



Thomas Ezekiel Miller

1849–1938

UNITED STATES REPRESENTATIVE ★ 1890–1891
REPUBLICAN FROM SOUTH CAROLINA

A seasoned local and state politician, Thomas Miller brought his extensive experience fighting for freedmen's rights in post–Civil War South Carolina to his abbreviated term in the 51st Congress (1889–1891). With little time to legislate, Miller asserted himself as a staunch supporter of the Federal Elections Bill, chiding congressional colleagues about the deterioration of civil rights in the South. “I shall not be muffled here,” Miller declared on the House Floor. “I am in part the representative . . . of those whose rights are denied; of those who are slandered by the press . . . and I deem it my supreme duty to raise my voice, though feebly, in their defense.”¹ Though Miller was proud of his African-American heritage, his fair complexion often left him straddling the black and white communities and was used by opponents to cut short his tenure in the House of Representatives.

Thomas Ezekiel Miller was born on June 17, 1849, in Ferrebeeveville, South Carolina. He was raised by Richard and Mary Ferree Miller, both former slaves, but his fair skin color caused much speculation about his biological origins.² Ferreebeville was named after his mother's likely master, whose last name she inherited. The Millers, who were freed sometime around 1850, adopted him. Later in life, Miller's apparent mixed-race heritage availed him political opportunities, but also forced him to navigate a complicated racial middle ground in the postwar South. Thomas Miller struggled his entire life to find acceptance in the black and white communities. African-American political rivals dismissed him as a white imposter attempting to take advantage of the post–Civil War black electorate. Yet, Miller, who embraced the black heritage nurtured by his adoptive parents, was also ostracized by white colleagues.³

In 1851, the Millers moved to Charleston, where

Thomas attended illegal schools for free black children and sold *Mercury* newspapers at hotels. During the Civil War, Miller delivered newspapers on a Charleston railroad line running to Savannah, Georgia. He was conscripted into the military when the Confederate Army seized the railroads. Captured by Union forces in January 1865, he spent two weeks in prison before his release. When the Civil War ended, Miller went to Hudson, New York, where once again he sold newspapers on a railroad line. He finished his education at the Hudson School, just north of New York City, before earning a scholarship to Lincoln University, a school for African-American students, in Chester County, Pennsylvania. After graduating in 1872, Miller returned to South Carolina, where he won his first elective office as school commissioner of coastal Beaufort County. He subsequently moved to Columbia and studied law at the newly integrated University of South Carolina. He continued his studies under the tutelage of state solicitor P. L. Wiggins and state supreme court justice Franklin L. Moses, Sr., a future governor of South Carolina. Admitted to the bar in December 1875, Miller set up his practice in Beaufort, South Carolina. In 1874, he married Anna Hume, with whom he had nine children.⁴

Shortly after moving to Beaufort, Thomas Miller was elected to the state general assembly, where he served until 1880 before securing a term in the state senate. Miller was deeply involved in attempts to revive the flagging South Carolina Republican Party after Reconstruction ended in 1877. He was a member of the Republican state executive committee from 1878 to 1880 and the state party chairman in 1884. The party nominated him for lieutenant governor in 1880, but Democratic threats of violence frightened Republicans from officially putting forward a statewide ticket.⁵ Miller also was a customs





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inspector and served on the state militia throughout the 1880s before returning to the state house of representatives in 1886 for one year.

In 1888, Miller entered the race for a seat in the U.S. House of Representatives that was formerly occupied by black Representative and Civil War hero Robert Smalls. The “shoestring district” was thus named because its narrow borders twisted from Sumter County in the center of the state to Georgetown and parts of Charleston on the coast.⁶ Covering the black belt of South Carolina, including the center of the state’s pre-Civil War rice and cotton plantations, the gerrymandered district boasted a population that was 82 percent black. Miller greatly admired Robert Smalls, calling him “the greatest politician of any one of us.”⁷ District Republicans expected Smalls to run in 1888 to avenge his loss to Democrat William Elliott in 1886, an election Smalls unsuccessfully contested. But Miller supporters convinced Smalls to defer.⁸ Facing the incumbent, Miller received financial backing from Randall D. George, one of the wealthiest black men in the state, who made his money distributing rosins and turpentine in the region.⁹ Representative Elliott was initially declared the winner by slightly more than 1,000 votes in a light turnout, with 54 percent to Miller’s 45 percent.¹⁰

Miller contested the election, charging that many registered black voters were prohibited from casting their ballots. He vehemently opposed the “eight box ballot law,” a state statute that required multiple ballot boxes at each polling station to confuse black voters.¹¹ Though the Republican-dominated Committee on Elections in the 51st Congress ruled in Miller’s favor, his case did not come up on the House Floor until September 23, 1890, immediately after a vote seating Virginia’s first black Representative, John Langston. Inspired by their success seating Langston (complicated by Democrats, who deserted the House Chamber in an effort to prevent a quorum), House Republicans decided to take up Miller’s claim. Representative Charles O’Ferrall of Virginia, who was charged with looking after the Democratic Party’s interests during the Langston vote, protested that the case

was unexpected and reiterated previous complaints that a quorum was not present. Daniel Kerr of Iowa asked for 20 minutes to debate the nomination, but Republican Speaker Thomas Brackett Reed of Maine stonewalled all protest and accused the Democrats of conspiring to delay Miller’s consideration. Shouts from the packed Republican side of the floor reinforced the Speaker. Members were recorded crying, “Vote! Vote!”¹² A vote was taken over O’Ferrall’s vehement protests. The House seated Miller by a vote of 157 to 1. He was sworn in the following day and given a position on the Committee on Labor.¹³

After only a week, Miller returned to South Carolina to run for re-election to the 52nd Congress (1891–1893). In November 1890, in a campaign once again funded by Randall George, Miller won an apparent victory in a three-way contest that included white Republican candidate Ellery M. Brayton and former Representative Elliott, the recently unseated Democrat. Elliott insisted the vote count was fraudulent and contested the results.¹⁴ On November 9, the South Carolina supreme court ruled that Elliott was the winner because Miller’s ballots were illegal: They had a “distinctly yellow tinge” and said “for Representative” instead of “Representative.”¹⁵

Miller contested the court’s decision before the House of Representatives, which would have the final say in the case, and returned to the final session of the 51st Congress with the election still unresolved. He had no time to submit substantive legislation and spoke only twice during the three-month session. On January 12, 1891, Miller spoke in favor of Massachusetts Representative Henry Cabot Lodge’s bill authorizing the federal government to oversee federal elections and protect voters from violence and intimidation, ignoring threats that his support of the bill would endanger his ability to win the pending election. Miller urged the Senate to follow the House’s example in passing the Lodge proposal, emphasizing southern blacks’ desire for basic equality rather than simple political patronage: for fair pay, property, and safety. “Ah, gentlemen,” he lamented, “what we need in this land is not so many [political] offices. Offices are only



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emblems of what we need and what we ought to have. We need protection at home in our rights, the chiefest of which is the right to live.”¹⁶ On February 14, 1891, Miller rebutted controversial allegations leveled by Senator Alfred H. Colquitt of Georgia. In his address, Colquitt blamed southern freedmen for slowing regional economic development. Miller replied that white southerners encouraged economic stagnation by exploiting black farmers and denying blacks full citizenship.¹⁷

When the House convened for the 52nd Congress on December 7, 1891, Miller, now a private citizen, pleaded with his former colleagues to overturn the state supreme court decision and declare him the winner of the 1890 contest against Elliott. However, the makeup of the new Congress was drastically different: Democrats now outnumbered Republicans nearly two to one.¹⁸ Their firm majority meant the Committee on Elections could stall consideration of Miller’s contest. The panel did not take up the case until one month before the end of the Congress—February 1893—giving the seat to Elliott. Shortly before the committee reached its decision, future black Representative George Murray defeated Miller for the Republican nomination for the 53rd Congress (1893–1895). Miller’s light skin became a decisive campaign issue, as Murray, who was dark-skinned, lambasted him for being only “one sixty-fourth black.”¹⁹

Miller returned to the state assembly for a single term in 1894. For the next 40 years, he remained active in

politics, making a steady living as an attorney for local Beaufort merchant D. H. Wall. He also was one of several prominent South Carolina black politicians who served as delegates to the 1895 state constitutional convention. Despite their best efforts, however, the convention disfranchised many South Carolina blacks by passing laws requiring voters to take a literacy test or to prove they owned more than \$300 in property. When Chaffin College in Orangeburg—a black school originally staffed by northern whites that opened in 1869—lost its federal funding, Miller helped establish the State Negro College (now South Carolina State University).²⁰ The college hired only black teachers. Miller later successfully lobbied the state to hire only black teachers in black public schools. In March 1896, he became president of the State Negro College, but was forced to resign in 1911 when Governor Coleman L. Blease, whom Miller had opposed during his gubernatorial campaign, took office. Miller later retired to Charleston, where he remained active in civic affairs. He supported American entry into World War I, helping to recruit more than 30,000 black soldiers. He served on a black subcommittee of the all-white state committee on civic preparedness during the war. In 1923 he moved to Philadelphia, but returned to Charleston in 1934. The last of the nineteenth-century generation of African-American Representatives, Miller died on April 8, 1938.

FOR FURTHER READING

“Miller, Thomas Ezekiel,” *Biographical Directory of the United States Congress, 1774–Present*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=M000757>.

Tindall, George Brown. *South Carolina Negroes, 1877–1900*, 2nd ed. (Columbia: University of South Carolina Press, 2003; reprint of the 1952 edition).

NOTES

- 1 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2695.
- 2 Miller’s origins remain unclear. In some sources, his biological parents were rumored to be an unwed white couple. Other historians claim Miller was the son of the light-skinned mulatto daughter of Judge Thomas Heyward, Jr., a signer of the Declaration of Independence, and a wealthy white father. The father’s family disapproved of the couple’s relationship and forced their son to give up the child for adoption. William C. Hine, “Miller, Thomas Ezekiel,” *American National Biography* 15 (New York: Oxford University Press, 1999): 518–520 (hereinafter referred to as *ANB*). See also Maurine Christopher, *Black Americans in Congress* (New York: Thomas Y. Crowell Company, 1976): 113; Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT: Praeger, 2002): 227–228; Thomas Holt, “Miller, Thomas Ezekiel,” *Dictionary of American Negro Biography* (New York: Norton, 1982): 439–440 (hereinafter referred to as *DANB*); Eric Foner, *Freedom’s Lawmakers: A Directory of Black Officeholders During Reconstruction*, revised edition (New York: Oxford University Press, 1996): 149. Middleton and Foner provide the most thorough accounts of Miller’s parentage.
- 3 George Brown Tindall, *South Carolina Negroes, 1877–1900*, 2nd ed. (Columbia: University of South Carolina Press, 2003; reprint of the 1952 edition): 48–49.
- 4 Hine, “Miller, Thomas Ezekiel,” *ANB*. The names of Miller’s children are not known.
- 5 Christopher, *Black Americans in Congress*: 114; Holt, “Miller, Thomas Ezekiel,” *DANB*.
- 6 Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 143.
- 7 Quoted in Christopher, *Black Americans in Congress*: 113.
- 8 *Ibid.*, 114.
- 9 Tindall, *South Carolina Negroes*: 128.
- 10 Michael J. Dubin et al., *U.S. Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 284.
- 11 Christopher, *Black Americans in Congress*: 114; Middleton, *Black Congressmen During Reconstruction*: 228.
- 12 For a full account of Miller’s case, see *Congressional Record*, House, 51st Cong., 1st sess. (23 September 1890): 10339.
- 13 Several newspaper articles indicate Miller was in South Carolina campaigning for the 1890 election when the House voted to seat him; however, it is unlikely that he was in South Carolina on September 23 and seated in Washington, DC, a day later. See, for example, “Republicans Steal,” 24 September 1890, *Atlanta Constitution*: 1; “Langston Gets His Seat,” 24 September 1890, *Chicago Daily Tribune*: 7.
- 14 Christopher, *Black Americans in Congress*: 114; Hine, “Miller, Thomas Ezekiel,” *ANB*; Holt, “Miller, Thomas Ezekiel,” *DANB*; Middleton, *Black Congressmen During Reconstruction*: 229. However, Michael Dubin indicates that Elliott won by more than 400 votes—45 to 39 percent in a small turnout. Brayton won 16 percent of the vote. See Dubin et al., *U.S. Congressional Elections, 1788–1997*: 292.
- 15 Quoted in Hine, “Miller, Thomas Ezekiel,” *ANB*; “Elliott Re-Elected to Congress,” 10 November 1890, *New York Times*: 1; see also “Will They Heed the Lesson?” 17 November 1890, *Washington Post*: 4.
- 16 *Congressional Record*, House, 51st Cong., 2nd sess. (12 January 1891): 1216.
- 17 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2694.
- 18 See Office of the Clerk, “Political Divisions of the House of Representatives (1789 to Present),” available at http://clerk.house.gov/art_history/house_history/partyDiv.html.
- 19 Quoted in Foner, *Freedom’s Lawmakers*, 150; Tindall, *South Carolina Negroes*: 49.
- 20 According to William C. Hine, the institution was originally named the Colored Normal, Industrial, Agricultural, and Mechanical College of South Carolina. See Hine, “Miller, Thomas Ezekiel,” *ANB*.



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