstruction days upon the backs of our people."<sup>359</sup> Like every other federal anti-lynching measure proposed during the era of racial terror, the bill failed.<sup>360</sup>

In 1950, the Louisiana Department of Commerce and Industry erected a historical marker in the vicinity of the 1873 Colfax Massacre. Its inscription claims that the violent attack by white mobs that left 150 Black people dead "end[ed] carpetbag misrule" in the state—justifying racial violence rather than memorializing its victims.<sup>361</sup>

When Attorney General Robert Kennedy came to Montgomery in April 1963 to urge Alabama Governor George C. Wallace to end his opposition to school desegregation, pro-segregation white protestors placed a Confederate Memorial Day wreath over the brass star marking where the Confederacy's president had taken the oath of office 102 years earlier. A note left with the wreath explained its intention to "keep any enemy from standing on the star where Jefferson Davis was inaugurated." It was signed "Unreconstructed."<sup>362</sup>

# Eufaula, Alabama

During the Civil War, Eufaula, Alabama, was at once a Confederate stronghold, the commercial center of Barbour County, and home to more Black people than white. After Emancipation, ratification of the Fifteenth Amendment guaranteed voting rights for Black men. This empowered Barbour County's new Black electorate to end white supremacist officials' control over the county. In 1870, Black voters helped elect Elias Keils, a white candidate who supported the aims of Reconstruction, to the position of City Court Judge.<sup>363</sup> Four years later, when Keils ran for re-election, local white residents determined to regain political dominance in the county used terror and intimidation to suppress Black votes, ultimately waging a deadly massacre that left dozens of Black people dead.<sup>364</sup>

As the 1874 election neared, white employers openly fired any Black workers who intended to vote for Keils.<sup>365</sup> False rumors spread that Black residents planned to violently drive white voters from the polls, and white residents began stockpiling guns near Eufaula polling sites.<sup>366</sup> Seeing the threat of election day violence, Keils tried to notify state and federal officials of the danger, but Alabama's Attorney General rebuffed the warning and A.S. Daggett, captain of federal troops stationed in Eufaula, claimed it would violate his orders to use federal soldiers to protect Black voters.<sup>367</sup>

Despite the risk, hundreds of African Americans marched to the downtown Eufaula polling site on November 3. Some were immediately arrested and jailed on fraud accusations.<sup>368</sup> Around noon,

several white men forced a Black man into an alley and threatened to arrest him if he did not vote against civil rights. Black witnesses protested and a pistol was fired—white people claimed a Black man had fired a shot at them while many Black people insisted a white man had fired a shot into the air. Soon afterward, a large mob of white men retrieved stockpiled guns stored nearby, gathered in the street and in the upstairs windows of surrounding buildings, and fired “indiscriminately” into the crowd of mostly unarmed Black voters.<sup>369</sup>

A historical marker in Barbour County, Alabama, erected in 1979, describes the 1874 Eufaula Massacre as a “riot.” (Jonathan Gibson)



Within minutes, 400 shots had been fired, leaving at least six Black people dead and injuring as many as 80 people.<sup>370</sup> Many survivors fled, including an estimated 500 Black people who had not yet voted.<sup>371</sup> One Black man who survived

later recalled that, when the shooting stopped, he heard the white crowd cheer, “Hurrah for the white man’s party.”<sup>372</sup> Later that day, a white mob attacked another county polling station in Spring Hill, Alabama, where Keils was the election supervisor. The mob destroyed the ballot box, burned the ballots inside, and killed Keils’s teenage son.<sup>373</sup>

Newspapers described the violence as a “riot,” but a Congressional representative later characterized the attack as a massacre.<sup>374</sup> Sentiments published in the local white press praised the attack: “Big riot today. Several killed and many other hurt—some badly—but none of our friends among them. The white man’s goose hangs high. Three cheers from Eufaula.”<sup>375</sup> Although the identities of many white perpetrators of the massacre were known, no white person was ever convicted. Instead, a Black man named Hilliard Miles was convicted and imprisoned for perjury after identifying members of the white mob.<sup>376</sup> Decades later, Braxton Bragg Comer, whom Mr. Miles had named as a perpetrator of the massacre, was elected governor of Alabama.<sup>377</sup>

The Eufaula Massacre and its aftermath showed Black residents that exercising their new legal rights—particularly by voting—made them targets for deadly attacks and they could not depend on authorities for protection.<sup>378</sup> The result was mass voter suppression. While 1,200 Black Eufaula residents voted in the 1874 election, only 10 cast ballots in 1876. That legacy remains.<sup>379</sup> Today, the population of Barbour County is nearly 50 percent Black but white officials hold 8 of 12 elected county positions. In 2016, the county had the highest voter purge rate in the United States.<sup>380</sup>

During Reconstruction, Black voters lost their lives in Eufaula and many more were disenfranchised because they supported pro-Reconstruction Republican candidates who pushed for Black citizenship rights at a time when white su-

premacy dominated the Southern Democratic party. This division would continue until major party realignments during the 20th century civil rights movement. Today, public memory of Reconstruction violence in Barbour County is reduced to one historical marker erected in 1979, which describes the “Election Riot of 1874” as a “bloody episode that marked the end of Republican domination in Barbour County.” In downtown Eufaula, the streets where Black voters were shot down for voting more than 140 years ago now host a towering Confederate monument erected by the United Daughters of the Confederacy in 1904. S.H. Dent, a former Confederate soldier who witnessed and possibly helped commit the massacre, spoke at the monument’s unveiling.<sup>381</sup>

In Eufaula today, a Confederate monument stands in the same area where Black voters were massacred in 1874. (Jonathan Gibson)



**This distortion of the past is made possible through the incomplete telling of history.**

A narrative that casts Southern white society as Reconstruction’s persecuted victim and the end of Reconstruction as a just and proper Southern triumph can only prevail through the silencing of the Black experience. When we listen to the voices of the Black men and women who witnessed the hope, promise, and terrifying danger of the era, and when we probe the haunting descriptions of the brutality that killed so many, we cannot deny the tragedy of the post-Civil War era’s missed opportunity to remake our nation’s racial order. Nor can we ignore the Black victims whose deaths and

trauma have long been overlooked in the dominant public telling. Today, in the midst of the 150th anniversary of the Reconstruction period, organizations and institutions are working to tell a fuller story.

“While the American Civil War is well represented within the National Park System, has been commemorated for over a hundred years, and has received immense attention through numerous books,” National Parks Superintendent Tim Good wrote in 2016, “Reconstruction is not represented at all within the National Park System, its events have never been commemorated, and it has received far less attention from scholars than its immediate predecessor.”<sup>382</sup>

The National Park Service (NPS) in 2015 announced an initiative to develop curricula, launch sites, and dedicate resources to establish a national narrative of the Reconstruction

A bust of Civil War general Nathan Bedford Forrest is erected in Old Live Oak Cemetery, Selma, Alabama, 2015. (Daniel Evans/Selma Times Journal)



(AP Photo/Adrian Sainz)

period. In May 2016, that work yielded first fruit when NPS partnered with a coalition of community leaders in Memphis, Tennessee, to erect a historical marker documenting the 1866 Memphis Massacre. In a city with multiple Confederate monuments and a park named for Ku Klux Klan founder Nathan Bedford Forrest, this effort marked the first publicly funded historical commemoration of the massacre. NPS efforts have continued and expanded to other states and communities, including a national monument in Beaufort, South Carolina.<sup>383</sup>

Two years after opening a memorial to victims of racial terror lynching and a museum exploring the narrative links between enslavement, lynching, segregation, and mass incarceration in 2018, the Equal Justice Initiative dedicated a memorial to Black men, women, and children murdered in racial attacks during the Reconstruction era. This memorial features the names of 500 documented victims and the locations of 34 documented massacres, but it is also dedicated to the thousands of additional

documented victims whose names were not recorded, and the many, many more unknown victims who can never be quantified.

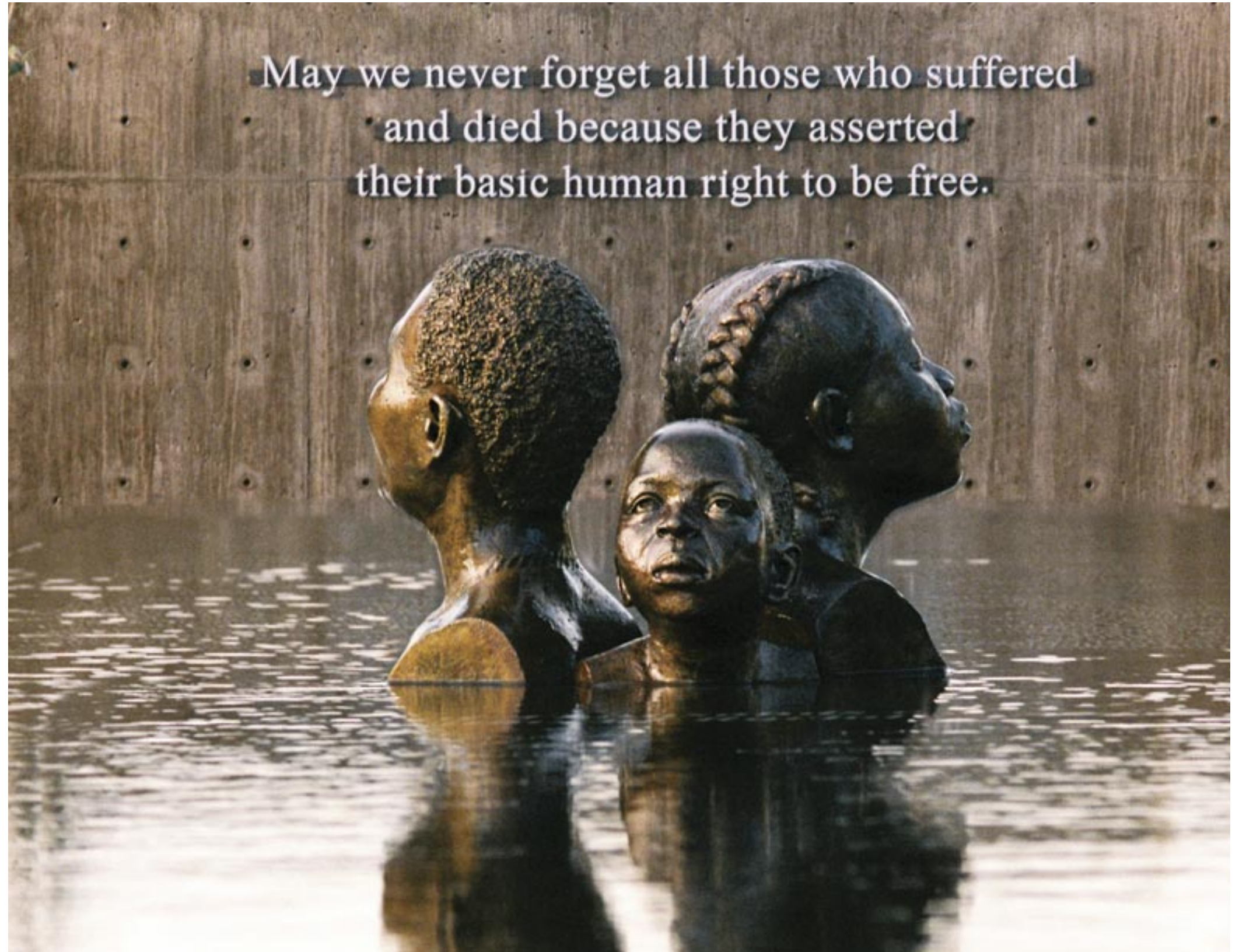
**Facing the horrific violence Black Americans suffered during Reconstruction forces us to recognize the fierce legacy of white supremacy in this country, and the terrible means used to defend it.**

This critical history challenges us to be unsatisfied with “solutions” to injustice that go no deeper than the surface and to remember that the fight for justice is a long and ongoing struggle.

By memorializing the victims killed and acknowledging the white supremacist violence that devastated the entire Black community in the first years after Emancipation, organizations, government agencies, and individual communities work to tell a story of Reconstruction that centers the Black experience of terror and trauma and magnifies the remarkable survival story African Americans have managed to build in a still imperfect freedom.

“According to my way of thinking, Abraham Lincoln done a good thing when he set us free,” Rachel Adams, a 78-year-old Black woman, said in the 1930s during an interview at her home in Athens, Georgia.

“**Jeff Davis, he was all right too, cause if him and Lincoln hadn’t got to fightin, we would have been slaves to this very day. It’s mighty good to do just as you please, and bread and water is heaps better than that ‘something to eat’ we had to slave for.**<sup>384</sup>



The Memorial at the EJI Legacy Pavilion in Montgomery, Alabama.  
(Bryan G. Stevenson)

Notes

1 “William M. Adams, Fort Worth, Texas.” *Federal Writers’ Project: Slave Narrative Project*, Vol. 16, Texas, Part 1, Adams-Duhon. 1936. <https://www.loc.gov/item/mesn161/>.

2 “Liney Chambers, Brinkley, Arkansas.” *Federal Writer’s Project: Slave Narrative Project*, Vol. 2, Arkansas, Part 2, Cannon-Evans, 1936. <https://www.loc.gov/item/mesn022/>.

3 David Eltis & Paul F. Lachance, *Estimates of the Size and Direction of Transatlantic Slave Trade* (2010), <http://slavevoyages.org/downloads/2010estimates-method.pdf>.

4 Ibid.

5 Frank Tannenbaum, *Slave and Citizen: The Negro in the Americas* (New York: Vintage Books, 1947), 65.

6 Adam Rothman, “The Domestication of the Slave Trade in the United States,” in *The Chattel Principle: Internal Slave Trades in the Americas* (New Haven: Yale University Press, 2004), 40; Frederic Bancroft, *Slave Trading in the Old South* (Columbia: University of South Carolina Press, 1996), 67.

7 See *Slavery in America: The Montgomery Slave Trade* (Montgomery, Alabama: Equal Justice Initiative, 2018), 39.

8 David L. Lightner, *Slavery and the Commerce Power: How the Struggle Against the Interstate Slave Trade Led to the Civil War* (Chelsea, MI: Sheridan Books, 2006), 6; Steven Deyle, “The Domestic Slave Trade in America: The Lifeblood of the Southern Slave System,” in *The Chattel Principle: Internal Slave Trades in the Americas* (New Haven: Yale University Press, 2004), 93; James Benson Sellers, *Slavery in Alabama* (Tuscaloosa, AL: University of Alabama Press, 1950), 147.

9 William C. Davis and William Marvel, *National Park Civil War Series: A Concise History of the Civil War* (Ft. Washington, Pennsylvania: Eastern National, 2007). [https://www.nps.gov/parkhistory/online\\_books/civil\\_war\\_series/1/sec1.htm](https://www.nps.gov/parkhistory/online_books/civil_war_series/1/sec1.htm).

10 Both the Southern and Northern economies remained tied to and dependent upon the labor of enslaved Black people, as Northern merchants traded in cotton and other agricultural products produced by enslaved people, and Northern banks accepted enslaved human “property” as collateral for securitized loans. See Sven Beckert, “Slavery and Capitalism,” *Chron. of Higher Educ.*, December 12, 2014; see also Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2016).

11 Davis and Marvel, *A Concise History of the Civil War*.

12 Ibram X. Kendi, *Stamped From The Beginning: The Definitive History of Racist Ideas in America* (New York: Bold

Type Books. 2016), 198.

13 Ibid. at 228.

14 *Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union* (Dec. 24, 1860). <http://www.teachi\hich\af1\dbch\af1\loch\f1ngushistory.org/lessons/DecoflmCauses.htm>

15 Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books, 1979), 182, 194-96.

16 *Harper’s Weekly*, “The Hanging of Amy Spain,” September 30, 1865; *The Woodstock Sentinel* (Ill.), “Amy Spain,” October 11, 1865; Eugene Fallon, “A Day Darlington Would Like to Forget: Confederate Forces Hanged Amy Spain 94 Years Ago,” *The Augusta Chronicle-Herald* (Ga.), May 10, 1959.

17 Kendi, *Stamped From the Beginning*, 13, 214.

18 “Request of the Freedmen of Columbus, Ga. to Maj. Gen. Steadman not to withdraw the Federal Troops and leave them unprotected,” *Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869*. M798 Roll 36.

19 Ibid.

20 W.E.B. Du Bois, “The Freedmen’s Bureau,” *The Atlantic*, March 1, 1901.

21 “Stephen F. Hale to Beriah Magoffin, December 27, 1860,” reproduced in full in Charles B. Dew, *Apostles of Disunion: Southern Secession Commissioners and the Cause of the Civil War* (Charlottesville: University Press of Virginia, 2001), 91-103.

22 Ibid.

23 *Encyclopedia of Alabama*, “Stephen F. Hale.” <http://www.encyclopediaofalabama.org/article/m-3518>

24 *Harper’s Weekly*, “The President’s Proclamation in Secession,” October 18, 1862.

25 *Journal of the Congress of the Confederate States of America, Vol. II* (Washington: Gov- Printing Office, 1904), 375-375, 393.

26 Ibid. at 57.

27 William Nester, *The Age of Lincoln and the Art of American Power, 1848-1876* (Lincoln, Nebraska: Potomac Books, 2014), 169; *Pittsburgh Weekly Gazette*, “Horatio Seymour,” October 8, 1869.

28 Doris Kearns Goodwin, *Team Of Rivals: The Political Genius Of Abraham Lincoln* (New York: Simon & Schuster, 2005), 464.

29 Ibid. at 182-83.

30 See Jim Downs, *Sick from Freedom: African-American Illness And Suffering During The Civil War And Reconstruction* (New York: Oxford University Press, 2012).

31 Litwack, *Been In The Storm So Long*, 172-74.

32 “Slave trading in Montgomery thrived well into the mid-1860s, even as the Civil War raged. As late as 1864, T.L. Frazer & Co. opened a new “slave market” in Montgomery on the south block of Market Street (present-day Dexter Avenue) between Lawrence and McDonough streets. In April 1864, a new firm of slave dealers announced plans to establish an office in Montgomery and promised to “keep constantly on hand a large and well selected stock such as families, house servants, gentlemens’ body servants, seamstresses, boys and girls of all descriptions, blacksmiths, field hands.” Tellingly, even after Robert E. Lee’s surrender, the *Montgomery Daily Advertiser* continued to run “reward” advertisements posted by slave owners seeking their runaway ‘property.’” Equal Justice Initiative, *Slavery In America*, 35.

33 “Annie Davis to Mr. President, 25 Aug. 1864,” D-304 1864, Letters Received, series 360, Colored Troops Division, Adjutant General’s Office, Record Group 94, National Archives.

34 Delaware ratified the Thirteenth Amendment in 1901. See Samuel B. Hoff, “Delaware’s Long Road to Ratification of the 13th Amendment,” *Delaware Online*, December 7, 2015.

35 Kentucky ratified the Thirteenth Amendment in 1976. See *The Indianapolis News*, “Kentucky Ratifies 13th Amendment,” March 24, 1976.

36 Mississippi did not officially ratify the Thirteenth Amendment until 1995, and did not formally file the ratification paperwork until February 7, 2013. See *AP News*, “130 Years After Civil War, Mississippi Senate Votes to Ban Slavery,” February 16, 1995; *NPR.org*, “After Snafu, Mississippi Ratifies Amendment Abolishing Slavery,” February 19, 2013.

37 “George King,” *Federal Writers’ Project: Slave Narrative Project, Vol. 13, Oklahoma, Adams-Young. 1936*. <https://www.loc.gov/item/mesn130/>.

38 Act of April 9, 1866 (Civil Rights Act), Public Law 39-26, 14 STAT 27, which protected all persons in the United States in their civil rights and furnished the means of their vindication.

39 Andrew Johnson, “Veto of the Civil Rights Bill,” March 27, 1866.

40 Ibid.

41 Eric Foner, *Reconstuction: America’s Unfinished Revolution*,

*tion, 1863-1877* (New York: Harper Collins, 2014), 190.

42 Andrew Johnson, *Veto for the first Reconstruction Act*, March 2, 1867.

43 Foner, *Reconstuction*, 196.

44 Thirty-ninth Congress. Sess. II. Ch. CLIII. March 2, 1867. (14 Stat. 428-430, c.153) <https://www.loc.gov/law/help/statutes-at-large/39th-congress/session-2/c39s2ch153.pdf>

45 Fortieth Congress. Sess I. Ch VI. March 23, 1867. (15 Stat. 2-5, c.6) <https://www.loc.gov/law/help/statutes-at-large/40th-congress/c40.pdf>

46 Fortieth Congress. Sess I. Ch. XXX. July 19, 1867. (15 Stat. 14-16, c.30) <https://www.loc.gov/law/help/statutes-at-large/40th-congress/c40.pdf>

47 Fortieth Congress. Sess II. Ch. XXV. (15 Stat. 41, c.25) <https://www.loc.gov/law/help/statutes-at-large/40th-congress/c40.pdf>

48 Richard L. Hume, “Negro Delegates to the State Constitutional Conventions of 1867-69” in *Southern Black Leaders of the Reconstruction Era* (Springfield: University of Illinois Press, 1982), 129, 133-34.

49 Ibid., 146.

50 *The Charleston Daily News*, “The State Legislature: The Murder of B.F. Randolph - Action of the Senate - Speeches by Republican Leaders,” December 2, 1868.

51 Foner, *Reconstruction*, 250-51.

52 *A Compilation of the Messages and Papers of the Presidents, Vol. 5* (Washington, D.C.: Bureau of National Literature, 1897), 3590

53 Foner, *Reconstruction*, 269.

54 Ibid.

55 U.S. Const. amend. XIV.

56 U.S. Const. amend. XV.

57 The 19th Amendment to the U.S. Constitution, ratified and adopted on August 18, 1920, established the voting rights of American women. In practice, the vast majority of Black men *and* women remained disenfranchised well into the 20th century due to racially-discriminatory state laws and policies in the South, and federal non-enforcement of the 15th Amendment. Black voting rights did not become widespread reality in America until, nearly a century after the 15th Amendment’s passage, and in response to mass movements led by a new generation of Black civil rights activists and organizers, Congress in 1965 passed the Voting Rights Act. See Henry Louis Gates Jr., *Stony the Road: Re-*

construction, *White Supremacy and the Rise of Jim Crow* (New York: Penguin Press, 2019).

58 Henry Louis Gates, Jr. “The ‘Lost Cause’ That Built Jim Crow,” quoting historian Rayford W. Logan, *New York Times*, November 8, 2019.

59 *The Louisiana Democrat* (Alexandria, La.), “The Bogus Convention,” July 18, 1866.

60 “New Orleans Riots: Report of the Committee,” *The Reports of the Committees of the House of Representatives Made During the Second Session Thirty-Ninth Congress, 1866-67, Vol. II* (Washington: Government Printing Office, 1867), 11; see also Jennifer Rae Taylor. “Race, Voting, and a Gaping Loophole: A Critical Look at the 14th Amendment.” *EJI.org*. August 13, 2018. <https://eji.org/news/race-voting-and-a-gaping-loophole-a-critical-look-at-the-14th-amendment/>.

61 W. E. B. Du Bois, *Black Reconstruction in America, 1860-1880* (Cleveland, Ohio: Meridian Books, 1962), 674.

62 Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy And Southern Reconstruction* (Baton Rouge: Louisiana State University Press, 1995), 3, 5.

63 Ibid., 113-15; James G. Dauphine, “The Knights of the White Camelia and the Election of 1868: Louisiana’s White Terrorists; A Benighted Legacy,” 30 *J. La. Hist. Assoc.* 2, (Spring 1989), 173; see also Foner, *Reconstruction*, 425.

64 Dorothy Sterling, *The Trouble They Seen: The Story of Reconstruction in the Words of African Americans* (New York: Da Capo Press, 1994), 374-75.

65 Ibid.

66 Foner, *Reconstruction*, 427.

67 *The Burlington Free Press* (Vt.), December 16, 1871.

68 *The Yorkville Enquirer* (S.C.), December 21, 1871.

69 *The Burlington Free Press* (Vt.), December 16, 1871.

70 *The Yorkville Enquirer* (S.C.), December 21, 1871.

71 Ibid.

72 Jerry L. West, *The Reconstruction Ku Klux Klan in York County, South Carolina, 1865-1877* (Jefferson, North Carolina: McFarland & Co., Inc., 2002), 87, 98-100.

73 Lou Falkner Williams, *The Great South Carolina Ku Klux Klan Trials, 1871-1872* (Athens: University of Georgia Press, 1996), 38; Foner, *Reconstruction*, 431-33.

74 Williams, *The Great South Carolina Ku Klux Klan Trials*, 44-45.

75 Du Bois, *Black Reconstruction*, 674.

76 See E.W. Crozier, *The White-Caps: A History of the Organization in Sevier County* (Knoxville, Tennessee: Bran, Warters & Graut, 1899); Michael Newton, *White Robes and Burning Crosses: A History of the Ku Klux Klan from 1866* (Jefferson, North Carolina: McFarland & Co., Inc., 2014).

77 *The St. Joseph Weekly Herald* (St. Joseph, Mo.), May 17, 1888.

78 *The Vermont Daily Transcript* (St. Albans, Vt.), Sept. 9, 1868; Congressional Edition vol. 1467 doc. 49 p. 1. United States Congress serial set. 1467; 42nd Congress, 1st, Session, Doc No. 49 pg. 2.

79 Trelease, *White Terror*, 131; Congressional Serial Set, 1877; Supplemental Report of Joint Committee; Samuel C. Hyde, “Political Violence During Reconstruction,” *The Social Fabric: American Life from the Civil War to Present, Vol. II* (London: Longman Publishing, 2005), 335; George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: University of Georgia Press, 2007), 75; Justin A. Nystrom, *New Orleans after the Civil War: Race, Politics, and a New Birth of Freedom* (Baltimore: Johns Hopkins University Press, 2010), 75.

80 United States Congress, *Testimony taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States (Misc. and FL), 1871*.

81 Foner, *Reconstruction*, 425.

82 *Address and resolutions of the National Equal Rights League convention of colored men, held in Washington, D. C., January 10th, 11th and 12th, 1867*. <https://www.loc.gov/item/rbpe.20501300/>

83 Gates Jr., “The ‘Lost Cause’ That Built Jim Crow.”

84 “The First Colored Senator. Speech in the Senate, on the Admission of Hon. Hiram R. Revels, A Colored Person, As Senator of Mississippi, February 25, 1870,” *Charles Sumner: His Complete Works, Vol. 18* (Norwood, Massachusetts: Norwood Press, 1900), 6-9.

85 Ibid.

86 U.S. House of Representatives, *Black Americans in Congress, 1870–2007*. <https://www.govinfo.gov/content/pkg/GPO-CDOC-108hdoc224/pdf/GPO-CDOC-108hdoc224.pdf>; U.S. Senate, *Hiram Revels: A Featured Biography*. [https://www.senate.gov/artandhistory/history/common/generic/Featured\\_Bio\\_Revels.htm](https://www.senate.gov/artandhistory/history/common/generic/Featured_Bio_Revels.htm); U.S. House of Representatives, *Revels, Hiram Rhodes: 1827-1901*. [https://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-\(R000166\)/](https://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-(R000166)/)

87 Eds. Philip Sheldon Foner, Robert J. Branham, *Lift Every Voice: African American Oratory, 1787-1900*

(Tuscaloosa: University of Alabama Press, 1997), 509.

88 See Cate Lineberry, *Be Free Or Die: The Amazing Story of Robert Smalls’ Escape From Slavery to Union Hero* (New York: St. Martin’s Press, 2017).

89 Eric Foner, “Rooted in Reconstruction: The First Wave of Black Congressmen,” *The Nation*, October 15, 2008.

90 Senators Revels and Bruce were the only two Back senators elected in the 19th century, and only two more were elected during the entire 20th century. See Foner, *Reconstruction*, 352-55.

91 Ibid., 356, 362-63.

92 Andrew Johnson, *Third Annual Message to Congress*, Dec. 3, 1867, available at <http://www.presidency.ucsb.edu/ws/?pid=29508>.

93 *Pickens County Herald and West Alabamian* (Carrollton, Ala.), “Negro Killed,” September 7, 1870; *Southern Republican* (Demopolis, Ala.), “The Murder of Burke and the Enforcement of the Fifteenth Amendment,” August 31, 1870; United States Congress, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 334-35; Foner, *Reconstruction*, 426.

94 *New York Times*, “The Recent Riot at Camilla - Further Particulars - Statements by the Military and Civil Authorities,” Sept. 23, 1868; *Chicago Tribune*, “The Camilla Massacre,” Sept. 23, 1868; *New York Tribune*, “Riot and Murders at Camilla,” Sept. 22, 1868.

95 Foner, *Reconstruction*, 426; *Pickens County Herald* (Carrollton, Ala.), “Negro Killed,” Sept. 7, 1870.

96 “John W. Fields.” *Federal Writers’ Project: Slave Narrative Project, Vol. 5, Indiana, Arnold-Woodson*. 1936. <https://www.loc.gov/item/mesn050/>.

97 Foner, *Reconstruction*, 96.

98 Marshall Rachleff, “An Abolitionist Letter to Governor Henry W. Collier of Alabama: The Emergence of ‘The Crisis of Fear’ in Alabama,” *J. Negro Hist.*, Vol. 66, No. 3, 246-253.

99 *The Frederick Douglass Papers at the Library of Congress*, <http://memory.loc.gov/cgi-bin/ampage?collId=mfd&fileName=49/49002/49002page.db&recNum=4&itemLink=/ammem/doughtml/doug-Folder9.html&linkText=7>

100 E. Thomas Finan, “Frederick Douglass, Defender of the Liberal Arts,” *The Atlantic*, April 7, 2015.

101 Du Bois, *Black Reconstruction*, 638.

102 Ibid.

103 Foner, *Reconstruction*, 96.

104 Ibid., 428.

105 *Alabama State Journal* (Montgomery, Ala.), “Reflections on the Patona Massacre,” July 22, 1870; *Alabama State Journal*, “The Cross Plains Riot,” July 22, 1870, citing *Rome Daily* (Ga.), July 14, 1870; *Green Bay Weekly Gazette* (Wisc.), February 25, 1871.

106 *Alabama State Journal* (Montgomery, Ala.), “The Cross Plains Riot,” July 22, 1870, citing *Rome Daily* (Ga.), July 14, 1870.

107 “Ellis Ken Kannon,” *Federal Writers’ Project: Slave Narrative Project, Vol. 15, Tennessee, Batson-Young*. 1936. <https://www.loc.gov/item/mesn150/>.

108 Edward Royce, *The Origins of Southern Sharecropping* (Philadelphia: Temple University Press, 1993), 107.

109 Ibid., 86-118.

110 Foner, *Reconstruction*, 190-91.

111 Ibid.; Royce, *The Origins of Southern Sharecropping*, 75.

112 Du Bois, *Black Reconstruction*, 140.

113 Ibid.

114 Royce, *The Origins of Southern Sharecropping*, 75.

115 Foner, *Reconstruction*, 171-72.

116 Royce, *The Origins of Southern Sharecropping*, 68-71.

117 W.E.B. Du Bois, *Economic Cooperation Among Negro Americans* (Atlanta: Atlanta University Press, 1907), 42.

118 Loren Schweningen, “Black-Owned Businesses in the South, 1790-1880,” *The Business History Review*, 63:1 (1989), 57.

119 Ibid., 53.

120 Ibid., 55.

121 Dylan C. Penningroth, *The Claims of Kinfolk: African American Property and Community in the 19th Century South* (Chapel Hill: University of North Carolina Press, 2003), 144.

122 See David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Simon & Schuster, 1997); Douglas Blackmon, *Slavery By Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2009).

123 Edythe W. McCraw, “A Mississippian Was the World’s Greatest Cotton-Grower,” *Mississippi News and Views* (Vicksburg, Miss.), September 1967.

124 Oshinsky, *Worse than Slavery*, 35.

125 Ibid., 36.

126 Ibid.

127 *The New Berne Times* (New Bern, N.C.), August 16, 1865.

128 Ibid.; *The Wilmington Herald* (N.C.), September 23, 1865; *The Wilmington Herald* (N.C.), September 29, 1865.

129 *The New Berne Times* (New Bern, N.C.), August 16, 1865.

130 *The Wilmington Herald* (N.C.), September 23, 1865.

131 *Letter from Brevet. Maj. Gen. Clinton B. Fisk, Centre-ville, TN, Jan. 15, 1866*. “Reports of Outrages, Riots and Murders, Jan. 15, 1866 - Aug. 12, 1868.” Records of the Assistant Commissioner for the State of Tennessee Bureau of Refugees, Freedmen, and Abandoned Lands, 1865 - 1869. National Archives Microfilm Publication M999, Roll 34.

132 “An Act to establish a Bureau for the Relief of Freedmen and Refugees,” March 3, 1865.

133 Foner, *Reconstruction*, 69.

134 Du Bois, *Black Reconstruction*, 221.

135 Du Bois, “The Freedmen’s Bureau,” *The Atlantic*, March 1901.

136 Ibid.

137 “Narrative Reports of Criminal Cases Involving Freedmen, Mar. 1866 - Feb. 1867,” *Records of the Assistant Commissioner for the State of Virginia Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1048 Roll 59.

138 Paul David Phillips, “White Reaction to the Freedmen’s Bureau in Tennessee,” *Tennessee Historical Quarterly* (Vol. 25: No. 1, 1966), 55.

139 “Miscellaneous Records Relating to Murders and Other Criminal Offenses Committed in Texas 1865 - 1868,” *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

140 “Miscellaneous Reports and Lists,” *Records of the Assistant Commissioner for the District of Columbia Bureau of*

*Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1055 Roll 21.

141 “Records Relating to Murders and Outrages,” *Records of the Assistant Commissioner for the State of Virginia Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1048 Roll 59.

142 Phillips, “White Reaction to the Freedmen’s Bureau in Tennessee,” 56.

143 Du Bois, “The Freedmen’s Bureau.”

144 *Letter from Office Sub. Asst. Comr. & c., Sherman, TX, 6 Oct. 1866*. “Registered Reports of Murders and Outrages, Sept. 1866 - July 1867.” Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869. National Archives Microfilm Publication M821, Roll 32.

145 Litwack, *Been In The Storm So Long*, 280.

146 Ibid., 277.

147 Ibid., 283-84.

148 See *The Freedmen’s Bureau Online: Records of the Bureau of Refugees, Freedmen and Abandoned Lands*, <http://freedmensbureau.com>.

149 Litwack, *Been In The Storm So Long*, 276-77.

150 *New York Times*, “The Alabama Democrats: Their Platform as Adopted by the State Convention,” May 31, 1878; Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (Baton Rouge: Louisiana State University Press, 2000), 35-36.

151 Foner, *Reconstruction*, 119; Jimmy Cunningham, Jr. & Donna Cunningham, *African Americans of Pine Bluff and Jefferson County* (Charleston, South Carolina: Arcadia Publishing, 2013), 13.

152 Patience Essah, *A House Divided: Slavery and Emancipation in Delaware, 1638-1865* (Charlottesville: University Press of Virginia, 1996), 184.

153 Yohuru Williams, “Revenged in the Most Terrible Manner: The Lynching of African American Civil War Veteran William ‘Obie’ Evans,” *Delaware History* (Fall 2013/Winter 2014, Vol. 34), 33; *The Sunbury Gazette* (Sunbury, Penn.), August 17, 1867; *The Philadelphia Inquirer*, “An Innocent Man Lynched,” August 5, 1867.

154 United States Congress, *Testimony taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States (Misc. and FL)*, 1871, 263.

155 “Reports Relating to Murders and Outrages, 1865-1868,” *Records of the Assistant Commissioner for the State of Georgia Bureau of Refugees, Freedmen and Abandoned Lands 1865-1869* (Washington, D.C.: National Archives Microfilm Publication), M798 Roll 32; Albion Tourgee, *The Invisible Empire* (New York: Fords, Howard & Hulbert, 1880), 460-65.

156 *The Ottawa Free Trader* (Ottawa, Ill.), “Lynched,” February 7, 1874; *The Daily State Journal*, “Illinois: Lynching of a Murderer,” February 6, 1874.

157 *The Stark County Democrat* (Canton, Ohio), “Three Negroes Lynched,” November 23, 1871; *The Indianapolis News*, “The Henryville Murder,” November 15, 1871; *Star Tribune* (Minneapolis, Minn.), “The Park Murderers Lynched,” November 18, 1871; *New York Tribune*, “Innocent Men Lynched,” December 8, 1871.

158 Thomas R. Baker, *The Sacred Cause of Union: Iowa in the Civil War* (Iowa City: University of Iowa Press, 2016), 220-21; Robert R. Dykstra, “White Men, Black Laws,” *The Annals of Iowa* (Vol. 46, Fall 1982); See also Robert R. Dykstra, *Bright Radical Star: Black Freedom and White Supremacy on the Hawkeye Frontier* (Cambridge: Harvard University Press, 1993).

159 *Leavenworth Daily Commercial* (Leavenworth, Kan.), “Hays City Correspondence,” January 12, 1869.

160 *Chicago Tribune*, “Riot at Harrodsburg, KY,” August 6, 1870.

161 See Thomas Howell, “The Colfax Massacre: An Essay Review,” 51 *Louisiana Hist.: the J. of the Louisiana Hist. Ass’n* (Vol. 69, Winter 2010); Lorraine Boissoneault, “The Deadliest Massacre in Reconstruction-Era Louisiana Happened 150 Years Ago,” *Smithsonian Magazine*, September 28, 2018; James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006).

162 *Intelligencer Journal* (Lancaster, Penn.), “The Lynch Law Case in Hartford County, Maryland,” July 25, 1868; *The Baltimore Sun*, “Outrage Upon an Elderly Lady in Harford County by a Negro- Lynch Law,” October 5, 1869; *Intelligencer Journal* (Lancaster, Penn.), “The Fruits of Radical Teaching,” October 7, 1869; *The Aegis & Intelligencer* (Bel Air, Md.), “Death of Miss Smith,” November 5, 1869;

163 *Detroit Free Press*, “A Bloody Riot,” March 7, 1863; *Chicago Tribune*, “The Detroit Riot,” March 10, 1863; *The Cass County Republican* (Dowgiac, Michigan), “A Bloody Riot at Detroit,” March 12, 1863.

164 *Detroit Free Press*, “The Lynching of the Delhi Murderer,” August 31, 1866.

165 *New York Times*, “The Vicksburg Troubles,” December 14, 1874.

166 *Chicago Tribune*, “Criminal Acts: A Negro Ravisher Hung By A Mob at Keytesville, Mo.,” September 29, 1875; *The Leavenworth Times* (Leavenworth, Kan.), “Swung to Satan,” August 1, 1876; *The Tennessean* (Nashville, Tenn.), “A Negro Lynched,” March 29, 1873.

167 William Nester, *The Age of Lincoln and the Art of American Power, 1848-1876* (Lincoln, Nebraska: Potomac Books, 2014), 169; *Pittsburgh Weekly Gazette*, “Horatio Seymour,” October 8, 1869.

168 Mary McTamaney, “Shock and Shame in 1863 Newburgh,” *Mid-Hudson Times* (Newburgh, N.Y.), June 19, 2019; *The Leeds Mercury* (Leeds, West Yorkshire, England), “Lynch Law,” July 9, 1863.

169 See Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of Civil War* (New York: Oxford University Press, 1991); James M. McPherson, *Ordeal by Fire: The Civil War and Reconstruction* (New York: Knopf, 1982).

170 *The Semi-Weekly Raleigh Sentinel* (Raleigh, N.C.), “Hung in the Woods,” September 29, 1869; *The Tri-Weekly Examiner* (Salisbury, N.C.), “Hung in the Woods,” October 1, 1869.

171 Eugene D. Schmiel, “Citizen-General: Jacob Dolson Cox and the Civil War Era,” *Civil War Hist.* (Vol. 61, January 2015), 468-69.

172 Marilyn K. Howard, “Black Lynching in the Promised Land: Mob Violence in Ohio, 19877-1916,” *Ohio Academy of History* (April 2013), 49.

173 R. Gregory Nokes, “Black History Month: Oregon’s Exclusion Laws Aimed to Prevent Blacks from Settling Here,” *The Oregonian*, February 9, 2014.

174 Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge: Harvard University Press, 2003), 276-78.

175 *The Baltimore Sun*, “Riots in Philadelphia,” October 11, 1871; *The Philadelphia Inquirer*, “The Fifth Ward Murders,” October 14, 1871.

176 *The Altoona Tribune* (Altoona, Penn.), “Lynch Law,” September 10, 1874.

177 Williams, *The Great South Carolina Ku Klux Klan Trials*, 1.

178 Ibid.

179 See Stephen V. Ash, *A Massacre in Memphis: The Race Riot that Shook the Nation One Year After the Civil War* (New York: Hill & Wang, 2013); *Memphis Daily Appeal*, “Gibson County,” August 27, 1874; *The Wheeling Daily Intelligencer* (Wheeling, W.V.), May 25, 1865; *The Lawrence Tribune* (Lawrence, Kan.), “Memphis via Cairo, May 19,” May 25,

1865; *The Leavenworth Bulletin* (Leavenworth, Kan.), "Negro Barbarity," May 26, 1865.

180 *The Daily Phoenix* (Columbia, SC). "The Millican Riot," August 2, 1868; *The Tennessean* (Nashville, TN), "Galveston," July 18, 1868; *The Daily Evening Express* (Lancaster, PA), "Rebel Massacre in Texas," August 11, 1868; see also *Millican "Riot," 1868*, <https://millican.omeka.net/>.

181 *Richmond Dispatch* (Richmond, Va.), "The Ravishers Lynched," August 23, 1869; *The Native Virginian*, "Another Outrage By Negroes," August 27, 1869.

182 *New York Times*, "Vindicating the Law: A Sample of Southern Justice," August 26, 1874; *The Star-Democrat* (Easton, Md.), August 18, 1874; *The Elk County Advocate* (Ridgway, Penn.), August 27, 1874.

183 *Wood County Reporter* (Grand Rapids, Wisc.), "Mob in Milwaukee—A Negro Lynched," September 14, 1861; *The Bay City Press* (Green Bay, Wisc.), "Mob Law in Milwaukee," September 14, 1861; Kevin Abing, "The Lynching of George Marshall Clark in Milwaukee," *Milwaukee Independent*, March 21, 2018.

184 Abing, "The Lynching of George Marshall Clark in Milwaukee."

185 "Letter from Hopkins County," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821, Roll 32.

186 Foner, *Reconstruction*, xviii

187 *The Times-Picayune* (New Orleans, La.), "Capital for the Fall Campaign," October 5, 1870.

188 United States Congress. Joint Select Committee On The Condition Of Affairs In The Late Insurrectionary States. *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 270, 462.

189 "List of Freedmen Murdered or Assaulted 1867," *Records of the Assistant Commissioner for the State of Georgia Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M798 Roll 32.

190 "Affidavit of Jacob Nail: Affidavits Relating to Outrages Mar. 1866-August 1868," *Records of the Assistant Commissioner for the State of Tennessee Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869*, (Washington, D.C.: National Archives Microfilm Publication), M999 Roll 34.

191 Ibid.

192 "Reports of Murders and Outrages," *Records of the Assistant Commissioner for the State of South Carolina Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1870* (Washington, D.C.: National Archives Microfilm Publication), M869 Roll 34.

193 Lorraine Boissoneault, "The Deadliest Massacre in Reconstruction-Era Louisiana Happened 150 Years Ago," *Smithsonian Magazine*, September 28, 2018.

194 Title VI, Art. 99 La. Const. (1868); Title VII, Art. 135 La. Const. (1868).

195 Christopher Long, "Knights of the White Camellia," *Texas State Historical Association*, May 1, 2019. <https://tshaonline.org/handbook/online/articles/vek01>

196 Du Bois, *Black Reconstruction*, 177.

197 Boissoneault, "The Deadliest Massacre in Reconstruction-Era Louisiana Happened 150 Years Ago"; Carl A. Brasseaux, Keith P. Fontenot & Claude F. Oubre, *Creoles of Color in the Bayou Country* (Jackson: University Press of Mississippi, 1994), 101.

198 Carolyn E. DeLatte, "The St. Landry Riot: A Forgotten Incident of Reconstruction Violence," *J. La. Hist. Assoc.* (Vol. 17: Winter 1976), 41-49; *New Orleans Republican*, "The St. Landry Massacre," October 12, 1868.

199 Boissoneault, "The Deadliest Massacre in Reconstruction-Era Louisiana Happened 150 Years Ago."

200 *New Orleans Republican*, "The St. Landry Massacre," October 12, 1868, reprinting editorials from *The Franklin Banner*, October 10, 1868.

201 Ibid.

202 Du Bois, *Black Reconstruction*, 681.

203 *The Baltimore Sun*, "Riots in Philadelphia," October 11, 1871; *The Philadelphia Inquirer*, "The Fifth Ward Murders," October 14, 1871; Daniel R. Biddle and Murray Dubin, *Tasting Freedom: Octavius Catto and the Battle for Equality in Civil War America* (Philadelphia: Temple University Press, 2010); Harry C. Silcox, "Nineteenth Century Philadelphia Black Militant: Octavius V. Catto (1839-1871)," *Penn. Hist.*, Vol. 44 (1977); Anthony Waskie, "Biography of Octavius V. Catto," *Temple.edu* <[http://isc.temple.edu/awaskie/biography\\_of\\_octavius\\_v\\_Catto.htm](http://isc.temple.edu/awaskie/biography_of_octavius_v_Catto.htm)>.

204 "Registered Reports of Murders and Outrages, Sept. 1866-July 1867," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

205 "Miscellaneous Records Relating to Murders and

Other Criminal Offenses Committed in Texas 1865-1868," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

206 Ibid.

207 Carl Schurz, "Report on the Condition of the South by 1865," *39th Congress 1st Session 20* (1865).

208 "Miscellaneous Records Relating to Murders and Other Criminal Offenses Committed in Texas, 1865-1868," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865-1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

209 "Freedmen's Bureau Report of Outrages in North Carolina, February 1867-December 1867," *Records of the Assistant Commissioner for the State of North Carolina Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M843 Roll 33.

210 "Miscellaneous Reports and Lists Relating to Murders and Outrages Mar. 1867-Nov. 1868," *Records of the Assistant Commissioner for the State of Louisiana Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1027 Roll 34.

211 United States Congress, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 225, 229, 238; Kidada E. Williams, *They Left Great Marks on Me: Testimonies of Racial Violence from Emancipation to World War I* (New York: NYU Press, 2012), 34.

212 United States Congress, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 225, 229, 238.

213 Ibid., 244.

214 Foner, *Reconstruction*, 26

215 Ibid.

216 See Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of Civil War* (New York: Oxford University Press, 1991); James M. McPherson, *Ordeal by Fire: The Civil War and Reconstruction* (New York: Knopf, 1982).

217 *Detroit Free Press*, "The Lynching of the Delhi Murderer," August 31, 1866.

218 *Chicago Tribune*, "The Ingham County Tragedy," August 30, 1866.

219 Ibid.

220 Ibid.

221 *Richmond Dispatch*, "A Negro Lynched in Michigan," September 5, 1866.

222 *The Rocky Mountain News*, April 29, 1867.

223 Ibid.

224 *The Baltimore Sun*, "Riots in Philadelphia," October 11, 1871; *The Philadelphia Inquirer*, "The Fifth Ward Murders," October 14, 1871.

225 *Atchison Daily Patriot* (Atchison, Kansas), "Indiana: Negro Hanged at Midnight by an Infuriated Mob," June 29, 1875.

226 "Statements Relating to Abuses of Freedmen in Richmond," *Records of the Assistant Commissioner for the State of Virginia Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M1048 Roll 59.

227 "Reports Relating to Murders and Outrages 1865-1868; List of Freedmen Murdered or Assaulted 1867," *Records of the Assistant Commissioner for the State of Georgia Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M798 Roll 32.

228 Ibid.

229 "Miscellaneous Records Relating to Murders and Other Criminal Offenses Committed in Texas 1865-1868," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

230 "Registered Reports of Murders and Outrages, Sept. 1866-July 1867," *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

231 Ibid.

232 "Reports Relating to Murders and Outrages 1865-1868; List of Freedmen Murdered or Assaulted 1867," *Records of the Assistant Commissioner for the State of Georgia Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M798 Roll 32.

233 See “Stephen F. Hale to Beriah Magoffin, December 27, 1860,” reproduced in full in Charles B. Dew, *Apostles of Disunion: Southern Secession Commissioners and the Cause of the Civil War* (Charlottesville, VA: University Press of Virginia, 2001), 91-103; Junius P. Rodriguez, *Slavery in the United States: A Social, Political, and Historical Encyclopedia Vol. 1* (Santa Barbara, California: ABC-CLIO, 2007), 171.

234 Manfred Berg, *Popular Justice: A History of Lynching in America* (Lanham, Maryland: Ivan R, Dee, 2011), 76-77; Joan E. Cashin, “A Lynching in Wartime Carolina: The Death of Saxe Joiner,” *Under Sentence of Death: Lynching in the South* (Chapel Hill: University of North Carolina Press, 1997), 109-31; Bruce E. Baker, *This Mob Will Surely Take My Life: Lynchings in the Carolinas, 1871-1947* (New York: Continuum Books, 2008), 14.

235 *The Daily Standard*, “A Proclamation by His Excellency, the Governor of North Carolina,” June 22, 1870.

236 Crystal N. Feimster, “What If I Am A Woman: Black Women’s Campaigns for Sexual Justice and Citizenship,” in *The World the Civil War Made* (Chapel Hill: University of North Carolina Press, 2015), 250-51, *citing* Maria Stewart, *Religion and the Pure Principles of Morality: The Sure Foundation on Which We Must Build*, October 1831.

237 Douglas O. Linder, “Celia, A Slave, Trial (1855): An Account,” *Famous Trials* (Kansas City: UMKC School of Law, 2011). <http://law2.umkc.edu/faculty/projects/ftrials/celia/celi-aaccount.html>

238 4248 Sec. XXXIII, Code of the State of Georgia (1861).

239 “Miscellaneous Reports and Lists Relating to Murders and Outrages, Mar. 1867 - Nov. 1868,” *Records of the Assistant Commissioner for the State of Louisiana Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1027 Roll 34.

240 Ibid.

241 Estelle B. Freedman, *Redefining Rape: Sexual Violence in the Era of Suffrage and Segregation* (Cambridge: Harvard University Press, 2013), 74.

242 “Register of Outrages Committed on Freedmen Jan. - Dec. 1868,” *Records of the Assistant Commissioner for the State of Virginia Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M1048 Roll 59.

243 Ibid.

244 “Affidavit of Rhoda Ann Childs, 25 Sept. 1866,” *Records of the Subassistant Commissioner for Griffin, Georgia, Bureau of Refugees, Freedmen, & Abandoned Lands* (Washington, D.C.: National Archives Record Group 105,

vol. 270), 41–42.

245 “Testimony of Witnesses Before the Joint Congressional Committee: Spartanburg, South Carolina,” in *Black Women in White America: A Documentary History* (New York: Vintage Books, 1972), 183-86.

246 *Nashville Daily Union*, May 24, 1866; *The Owensboro Monitor* (Ky.), “Mob Law in Owensboro,” May 23, 1866; George C. Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and “Legal Lynchings”* (Baton Rouge: Louisiana State University Press, 1990); J. Michael Crane, “The Rebels Are Bold, Defiant, and Unscrupulous in Their Dementions of All Men: Social Violence in Daviess County, Kentucky, 1861-1868,” *Ohio Valley Hist.* (Spring 2002), 24.

247 *The Daily Standard* (Raleigh, N.C.), December 10, 1869; *The Daily Journal* (Wilmington, N.C.), December 10, 1869; Wright, *Racial Violence in Kentucky*; Crane, “The Rebels Are Bold, Defiant, and Unscrupulous...,” 17, 23.

248 Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989), 184.

249 Ibid., 184-85.

250 “John H. Barrett to W.W. Holden, May 31, 1870,” *Governor’s Papers of W.W. Holden*, North Carolina Division of Archives and History, Raleigh; *The Daily Standard* (Raleigh, N.C.), “A Proclamation by His Excellency the Governor of North Carolina,” June 27, 1870; *The Weekly Standard* (Raleigh, N.C.), “Ku Klux Outrages,” October 5, 1870.

251 Ash, *A Massacre in Memphis*, 68-89.

252 Freedmen’s Bureau, “Report of an investigation of the cause, origin, and results of the late riots in the city of Memphis made by Col. Charles F. Johnson, Inspector General States of Kentucky and Tennessee and Major T.W. Gilbreth, A.D.C. to Major General Howard, Commissioner Bureau R.F.&A. Lands,” May 7, 1866.

253 “The general tone of certain city papers which in articles that have appeared almost daily, have counselled the low whites to open hostilities with the blacks.” Freedmen’s Bureau, “Report of ... the late riots in the city of Memphis...”

254 Ash, *A Massacre in Memphis*, 95.

255 Freedmen’s Bureau, “Report of ... the late riots in the city of Memphis...”; U.S. Congress, *Report of the House Select Committee on the Memphis Riots*, July 25, 1866.

256 Freedmen’s Bureau, “Report of ... the late riots in the city of Memphis...”

257 Ibid; U.S. Congress, *Report of the House Select Committee on the Memphis Riots*, July 25, 1866.

258 Freedmen’s Bureau, “Report of ... the late riots in the

city of Memphis...”

259 U.S. Congress, *Report of the House Select Committee on the Memphis Riots*, July 25, 1866.

260 Ibid.

261 Ibid.

262 Ibid.

263 Freedmen’s Bureau, “Report of ... the late riots in the city of Memphis...”

264 Ibid.

265 Ibid.

266 Ibid.

267 Ibid.

268 *Memphis Argus*, “The Reign of Bloodshed,” May 2, 1866.

269 U.S. Congress, *Report of the House Select Committee on the Memphis Riots*, July 25, 1866.

270 Mary White Ovington, “REVIEW: *The Truth About Lynching and the Negro in the South* by: Winfield H. Collins,” *The Survey* (Vol. 41), March 8, 1919, 843.

271 *Memphis Daily Appeal*, “Gibson County,” August 27, 1874.

272 Ibid.

273 *Nashville Union and American*, “From Gibson County,” August 29. 1874.

274 Ibid.

275 “Letter from Hopkins County,” *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821, Roll 32.

276 “Jane Bugg: Affidavits Relating to Outrages Mar. 1866- August 1868,” *Records of the Assistant Commissioner for the State of Tennessee Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M999 Roll 34.

277 “Lewis Powell: Affidavits Relating to Outrages Mar. 1866- August 1868,” *Records of the Assistant Commissioner for the State of Tennessee Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M999 Roll 34.

278 “Register of Outrages Committed on Freedmen Jan. - Dec. 1868,” *Records of the Assistant Commissioner for the State of Virginia Bureau of Refugees, Freedmen and Abandoned Lands* (Washington, D.C.: National Archives Microfilm Publication), M1048 Roll 59.

279 “Registered Reports of Murders and Outrages, Sept. 1866-July 1867,” *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821 Roll 32.

280 United States Congress. Joint Select Committee On The Condition Of Affairs In The Late Insurrectionary States. *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 78.

281 *The Tennessean* (Nashville, Tenn.), August 12, 1873; *Memphis Daily Appeal*, August 18, 1873; *The Sunbury Gazette* (Sunbury, Penn.), August 29, 1873.

282 Foner, *Reconstruction*, xviii.

283 “Letter from Hopkins County,” *Records of the Assistant Commissioner for the State of Texas Bureau of Refugees, Freedmen and Abandoned Lands, 1865 - 1869* (Washington, D.C.: National Archives Microfilm Publication), M821, Roll 32.

284 Hans L. Trefousse, *Andrew Johnson: A Biography* (New York: W.W. Norton & Company, Inc., 1989).

285 “Proclamation Pardoning Persons Who Participated in the Rebellion,” May 28, 1865.

286 Frank O. Bowman III, *High Crimes and Misdemeanors: A History of Impeachment for the Age of Trump* (New York: Cambridge University Press, 2019), 156.

287 Andrew Johnson, *First Annual Message*, December 4, 1865.

288 Ibid.

289 Frederick Douglass, *Reply of the Colored Delegation to the President*, February 7, 1866.

290 *New York Times*, “Thaddeus Stevens on the Great Topic of the Hour,” September 6, 1865.

291 Thaddeus Stevens, *Speech*, December 18, 1865. <http://www.let.rug.nl/usa/documents/1851-1875/thad-deus-stevens-speech-of-december-18-1865.php>

292 See Freedmen’s Bureau, “Report of an investigation of the cause, origin, and results of the late riots in the city of Memphis made by Col. Charles F. Johnson, Inspector Gen-

eral States of Kentucky and Tennessee and Major T.W. Gilbreth, A.D.C. to Major General Howard, Commissioner Bureau R.F.&A. Lands,” May 7, 1866.

293 See James G. Hollandsworth Jr., *An Absolute Mas-sacre: The New Orleans Race Riot of July 30, 1866* (Baton Rouge: Louisiana State University Press, 2001); Donald E. Reynolds, “The New Orleans Riot of 1866, Reconsidered,” *J. La. Hist. Assoc.* (Winter 1964).

294 *Articles of Impeachment*, March 4, 1868. [https://www.senate.gov/artandhistory/history/common/briefing/Impeachment\\_Johnson.htm](https://www.senate.gov/artandhistory/history/common/briefing/Impeachment_Johnson.htm).

295 *Tenure of Office Act*, March 2, 1867. [https://www.senate.gov/artandhistory/history/resources/pdf/Johnson\\_TenureofOfficeAct.pdf](https://www.senate.gov/artandhistory/history/resources/pdf/Johnson_TenureofOfficeAct.pdf).

296 *Articles of Impeachment*, March 4, 1868.

297 L. P. Brockett, *Biographical Sketches of Patriots, Orators, Statesmen, Generals, Reformers, Financiers and Merchants, Now on the state of Action: Including Those Who in Military, Political, Business and Social Life, are the Prominent Leaders of the Time in This Country* (Philadelphia: Ziegler & McCurdy, 1872), 501.

298 Edward McPherson, *A Handbook of Politics* (Washington D.C.: Philip & Solomon, 1868).

299 *Articles of Impeachment*, March 4, 1868.

300 “Testimony of Sen. Henry Wilson,” *Trial of Andrew Johnson, President of the United States, Before the Senate of the United States, on Impeachment by the House of Representatives for High Crimes and Misdemeanors, Vol. III* (Washington, D.C.: Government Printing Office, 1868).

301 Andrew Johnson, *State of the Union Address*, December 25, 1868.

302 Du Bois, *Black Reconstruction*, 602.

303 S.L. Alexander, *Reconstruction Violence and the Ku Klux Klan Hearings* (Boston: Bedford/St. Martins, 2015), 10.

304 United States Congress, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 1722.

305 Ibid.

306 Ibid., 1723.

307 Leon F. Litwack and A. Meier, *Black Leaders of the Nineteenth Century* (Urbana: University of Illinois Press, 1991).

308 Ibid., 221.

309 Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 2007), 9-10.

310 Ibid.

311 16 Stat. 140-146 (May 31, 1870); 16 Stat. 433 (Feb. 28, 1871); 17 Stat. 13 (April 20, 1871); Foner, *Reconstruction*, 454.

312 United States Congress, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: Govt. print. off, 1872), 1271.

313 *The Slaughterhouse Cases*, 83 U.S. 36, 78 (1873).

314 Roland M. Labbe and Jonathan Lurie, *The Slaughterhouse Cases: Regulation, Reconstruction, and the Fourteenth Amendment* (Lawrence: University Press of Kansas, 2005), 122-23.

315 Ibid.

316 *Dred Scott v. Sandford*, 60 U.S. 393, 500 (1857) (Campbell J. concurring) (“It is a settled doctrine of this court, that the Federal Government can exercise no power over the subject of slavery within the States, nor control the intermigration of slaves, other than fugitives, among the States.”)

317 Michael A. Ross, “Obstructing Reconstruction: John Archibald Campbell and the Legal Campaign against Louisiana’s Re-publican Government, 1838-1873,” *49 Civil War Hist.* 235 (Sept. 2003), 241.

318 See Labbe & Lurie, *The Slaughterhouse Cases*, 25-66.

319 Ibid. at 126.

320 *The Slaughterhouse Cases*, 83 U.S. 36, 69, 75-80 (1872).

321 Ibid., 38 (Field J. dissenting).

322 Foner, *Reconstruction*, 560.

323 James A. Rawley, “The General Amnesty Act of 1872: A Note,” *J. Am. Hist.* (Vol. 47: December 1960), 480–84.

324 Ibid.

325 *Annual Message and Accompanying Documents of the Governor of Virginia to the General Assembly*, December 2, 1874.

326 Keith Hulett, “James M. Smith (1823-1890),” *New Georgia Encyclopedia*, August 4, 2006. <http://www.georgiaencyclopedia.org/articles/government-politics/james-m-smith-1823-1890>.

327 *Annual Message and Accompanying Documents of the Governor of Virginia to the General Assembly*, December 2, 1874.

328 *Hartford Courant* (Conn.) , “Election Riots in Alabama: Ballots Destroyed — Unarmed Negroes Shot — A Democratic Legislature Elected,” November 6, 1874.

329 *New York Times*, “The Alabama Democrats: Their Platform as Adopted by the State Convention,” May 31, 1878.

330 Alabama Department of Archives and History. “Alabama’s Black Leaders During Reconstruction.” *Alabama Moments*. <http://www.alabamamoments.alabama.gov/sec26det.html>

331 J. Wayne Flynt. *Alabama in the Twentieth Century* (Tuscaloosa: University of Alabama Press, 2004), 5.

332 *Alabama Constitution of 1875*. accessible at: <http://digital.archives.alabama.gov/cdm/compoundobject/collection/legislature/id/213577/rec/77>

333 Thomas Howell, “The Colfax Massacre: An Essay Review,” 51 *Louisiana Hist.: the J. of the Louisiana Hist. Ass’n* 69 (Winter 2010), 69 .

334 Foner, *Reconstruction*, 530.

335 Charles Lane, *The Day Freedom Died: The Colfax Massacre, The Supreme Court, and The Betrayal of Reconstruction* (New York: Holt, 2008), 196-97, 203.

336 *United States v. Cruikshank*, 92 U.S. 542, 554 (1876).

337 Lane, *The Day Freedom Died*, 242-43.

338 Foner, *Reconstruction*, 559-60.

339 Ibid., 575-86.

340 Ibid.

341 *The Louisiana Democrat*, “Now You Can Crow: The Republican Party is Dead,” November 15, 1876.

342 Adam Serwer, “Civility is Overrated,” *The Atlantic*, December 2019.

343 Foner, *Reconstruction*, 584.

344 Lane, *The Day Freedom Died*, 249.

345 Wilfred Codrington III, “The Electoral College’s Racist

Origins,” *The Atlantic*, November 17, 2019.

346 Foner, *Reconstruction*, 428; Cong. Testimony 77; *Green Bay Weekly Gazette* (WI), “Universal Amnesty,” February 25, 1871; *Alabama State Journal*, “The Cross Plains Riot,” July 22, 1870; *Alabama State Journal*, “Democratic Gospel and its Fulfilment,” July 22, 1870.

347 *NPR*, “Story Behind the Number: Literacy and Lynchings,” February 4, 2006. <https://www.npr.org/templates/story/story.php?storyId=5189912>

348 Emmett Jay Scott and Lyman Beecher Stowe, *Booker T. Washington: Builder of a Civilization* (Garden City, New York: Doubleday, 1916), 313.

349 Michael Perman, *Struggle for Mastery: Disenfranchisement in the South, 1888-1908* (Chapel Hill: University of North Carolina Press, 2001), 1, 6.

350 Daniel Brantley, “Blacks and Louisiana Constitutional Development, 1890-Present: A Study in Southern Political Thought and Race Relations,” *Phylon* (Vol. 48, no. 1, 1987), 51–61.

351 Alabama Constitutional Convention (1901), *Official Proceedings of the Constitutional Convention of the State of Alabama: May 21st, 1901, to September 3rd, 1901* (Wetumpka, Alabama: Wetumpka Printing Co., 1940).

352 Foner, *Reconstruction*, 562.

353 Nikole Hannah-Jones, “The Idea of America,” The 1619 Project. *New York Times Magazine*, August 18, 2019.

354 Rev. Dr. Martin Luther King Jr, *Three Evils*, May 10, 1967. <https://www.theatlantic.com/magazine/archive/2018/02/martin-luther-king-hungry-club-forum/552533/>

355 Eds. David Edwin Harrell Jr. et al., “Reconstruction and the New South,” *Unto A Good Land: A History of the American People, Volume 2: From 1865* (Grand Rapids, Michigan: Eerdmans Publishing Co., 2005), 54.

356 Du Bois, *Black Reconstruction*, 347.

357 Ibid.

358 C. Vann Woodward, “The Political Legacy of Reconstruction,” *J. of Negro Ed.* (Vol. 26: Summer 1957), 231-40.

359 Claude Pepper (FL). “Congressional Record-Senate-January 24.” *Congressional Record* 83 (1938) p. 974.

360 Christopher Waldrep, *Lynching in America: A History in Documents* (New York: NYU Press, 2006), 235; Berg, *Popular Justice: A History of Lynching in America*, 154.

361 Mark Potok, “Is This the Nation’s Ugliest Monument?”

*Daily Beast*, August 18, 2017.

362 Claude Sitton, “Robert Kennedy Unable to Budge Alabama Governor on Race Issue,” *New York Times*, April 26, 1963.

363 Melinda M. Hennessey, “Reconstruction Politics and the Military: The Eufaula Riot of 1874,” *Alabama Historical Quarterly* 38, no. 2 (Summer 1976), 112-113; Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (Baton Rouge: Louisiana State University Press, 2000), 35-36.

364 See *Report on the Alabama Election of 1874*, House Reports, no. 262, 43rd Cong., 2nd Sess. (Washington, 1875); *Report on the Election in Alabama*, Senate Reports, no. 704, 44th Cong., 2nd Sess. (Washington, 1877). Hereafter these sources are referred to as House and Senate Report and they are cited as the person testifying, the report, and then page number.

365 Lazarus Gardner, House Report, 804; Lawrence Bowen, House Report, 814; Edwin Odon, House Report, 972.

366 A. S. Daggett, House Report, 598; Eli Shorter, House Report, 800; Henry Frazer, House Report, 214-215; Elias Keils, House Report, 2-3.

367 Daggett, House Report, 598; Hennessy, 115-116.

368 Odon, House Report, 966-967; Gardner, House Report, 804. Hennessey, House Report, 117; Carter, House Report, 37.

369 See Williford, House Report, 428; Williford, Senate Report, 445-446; Maurice Seals, House Report, 814-815; Hamilton, House Report, 817; Aaron Hunter, House Report, 831; Odon, House Report, 966-67; Williams, House Report, 979.

370 Williford, House Report, 427-28; Williams, House Report, 978; Daggett, House Report, 597; Hamilton, House Report, 817; Bowen, House Report, 814; Frazer, House Report, 216.

371 Daggett, House Report, 597-598; See Keils, House Report, 5.

372 Hamilton, House Report, 817.

373 Keils, House Report, 4.

374 See Senate Report, 577; Williford, House Report, 433.

375 *Montgomery Morning News*, “Special to Morning News,” November 4, 1874, quoted in Congressional Report, 1278; *The Weekly Advertiser*, “Eufaula Riot,” February 25, 1874; *Wisconsin State Journal*, “Election Fights,” November 5, 1874; *The Burlington Free Press*, November 5, 1874; Na-

*tional Republican*, November 10, 1874.

376 State grand juries failed to indict the perpetrators but a federal grand jury brought 30 indictments including the one against Miles. James L Pugh, Senate Report, 1860-61, 1871-1972; A.E. Williams, Senate Report, 618; The *Livingston Journal*, November 27, 1984; *The Montgomery Advertiser*, November 24, 1874; Hennessey, “Reconstruction Politics and the Military: The Eufaula Riot of 1874,” 123-124; Carter, *The Politics of Rage*, 36-37.

377 Carter, *The Politics of Rage*, 36-37.

378 Keils, House Report, 1148; “Views of the Minority,” House Report, LXVIII-LXIX.

379 Carter, *The Politics of Rage*, 37.

380 Max Garland, Alex Amico, Ali Schmitz, Phillip Jackson, and Pam Ortega, “African-Americans in the South face new barriers to vote,” *VotingWars News*21, August 20, 2016, <https://votingwars.news21.com/african-americans-in-the-south-face-new-barriers-to-vote/>.

According to the Brennan Center for Justice, “voter purges are an often-flawed process of cleaning up voter rolls by deleting names from registration lists. While updating registration lists as voters die, move, or otherwise become ineligible is necessary and important, when done irresponsibly — with bad data or when two voters are confused for the same person — the process can knock eligible voters off the roll en masse, often with little notice. Many voters discover they’re no longer listed only when they arrive at the polling place. As a result, many eligible Americans either don’t vote or are forced to cast provisional ballots.”

See *Brennan Center*, “Voter Purges,” <https://www.brennan-center.org/issues/ensure-every-american-can-vote/vote-suppression/voter-purges>

381 *The Times and News* (Eufaula, Ala.), “The Biggest Day,” Dec. 1, 1904; S.H. Dent, House Report, 803.

382 Tim Good, “Construction Memories of Reconstruction,” *Memphis Massacre 1866*, April 13, 2016. <https://blogs.memphis.edu/memphismassacre1866/2016/04/13/constructing-memories-of-reconstruction/>; David Waters, “Marker Finally Honors Truth, Victims of Memphis Massacre,” *The Commercial Appeal*, May 1, 2016.

383 Maura Ewing, “How One Agency Is Fixing American Amnesia About Reconstruction,” *Pacific Standard*, January 22, 2018. <https://psmag.com/social-justice/remembering-reconstruction>

384 “Rachel Adams,” *Federal Writers’ Project: Slave Narrative Project, Vol. 4, Georgia, Part 1, Adams-Furr. 1936*. <https://www.loc.gov/item/mesn041/>.

## Acknowledgments

This report is written, researched, designed, and produced by the Equal Justice Initiative. It is a part of a series of reports researched, written, and produced by EJI on the history of racial inequality in America. We would like to specially thank Jennifer Taylor for research, writing, editing, and photo research. Special thanks to Aaryn Urell for layout and editing; Kiara Boone for research, writing, and photo research; Jonathan Gibson for research, writing, photo research, photography, and data visualization; Adam Murphy, Sade Stevens, Kayla Vinson, Trey Walk, Sumita Rajpurohit, and Breana Lamkin for research and writing; John Dalton and Keiana West for editing; Gabrielle Daniels, Kari Nelson, Menna Elsayed, Jesse Chung, Alison Ganem, and Abigail Gellman for research; Jose Vazquez for photography and image research; Bryan G. Stevenson for photography; and Michaela Clark for photo research. We are also grateful to Josh Cannon, Elizabeth Woodson, Randy Suskind, Sonia Kapadia, and Emily Lumpkin for project support, production, and memorial assistance. We are also thankful to Jamiel Law, Matt Rota, and Dola Sun for illustrations.