

PART ONE

Former Members

Fortieth Congress of the United States of America;

At the *third* Session,

Begun and held at the city of Washington, on Monday, the *seventh* day of *December*, one thousand eight hundred and *sixty-eight*.

A RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures shall be valid as part of the Constitution, namely:

Article XV.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude —

Section 2. The Congress shall have power to enforce this article by appropriate legislation —

John C. Fox

Speaker of the House of Representatives.

B. J. Baker

President of the Senate pro tempore.

John M. McKim

Clerk of House of Representatives.

Geo. B. Gorham

Secy of Senate U.S.

“The Fifteenth Amendment in Flesh and Blood”

1870–1901

On January 20, 1870, the Mississippi state legislature elected Hiram R. Revels to the U.S. Senate. A North Carolina-born preacher who was elected as a Republican to the Mississippi state senate in 1869, Revels was poised to become the first African-American Member of Congress. Mississippi had been without representation in Congress since seceding to join the Confederacy in 1861, and Revels was chosen to finish the remainder of a term ending at the close of the 41st Congress (1869–1871). He arrived in Washington 10 days later, just before the start of a remarkable month on Capitol Hill during which the ratification of the Fifteenth Amendment guaranteed Black voting rights in the Constitution. Nearly five years after the end of the Civil War, the Republican-led effort known as Reconstruction had done much to reshape the South and protect the civil and political rights of newly emancipated African Americans. Now Congress was prepared to consider a bill to formally readmit Mississippi to the Union, and Revels was confident he would be seated quickly.¹

Ratified on February 3, 1870, the Fifteenth Amendment prohibited any state from depriving citizens of the right to vote because of “race, color, or previous condition of servitude.”

Image courtesy of the National Archives and Records Administration

Over the next four weeks, however, the Senator-elect was reduced to being a spectator as Congress delayed seating him. An extended debate on Mississippi's status held up the bill to reinstate the formerly rebellious state. But on February 23, Mississippi finally rejoined the Union. That afternoon, from a seat in the Senate gallery, Revels watched as his would-be colleagues engaged in intense deliberations concerning his qualifications for the office. Central to this contentious debate was the question of citizenship. Congress had explicitly clarified the status of African Americans by law in 1866 and in the Fourteenth Amendment, which, when ratified in 1868, established citizenship for anyone born in the United States. Had Revels been a citizen long enough to meet the nine-year requirement set by the U.S.

Constitution for membership in the Senate? Senators largely divided along partisan lines, with Democrats arguing that Revels was ineligible and Republicans defending his credentials. After two days, the Republican majority in the Senate finally voted to seat Revels on February 25. He was sworn in at 4:40 p.m. as the first Black Member of Congress.²

"There was not an inch of standing or sitting room in the galleries, so densely were they packed," noted the *New York Times*, "and to say that the interest was intense gives but a faint idea of the feeling which prevailed throughout the entire proceedings." Newspapers across the nation covered this historic moment in the Senate chamber—and many explicitly noted that Revels represented Mississippi, the home of former U.S. Representative and Senator and Confederate president Jefferson Davis.³

For former abolitionists and Radical Republicans in Congress, Reconstruction was a way to remake the country, and Revels was celebrated as a living reminder of the new democratic order taking hold in the South in the years following the Civil War. In a speech in Boston in May 1870, the Massachusetts abolitionist Wendell Phillips hailed Revels as "a true embodiment of southern reconstruction ... the fifteenth amendment in flesh and blood, the incarnation of this last proud step in our nation's progress." For Phillips, a Black Senator validated the long struggle to destroy the institution of slavery as well as the transformative measures implemented during Reconstruction. In the five years following the war, Congress had amended the Constitution and passed legislation to abolish slavery and protect the civil and political rights of freed people. Black elected officials were crucial to new state and local governments forged in the once rebellious southern states. Phillips predicted that Revels was "the first drop in the coming shower" and that many more Black Members would soon be elected to Congress.⁴

Nearly 10 months after Revels took his seat in the Senate, Republican Joseph H. Rainey of South Carolina was sworn in as the first Black Member of the U.S. House of Representatives on December 12, 1870. In November, Rainey had won a special election to fill a vacancy in the 41st Congress, making him the first popularly elected Black Member of Congress. Unlike the Senate, where Members were chosen by state legislatures until 1913, House Members have always been directly elected by the people.

Revels and Rainey were the vanguard of a much larger movement that would fundamentally change the course of American history. In the years after the war, emancipation and Reconstruction dramatically altered southern congressional



In this 1870 *Harper's Weekly* print by Thomas Nast, former Confederate president Jefferson Davis lurks in the Senate Chamber, observing the swearing-in of the first Black Senator, Hiram R. Revels. Davis represented Mississippi in the Senate a decade earlier, and Revels's significance in the chamber was given Shakespearean proportions by placing the words of *Othello's* villainous Iago in Davis's mouth.

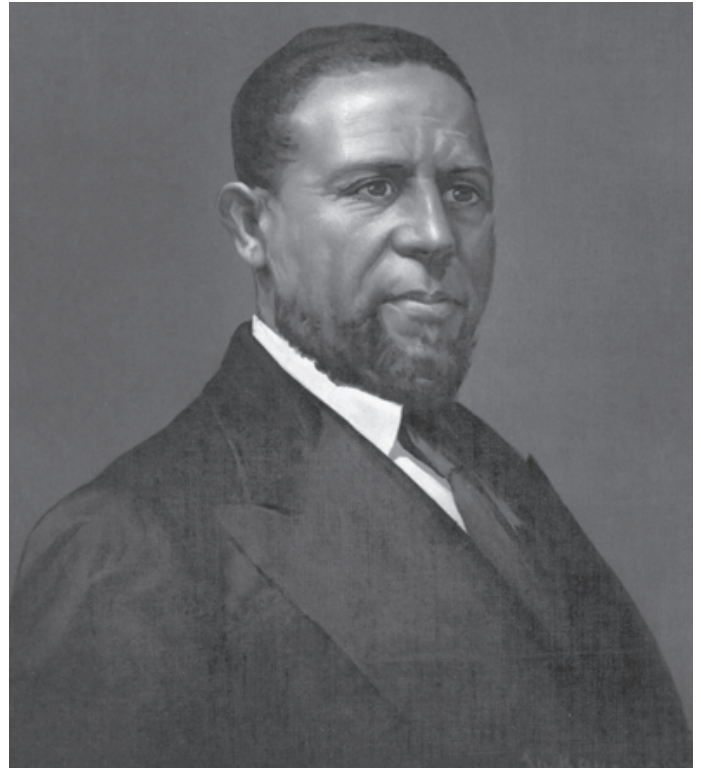
Image courtesy of the Library of Congress

districts. Federal law required states to fully count freed people in the apportionment process, and Black Americans won the power to vote and serve in Congress. Within five years, 14 more Black Members followed Revels and Rainey to Capitol Hill. This profound increase coincided with significant legislative achievements securing civil and political rights for African Americans across the nation.

The 44th Congress (1875–1877), however, proved to be the high-water mark for Black representation, with seven African Americans serving in the House and one in the Senate. By 1877, the Democratic Party, led by many of the same officials who had sparked the secession movement and fought for the Confederacy, had regained control of southern state governments. Democrats proceeded to implement a coordinated policy of discrimination, intimidation, and violence to block Black political participation and undermine the Republican Party in the South—effectively ending the federal project of Reconstruction. State legislatures no longer chose Black Senators. Gerrymandered congressional districts reduced opportunities for Black House candidates. During the next two decades, the number of African Americans in each Congress precipitously declined: only six new Black Members were elected after 1874, and for most Congresses, only one or two Black Members served on Capitol Hill. Nevertheless, these lawmakers soldiered on, searching for new ways to use the powers of the federal government to resuscitate Black freedom as the crushing weight of Jim Crow discrimination settled over the South.

Ultimately, 20 Black Representatives and two Black Senators served in Congress between 1870 and 1901. Each displayed a formidable array of skills as a lawmaker, orator, and activist. Although most were isolated in Congress and served only one or two terms, they pursued ambitious reforms while diligently working to protect the interests of their constituents. They were all Republicans from the South who called for the federal government to act decisively to pass legislation to guarantee the civil and political rights of freed people.

Black lawmakers recognized that they brought a distinct perspective to Congress, which informed their legislative agenda and gave them insight into the ambitions of nearly five million African Americans living in the United States. Less than a month into his tenure in the Senate, Hiram Revels prefaced his first remarks on the floor by noting that he was uniquely positioned to express “feelings which perhaps never before entered into the experience of any



Senator Hiram Revels of Mississippi was the first African American to serve in Congress.

Image courtesy of the Library of Congress

member of this body.” Black Members had seen repression and exclusion. Many had been enslaved before the war. But they were also part of the grand democratic experiment of Reconstruction in the South. During their service in Congress, nearly all of them described racial discrimination and segregation taking hold in the South in new ways, even as Congress attempted to end such practices during the late 1860s and into the 1870s.⁵

Starting with Revels and Rainey, African-American legislators brought this lived experience into the halls of Congress until the final Black Member elected in the nineteenth century, George Henry White of North Carolina, left office in 1901. No African-American lawmaker would be elected to Congress until 1928.

This section explores the inspiring, harrowing, and tumultuous 30-year journey of Black lawmakers in the period after the Civil War. From the revolutionary moment of Reconstruction to the onset of a system of racial exclusion in the South that undid decades of progress, Black Members of Congress remained resolute in their bold efforts to democratize American politics and society while maintaining their tenuous foothold in the national legislature.



This Ballou's Pictorial Drawing-Room Companion print depicts Thomas U. Walter's plan for the extended Capitol building and dome, which was approved in 1854. The new north and south wings of the building pictured here opened in the following few years, though the dome remained under construction during the Civil War. When the first Black Members of Congress arrived in Washington, DC, they found a majestic, marble Capitol completed with a massive dome.

Collection of the U.S. House of Representatives

RECONSTRUCTION AND BLACK POLITICAL ACTIVISM

As the 39th Congress (1865–1867) convened on December 4, 1865, Radical Republicans confronted a crisis in the South. Since the conclusion of the Civil War in April, most of the former Confederate states had taken dramatic steps to reconstitute their governments under the leaders of the rebellion. President Andrew Johnson, a slaveholder and former Tennessee Senator who stayed loyal to the United States during the war, had granted blanket pardons to many Confederate soldiers and officials, restoring their right to hold public office. Throughout the South, voters elected former Confederates to state legislatures and to Congress. At the state level, southern legislatures populated with former Confederates passed unjust laws known as Black Codes to restrict the rights of freed people.⁶

Outraged by these developments, Radicals were determined to steer the nation in a different direction. Led by Charles Sumner of Massachusetts in the Senate and Representative Thaddeus Stevens of Pennsylvania in the House, this faction within the Republican Party had roots in the antebellum abolitionist movement and had long sought to destroy the institution of slavery and protect the rights of African Americans. The Radicals believed that the federal government could guarantee equal rights for

all through legislation, constitutional amendments, and the enforcement powers of the executive branch. Although they were a vocal minority within the Republican Party, they were well-positioned to drive the congressional Reconstruction agenda in the years following the war. They wanted to perfect the Republic, not return to antebellum norms, and many served as activist allies to Black Members of Congress elected during this period.⁷

The opening of the new session of Congress set the stage for the Radicals to initiate a coordinated response. Representative Stevens introduced a resolution to prevent the seating of any Members-elect from the former Confederate states and establish a bicameral committee to investigate conditions in the South. The panel, known as the Joint Committee on Reconstruction, was made up of nine Representatives and six Senators. It conducted hearings and grappled with the constitutional questions that followed emancipation, such as defining citizenship and preventing southern governments from excluding potential Black voters while benefiting from their inclusion in population totals used to formulate congressional apportionment.⁸

Radicals began to set the nation on a new course for Reconstruction—one that was charted by Congress and designed to fundamentally change the South. When Georgia ratified the Thirteenth Amendment on December 6, three-quarters of the states had voted to amend the Constitution to abolish slavery. Congress had already created the Freedmen's Bureau to provide freed people with schools and assistance with economic and legal affairs. As lawmakers called for additional legislation and constitutional amendments to assist freed people, several newspapers reported the imminent organization of “an outside Congress”—a term used to describe the lobbyists of the day—to represent African Americans in Washington. Black activists were prepared, as they had been advocating for the civil and political rights of free people of color as well as the abolition of slavery since long before shots were fired at Fort Sumter. Black communities in 17 states and the District of Columbia chose the members of the delegation, and the *Boston Investigator* noted that the group was “especially charged with directly attending to their interests before Congress.”⁹

Two months later, on February 7, 1866, President Johnson received a delegation in the White House led by Frederick Douglass and Black activist and restaurateur George T. Downing. The members of the delegation hailed from both sides of the sectional divide. For example, the Manhattan-born Downing operated a successful restaurant in Newport,

Rhode Island. He would later run the Members' Dining Room in the U.S. House of Representatives from 1868 to 1876. South Carolina had sent Alonzo J. Ransier, who was elected to the state house of representatives in 1868 before becoming the first Black lieutenant governor of the state in 1870. In 1873, he would return to Washington as the Representative from South Carolina's Second District.¹⁰

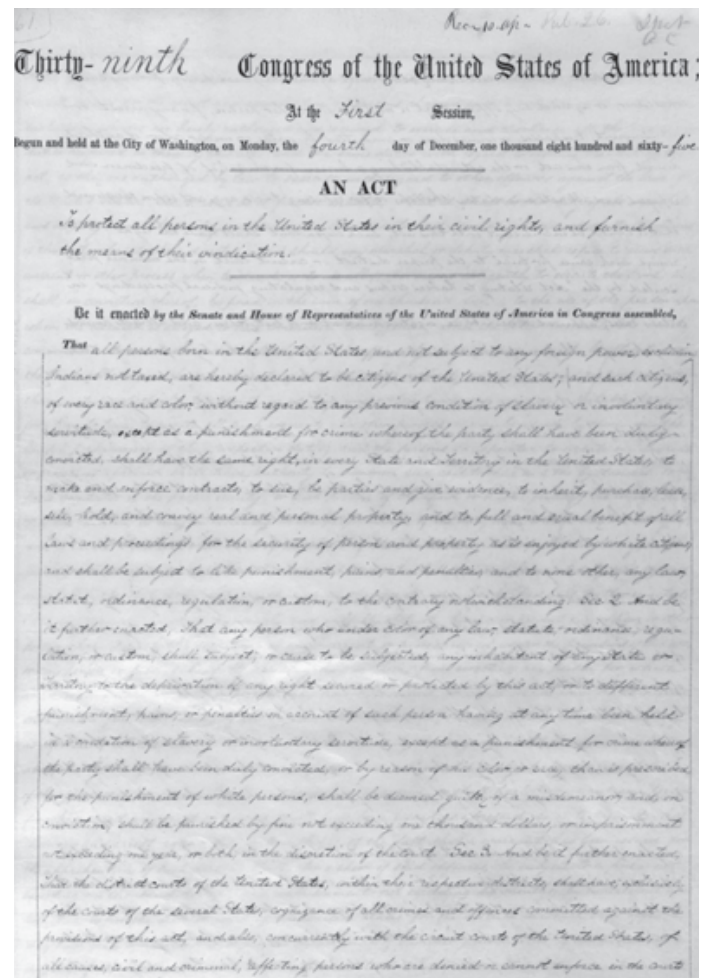
The delegation stressed the precarious position of African Americans at the beginning of 1866. The Thirteenth Amendment was not enough, Downing told the President, and "we wish it enforced with appropriate legislation." The Constitution, he added, "knows no privileged class," and Black Americans "should be protected in their rights as citizens and equal before the law." They insisted on being "fully enfranchised" throughout the nation, and "anything less than this will be rendering to us less than our just due." Douglass also directly addressed Johnson, asking him to guarantee Black voting rights. The President, Douglass stressed, had "the power to save or destroy us; to bless or blast us. I mean our whole race." The contentious meeting concluded with Johnson lecturing the Black delegation on the problems that he thought might follow Black suffrage.¹¹

Turning to Capitol Hill, the delegation appealed to Congress and outlined a vision of Black citizenship rooted in the Constitution. On February 15, Senator Sumner introduced the delegation's "memorial and protest" objecting to House Joint Resolution 51, a proposed constitutional amendment. Passed by the House on January 31, the joint resolution defined the punishment for those states that excluded voters on the basis of "race or color," mandating a reduction in House seats apportioned to any state guilty of such an offense.¹²

The delegates objected to inserting this explicit reference to "race or color" into the Constitution. If enacted, the proposed amendment, although designed to deter such action, would codify the very possibility of excluding voters on these terms. The delegation warned that this troubling precedent had the potential for abuse. Sanctioning the exclusion of any citizen went against the "fathers of the republic," who "framed and adopted" the Constitution for "the whole people—colored men being at the time legal voters in most of the States." The delegates urged the Senate to reject the resolution. The Senate followed their recommendation and never approved the amendment.¹³

During the next five years, Republican lawmakers worked to guarantee the civil and political rights of African Americans and establish a process for readmitting former

Confederate states. Congress passed the Civil Rights Act of 1866 to establish the rights of citizenship, institute equal protection under the law, and outlaw discrimination in employment, housing, and accommodations. After overriding a veto from President Johnson, Republicans began drafting a new constitutional amendment to redefine citizenship in the United States. When Congress approved the Fourteenth Amendment in June 1866, it explicitly granted citizenship to those born on American soil and guaranteed equal protection of the law for all. The amendment also threatened those states that attempted to discriminate at the polls with a reduction in seats apportioned in the House and barred former rebels from holding office. Despite Johnson's opposition to the amendment, the states ratified it in 1868, extending



The Civil Rights Act of 1866 defined the rights of citizens and created a new role for the federal government protecting individuals against discrimination. The law guaranteed all citizens the "full and equal benefit of all laws and proceedings for the security of person and property."

Image courtesy of the National Archives and Records Administration

American citizenship to the four million African-American men, women, and children who had once been enslaved.¹⁴

The President's hostility to these measures was part of a years-long struggle with Radical Republicans in Congress. On Capitol Hill, Republicans used the powers of the House and Senate to wrest the national program for Reconstruction away from Johnson—a process that culminated with Johnson's impeachment in 1868.

Meanwhile, conditions across the South continued to deteriorate as White terror organizations threatened, tormented, and killed freed people and their Republican allies. Congressional investigations compiled mountains of testimony cataloging these daily incidents of violence and intimidation. Many Republicans pushed the federal government to do more to assist the postwar South in economic development and ensure peace in the region.¹⁵

In Washington, the Republican-led Congress directly intervened in the affairs of the southern states. In 1867, a series of Reconstruction Acts outlined a concrete plan for readmitting the rebellious states, including the establishment of five military districts in the South that would be occupied by federal troops. This legislation prescribed a process for states to regain their seats in Congress: ratify the Fourteenth Amendment, approve new state constitutions, and ensure the voting rights of African-American men. The U.S. military played a crucial role in securing Black civil and political rights and establishing the conditions for democratic elections.¹⁶

Away from Capitol Hill, freed people and their allies laid the foundation for Republican strength in the South.



In this 1868 print, A.R. Waud portrays the agents of the Freedmen's Bureau as advocates for the interests of freed people in the years following the Civil War.

Image courtesy of the Library of Congress

Black Americans extended the Republican Party's reach throughout the region, building the party from the ground up. A thriving national Black political culture complemented and reinforced this democratic revolution in southern politics and society. An emerging agenda for change united Black communities, and those committed to the cause of Black freedom met in national and state conventions throughout this period. Finally, this diverse constituency of White and Black allies played a major role in the conventions held by southern states to draft new state constitutions that embraced Black suffrage.¹⁷

By 1870, Reconstruction had transformed southern politics: Republicans controlled southern state governments and African-American lawmakers had been elected to lead state legislatures. Louisiana had three Black lieutenant governors between 1868 and 1877, and Mississippi elected a Black speaker of the house in 1872—future Representative John R. Lynch. But only in South Carolina, where African Americans accounted for 60 percent of the population, were Black majorities possible in the state house from 1868 to 1876 and in the state senate from 1872 to 1876. Black voters were critical to the Republican Party's electoral fortunes throughout the South during this period. By 1877, roughly 2,000 Black men held local, state, and federal offices throughout the South.¹⁸

Despite grassroots support and the growing institutional power of Republicans at the state and local level, Radicals remained concerned that the gains of Reconstruction were not universally realized throughout the nation. To ensure African Americans could enjoy the full range of rights as citizens, Republicans drafted another constitutional amendment, including an enforcement provision to enable congressional action. Ratified in 1870, the Fifteenth Amendment declared that the right to vote “shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”

PATHS TO CAPITOL HILL

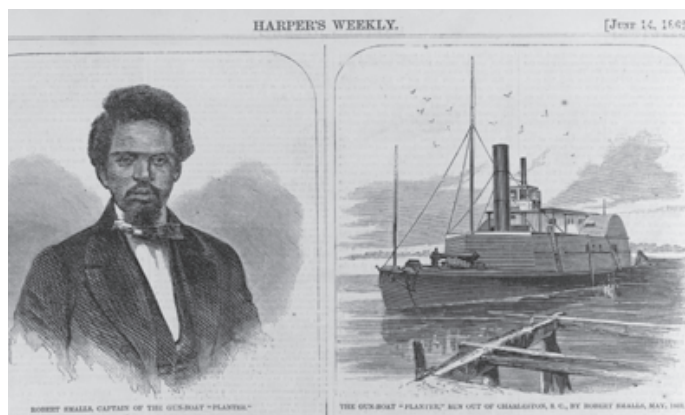
The Fifteenth Amendment ushered in an extraordinary decade in Congress. Sixteen Black lawmakers, nearly three-quarters of the 22 Black Members who served in Congress during the nineteenth century, served in the 10 years after its ratification. The rapid pace of change was consistent with the bold optimism among African-American activists at the beginning of the decade. In December 1870, the month Joseph Rainey was sworn in as the first Black U.S. Representative in American history, Frederick Douglass's

newspaper, the *New National Era*, cited one enthusiastic prediction that neatly connected the Black share of the U.S. population with the seats in the House, expecting that proportional representation would quickly lead to the election of 34 African Americans in Congress. Black voters, now fully counted in the southern states to determine apportionment, would be afforded “strength and power” in the next election, with “a status that neither party can afford to despise.”¹⁹

While proportional representation seemed within reach at this promising juncture, the number of Black Members of Congress never attained such heights in the nineteenth century. But within a brief window in the early 1870s, Black candidates were more likely to find success. Joseph Rainey, for example, traversed a smooth path leading from the South Carolina state senate to Capitol Hill. In August 1870, the state Republican Party nominated Rainey to run in a special election to fill a vacancy in South Carolina’s Fourth District for the remainder of the 41st Congress. Rainey was also chosen as the party’s candidate for a separate election to the 42nd Congress (1871–1873). He easily won both contests, becoming the first Black lawmaker directly elected by voters.²⁰

In a way, the 38-year-old Rainey represented a composite of Black Members elected to the Congress during the nineteenth century. Born enslaved, Rainey was emancipated through the efforts of his father, who purchased his freedom. Rainey had little in the way of a formal education. He was trained in his father’s profession and worked as a barber in Charleston, South Carolina, before the Civil War. He escaped to Bermuda during the war, continued working as a barber, and returned to South Carolina following the conflict. He was a dedicated member of the state Republican Party, organizing at the local level, participating in the 1868 state constitutional convention, and serving in the state senate from 1868 to 1870.

With the exception of his years in Bermuda, Rainey’s early life, education, work, and political activism were largely comparable to those of his Black colleagues in the 1870s. Many were born enslaved or had parents who were enslaved. The vast majority were self-taught and demonstrated knowledge of contemporary literature, the classics, and the law in their remarks before Congress. They embraced the pursuit of public service and political power as state and local office holders before coming to Congress. And all were activists enmeshed in the ongoing struggle for civil and political rights in the South.



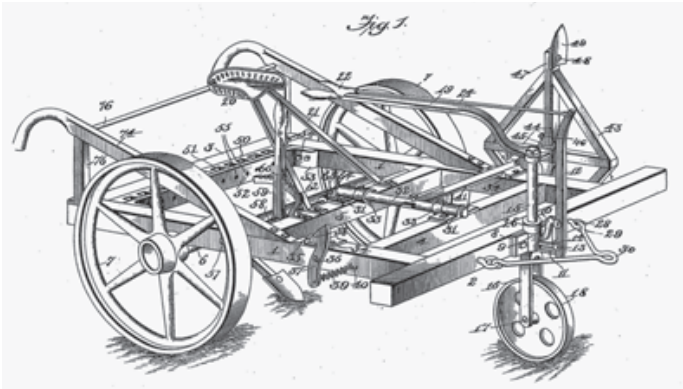
After piloting the Confederate ship *Planter* to freedom in Charleston Harbor, Robert Smalls of South Carolina was celebrated in national publications such as *Harper's Weekly* in 1862. Smalls represented South Carolina in the House during five nonconsecutive Congresses between 1875 and 1887.

Image courtesy of the Library of Congress

A Generation Forged in Upheaval

The vast majority of Black Members elected during the nineteenth century grew up in the antebellum South, a region marked by revolutionary changes in politics and society in the 1860s. Eleven were born enslaved and two more were born to parents who had been emancipated—only Robert Brown Elliott of South Carolina and James E. O’Hara of North Carolina were born and raised elsewhere. Some like Rainey gained freedom well before the Civil War, others like Jeremiah Haralson of Alabama were enslaved until 1865. Robert Smalls of South Carolina became a sensation in 1862, when he commandeered a Confederate ship and led a daring escape from Charleston harbor that freed his and other enslaved families. Smalls’s exploits immediately became national news, and he later piloted several ships for the U.S. Navy in the war.²¹

Black Members who served during the 1870s had diverse educational backgrounds. Few had any formal education, as southern states banned teaching both free and enslaved Black children to read and write. Free Black communities, along with sympathetic White neighbors, sometimes operated schools to teach those enslaved in southern cities. Others, like Frederick Douglass, who, as a young man was enslaved in Baltimore, Maryland, learned to read and write using a variety of creative tactics and sheer determination. After the Civil War, schools were funded by state and local governments as well as the Freedmen’s Bureau. By 1870, more than 4,000 schools in the South served nearly a quarter-million students.²²



George Washington Murray of South Carolina patented several farming inventions before his election to Congress. Patent Number 517,961 was a cultivator and marker to “open furrows for the reception of seeds.”

Image courtesy of the U.S. Patent and Trademark Office

Many Black Members were self-educated and acquired a broad range of knowledge on history, politics, and culture through their own initiative. Having learned the photographer’s trade, future Mississippi Representative John Lynch attended a few months of night school in Natchez, Mississippi, after 1865. Lynch improved upon his brief formal education by reading northern newspapers and listening in on lessons at an all-White school adjacent to his photography studio.²³

The six Black lawmakers elected for the first time after 1880 had more formal schooling than their predecessors. All had attended college or earned degrees. Several were lawyers, including John M. Langston of Virginia, who went to Oberlin College in Ohio before the war and had a distinguished legal career.

Black Representatives and Senators in the nineteenth century worked in trades and developed important skills before coming to Congress. They were ambitious barbers, tailors, printers, hotel managers, steamboat porters, photographers, and store owners. Most were educators: Seven worked as teachers and five as school administrators. Others were clergymen and farmers.²⁴

In some cases, shrewd business investments enabled nineteenth-century Black Congressmen to become affluent. They were planters and landowners. They backed railroad ventures and engaged in real estate speculation. At least seven Members held estates of more than \$5,000, a considerable sum at the time. Senator Blanche K. Bruce of Mississippi, the wealthiest among them, amassed a fortune of more than \$150,000 primarily through real estate and farming.²⁵

Almost every Black Member of Congress in the nineteenth century held widespread influence in state and local politics

before arriving on Capitol Hill. Of the 22 Black Members of Congress elected before 1901, only Jefferson F. Long of Georgia and Charles E. Nash of Louisiana did not hold public office before serving in Congress. Four served in local office, two held federal appointments, and 14 sat in their state’s legislature before their election to Congress. In fact, John Langston was one of the first Black officeholders in U.S. history, having been elected clerk of Brownhelm, Ohio, in 1855; he later served as a U.S. diplomat in Haiti and Santo Domingo.

Opportunities and Obstacles

Black Members during the nineteenth century represented states and congressional districts undergoing dramatic change during Reconstruction. Southern states elected new leaders, redrew district boundaries, and empowered new constituencies of Black voters across the region.

Majority-Black districts proved crucial for electing African-American Representatives. Only two Black Members during this era served a district whose population was less than 50-percent Black. Republicans in control of state legislatures at the beginning of the 1870s drew favorable congressional districts to boost the party’s candidates at the polls. As speaker of the Mississippi state assembly in 1872, John Lynch was directly involved in the reapportionment of the state’s six seats in the U.S. House, creating five Republican-dominated districts before winning election in the Sixth District later that year.²⁶

South Carolina elected eight Black Members during this period—the most of any state—from multiple districts with majority-Black populations. In North Carolina, gerrymandering created the state’s lone majority-Black district. Black candidates frequently competed against each other in the so-called “Black Second,” and the district was represented by four Black Representatives before 1901. But with the exception of Alabama and Mississippi, both of which elected three Black Members, Black candidates found less success in the other southern states. Florida, Georgia, Louisiana, and Virginia each elected one Black Representative. Of the states that were once part of the Confederate rebellion, Arkansas, Texas, and Tennessee sent no Black Members to Congress during this period.²⁷

Even in districts with large Black populations, Black congressional candidates faced significant challenges. Violence, murder, and intimidation were commonplace during congressional campaigns in many parts of the postwar South. Congressional committees compiled

voluminous firsthand accounts describing threats, beatings, and murders perpetrated against African Americans and their White allies in the Republican Party.²⁸

Louisiana was engulfed in violence, uncertainty, and political strife throughout Reconstruction. The lone Black Representative from the state, former Union soldier Charles E. Nash, was elected in 1874 to one term in the 44th Congress. But Louisiana nearly sent three Black Members to Congress before 1873. John Willis Menard, an Illinois-born newspaper editor, Republican Party activist, poet, and federal employee who had worked for the U.S. Department of the Interior, won a special election to fill a vacancy in a New Orleans-based district in 1868 and could have been the first Black Member of Congress. However, when Menard arrived on Capitol Hill late in the 40th Congress (1867–1869) with credentials from the Louisiana state government, his opponent, Democrat Caleb Hunt, contested the results. Menard defended his right to take office and on February 27, 1869, became the first African American to speak before the House while it was in session. Menard disputed Hunt's claims and questioned whether his opponent had followed proper procedure in contesting the vote. The House Committee on Elections recommended the seat be declared vacant based on the "violence, intimidation, and fraud" that compromised the integrity of the election. Menard's case was the first of many contested elections involving Black candidates.²⁹

In 1872, Samuel Peters of Shreveport and P.B.S. Pinchback of New Orleans both won election to the House from Louisiana, but neither was ever seated. Peters was a Black teacher and activist from Ohio who in 1871 moved to Louisiana, where he took charge of the Shreveport branch of the Freedman's Savings and Trust Company, also known as the Freedman's Bank. He was also appointed division superintendent of education by Pinchback, then the state's acting governor and one of the first Black state executives in U.S. history. Peters was elected to the House in November 1872, but the 43rd Congress (1873–1875) was not scheduled to convene until December 1873. In September, yellow fever decimated Shreveport, leaving more than 400 dead, including Peters. He died just months before he would have taken the oath of office.³⁰

Pinchback faced a different fate. Born in Georgia, he had been a gambler on Mississippi riverboats before his arrival in New Orleans in the early 1860s. After service in the U.S. Army during the Civil War, he was elected to the Louisiana state senate. He served as lieutenant governor of

the state and spent 35 days as acting governor. In 1872, he was elected to an At-Large U.S. House seat from Louisiana. He was subsequently chosen as the next U.S. Senator from Louisiana on January 17, 1873. His claim to seats in both houses of Congress was challenged by his opponents, who disputed his credentials for each position. While the state endured months of violent confrontations between Democrats and Republicans, two competing candidates laid claim to the governor's office. Pinchback spoke on the House Floor on June 8, 1874, defending the legitimacy of his election to the House. When the House Committee on Elections ruled in favor of his opponent, Pinchback pursued his claim in the Senate to no avail.³¹

Menard and Pinchback were ensnared in the convoluted contested election process, which was exceedingly common during the nineteenth century. In the House, the Committee on Elections handled contested cases. Established as the House's first standing committee in 1789, it rendered judgments on disputed elections based on



Two years before Joseph H. Rainey of South Carolina was elected, John Willis Menard of Louisiana claimed victory in a special election to the House. Menard, photographed in the late 1860s, would have been the first African American elected to Congress. However, after his opponent contested the election results, the House did not seat either candidate.

Image courtesy of the Library of Congress

evidence and witness testimony. The panel's deliberations often extended well into the second session, and the majority party's candidate had a distinct advantage because votes on each case were often decided along party lines within the committee and on the House Floor. Members forced to defend their seats during contested election investigations lost valuable time in introducing legislation or speaking on the House Floor. The committee handled an unusually heavy caseload in the half century following the Civil War: 60 percent of cases heard by the committee between 1867 and 1911 were from the former Confederacy—a disproportionate share given that Representatives from those eleven states constituted close to 25 percent of the House.³²

Black Representatives in the nineteenth century routinely had their elections challenged, often to devastating effect. The first sitting Black Member to face a contested election was Robert C. De Large of South Carolina, who had joined the 42nd Congress in March of 1871. After accusations of election fraud from an Independent Republican opponent, the committee recommended his seat declared vacant. The whole House voted to remove De Large from office on January 24, 1873, sending him home five weeks early.³³

White Democrats used this forum to challenge the victories of Black Republicans. Josiah T. Walls of Florida was elected three consecutive times to the House between 1870 and 1874 but was unseated twice by Democratic challengers

following decisions by the Committee on Elections. In the 44th and 45th Congresses (1875–1879), the Democratic Party controlled the House for the first time since the Civil War. Three Black Members in each Congress endured protracted battles before the Committee on Elections but successfully held on to their seats.³⁴

For many Black Members, the committee was yet another institution in need of reform. When his opponent challenged his 1876 election, Rainey acknowledged that the proper procedure was to send the case to the Committee on Elections. But he demanded to be seated first, as he held the required credentials from the South Carolina secretary of state. If the House declined this request, it would set a dangerous precedent that could prevent any Member from being sworn in. “Though I be a republican and a colored man,” Rainey said, “I know that I have rights under the Constitution.” The House agreed, swore in Rainey, and immediately referred the case to the committee.³⁵

Several Black candidates unsuccessfully challenged the elections of White Democrats who claimed victory at the polls. They found the committee more receptive to their efforts when Republicans controlled the House, however. During the 1880s and 1890s, five Black contestants unseated White Members who had declared victory on Election Day.³⁶

The Election Committee's mercurial decision-making and lengthy proceedings provoked many Members to question its motives and efficacy. The politicized nature of its decisions—and the role of local officials, largely White Democrats, in the vote-counting process as well as the imprecise manner in which vote counts were examined, deciphered, and ruled upon—placed Black candidates at a distinct disadvantage. In a letter to the committee in January 1880, Jeremiah Haralson scolded the committee for the way it handled his 1878 election defeat. Haralson had contested his Democratic opponent's victory that year, citing fraud and intimidation at the polls in a district where an overwhelming majority of registered voters were Black and Republican. He had been unable to collect testimony from individuals in his district after potential witnesses had been jailed. And he was threatened, indicted, and forced to leave the state. After months of silence, the committee notified him in early 1880 that the contest was going to be dismissed if he did not submit additional documentation regarding his claims. For Haralson, the Democratic House majority had engaged in ruthless bureaucratic maneuvering that revealed a lack of integrity among its members. “The



Joseph Rainey's election credentials from 1874 mark the South Carolinian's fourth victory for a House seat.

Image courtesy of the National Archives and Records Administration

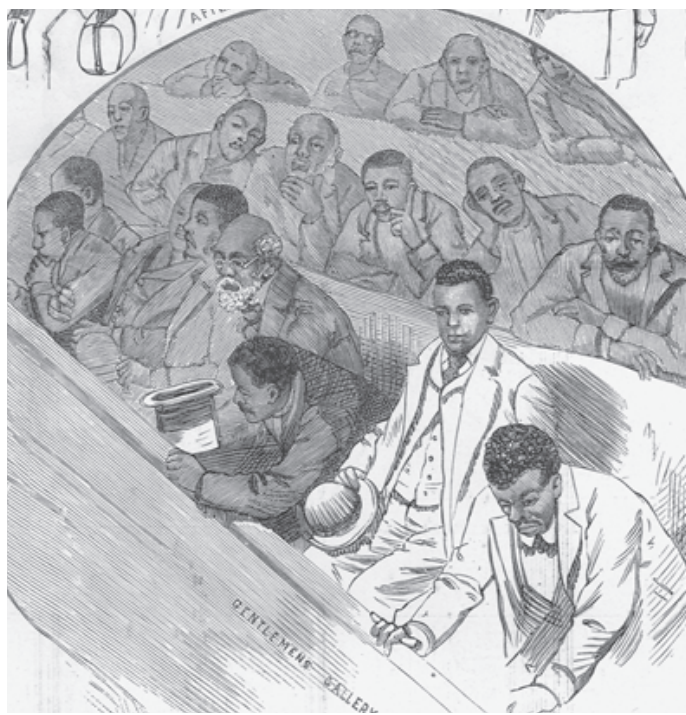
devil will be compelled to look out when the committee on elections of the Forty-sixth Congress gets there, (I mean hell),” Haralson warned, “or they will declare he is not entitled to the seat he holds, or not report at all.”³⁷

REPRESENTING BLACK AMERICANS IN THE NATION’S CAPITAL

Black Members of Congress arrived in Washington, DC, to find a thriving and expansive African-American community in the years following the Civil War. About 40,000 African Americans lived in the city after the war. Many had belonged to the large free Black population in the antebellum city, but many others had been formerly enslaved and sought refuge there following emancipation. In April 1862, Congress had passed the District of Columbia Emancipation Act, liberating enslaved Black Americans in the territory and providing monetary compensation to slaveholders. Black male suffrage was established within the District in 1867, and African Americans eagerly engaged with political affairs in the nation’s capital.³⁸

After the war, the Capitol welcomed Black observers in the galleries of both chambers. Black men and women were often described by visitors as occupying a large share of the seats in the visitors’ galleries, closely observing proceedings. There was also a small number of Black staff employed at the Capitol, including the congressional candidate Samuel Lee, who was employed as a police officer on Capitol Hill. In 1871, the first Black page, Alfred Q. Powell of Virginia, assisted Members on the House Floor. William H. Smith, a District of Columbia native, worked for the House Library for more than 25 years and was appointed House Librarian in the Republican-controlled 47th (1881–1883) and 51st Congresses (1889–1891). He was demoted to Assistant Librarian when the Democrats controlled the House.³⁹

Beyond Capitol Hill, a vibrant Black political culture thrived in Washington, DC. Local newspapers reported on the commemorative events, political gatherings, fundraisers, lectures, and celebrations that often brought together African-American citizens and Members of Congress. Black Members were often asked to address dinner guests or assembled crowds in the District and nearby Baltimore. For example, in 1883, a local event celebrated the twentieth anniversary of the Emancipation Proclamation, with Frederick Douglass giving the keynote speech and former and current Black Members in attendance. Even small ceremonial occasions warranted the presence of Black lawmakers, such as the ceremony in which Representative



This detail of an 1889 *Frank Leslie's Illustrated Newspaper* print documents the great interest of African Americans in observing Congress. Although the Capitol was not formally segregated, in practice the Visitors' Gallery in both the House and Senate separated visitors by gender and race.

Collection of the U.S. House of Representatives

Robert Smalls presented the Capital City Guard, a local Black militia company, with new rifles.⁴⁰

Yet in many ways Washington remained a city closely linked to the customs of the old South. African Americans in Congress experienced discrimination in schools, theaters, restaurants, and hotels. In an 1874 newspaper interview, Joseph Rainey documented the second-class treatment he and his colleagues received in Washington. He noted that Black Representatives were “charged more for living than any of the white members” and were often forced to pay higher prices at local restaurants.⁴¹

Allies and Adversaries

On Capitol Hill, Black Members found a similar contradictory experience. They were often isolated and under the glare of public scrutiny as the press closely reported on their activities on the floor, frequently lacing their articles with racism and condescension. Some commended Black Members for forceful and effective speeches and noted when their arguments were well-received by those seated in the gallery. Others were exceedingly critical and fixated on the physical appearance of Black Members.



As chair of the House Judiciary Committee, Benjamin Franklin Butler of Massachusetts submitted his own version of the civil rights bill in December 1874.

Image courtesy of the Library of Congress



A six-term Representative from Virginia, John Thomas Harris belittled Black Members on the House Floor and opposed civil rights legislation in the 1870s.

Collection of the U.S. House of Representatives

Among the overwhelmingly White membership of both houses of Congress, Black Members were generally received without incident. Some White Members went out of their way to ignore new Black Members of Congress. When Jefferson Long was sworn in as the second Black Representative, he was warmly greeted by Joseph Rainey, but not by his fellow lawmakers in the Georgia delegation. Republican colleagues were more likely to welcome Black Members in the House and Senate. Speaker James G. Blaine of Maine praised his Black colleagues in his memoirs. “They were as a rule, studious, earnest, ambitious men, whose public conduct,” Blaine emphasized, “would be honorable to any race.”⁴²

Extensive parliamentary rules established in each chamber at the start of a Congress structured debate on the House and Senate Floor. The rules preserved a modicum of civility among Members during debate on most matters. Any discussion of civil rights legislation, however, elicited frank discussions of White supremacist ideas from many Democratic Members from the South and beyond. While many of these assertions went unchallenged—largely because of the limitations imposed by the rules on interactions between Members on the floor—Black Members were eager to respond even if it was outside the bounds of convention. On January 5, 1874, Democrat John Thomas Harris of

Virginia rhetorically asked, “Is there not one gentleman on the floor who can honestly say he really believes that the colored man is created his equal?” Alonzo Ransier interjected with a simple, “I can.” Harris dismissed Ransier’s words, adding that he was “speaking to the white men of the House.” When Ransier again denied Harris’s statements about White supremacy, the Virginia Democrat became increasingly enraged before proceeding with his argument.⁴³

Ransier’s bold response to Harris was an exception. More often, Black Members sought to engage the opposition in debate, if possible. A northern Democrat, New York Representative Samuel Sullivan “Sunset” Cox was consistently adversarial from the 1870s well into the 1890s. Representative George Frisbie Hoar of Massachusetts once noted that Black Members had in Cox “the most formidable antagonist, perhaps the most trained and experienced debater in the House.” Cox repeatedly challenged the words and motions of Black Representatives, issuing condescending remarks regarding their race and intelligence. Cox was antagonistic toward Rainey and others, offering patronizing remarks and false accusations to question the motives of the Republican Party and the ability of Black Members.⁴⁴

Black lawmakers contended that they were entitled to the same “privileges and immunities” as any other Member of Congress. They used these words, drawn from

Article IV, Section 2, of the Constitution and reiterated in the Fourteenth Amendment, to stake their claims to full citizenship. Black Americans had embraced the notion of birthright citizenship well before the Civil War. Congressional debates offered an opportunity for Black Members to act upon these fundamental beliefs about their deeply rooted place in American society. “Why cannot we enjoy the same benefits that are accorded to our white colleagues on this floor?” Rainey asked the House. “We are here enacting laws for the country and casting votes upon important questions; we have been sent here by the suffrages of the people.” Representative James T. Rapier of Alabama noted that within the House Chamber, he was “the peer of the proudest,” but on a steamboat he was treated with contempt.⁴⁵

Black Members benefited from the rules of each chamber to demonstrate their status as equals in Congress. Republican control of the House and the Senate afforded several Black Members the opportunity to preside over congressional proceedings during this period. On April 29, 1874, Speaker Blaine gave Rainey the honor of becoming the first Black Member to preside over the House. Rainey’s presence on the rostrum symbolized the pace of change on Capitol Hill at the time. “A Liberated Slave in the Speaker’s Chair,” the *New York Herald* wrote the day after Rainey presided during debate on an appropriations bill funding the Bureau of Indian Affairs. Nearly five years later, on February 14, 1879, Blanche Bruce became the first Black Senator to preside over that chamber during a debate on legislation to bar Chinese immigrants from the United States. The *Chicago Tribune* praised Bruce for presiding “with marked dignity and grace.”⁴⁶

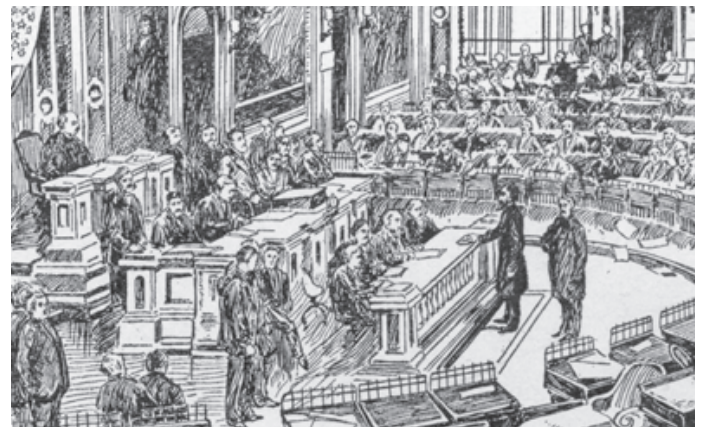
On January 11, 1883, Robert Smalls became the second Black Representative to preside over the House, doing so during debate on a bill to encourage and regulate American shipping. His experience was not extensively covered in the press, though one correspondent recorded a brief conversation between Smalls and a passenger on a Washington streetcar a few days later. The passenger was intent on praising the way Smalls preserved order in the proceedings from the rostrum. Smalls’s response hinted at the way the rules of the House had the potential to shape interactions between White and Black Members on the floor. Holding the gavel meant that Smalls had significant power but that he could only use it to reprimand those who violated the rules. “White men don’t like to be ordered by a colored man to be quiet,” Smalls noted. “That is why they kept quiet.” The House Rules ensured deference

to the occupant of the rostrum during debate, but their jurisdiction ended at the chamber doors.⁴⁷

Legislative Interests

Black lawmakers introduced measures designed to resolve pressing problems in their districts, facilitate public infrastructure development, and bring material improvements to the lives of their constituents. Ultimately, however, the small number of Black lawmakers in each Congress lacked the power to act collectively to drive legislation through each chamber. Most Black Members introduced bills in the House or the Senate only to have them die in committee. But when examined in aggregate, these proposals help illustrate their larger legislative agenda.

Many of the measures Black Members introduced were private bills—legislation intended for the benefit or relief of a specific person or institution. Focus on private legislation was common for Members during this period; this class of legislation made up more than half of the measures passed by Congress between 1869 and 1901. At the time, private bills were the primary method by which Members of Congress aided constituents in making small claims against the federal government, most often collecting federal pensions, correcting military records, and providing monetary “relief” to a constituent or their family for the loss of goods or services or personal hardship. This was especially the case for veterans or the families of veterans, particularly for pensions



In a difficult campaign for the House in 1888, John M. Langston of Virginia lost to his opponent Edward Carrington Venable by 641 votes. However, Langston contested the election results and was seated in the Republican-controlled House in 1890. This sketch depicts Langston taking the oath of office in the well of the House after Democrats left the chamber in protest.

John Mercer Langston, *From the Virginia Plantation to the National Capital* (Hartford, CT: American Publishing Company, 1894)

for former soldiers, including Black soldiers who served in all-Black regiments of the Union Army.⁴⁸

Members of Congress also received petitions and memorials which they entered into the *Congressional Record*. Some were related to relief on an individual basis, such as requests for monetary compensation or for the passage of particular legislation regarding an issue important in their congressional district or state. Those submitted by Black Members provide a window into the political agenda of Black communities across the nation during this period. They called for the funding of schools, new legislation important to a state or district, and federal action to defend African-American rights.⁴⁹

Many of the measures introduced by Black Members addressed the interests of their congressional district. Black lawmakers sought ways to appropriate funds for infrastructure projects, such as public buildings, port

expansion, and road and railroad development. Several introduced bills to create post offices. Black Members frequently tried to shape river and harbor bills, with the goal of allocating money to dredge shipping channels or for engineers to secure flood plains. In 1874, James Rapier proposed a bill to make the city of Montgomery, Alabama, a federal customs collections site and fund the salary of a customs collector. This was one of the few bills introduced by a Black Representative and successfully passed into law.⁵⁰

Several Black Members recognized Congress's vital role in commemorating historic places and events. In 1874, Rainey urged the House to provide funding for the preservation of Fort Sumter and Fort Moultrie in Charleston Harbor because of their significant "historical associations" with the Civil War. Josiah Walls spoke on the planning of the 1876 U.S. centennial celebration, describing the bonds of "common citizenship" that united the nation. Thomas E. Miller of South Carolina proposed a monument for Black Union soldiers in 1890. Henry Plummer Cheatham of North Carolina introduced two bills related to Black history in the 52nd Congress (1891–1893). The first authorized the publication of a history of African-American soldiers in the Civil War. He also proposed appropriating funds to produce a history of the "moral, intellectual, and industrial progress of the colored people of the United States of African descent" following the Emancipation Proclamation in 1863. Cheatham hoped to have this 30-year study exhibited at the highly-anticipated Chicago World's Fair in 1893. Ultimately, however, none of these measures became law.⁵¹

Black Members closely observed the fate of the Freedman's Savings and Trust Company, also known as the Freedman's Bank. Congress had chartered the bank in 1865 to bolster Black Americans' pursuit of economic freedom in the immediate aftermath of emancipation. The Freedman's Bank was immensely popular, providing banking services to formerly enslaved people as well as African Americans who were free before the war and some White depositors.⁵²

Risky loans and questionable management practices, along with the financial panic of 1873, depleted the bank's deposits, causing it to fail in 1874. Black Members, some of whom had invested in the bank themselves, attempted to intervene to secure payments to depositors, many of whom were at risk of losing their remaining savings. In 1875, Rainey spoke on the House Floor in defense of the interests of depositors, calling for a proper accounting of the bank's assets and urging Congress to ensure its remaining liquidity was distributed properly.⁵³



Congress established the Freedman's Bank in 1865 to provide banking services to formerly enslaved people, but rampant corruption and mismanagement depleted the bank's \$57 million in deposits, forcing it to close a decade later. This wood-carved print depicts the Freedman's Savings Bank at Pennsylvania Avenue and Madison Place, in northwest Washington, DC.

Image courtesy of the Library of Congress

During the last decades of the nineteenth century, Black Members introduced legislation designed to provide relief to the bank's depositors and distribute at least a portion of their savings. Even Michael Patrick O'Connor, a White Democrat from Beaufort, South Carolina—Robert Smalls's hometown—introduced a bill for relief of the bank's depositors in 1879, demonstrating the significance of this issue to Representatives serving districts with Black voters. None became law, however. Ultimately, few depositors received compensation despite repeated proposals from both Black and White Members.⁵⁴

Committee Service

Black Members were assigned to a range of standing committees during this period but found few opportunities to drive a legislative agenda. Even during the early 1870s, when Black Members had Radical allies in the House, they did not receive assignments to the House's most powerful committees, including Ways and Means, Judiciary, and Appropriations. The House and Senate committees with jurisdiction over education and labor were the most frequent appointments for Black Members. In the House, four Black Representatives served on the influential Agriculture Committee. The brevity of African-American careers during this era meant that they did not accumulate the seniority and influence needed to acquire the most desirable committee assignments.⁵⁵

The collapse of the Freedman's Bank resulted in two congressional investigations in which Black Members played significant roles in committee proceedings for the first time. In 1876, the House established a Select Committee on the Freedman's Bank and assigned Rainey to the committee to help investigate why the bank failed and secure restitution for depositors. In accepting this position, Rainey became one of the first Black Members to fully participate in committee hearings as a panelist, directing pointed questions to witnesses to probe the basis of the bank's collapse.⁵⁶

In 1879, another investigation was led by Senator Blanche Bruce, who was appointed chair of the Senate Select Committee on the Freedman's Bank. Two years earlier, Bruce became the first Black Senator to chair a select committee when he was appointed head of the Select Committee on Levees of the Mississippi River, which oversaw development of the river's delta region. Although Democrats controlled the 46th Congress (1879–1881), Bruce was appointed chair of the Select Committee on the Freedman's Bank despite serving in the minority. Still,



Senator Blanche Bruce served from 1875 to 1881 and was the first African American to complete a full six-year term in the chamber. He was also the first Black Member to chair a select committee.

Image courtesy of the Library of Congress

no African-American Member during this era chaired a standing committee in the House or Senate.⁵⁷

Joseph Rainey earned accolades for his work on the Joint Committee on Enrolled Bills, where he collaborated with House clerks and his Senate colleagues to ensure accuracy in every measure considered by both chambers of Congress. The procedural expertise Rainey developed in this role was not a path to power on Capitol Hill, however. Where Congress's true power lay—behind the closed doors of committee meetings and markup sessions—African-American Members, despite their tireless efforts, had limited influence and their legislative hopes were routinely left unfulfilled. In this way, Black Members shared a common experience with those of most Representatives and Senators with short careers on Capitol Hill. While middling committee assignments may have hindered the personal legislative agendas of most Black Members, debate on the House Floor offered the possibility for substantial contributions to significant legislation. Black Members seized these opportunities to act.⁵⁸



In this 1872 print “Visit of the Ku-Klux,” Frank Bellew portrays the terror caused by the Ku Klux Klan. As an African-American woman cooks at home with her children, hooded Klansmen approach, and one points a rifle at the family.

Image courtesy of the Library of Congress

IN PURSUIT OF “PRACTICAL FREEDOM”

On January 5, 1874, Representative Alonzo Ransier spoke on the House Floor for the first time. Ransier had lived the changes wrought by the war and Reconstruction. He had been a member of the delegation that lobbied President Johnson and Congress in 1866, participated in his state’s constitutional convention in 1868, was elected to the state legislature, and also was elected as the first Black lieutenant governor of South Carolina. Yet he recognized the difficulties African Americans continued to face in his home state. He hoped to see an improved civil rights bill signed into law to fortify, expand, and guarantee the rights ostensibly protected by the federal government during Reconstruction.

During his remarks in 1874, Ransier lamented the burgeoning strength of White supremacists in southern state and local governments. He warned of the potency with which Democrats wielded the doctrine of states’ rights against African Americans and Republicans in the South, creating a society insulated from the powers of the federal government. For Ransier and his Black colleagues, it was incumbent on Congress to create a coordinated response to injustice—even beyond the South. Ransier observed that “in very many, if not in all of the States of the Union, there is no practical freedom” for African Americans, “nor would there be any worth talking about if left to the States to

regulate.” It was the “solemn duty” of Congress, he added, to pass necessary legislation “for a full and complete remedy as is demanded by the situation.”⁵⁹

Ransier’s speech distilled a larger agenda shared by each Black lawmaker, evidenced in their many speeches during debate. During Reconstruction, Black Members used their voices on the floor to shape policy and leave a historical record of their efforts. When they could, African-American Representatives and Senators provided firsthand accounts of civil rights abuses and advocated for corrective legislation. They embraced opportunities to advocate for strong federal legislation that directly affected the lives of freed people and all African Americans, especially in support of bills designed to guarantee the civil and political rights of Black Americans.

The comments of Black Members on these measures provide a window into an attempt to forge a transformative agenda in the national legislature and reach beyond their congressional districts. Richard H. Cain of South Carolina regularly referred to the “five million people for whom I speak,” a reference to the total African-American population in the United States in the 1870s. Though Robert Elliott represented citizens within the boundaries of the Third District of South Carolina, he described his constituency as “restricted by no territorial limit.” And Joseph Rainey told his colleagues on the House Floor that he represented “the outraged and oppressed negro population of this country, those I may strictly call my constituency.”⁶⁰

On the House Floor, Black Members described the constitutional rights of U.S. citizens in broad terms—with some glaring omissions. Few voiced support for voting rights for women, for example, and throughout this period, Congress largely disregarded measures designed to secure women’s rights. The Fourteenth Amendment asserted that only “male citizens” could vote, explicitly adding gender to the Constitution for the first time. In Congress, Black Members were rarely asked to take a position on this issue; many rooted their understanding of individual rights in contemporary notions of “manhood,” and largely avoided the rights of women in debate. In January 1871, Jefferson Long voted for and Rainey voted against a bill to grant women suffrage in the District of Columbia. Neither Representative commented on the vote, but other Black Members spoke about extending rights to women. In 1874, Cain appealed for educational opportunities for “black men and black women” in the South. And that year, Ransier questioned whether the U.S. government could claim “to rest upon the ‘consent of the governed,’” if all citizens—men

and women alike—were not granted suffrage. “And may the day be not far distant,” Ransier declared, “when American citizenship in civil and political rights and public privileges shall cover not only those of our sex, but those of the opposite one also.”⁶¹

Black Members often promoted an expansive vision of human rights for their day. This was a common refrain of Senator Charles Sumner, for whom a central tenet of Reconstruction was protecting the “human rights” of freed people. The Massachusetts Senator deployed this term almost interchangeably with “equal rights” and “the rights of man.” Black Members embraced this approach and often looked abroad to find inspiration for their pursuit of human rights.⁶²

James Rapier, who had lived in Canada and traveled to Europe, told his colleagues that distinctions of color faded away as soon as he stepped onto the deck of a ship scheduled to leave an American port. Amid their urgent calls to action, Black Members also embraced allusions to revolutionary movements around the globe, historic slave uprisings, and the bravery of African-American soldiers in the Civil War. They decried the slow pace of change and hailed those with the revolutionary spirit to struggle for their rights. Rainey praised the Haitian revolutionary Toussaint Louverture and the resistance of the Zulus against British forces in 1879 in what is today South Africa. Josiah Walls printed a lengthy speech backing the Cuban independence movement in January 1874, calling on the federal government to support an effort he likened to the American struggle for self-determination in 1776. Blanche Bruce opposed a measure excluding Chinese immigrants in 1879, informing his colleagues that he had “confidence in the strength and assimilative power of our institutions,” and he rejected the notion that this particular group of immigrants would be detrimental to American society. He reminded his colleagues that Black Americans “but a few years ago were considered essentially disqualified from enjoying the privileges and immunities of American citizenship.”⁶³

In the Constitution, Black Members found the instrument that could make these dreams of equality a reality. By amending—and upholding—the Constitution, Black Members identified a route for change. They enthusiastically embraced the founding document, which they read as a clear statement of the power of the federal government to act. Federal legislation was the means to ensure equality when states ignored the needs of their citizens, providing an active guarantor of the many individual freedoms promised by the American system. The power to amend the

Constitution when necessary, Walls said in 1875, was “the genius of our American ideas of civilization.”⁶⁴

“Protect the Loyal Men of the South”

On March 4, 1871, the 42nd Congress convened with a clear agenda and a sense of urgency conveyed by an official proclamation from President Ulysses S. Grant. Throughout the southern states, organized White vigilantes had been brutally attacking anyone sympathetic to the Republican Party, including voters, officeholders, and candidates on the campaign trail. With state and local governments in the region indifferent to the violence or incapable of responding, Grant urged Congress to pass legislation to protect the rights of individuals in the South.⁶⁵

The previous Congress had passed two laws in response to this burgeoning crisis. The first was designed to prohibit state officials from discriminating against voters based on race and the second to provide additional federal oversight of elections. On March 28, 1871, Samuel Shellabarger of Ohio introduced a third measure in this series of laws known as the Enforcement Acts. Later referred to as the Ku Klux Klan Act of 1871, the bill enabled the federal government to use the full extent of its power to quell the prevailing lawlessness in the South and protect the rights of individuals. To ensure equal protection, federal law enforcement was empowered to intervene in southern states,



On April 20, 1871, President Ulysses S. Grant, shown with U.S. Secretary of the Navy George M. Robeson and presidential advisor General Horace Porter in this *Frank Leslie's Illustrated Newspaper* print, signed into law the third Enforcement Act, also known as the Ku Klux Klan Act, which empowered the federal government to act decisively to guarantee all citizens of the United States the rights afforded by the Constitution and to provide equal protection under the law.

Image courtesy of the Library of Congress

and federal district attorneys could prosecute the Klan under federal law. Congress also provided the President with the power to suspend the writ of habeas corpus and to send federal troops to intervene in unruly counties in the South.⁶⁶

Black lawmakers welcomed this expansive vision of federal power. On April 1, Robert Elliott declared the bill necessary because of “the present posture of affairs in the southern states.” Elliott challenged those who claimed the bill was unconstitutional, defending its provisions as legally compatible with the Constitution and pointing to examples of Klan violence in his district.⁶⁷

Elliott emphasized that the Constitution created a government for “securing the blessings of liberty to ourselves and our posterity.” He noted that Article IV, Section 4, begins: “The United States shall guarantee to every State in this Union a Republican Form of Government.” This mandate, Elliott said, compelled the federal government to act; it could not remain a “passive observer” as citizens were robbed of “the blessings of liberty.” He denounced those perpetrating the violent attacks on African Americans in the South for seeking “to defeat the ballot with the bullet and other coercive means.”⁶⁸

Democratic opponents of the bill warned of the “centralization” of federal power and foretold of irreparable damage to states’ rights under the Constitution. Rainey joined Elliott in rejecting this argument. Calling on the federal government to act, Rainey told the House of the indifference of local law enforcement and the lack of justice in state and local courts. Rainey reminded his colleagues that the Constitution provided “protection to the humblest citizen, without regard to rank, creed, or color.” It was designed to be a “bulwark of freedom” protecting “inalienable rights” for all against “foreign invasion and domestic violence.” This was an essential function of any system of government, Rainey said. “Tell me nothing of a constitution which fails to shelter beneath its rightful power the people of a country!”⁶⁹

For the first time, African-American Representatives in the House were able to speak as advocates for significant legislation designed to protect the rights of African-American citizens. All five Black Members of the House supported the bill as it moved towards passage in the chamber. President Grant signed it into law on April 20, 1871.⁷⁰

In October 1871, Grant declared a “condition of lawlessness” in nine South Carolina counties, suspended the writ of habeas corpus, and dispatched federal troops to the region. Many Klansmen fled the state as hundreds were arrested and several dozen brought to trial and

sentenced to prison by majority-Black juries. This show of governmental force smashed the Klan. With the terror organization in disarray, the South Carolina counties where it operated experienced a drastic decline in violence in the early 1870s. Four of the nine counties were represented by Rainey and Elliott, while the other five were in Republican Representative Alexander Stuart Wallace’s Fourth District. For Elliott and his Black colleagues, this decisive action was necessary to uphold the principles upon which the U.S. government was founded. “If you cannot now protect the loyal men of the South,” Elliott warned in April 1871, “then have the loyal people of this great Republic done and suffered much in vain, and your free Constitution is a mockery and a snare.”⁷¹

Amnesty Act of 1872

Loyalty was at the heart of congressional debates in the transitional decade of the 1870s. Immediately following the Civil War, Radical Republicans wanted to prevent former Confederates from ever serving in public office. But President Johnson had issued pardons for some former Confederates, and congressional Democrats urged new legislation to extend amnesty to nearly everyone who took up arms against the United States.

In the 41st and 42nd Congresses, several bills were introduced to address the “political disabilities” imposed on participants in the rebellion. The bill debated in early 1872 offered near blanket amnesty; only former federal officeholders and military personnel who resigned their positions to join the Confederacy were ineligible for what amounted to a large public pardon.⁷²

Black Members were adamant that passage of any amnesty bill should be contingent on support for a new civil rights bill. In 1870, Senator Sumner introduced a broad civil rights bill to empower the federal government to guarantee equal access to public accommodations, transportation, schools, churches, and cemeteries. Sumner’s bill was met with resistance in the 41st and 42nd Congresses and referred to the Judiciary Committee each time. In the House, Republicans introduced similar legislation to no avail. Both the Senate and House efforts were framed as amending, clarifying, and strengthening the 1866 civil rights bill.⁷³

Black Representatives recognized the crucial role new civil rights legislation could play in solidifying the gains of Reconstruction and made the bill central to the debate over amnesty. Removing the “political disabilities” of former

Confederates while allowing outright discrimination against African Americans was a galling act of treachery in the eyes of Black Members. Rainey was among those who supported amnesty provided that the House reciprocate by considering a new civil rights bill. Robert De Large considered amnesty the path to cooperation in a new postwar South. He asked his colleagues if they believed those still facing restrictions would have any incentive to use “their influence and best endeavors for the preservation of the public peace, when they have nothing to look for politically in the future?”⁷⁴

Not all Black Members agreed with this transactional act of reconciliation, however. During his brief term in office near the end of the 41st Congress, Representative Jefferson Long objected to a bill modifying the “test oath” for those who were still confined by “political disabilities,” which would provide those who participated in the rebellion a way to circumvent the strict terms of the then mandated loyalty oath for those serving in elected office. He wanted Congress to solidify Black rights in the South before creating new opportunities for former Confederates. On February 1, 1871, Long delivered the first speech by a Black Representative on the House Floor. He described the prevailing lawlessness in his home state, where White vigilantes assaulted and murdered “loyal men” with impunity. Long demanded that the oath be maintained to prevent those he called “disloyal men” from returning to power in Georgia. Otherwise, he warned, “I venture to prophesy you will again have trouble from the very same men who gave you trouble before.”⁷⁵

The amnesty bill that passed by a voice vote in May 1872 attracted Republican support in Congress after party leadership decided it would help President Grant win re-election that fall. The incumbent Grant faced a potential challenge from Horace Greeley and the Liberal Republican movement, which was attempting to splinter the ranks of the Republican Party by objecting to most of the policies associated with Reconstruction and calling for universal amnesty.⁷⁶

Black Members recognized the party imperatives at play yet firmly stated their reservations about codifying this drastic change in law without an accompanying civil rights bill. They were determined to use government action to make justice a reality, prioritizing the rights of those loyal to the U.S. government, not those who engaged in violent rebellion.

Education as a Civil Right

For African Americans—and especially freed people living in southern states—federal legislation to fund and establish

a national education system was a leading priority. Before the Civil War, southern states barred Black students from attending public schools or from receiving any form of instruction. Though the Freedmen’s Bureau established thousands of schools in the early years of Reconstruction, many Black students still lacked access to formal education. Those institutions that did exist were largely underfunded, isolated, and struggled to serve the needs of Black communities across the South.⁷⁷

Senator Hiram Revels was the first to speak on this matter in February 1871, when he opposed an amendment to a bill on public education in the District of Columbia that would have segregated schools based on race. For Revels, equal access to education was a fundamental right for all citizens. If Congress adopted the amendment, he said, the law “will increase that prejudice which is now fearfully great against” Black Americans—and potentially lead to further restrictions, as “the next step may be to ask Congress to prevent them from riding in the street cars, or something like that.”⁷⁸

Black Members were adamant that the federal government should fund public education and take steps to ensure equal access to schools regardless of race. They backed initiatives that used federal expenditures to expand public education throughout the nation, such as a bill to fund schools through the sale of federally owned land in the South and West. But even congressional allies considered such a program controversial. Opponents of the idea feared federal funding for schools would impede states’ prerogatives, and they blocked the efforts by Black Members to enact such legislation. On the House Floor in 1872, Josiah Walls recounted a brief history of the ways states in the antebellum South zealously restricted the rights of enslaved African Americans to access education. He told his colleagues that the Democratic Party in the South would never agree to build a truly universal education system, as they “know that no educated people can be enslaved. They know that no educated people can be robbed of their labor.” For Walls, the federal government was “the guardian of the liberties of all its subjects” and had the responsibility to provide funding for African-American education in the South if the states refused to act.⁷⁹

For many in the House and Senate, this debate over the role of government was central to the fate of Reconstruction. Black Members representing districts from across the South knew that their legislative interests were better served when the federal government was willing to

act to protect the rights of individuals. Advocates for states' rights, however, rejected any encroachment upon the powers of the states. But for Republicans such as Benjamin Franklin Butler of Massachusetts, the Constitution provided the means by which Congress could—and should—intervene to guarantee the rights of individuals and ensure equal protection. A flamboyant former Democrat who had supported the doctrine of states' rights before the Civil War, Butler changed his party allegiance and his attitude toward African Americans while serving as a brigadier general in the U.S. Army, where he had witnessed the sacrifice of Black soldiers on the battlefield. "State rights are one thing and State wrongs are another," Butler advised his southern colleagues in 1873, "and State wrongs must yield to the Constitution of the United States." Black Members embraced this understanding of the role of the

federal government and used their place on the House Floor to make these ideas central to the prolonged debate over civil rights legislation. For the next two years, the prospect of passing a new civil rights bill consumed Congress and proved pivotal in the history of Reconstruction.⁸⁰

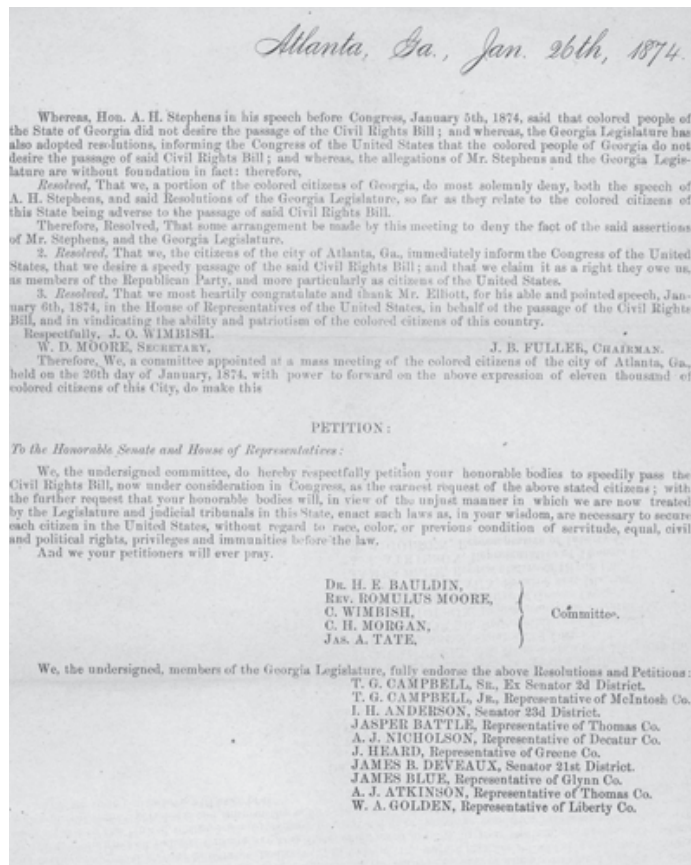
Civil Rights Act of 1875

Like clockwork, on December 1, 1873, the Opening Day of the 43rd Congress, Senator Charles Sumner dutifully submitted his civil rights bill. Later that month in the House, Representative Butler initiated 15 months of debate when he introduced H.R. 796, his version of the civil rights bill, which echoed much of Sumner's proposal.⁸¹

On December 19, Joseph Rainey was the first Black Member to speak on the bill in the new Congress. He stressed that Congress had the power to pass what was referred to at the time as "class legislation," which, in practice, had the effect of providing rights or restrictions differently to diverse groups. Rainey urged the House to assume this responsibility, revise the law, and contribute to making American society more equitable. Black Members repeatedly emphasized that the civil rights bill would not create new restrictions. But in the absence of state and local protections in the South, Congress alone could intervene to rectify this imbalance in the law and guarantee the rights of citizens.⁸²

When Butler's bill came to the House Floor in early January, Democrats stood up one by one to denounce the civil rights bill by claiming that it enforced rights beyond the scope of the Constitution; that it usurped the power of the states to regulate public schools; and that it forced southerners to accept what they believed to be unattainable—a multiracial society. They rejected the notion that the bill would merely protect the rights of African Americans. Instead, they insisted the measure would directly inhibit the individual rights of White citizens and undermine longstanding social and economic relationships. Democrat John Brutzman Storm of Pennsylvania declared "the colored people are now in substantial enjoyment of their full rights and privileges granted by the recent amendments to the Constitution," adding, "this bill is thrust upon us now for no other purpose than exciting bad feelings."⁸³

Representative Alexander Hamilton Stephens of Georgia, the former vice president of the Confederacy, who had only recently returned to the House after a 14-year absence, spoke on January 5. One of the nation's most notorious defenders of slavery, Stephens framed the debate as a battle between "constitutionalism and centralism" in



This petition, written by "a committee appointed at a mass meeting of the colored citizens of the city of Atlanta, Ga.," urged the House and Senate to pass a civil rights bill in 1874. Petitioners refuted claims made by Georgia Representative Alexander Hamilton Stephens and the Georgia state legislature that African Americans in the state opposed the measure and praised the "able and pointed speech" of Robert Brown Elliott of South Carolina on the House Floor in support of the bill.

Image courtesy of the National Archives and Records Administration

a lengthy address covered by major national newspapers. For Stephens, the civil rights bill unnecessarily extended the federal government into the affairs and associations of private individuals and businesses. He called for a return to “constitutionalism,” which he claimed was rooted in “the absolute unrestricted right of State self-government in all purely internal municipal affairs.”⁸⁴

Black Members, meanwhile, repeatedly invoked the Constitution and the guarantee of equal protection of the law to make the case for the civil rights bill. Alonzo Ransier dismissed those who constantly raised the “bugbear of ‘social equality’” to stoke fear and suspicion that personal relationships would no longer remain the preference of individuals. Black Americans, he said, sought to secure “the same privileges and protection meted out to other classes of people in our land.” Ransier was joined by Richard Cain, James Rapier, and Rainey who all ardently spoke out in favor of the bill. They appealed to general notions of the rights of American citizens but also emphasized the responsibility of Congress to intervene on behalf of African Americans. Even as southern Democrats denied that railroads, hotels, theaters, and restaurants discriminated against Black customers, African-American Representatives provided vivid anecdotes of personal experiences with racism and segregation in public accommodations as evidence of the need for a civil rights bill.⁸⁵

But it was Robert Elliott’s response to Stephens on January 6 that made national headlines. Elliott dismissed Stephens’s argument, adding that he refused to take any such legal lessons from someone who had so recently sought “the break up of the Union of these States.” While Stephens asserted that there was a distinction between the laws of the states and the rights inscribed in the Constitution, Elliott stated that “all discrimination, all denial of equality before the law, all denial of the equal protection of the laws, whether State or national laws, is forbidden” by the Fourteenth Amendment. And the Reconstruction Amendments, he reminded his opponent, “invest Congress with the power to protect the citizen in his civil and political rights.” This bill, Elliott said, would do just that by forming “the cap-stone of that temple of liberty,” surpassing “the highest hopes of those who, in the name of equal, impartial, and universal liberty, laid the foundation stones.”⁸⁶

A few months later, as Sumner lay dying, the old Senator allegedly urged Representative George Hoar to ensure the passage of the civil rights bill. His bill passed the Senate in May and was referred to the House Judiciary Committee in June.⁸⁷



This 1874 print, “The Shackle Broken—by the Genius of Freedom,” memorializes a defining moment in Robert Elliott’s congressional career, his January 6, 1874, speech in support of the Civil Rights Act.

Image courtesy of the Library of Congress

James Rapier made an urgent appeal for the House to pass the bill. He argued that the existence of discriminatory state laws and practices undermined the Constitution itself. How could he be a Member of the House of Representatives and not enjoy equal protection of the law? For Rapier, the law must be passed to resolve his own seemingly contradictory status: “either I am a man or I am not a man. If one, I am entitled to all the rights, privileges, and immunities common to any other class in this country; if not a man, I have no right to vote, no right to a seat here upon this floor; or if I am tolerated here, it is in violation of the Constitution of our country.”⁸⁸

The 1874 midterm elections were a turning point for the civil rights bill in the House. Republicans lost control of the chamber for the first time since before the Civil War. The large GOP majority in the House during the 43rd Congress gave way to a 79-Member Democratic advantage in the 44th Congress. The extensive losses were blamed on a financial panic in 1873, along with multiple charges of corruption in President Grant’s administration. But many on Capitol Hill, including top House Republican James A. Garfield of Ohio, were wary that “a general apathy among the people” prevailed when it came to civil rights and the ongoing process of Reconstruction. Even the bill’s sponsor in the House, Benjamin Butler, was voted out of office in 1874. On the other hand, the 43rd Congress still had months before it was required to adjourn, and the electoral loss rallied Republican

Representatives, who returned to begin the second session on December 7, 1874, determined not to adjourn without passing some form of civil rights legislation.⁸⁹

The sticking point on the final version of the civil rights bill became the section concerning public education. Opponents warned that integrated, federally funded schools would undermine the educational system, such that it existed, throughout the South. Black Members vigorously defended the education component of the legislation. Rainey would later point out in debate that “the only ground upon which these privileges and immunities are withheld,” he said, “is because of complexional differences.” John Lynch contended that increased federal funding for education was another way to realize equality in everyday life: “All share its benefits alike,” he said.⁹⁰

After a lengthy debate and multiple attempts to amend the legislation, however, the final version of the civil rights bill omitted all references to public education, as well as provisions ending discrimination in churches and cemeteries. These alterations proved decisive, and the bill passed the House and Senate in February before President Grant signed it into law on March 1, 1875, only two days before the end of the Congress. It was a partial victory. The law prohibited discrimination in juries, transportation, and public accommodations but also lacked effective enforcement power.⁹¹

The fact that Republicans, who within days would be relegated to minority status, managed to steer such a bill through the chamber was an achievement. But in their desperation to pass the measure, Republicans had left the Civil Rights Act of 1875 in such a weakened state that it did little to impede the creation of an insidious system of segregation in the South. Moreover, the limited protection that the legislation did afford would soon be stripped by the Supreme Court.

THE DEMISE OF RECONSTRUCTION

The 1874 elections signaled a turning point in the history of Reconstruction. Robert Elliott anticipated that an impending struggle for control of state governments was going to determine the future of the South. In early 1874, he turned his attention away from Capitol Hill, resigning his seat in the U.S. House to pursue a state house seat back in his home state of South Carolina. He became speaker of the state house later that year and worked to establish a solid Republican government in South Carolina, aided by a majority-Black state legislature still held by Republicans.⁹²

Across the South in the summer and fall of 1874, Black and Republican voters faced unending physical violence and intimidation from Democrats intent on reasserting their control of the region’s state and local governments, no matter the means. Black Members from the South, along with their Republican colleagues, also encountered dangerous conditions. In his unsuccessful re-election bid that fall, James Rapier and his backers faced stolen and destroyed ballot boxes, bribery, fraudulent vote counts, armed intimidation, and violence in his southeastern Alabama district.⁹³

A congressional investigation into the 1874 elections in Alabama, coupled with other investigations into White violence in the South, had led Republican Members to push for federal legislation designed to ensure the integrity of elections across the region. As a result, in 1875 a proposed federal elections bill was drafted to preserve access to the polls in the South. Opponents quickly criticized the proposal as federal overreach. Speaker Blaine took the extraordinary step of opposing the measure during debate on the floor. According to John Lynch, who supported the bill and thought federal action was necessary, Blaine claimed that the bill endangered Republican chances in the 1876 election. Ultimately, the bill passed the House after a contentious debate but was abandoned in the Senate.⁹⁴

Lynch defied the odds and won re-election to the 44th Congress even as Mississippi Democrats swept most other offices. Lynch described local Democratic clubs as having been converted into “armed military companies” that raided Republican meetings. Despite Bruce’s appointment to the Senate, Mississippi reverted to Democratic control. Former Mississippi Senator Hiram Revels accused Republicans of corruption in administering the state government and cited these actions as the reason for the party’s losses at the polls. In testimony before a Senate committee, he was one of the few witnesses to state that in his home county, Mississippi’s Election Day was free of violence and controversy. Senator Bruce, meanwhile, told his colleagues on the Senate Floor that Mississippi’s elections had been plagued by “flagrant wrongs,” orchestrated by White Democrats who embraced “a violent method for political supremacy.” He warned that election violence was “dangerous to the integrity of our free institutions.”⁹⁵

The 1876 elections also featured a presidential contest, but when an inconclusive count in the Electoral College produced no candidate with a majority, Congress created a special commission to resolve the crisis. Disputed state

elections in South Carolina and Louisiana produced rival state governments, while Florida's previously certified election results were altered by the new Democratic administration elected in 1876. In Oregon, a dispute over an elector's qualifications put one Electoral College vote in question. The commission's slim Republican majority allocated the disputed electoral votes to Republican Rutherford B. Hayes. During his one term in office, however, Hayes turned the attention of the federal government away from the South, effectively ending Reconstruction by reducing the number of federal troops in the region and doing little to protect the civil and political rights of African Americans.⁹⁶

“Freedom as a Mere Name and Sham”

During the 1870s, the Democratic Party recaptured local and state governments across the South, largely through the use of violence and other means to stop African Americans from voting and undermine the Republican Party. White supremacists referred to this process as the “redemption” of the former Confederate states.

By 1879, as conditions worsened in the South, many African Americans sought a way out of the region. Rainey and other former Black Members were vocal in their support for emigration. In an interview with a reporter from the *New-York Tribune*, Rainey outlined the political and economic obstacles confronting Black communities across the former Confederacy. Speaking four months after he left office in March 1879, Rainey still carried a satchel full of letters he had received from South Carolina residents that described these conditions in stark terms. Rainey noted that Black Americans' concentration in the South gave the region more seats in Congress, but their needs were rarely addressed on Capitol Hill. To Rainey, southern states were “defrauding the other parts of the country” by refusing to work on behalf of all their citizens. Under these circumstances, Rainey added, African Americans considered “freedom as a mere name and sham.”⁹⁷

At the time, Rainey's views were embraced by many Black Americans who had departed the region for Kansas and other midwestern areas. The U.S. Senate was sufficiently interested in these developments to form a select panel to investigate. A three-part Senate report compiled the results of hearings held in 1879 and 1880. Questions pursued the extent to which Black Americans were being driven out of the South, with Senators of both parties inquiring about wages, land ownership, political violence,

and increasing discrimination faced by Black Americans in southern states.⁹⁸

In March 1880, former Representative James Rapier appeared before the committee to comment on the social, economic, and political conditions in Alabama at the time. Rapier's family had significant financial resources before the Civil War, and he had returned to Lowndes County, Alabama, to invest his money in agriculture and to serve as a collector of internal revenue. He offered the Senate panel an extensive description of the exploitative system of sharecropping that trapped many in poverty and went on to outline his own process for providing opportunities to Black farmers. Rapier claimed that he rented land and offered more reasonable rates of interest on securing food and supplies to farmers. Rapier urged African Americans to flee the region, as he knew that most sharecroppers could not find such favorable terms.⁹⁹

The 47th Congress began with no Black Members serving in the House or Senate. Several House candidates were prepared to contest election losses, however. John Lynch and Robert Smalls were eventually able to use the contested election process to wrest seats from Democrats who claimed victory at the polls. Their good fortune was not entirely the result of partisan goodwill, however, as two other Black candidates were unsuccessful in contesting their election losses. In addition to Lynch and Smalls, the only other Black Members to serve in Congress during the 1880s were two North Carolina Representatives, James O'Hara, who served



The Electoral Commission comprising House Members, Senators, and Supreme Court Justices investigated the disputed Electoral College ballots from four states after the 1876 presidential election. The commission, depicted here meeting by candlelight in the Old Supreme Court Chamber in the Capitol, awarded all the disputed ballots to Republican Rutherford B. Hayes, who became President by a single electoral vote.

Image courtesy of the Library of Congress

from 1883 to 1887, and Henry Plummer Cheatham, who was elected to the first of two terms in the House in 1888.¹⁰⁰

Congress continued to collect information regarding the widespread efforts to limit Black voting rights and destroy the Republican Party in the South during the 1880s. The Senate held occasional investigations into violence and discrimination, particularly in relation to elections in the South. The House Committee on Elections, meanwhile, compiled evidence of violence and intimidation in reports on contested elections.¹⁰¹

A series of Supreme Court decisions from 1873 to 1883 also steadily eroded the legal gains of Reconstruction. The civil rights legislation and the constitutional amendments that formed the foundation for Radical Reconstruction were repeatedly challenged in court. In 10 years, the Supreme Court negated the effectiveness of civil rights legislation and circumscribed the power of the Fourteenth and Fifteenth Amendments. This began with the 1873 decision in the *Slaughterhouse Cases*. Louisiana butchers challenged a state law that combined the state's slaughterhouses into one

private company for public health reasons. The butchers claimed protection under the Fourteenth Amendment, viewing this as a violation of their constitutional rights. The Supreme Court eventually ruled that the issue would need to be resolved at the state level because the Fourteenth Amendment applied only to rights protected by national, not state, citizenship—a significant precedent that prevented an expansive reading of federal power to protect the rights of African Americans.¹⁰²

The 1876 Supreme Court decision in *United States v. Cruikshank* further limited the power of the federal government by overturning the convictions of the perpetrators of the 1873 Colfax, Louisiana, massacre, in which dozens of Black residents were murdered at a local courthouse. The court ruled that the charges of murder and conspiracy were under the jurisdiction of the states, rather than the federal government, leaving Black Americans and others targeted for political violence to seek redress from southern state governments and local law enforcement.¹⁰³

The weakened Civil Rights Act of 1875 had also proved difficult to enforce. Although the law broadened federal power to enforce equal treatment, the government lacked the power to initiate civil rights lawsuits on its own. This required the aggrieved party to take the initial step of filing a lawsuit—a legal and financial hurdle for many African Americans. The constant threat of violence, intimidation, and job loss in the South deterred many from ever taking legal action under the law. In 1883, the Supreme Court struck down the provisions in the law prohibiting discrimination by private businesses in the *Civil Rights Cases*, again emphasizing that the federal courts only had jurisdiction over discriminatory practices by the states.¹⁰⁴

These Supreme Court decisions severely curtailed the federal government's efforts to guarantee the rights of the millions of formerly enslaved men and women. As a result, White Democrats in the South applied the states' rights doctrine with impunity. Black communities found redress extremely unlikely in this context.

A Crossroads on Capitol Hill

The two Black Representatives serving in the 48th and 49th Congresses (1883–1887), James O'Hara and Robert Smalls, attempted to reassert the federal government's power to enforce civil rights laws. When a proposed bill to establish an interstate commerce board came to the House Floor in December 1884, O'Hara introduced an amendment designed to prohibit discrimination on railroad cars. He noted that



Pictured here with his wife Elizabeth and son Raphael, James E. O'Hara of North Carolina was the only Black Member on the first day of the 48th Congress (1883–1885).

Image courtesy of the Hanna Holborn Gray Special Collections Research Center, University of Chicago Library

Congress enjoyed significant regulatory power over interstate commerce, including the use of freight cars, and that it therefore “must certainly follow that it unqualifiedly has the same right to regulate the use of passenger cars.”¹⁰⁵

Charles F. Crisp of Georgia, a future Speaker of the House then in his first term, was a vocal opponent of the measure. Crisp objected to O’Hara’s amendment, claiming it extended the reach of the federal government into personal affairs and read from a Georgia state law that, on paper, guaranteed equal access to transportation for all. Most objectionable to Crisp was O’Hara’s decision to stipulate that access must be provided “without discrimination.” Crisp insisted that railroads should be able to offer separate and equal accommodations.¹⁰⁶

Smalls joined the fray to back O’Hara’s effort, citing his personal experience while traveling in the region. In describing a train trip south from Washington, DC, Smalls made one of the first references to “Jim Crow” cars in railroad travel in the *Congressional Record*. He recalled that when entering the state of Georgia, all of the Black passengers were forced to change cars.¹⁰⁷

Ultimately, the bill passed the House without O’Hara’s amendment, only to stall in the Senate. But this battle between the two Black lawmakers and Crisp of Georgia starkly outlined the divergent fortunes of Democrats in the South and Black Americans in Congress in the mid-1880s. Crisp, a former Confederate officer, would be elected Speaker within a decade, benefiting from the rising number of Democrats in the House. O’Hara and Smalls represented North Carolina and South Carolina, respectively—the only two states that elected Black Members of Congress in the 1890s. They were both defeated in 1886 and left office at the conclusion of the 49th Congress (1885–1887). On December 5, 1887, Congress convened without a Black Member in either chamber. “All the men who stood up in awkward squads to be sworn in on Monday had white faces,” noted a *Philadelphia Record* correspondent who witnessed 317 Members of the 50th Congress (1887–1889) take the oath of office on the House Floor. “The negro is not only out of Congress, he is practically out of politics.”¹⁰⁸

TOWARD A “TEMPORARY FAREWELL”

The decline of Black representation in Congress during the 1880s coincided with the gradual emergence of a state-sanctioned system of racial segregation in the South. Although three Black Representatives served in the 51st Congress, only Henry Cheatham was seated on Opening

Day in December 1889. John Langston and Thomas Miller were seated in September 1890 after successfully contesting the elections of their Democratic opponents. In the 10 years that remained of the nineteenth century, only two more African Americans would win election to the House. Even though their numbers were small, each Representative brought the pressing issues facing Black Americans to the House Floor and demanded action.

In 1889, with Republican President Benjamin Harrison in the White House and Republicans in control of Congress for the first time in eight years, education and voting rights were once again at the center of debate. Known as the “billion-dollar Congress” for its prominent spending spree, the 51st Congress was ineffective at passing legislation important to Black Americans.¹⁰⁹

In 1889, Senator Henry William Blair of New Hampshire reintroduced an education bill that he had first proposed in 1881. It was designed to provide direct federal investment to support a national education system—and establish mechanisms for federal oversight of local schools to ensure equal access, particularly in the South. Money would be distributed based on a formula that assessed the literacy rate in each state, which would allocate nearly 75 percent of the federal funding to southern states. With federal oversight in place, those states could not discriminate in the distribution of monetary aid to schools. At the same time, the Blair bill did not prohibit segregated schools. In fact, it allowed for separate schools so long as funding was equal. This provision was largely uncontroversial at the time. In one of his first acts in the House in December 1889, Henry Cheatham introduced a similar education bill with provisions for separate schools.¹¹⁰

In early 1890, the Blair bill came before the Senate but was defeated in an otherwise crowded legislative calendar packed with tariff and election issues. Congress did establish an important source of federal education funding in the Second Morrill Act, named after Vermont Senator Justin Smith Morrill, the namesake of the 1862 Morrill Act that created land-grant colleges. The 1890 law provided significant funding for those institutions, regardless of whether they served Black or White students.¹¹¹

On June 14, 1890, Representative Henry Cabot Lodge of Massachusetts introduced a new federal elections bill in the House. Lodge emphasized the necessity of election safeguards, denouncing the “bitter appeal to race supremacy” which he called “a convenient stalking horse to defraud white men as well as black men their rights.” To limit fraud and discrimination,

the bill allowed a small number of constituents in any given precinct to petition a federal judge to take charge of a federal election rather than leave the process in the hands of local—and, in the South, usually Democratic—officials. The bill also enabled the federal government to appoint supervisors to oversee all phases of federal elections, from voter registration to the certification of the results.¹¹²

Opponents in the South soon labeled the Lodge bill the “Force Bill” and likened it to federal policy during Reconstruction. Despite strong words in support of fair elections from Republicans in both chambers, the bill barely passed the House and then languished and died in the Senate, where competing regional factions argued over separate issues related to trade and the money supply that they considered more important.¹¹³

In January 1891, Thomas Miller and John Langston—both of whom had won their contested election cases and joined the House in September of 1890—spoke in favor of the bill and implored the Senate to act. Although they could only encourage Senators to pass the bill, they demanded action from Congress to address the increasing restrictions on African-American life in the South.

Langston argued that the elections bill should not be considered solely of interest to Black Americans; rather it was part of a larger discussion of the meaning of American democracy. If the Civil War had made the country confront “the question of slavery or freedom,” he said, this bill would make the nation answer “whether every American citizen may wield the ballot in this country freely and according to his own judgment.” Senate passage of the bill, Langston said, would allow the nation to “realize the glory and distinction which the fathers knew this country would attain in the future.”¹¹⁴

Miller saw things slightly differently. While the federal elections bill would likely provide Black residents of South Carolina with greater political representation, it did little to solve other pressing issues Black Americans faced in the South, such as lack of fair wages and an imbalanced court system in which justice was impossible for Black plaintiffs. Above all, Black southerners faced an immediate threat from “the infernal lynch law,” the brutal practice of murder and terror directed against individuals with impunity. “We need protection at home in our rights,” Miller declared, “the chiefest of which is the right to live.”¹¹⁵

“A Peculiar Crisis”

Only the Carolinas sent Black Representatives to the House after 1891. George Washington Murray of South Carolina

and Henry Cheatham and George Henry White of North Carolina made the nineteenth century’s last stand against racial discrimination in Congress. They were committed to using their seat in the chamber to push meaningful and practical legislation to improve the lives of Black Americans. At the same time, they observed in their districts and region a striking rise in disenfranchisement and violence against African Americans. When the Democratically controlled 53rd Congress (1893–1895) repealed the remaining federal elections protections in 1894, the prospect for intervention from Washington on behalf of Black voters appeared remote. Rapid changes in the 1890s solidified the system of segregation that came to be known as Jim Crow, producing what Representative White called “a peculiar crisis” in the South.¹¹⁶

This social and political system was reinforced by the economic changes coursing through American society during the final decades of the nineteenth century—a period often referred to as the Gilded Age for its emerging extremes of wealth and poverty. It was also a period of unprecedented immigration to the United States from southern and eastern Europe, regional and global economic transformations, and an expanding role for the United States in the world.

In the 1890s, Black Members engaged with the most pressing matters of the Gilded Age for their constituents. Thomas Miller outlined the manipulative system of credit and company stores that entrapped Black agricultural workers in debt. George Washington Murray called for the coinage of silver, which he hoped would increase the money supply and aid struggling farmers trying to repay loans.¹¹⁷

Isolated and marginalized, Black Members were stifled in their limited attempts to legislate. At home in their districts, White Democrats worked feverishly to shut African Americans and opposition parties out of the political process using a toxic mix of new laws, constitutional revisions, and violence. They rewrote state constitutions to codify segregation and implemented a maze of local and statewide electoral devices between 1889 and 1908. The range of barriers erected to impede Black voter registration included property qualifications, poll taxes, literacy tests, and so-called grandfather clauses, which tied an individual’s right to vote to the voting rights or registration status of their ancestors. The “understanding clause” placed potential voters at the mercy of voter registrars, who capriciously administered a test concerning knowledge of state and federal laws, among other subjects. State governments insisted these measures applied to all and were not designed to discriminate. While

these restrictions also prevented many White southerners from voting, they disproportionately affected Black voters. Lest there be any doubt who bore the brunt of the era's trend toward disenfranchisement, the Democratic Party held all-White primaries to completely bar Black participation.¹¹⁸

State constitutional conventions proved to be the final disenfranchising blow in most southern states. Between 1890 and 1910, southern state constitutional conventions assembled to rewrite state charters with the intention of eviscerating the remaining eligible Black vote. In South Carolina, for instance, the 1895 constitutional convention was called by the Democratic Party of the former governor, Senator Benjamin Ryan Tillman, who openly advocated for White supremacy. South Carolina Representative George Washington Murray was part of an organized effort to extend the voter registration period and mobilize Black voters to send Black delegates to the convention. Former Representatives Robert Smalls and Thomas Miller were two of six Black delegates elected to the convention, several of whom drew national attention to the efforts of Tillman and the Democrats to disenfranchise Black voters in a letter of protest published in the *New York World* in September 1895. The Black delegates also tried to delay convention proceedings through dilatory motions and objections. However, they could not prevent the convention from including an effective array of disenfranchising methods in the new state constitution.¹¹⁹

Similar disenfranchisement tactics were deployed across the South to dramatically reduce the number of registered voters, measures that disproportionately affected African Americans. Just three years after Mississippi's 1890 constitutional convention, fewer than 9,000 African Americans out of a total population of nearly 748,000 were registered to vote. In 1896—before the enactment of Louisiana's literacy test, poll tax, and property qualifications—there were approximately 130,000 registered Black voters in the state, composing the majority in 26 parishes. Only 5,320 voted in 1900, after the changes went into effect. By 1904, there were little more than 1,300 registered Black voters statewide.¹²⁰

In 1899, George White challenged the House to punish southern states by reducing the size of their congressional delegations, which he said should be limited to “the votes that are allowed to be cast in their representation on this floor, and no more.” He stressed that he was not inveighing “against Mississippi, not against South Carolina, not against Louisiana, but for justice—simple justice. Unmitigated justice is what we ask.” White's speech was well received on the floor but did not produce legislative action.¹²¹

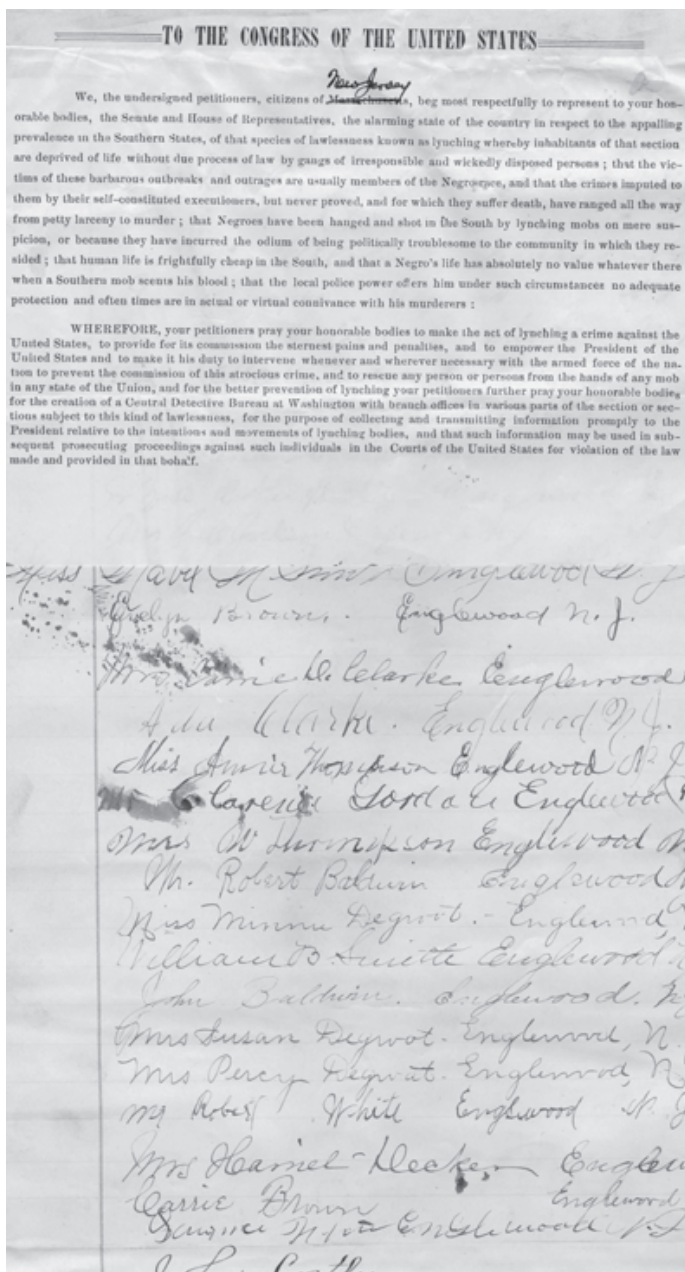
As these efforts to disenfranchise Black voters decimated the ranks of Black elected officials, the Supreme Court once again intervened to provide constitutional sanction for discrimination. Whereas the court's decisions in the 1870s and 1880s had determined that state and local authorities had jurisdiction over any infringement of individual rights, the 1896 case of *Plessy v. Ferguson* set new boundaries for a society increasingly defined by racial segregation. The court ruled that public accommodations and transportation could be provided on a “separate but equal” basis. States could set the standards, and the federal government was unlikely to intervene when equal accommodations were not available. A rigid system of segregation, codified in state law and tacitly sanctioned by the federal government, flourished in the South.¹²²

The First Congressional Antilynching Campaign

On November 10, 1898—two days after George White was re-elected—violence consumed Wilmington, North Carolina, as White citizens murdered at least seven and possibly as many as 20 Black residents and overthrew the local government. While George White did not address the events in Wilmington directly on the House Floor in January 1899, he did speak generally about the violence plaguing Black Americans in the South. He spoke of an imagined future, “when civilization will so develop all over this nation that there will be no more lynchings and barbarity and mobocracy, now so prevalent in some portions of this country.” A year later, on January 20, 1900, White introduced H.R. 6963, the first federal antilynching bill, intended “for the protection of all citizens of the United States against mob violence.”¹²³

Lynching was the brutal act of public execution, often by hanging or shooting and preceded by torture. This practice was used by White citizens in the South to terrorize Black communities. Some lynchings were perpetrated by small groups, others occurred as grotesque public spectacles. Black men, women, and children were lynched, but a disproportionate number of the victims were Black men.¹²⁴

Particularly in the South, lynching victims were targeted because of their political activism, economic success, and other perceived violations of the prevailing order of the Jim Crow South. Many Black men were falsely accused of sexual violence against White women. The antilynching activist and journalist Ida B. Wells of Memphis, Tennessee, documented the misinformation campaign that established



Representative George Henry White of North Carolina introduced H.R. 6963, the first federal antilynching bill, on January 20, 1900. This petition from New Jersey residents, submitted by White on the House Floor on February 21, urged Congress to pass legislation that would empower the federal government to end the brutal practice of lynching in the United States.

Image courtesy of the National Archives and Records Administration

the narrative of sexual violence as the most common justification for lynching—a narrative largely accepted outside the South. Although Wells devised a national and international campaign against lynching that successfully drew attention to the practice, the murders continued well into the twentieth century. The actual number of lynchings

in the United States might never be known, but a recent study by the Equal Justice Initiative identified “4,084 racial terror lynchings in twelve southern states between the end of Reconstruction in 1877 and 1950.”¹²⁵

Wells’s celebrated work and international renown informed the first attempt to focus the attention of the House on this issue. In 1894, newly elected Representative Henry Blair of New Hampshire—the former Senator—introduced a joint resolution to investigate “unlawful violence” against Americans. Blair’s resolution would have funded a report by the Commissioner of Labor to collect “the attendant facts” on lynchings in the United States and report the findings to Congress, presumably with the intent of shaping new legislation.¹²⁶

Blair’s effort attracted widespread support among Black women activists who joined Wells in campaigning against lynching and formed groups such as the Women’s Loyal Union in Brooklyn, New York. Press coverage documented Wells’s presence at hearings held by the House Committee on Labor, waiting for her turn to testify. She was never called before the panel, though, and the bill was shuffled between the Committee on Labor and the Committee on the Judiciary in the remaining months of the 53rd Congress.¹²⁷

White’s antilynching measure was more direct. It sought to revive the role of the federal government in protecting the individual rights of citizens in the South. On February 23, 1900, during general debate on American territorial expansion in the Caribbean and Pacific, White defended his bill on the House Floor. He provided statistics and graphic accounts of lynching atrocities and singled out House Members who had sanctioned these acts. White demanded access to a trial by jury for all and called on Congress to make lynching a crime under the jurisdiction of federal courts. This “most dangerous evil,” White said, required lawmakers to act, and he provided legal citations to argue that Congress was well within its constitutional rights to do so. For White, the fate of the nation was imperiled “if mob violence is not stamped out of existence and law once permitted to reign supreme.” White’s bill died in the Judiciary Committee at the close of the 56th Congress (1899–1901).¹²⁸

A “RISING PEOPLE, FULL OF POTENTIAL FORCE”

In 1900, George White declined to run for re-election. As the last Black Member remaining in Congress, he anticipated defeat in any contest held following the widespread efforts to disenfranchise Black voters in North

Carolina. On the eve of his departure from the House, White reflected on his imminent exit.

This, Mr. Chairman, is perhaps the negroes' temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up someday and come again. These parting words are in behalf of an outraged, heart-broken, bruised, and bleeding, but God-fearing people, faithful, industrious, loyal people—rising people, full of potential force.

No African-American lawmaker served in the U.S. Congress for nearly three decades following the end of Representative White's House career on March 3, 1901. The length and persistence of this exile starkly conveyed the suffocating effect of Jim Crow, the brutal system of racial segregation imposed by law and by custom upon African Americans in the South.¹²⁹

By the time Oscar De Priest of Illinois was elected to the House in 1929—becoming the first Black Representative elected in the twentieth century—a cohort of historians led by Columbia University professor William Dunning had popularized an interpretation of Reconstruction that criticized the motives and actions of the Republican Party and employed racist stereotypes to undermine the role of African Americans in government during this period. Black Members of Congress were marginalized in this story, framed as unsophisticated puppets of Republican Party functionaries or corrupt and ineffective lawmakers subverting American democracy. This interpretation prevailed for much of the twentieth century, even as African-American activists, politicians, and scholars refuted the so-called Dunning school.¹³⁰

In fact, this struggle to set the historical record may have begun on the House Floor. In an 1879 speech, Joseph Rainey alluded to the argument of a northern journalist, James S. Pike, whose 1874 book, *The Prostrate State: South Carolina Under Negro Government*, denounced Black participation in government as a wrong turn for the nation and laid the groundwork for Dunning's interpretation. For Rainey, this was part of a coordinated effort by "the old leaders" to eliminate the transformative record of Reconstruction.¹³¹

Another Reconstruction-era Black Representative, John Lynch, published several works during his long lifetime that criticized the writing of White historians who portrayed Reconstruction in erroneous terms. In his 1913 book, *The Facts of Reconstruction*, as well as several articles in the

Journal of Negro History, Lynch offered pointed critiques of this literature and touted the achievements of Black officeholders. In 1935—four years before the nonagenarian Lynch died—W.E.B. Du Bois, the African-American scholar and activist, issued one of the most thorough refutations of the Dunning school in his classic work, *Black Reconstruction in America*. Du Bois also praised the Black Congressmen who served during these pivotal decades, highlighting their speeches on the floor and their valiant efforts to legislate. "The words of these Black men," Du Bois concluded, "were, perhaps, the last clear, earnest expression of democratic theory of American government in Congress."¹³²

By the 1890s, African Americans were well aware of the importance of history and memory as well as the need to celebrate the political achievements of African Americans since the Civil War. As the number of Black Members of Congress dwindled, newspapers began to publish articles compiling their names and stories.



John Langston took his seat in Congress after successfully contesting his election loss in 1888. In 1855, he was one of the first African Americans elected to public office in Brownhelm Township, Ohio.

John Mercer Langston, *From the Virginia Plantation to the National Capital* (Hartford, CT: American Publishing Company, 1894)

In February 1890, before the seating of John Langston and Thomas Miller and the election of George Murray and George White, a story in the Washington, DC, newspaper the *Evening Star* chronicled the lives of the Black Representatives and Senators elected since 1870. The *Leavenworth Advocate*, a Black newspaper in northeast Kansas, culled the basic facts from this article to produce a similar story in its spartan pages a few weeks later. Writing for a Black audience, the *Advocate* celebrated two decades of Black electoral achievement, lamented the isolation of the then lone Black Member of Congress, Henry Cheatham, and hoped Langston would be seated. Published to remind readers of the promise and possibilities of Reconstruction, the article also documented the inestimable loss in Black-American representation that was the product of discrimination, violence, and corruption—a concerted effort to prevent the election of Black Members of Congress. “Had we had justice,” the *Advocate* declared, “there would have been more.”¹³³

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Hiram R. Revels

1827–1901

UNITED STATES SENATOR

1870–1871

Republican from Mississippi



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Hiram R. Revels was the first African-American lawmaker to serve in the United States Congress. Revels was a preacher and educator in at least nine states before pursuing public office in Mississippi in 1868. His election to the state senate in 1869 led to his election as a U.S. Senator by the Mississippi legislature in January 1870, filling a vacant seat in the 41st Congress (1869–1871). In his brief time on Capitol Hill, he was an advocate for Mississippi and embraced his status as the first Black Member of Congress by bringing to the Senate Chamber the petitions, concerns, and needs of the freed people in the South as well as African Americans throughout the United States.

Hiram Rhodes Revels was born in Fayetteville, North Carolina, on September 27, 1827. He claimed his ancestors “as far back as my knowledge extends, were free.” Despite restrictions in antebellum North Carolina regarding access to education for most free Black children, Revels was able to attend a school taught by a free Black woman. He worked for a few years as a barber and a schoolteacher before moving north to continue his education in 1844. Revels enrolled at the Beech Grove Quaker Seminary in Liberty, Indiana, and at a seminary for Black students in Darke County, Ohio. He was ordained in the African Methodist

Episcopal (AME) Church and was a pastor in churches in Richmond and Terre Haute, Indiana. In the early 1850s, Revels married Phoebe A. Bass, a free Black woman from Ohio, and they had six daughters.¹

Revels traveled throughout the country, carrying out religious work and educating African Americans in Indiana, Illinois, Kansas, Kentucky, and Tennessee. Although Missouri prohibited by law free Black Americans from living in the state for fear they would foster discontent among the enslaved population, Revels moved to St. Louis in 1853 to serve as pastor of an AME Church, noting that the law was “seldom enforced” in cities. “I sedulously refrained from doing anything that would incite slaves to run away from their masters,” he recalled, and instead focused on religious instruction so that “even slave holders were tolerant of me.” Despite his cautiousness, Revels was briefly imprisoned for preaching to the Black community. He also claimed to have assisted fugitive slaves when living in free states. In 1854, he accepted a position with the Presbyterian Church in Baltimore, Maryland. He also worked as the principal of a Black school in Baltimore and subsequently attended Knox College in Galesburg, Illinois, from 1855 to 1857.²

When the Civil War began in 1861, Revels helped recruit two Black regiments from Maryland. In 1862, he served as the chaplain for a Black regiment in campaigns in Vicksburg and Jackson, Mississippi. In 1863, Revels returned to St. Louis, where he established a freedmen's school. At the end of the war, Revels was a minister in Leavenworth, Kansas, and engaged in similar work in churches in Louisville, Kentucky, and New Orleans, Louisiana, before settling in Natchez, Mississippi, in 1866.³

Two years later, in 1868, Revels was appointed as an alderman on the Natchez city council by the U.S. military governor, General Adelbert Ames. In 1869, encouraged to run for office by future Representative John R. Lynch, Revels won a seat in the Mississippi state senate. The newly elected state senate was tasked with filling two U.S. Senate seats—all Senators were elected by the state legislature until 1913. In January 1861, Democrat Albert Gallatin Brown and future Confederate president Jefferson Davis withdrew from the Senate when Mississippi seceded from the Union. The Senate declared both seats vacant on March 14, 1861. In 1870, as former Confederate states gained readmission to representation in Congress, the Mississippi state legislature proposed electing a Black candidate to fill the remainder of the term due to expire in 1871 and a White candidate for the other term ending in 1875. As Revels recalled, Black legislators believed this would “be a weakening blow against color line prejudice,” while the Democratic minority also cynically endorsed the plan, hoping a Black Senator would “seriously damage the Republican Party.” After three days and seven ballots, on January 20, 1870, the Mississippi state legislature voted 85 to 15 to elect Revels to Brown's former seat—the term ending March 3, 1871. They chose Ames to fill the seat formerly held by Davis. At the same time, the legislature elected then-Governor James Lusk Alcorn to fill the seat held by Revels beginning in the 42nd Congress (1871–1873).⁴

Revels arrived in Washington, DC, on January 30, but could not be sworn in as Mississippi had not yet been formally readmitted to the United States following the Civil War. On February 5, he met with President Ulysses S. Grant in the White House. Revels observed proceedings in the Senate, occasionally sitting in the gallery and joining his Republican colleagues on the floor. When Congress approved the bill to readmit Mississippi on February 23, the Senate began three days of debate regarding Revels's credentials for the seat. Senator Willard Saulsbury Sr. of

Delaware questioned the legitimacy of the Mississippi state legislature that chose Revels. Others, such as George Vickers of Maryland and Garrett Davis of Kentucky, focused on questions regarding Revels's status as a citizen, attempting to make a constitutional argument undermining his claim to the seat. Both pointed to the Supreme Court's 1857 decision in *Dred Scott v. Sandford*, which declared those of African descent to be ineligible for citizenship. Even though the 1868 ratification of the Fourteenth Amendment had conferred citizenship on African Americans, Revels's opponents argued that the *Dred Scott* ruling meant that any prospective Black Senator in 1870 lacked the constitutionally required nine years as a citizen to hold a seat in the Senate.⁵

Senate Republicans rallied to his defense. John Sherman of Ohio stated that Revels had voted in Ohio before the Civil War. “He was always a citizen,” Sherman declared, and added that the *Dred Scott* decision was “a denial of the truth of history” and should be ignored. Though Revels would not fill Davis's seat, Nevada Senator James Warren Nye called the prospect of a Black Senator representing the former Confederate president's home state “a magnificent spectacle of retributive justice.” On the afternoon of February 25, the Senate voted along party lines 48 to 8 to seat Revels. He received assignments to the Committee on Education and Labor and the Committee on the District of Columbia.⁶

Revels entered the Senate as a figure of national renown. He estimated that he received 10 times the interview requests of his Senate colleagues. So many meeting invitations were delivered to him in the Senate Chamber that he had to instruct the doorkeepers to stop accepting the cards of interested parties. He recalled, however, welcoming inquiries from African Americans when possible. When a group of Black mechanics from Baltimore sought his assistance to counter discriminatory hiring practices at the city's U.S. Navy Yard in 1871, Revels successfully appealed to the U.S. War Department on their behalf.⁷

Revels embraced his fame by engaging in an extended speaking tour throughout 1870, traveling widely to address crowds in Massachusetts, New York, Indiana, Illinois, and elsewhere. In July, he spoke to the graduating class at Avery College in Pittsburgh, Pennsylvania, and was given the honorary title of doctor of divinity.⁸

When Revels arrived on Capitol Hill, a reporter asked him if, as the first Black Member of Congress, he could act

“impartially” and serve the interests of White and Black citizens of Mississippi. Revels insisted he was “a representative of the State, irrespective of color.” But Revels also felt the weight of his place in history and in the Senate Chamber he acknowledged his status as “the recognized representative of my downtrodden people,” and often spoke as an advocate for civil and political rights for all Black Americans.⁹

During his first weeks in office, Revels introduced several petitions, including one conveying the sentiments of the Mississippi state legislature, which requested that Congress urgently remove the “political disabilities” prohibiting many residents of the state from holding office because of their participation in the rebellion. Petitions also came from other states. He introduced a petition from a group of Black citizens from Philadelphia, Pennsylvania, who called on the Senate to pass a federal civil rights bill. And on March 11, Revels presented a petition from Black members of the Georgia legislature. They had been elected following the creation of a new, reconstructed state government, but in September 1868, Democrats expelled them from the legislature, arguing that the state constitution did not permit Black officeholders. Georgia’s Black state legislators appealed to Congress to settle this dispute and pass legislation that would return them to office. Otherwise, they wrote, “violence and bloodshed will mark the course of such elections, and a fair expression of the will of the people cannot be had.”¹⁰

On March 16, before a packed Senate Chamber and a gallery filled with Black men and women eager to hear him speak, Revels defended the Black legislators in Georgia who had sought Congress’s help. With his remarks, Revels became the first Black Senator to deliver a speech in American history. Revels acknowledged and celebrated his unique status, noting that he was ready to give voice to “feelings which perhaps never before entered into the experience of any member of this body.” Revels insisted that the Black lawmakers needed protection in Georgia, as recent events had resulted in “a distinction as to race and color, so far as civil and political rights are concerned.” The federal government owed Black Americans “a deep obligation” for their loyalty and service during the war. “Many of my race,” he reminded his colleagues, “sleep in the countless graves of the South.” Ignoring the pleas of the Black state legislators would validate the restrictions imposed upon African Americans in Georgia and undermine democracy in the state. Revels called on Congress to reinstate the legislators

who were duly elected and reject attempts to force the state to hold an election before the end of the year. While Congress heeded Revels’s call to return the Black Georgia legislators to their seats, their terms were not extended, and Democrats soon took control of the state.¹¹

Revels balanced his uncompromising stance on the political rights of Black Americans in the South with a sincere commitment to amnesty for those citizens of Mississippi who had fought against the Union and who had been stripped of certain rights as punishment. “If you can find one man in the South who gives evidence that he is a loyal man,” Revels declared, and “has ceased to denounce the laws of Congress as unconstitutional, has ceased to oppose them, and respects them and favors the carrying of them out, I am in favor of removing his disabilities.” Revels hoped this gesture of goodwill would promote a spirit of reconciliation in his state.¹²

Revels’s appeals for unity were part of a larger vision of recovery and improvement for Mississippi. In December 1870, he introduced a bill to appropriate \$2 million for the construction of levees to protect the land between the Mississippi and Yazoo rivers in the western part of the state. A month later, Revels spoke in the Senate Chamber to convey the need for federal funding. The damage to Mississippi during “our long internecine struggle” had ceded significant shares of the market for cotton to global competitors, particularly Egypt, Brazil, and India. Despite the emergence of these rivals, Revels said, the “prodigal hand of nature” had endowed the western Mississippi lands and large tracts of other southern states with clear advantages in fertile, arable acreage—if properly managed. Revels cited contemporary statistics demonstrating that levees increase the cotton yield to make his case. He stressed that the “building of the levees on the Mississippi is a national work,” as cotton production was inextricable from the national interest and an invaluable part of manufacturing in the United States and abroad. Federal investment, Revels added, would help the South “reign supreme as the ruler and master of the cotton markets of the world.”¹³

In his final Senate speech, Revels defended legislation to prohibit discrimination in District of Columbia schools based on “race, color, or previous condition of servitude.” Opponents, such as Ohio Senator Allen Granberry Thurman, warned that enrolling Black and White children in the same schools would result in “forced mingling” imposed by a “tyrannical” federal government.

Revels pointed to the experience of northern states such as Massachusetts where, he said, “mixed schools” existed without fundamentally transforming social relations. For Revels, racial discrimination—be it imposed by state and local governments, school boards, or even railroad companies—perpetuated and strengthened prejudice throughout the nation. He referred to his personal experience of attempting to circumvent segregated railcars during a family journey in Kansas to demonstrate the profound ways discriminatory rules and statutes affected Black Americans. Revels believed that if policymakers no longer had the ability to establish and enforce such prejudice, “the people will soon forget.”¹⁴

After the expiration of his Senate term on March 3, 1871, Revels declined several patronage positions offered by President Grant at the recommendation of Senators Oliver Hazard Perry Throck Morton of Indiana and Zachariah Chandler of Michigan. Instead, Revels returned to Mississippi when he was appointed the first president of Alcorn University, named for his political ally Governor Alcorn. Located in Rodney, Mississippi, Alcorn University was the first land-grant school for Black students in the United States. Revels took a leave of absence for about eight months in 1873 to serve as Mississippi’s secretary of state after the sudden death of James Lynch. The election of Mississippi Governor Adelbert Ames in 1874 led to Revels’s resignation as president of Alcorn University. Revels was a close ally of Alcorn and Ames wanted to choose a new appointee. Revels moved to Holly Springs, Mississippi, to work as a minister in the Methodist Episcopal Church, which he had joined in 1868. He also taught theology at Shaw University, which was later renamed Rust College.¹⁵

In 1875, Mississippi held simultaneous elections for Congress and for state and local offices. The Democratic Party used violence and intimidation to keep Republicans from the polls and picked up four of Mississippi’s six House seats as well as numerous state and local offices. Four days after the election, Revels wrote a letter to President Grant that offered startlingly direct criticism of the Republican Party in Mississippi, accusing a faction of White Republicans of disregarding the needs of Black citizens. Revels described the many Black supporters of the Republican Party as “enslaved in mind by unprincipled adventurers” whose only goal was “to secure power for themselves and perpetuate it.” He hoped that the Democratic victory in 1875 would encourage like-minded reformers to lead Republicans to

victory in 1876. Although he was careful to emphasize that he remained committed to the Republican Party, the nuance of Revels’s arguments were not apparent to all. One critic called him an “apostate to his race” and another accused him of being “bought and paid for by the enemy.”¹⁶

Revels later clarified his position, emphasizing that his “every sentiment, utterance and action in a political direction, has been strictly Republican” and that he continued “to work and pray against the success of the Democrat party.” Nevertheless, his letter to President Grant was hailed by some in the press as evidence of a fair Democratic victory in the state and used by Mississippi Democrats to justify their claims of Republican corruption. In March 1876, when Revels appeared as a witness before a U.S. Senate select committee investigating the well-documented fraud and violence in the 1875 Mississippi elections, his testimony seemed to support Democratic claims, despite overwhelming testimony to the contrary. Revels told the committee that, to the best of his knowledge, conditions had been relatively peaceful and he was unaware of any widespread violence.¹⁷

Revels never sought other elected office. In July 1876, he was appointed to his former position as president of Alcorn University. He resigned in 1883 and returned to Holly Springs to serve as the district presiding elder for the Methodist Episcopal Church. In February 1900, Senator George Frisbie Hoar of Massachusetts introduced a resolution to pay Revels about \$4,800—the salary he would have received had he served a full term in the 41st Congress. On January 16, 1901, Revels died from complications of a stroke he experienced while at a church conference in Aberdeen, Mississippi. The Senate did not vote on Hoar’s resolution before the end of the 56th Congress (1899–1901) and the resolution failed.¹⁸

Manuscript Collection

New York Public Library (New York, New York). *Papers*: 1870–1948. The collection consists principally of a scrapbook of news clippings and biographical articles on Hiram R. Revels. The scrapbook (1870–1893) discusses Revels as a Senator, pastor of the African Methodist Episcopal Church, and president of Alcorn University; it also describes local events and contains homilies and miscellany. Materials also include letters written to Revels; programs and invitations; several letters Revels wrote to his family (1870–1900); a biographical sketch written about him in the first person that appears to have been written by his daughter, Susie; a typescript of an obituary of Revels; and legal papers regarding settlement of his estate. *Photographs*: An accompanying photograph collection gives a glimpse of Revels’s personal life and includes a Mississippi town street scene during Reconstruction. Personal photographs consist of a family portrait and a portrait Revels’s wife.

Notes

- 1 “Autobiography of Hiram Revels,” Carter G. Woodson Collection of Negro Papers and Related Documents, Box 11, Manuscript Division, Library of Congress, Washington, DC; Julius E. Thompson, “Hiram R. Revels, 1827–1901: A Biography” (PhD diss., Princeton University, 1973): 20–21, 28–29, 49.
- 2 “Autobiography of Hiram Revels,” Carter G. Woodson Collection, LC; Thompson, “Hiram R. Revels, 1827–1901”: 35–37; William B. Gravely, “Hiram Revels Protests Racial Separation in the Methodist Episcopal Church (1876),” *Methodist History* 8, no. 3 (April 1970): 13–14.
- 3 Gravely, “Hiram Revels Protests Racial Separation in the Methodist Episcopal Church”: 13–14; Thompson, “Hiram R. Revels, 1827–1901”: 47–48.
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- 5 “Washington: The Colored Brother from Mississippi Revels in a Seat that Does Not Exist,” 7 February 1870, *Courier-Journal* (Louisville, KY): 1; “Washington,” 24 February 1870, *Chicago Tribune*: 1; “Washington,” 15 February 1870, *New-York Semi-Weekly Tribune*: 1; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (23 February 1870): 1504, 1509–1510; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (25 February 1870): 1557–1560; Richard A. Primus, “The Riddle of Hiram Revels,” *Harvard Law Review* 119, no. 6 (April 2006): 1683, 1686.
- 6 *Congressional Globe*, Senate, 41st Cong., 2nd sess. (23 February 1870): 1510, 1513; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (25 February 1870): 1567; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (28 February 1870): 1586; *Congressional Globe*, Senate, 41st Cong., 3rd sess. (8 December 1870): 40.
- 7 “Intelligence Condensed,” 15 April 1870, *Jamestown Journal* (NY): 5; “The District Territorial Question,” 5 March 1870, *Baltimore Sun*: 1; “Autobiography of Hiram Revels,” Carter G. Woodson Collection, LC.
- 8 “Senator Revels in Boston,” 5 May 1870, *Boston Journal*: 1; “Senator Revels,” 12 May 1870, *New York Herald*: 7; “Senator Revels,” 15 August 1870, *Daily Evansville Journal* (IN): 5; “Lectures at Aurora,” 26 November 1870, *Chicago Daily Tribune*: 1; “Colored Men and the Doctorate,” 14 July 1870, *Daily Albany Argus* (NY): 1; “College Commencements,” 15 July 1870, *New-York Tribune*: 2.
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- 10 *Congressional Globe*, Senate, 41st Cong., 2nd sess. (4 March 1870): 1676; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (1 March 1870): 1607; Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863–1877* (New York: Harper & Row, 1988): 453; “Georgia: The Rebel Perfidy in the Legislature,” 9 September 1868, *New-York Tribune*: 1; *Congressional Globe*, Senate, 41st Cong., 2nd sess. (11 March 1870): 1856.
- 11 *Congressional Globe*, Senate, 41st Cong., 2nd sess. (16 March 1870): 1986–1987; Foner, *Reconstruction*: 453–454; W.E.B. Du Bois, *Black Reconstruction in America: 1860–1880* (New York: Harcourt, Brace, 1935; New York: Free Press, 1998): 500–511.
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- 13 S. 1136, 41st Cong. (1870); *Congressional Globe*, Senate, 41st Cong., 3rd sess. (11 January 1871): 425–426.
- 14 S. 1244, 41st Cong. (1871); *Congressional Globe*, Senate, 41st Cong., 3rd sess. (8 February 1871): 1057, 1059–1060.
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Joseph H. Rainey

1832–1887

UNITED STATES REPRESENTATIVE

1870–1879

Republican from South Carolina



Image courtesy of the New York Public Library

Born enslaved, Joseph H. Rainey was the first African-American lawmaker elected to the U.S. House of Representatives, the first Black American to preside over the House, and the longest-serving African American in Congress during Reconstruction. Like many Representatives of the era, Rainey had a limited legislative record, but he was one of the House's most able orators and labored tirelessly in committee. During his more than eight years in the House, Rainey worked to pass civil rights legislation, fund public schools, and guarantee equal protection under the law. Throughout, he sought to use his position to advocate for the concerns of African Americans on the House Floor. "I can only raise my voice," Rainey said in 1877, "and I would do it if it were the last time I ever did it, in defense of my rights and in the interests of my oppressed people."¹

Joseph Rainey was born on June 21, 1832, in Georgetown, South Carolina, a seaside town surrounded by low country rice plantations. Much of his early life is difficult to document. His parents were enslaved, but his father, Edward L. Rainey, was permitted to work as a barber and keep a portion of his earnings. He used that money to buy his family's freedom in the early 1840s. South Carolina

barred African Americans from attending school and Joseph Rainey never received a formal education. He learned his father's trade and by the 1850s he worked as a barber at the exclusive Mills House hotel in Charleston, South Carolina. In 1859, Rainey traveled to Philadelphia, where he married his wife, Susan, who was originally from South Carolina. The Raineys returned to Charleston and later had three children: Joseph, Herbert, and Olive.²

When the Civil War began in 1861, the Confederate army forced Rainey to construct defenses for the city of Charleston. He also worked as a ship's steward aboard a Confederate blockade runner which clandestinely carried goods through the Union Navy's maritime cordon of the South. In 1862, Rainey and his wife escaped to Bermuda, a self-governed British colony in the Atlantic that had abolished slavery in 1834. The Raineys took advantage of the island's economy, which had thrived from the lucrative blockade-running business. The Raineys lived in the towns of St. George's and Hamilton, where Joseph set up a successful barbershop and Susan opened a dress store.³

The Raineys returned to the United States in 1866 following the end of the Civil War, settling first in Charleston before moving to Georgetown, South Carolina, the following

year. Rainey helped found the state Republican Party and represented Georgetown on the party's central committee. In 1868, he was a delegate to the state constitutional convention and won election to the state senate, where he chaired the senate finance committee.⁴

In February 1870, Representative Benjamin Franklin Whittemore resigned his northeastern South Carolina seat, having been accused of selling appointments to U.S. military academies. The Republican Party nominated Rainey for the remainder of the 41st Congress (1869–1871) and for a full term in the 42nd Congress (1871–1873). On October 19, 1870, Rainey won the full term, topping Democrat C.W. Dudley with 63 percent of the vote. On November 8, he defeated Dudley once again, garnering more than 86 percent of the vote in a special election to fill the seat for the remainder of the 41st Congress.⁵

When Joseph Rainey was sworn in on December 12, 1870, he became the first African-American lawmaker to serve in the U.S. House of Representatives. During his career on Capitol Hill, Rainey served on a range of committees and developed a firm grasp of the institutional workings of the House. Rainey's committee appointments included the Freedmen's Affairs Committee, the Indian Affairs Committee, and the Invalid Pensions Committee, the last of which considered pensions and federal benefits for wounded veterans. He also served on the Select Committee on the Centennial Celebration and the Select Committee on the Freedman's Bank during the 44th Congress (1875–1877). In the 45th Congress (1877–1879), Rainey served with distinction on the Joint Committee on Enrolled Bills, where he worked with House clerks and his counterparts from the Senate to ensure that the bills that passed between chambers were accurate. On April 29, 1874, Rainey also became the first African-American legislator to preside over the House from the Speaker's chair when he oversaw debate on an appropriations bill providing for the management of Native-American reservations.⁶

On the House Floor, Rainey relished the opportunity for spirited debate. On April 1, 1871, Rainey delivered his first major speech in Congress, calling for the passage of the Ku Klux Klan Act. As state and local governments in the South either ignored or proved incapable of preventing White vigilante violence against African Americans, Rainey called on the federal government to intervene to combat the Klan and other terror organizations. The act expanded the reach of federal law enforcement in the South, giving the President the

power to use federal troops to suppress violence and empowered federal district attorneys to aggressively prosecute the Klan.⁷

While Democratic opponents argued the bill was unconstitutional, Rainey emphasized the federal government's responsibility to protect individual rights. The Constitution, Rainey said, was designed to provide "protection to the humblest citizen, without regard to rank, creed, or color." For Rainey, it was paramount that the federal government act, adding, "Tell me nothing of a constitution which fails to shelter beneath its rightful power the people of a country!"⁸

The Ku Klux Klan Act was signed into law by President Ulysses S. Grant on April 20, 1871. Several months later, Grant used the powers authorized by the legislation to decisively damage the Klan. Even as Rainey received death threats from the Klan and Democrats tried to eliminate funding for the law's enforcement, he continued to defend the legislation. In March 1872, Rainey successfully argued for new federal appropriations to strengthen the law in the South.⁹

Alongside the fundamental protection afforded by the Klan Act, Rainey worked to pass comprehensive civil rights legislation to guarantee both legal equality and the promises of freedom for the four million formerly enslaved people in the South. In 1870, Radical Republican Senator Charles Sumner of Massachusetts proposed a civil rights bill to outlaw racial discrimination in juries, schools, transportation, and public accommodations. Rainey and his Black colleagues spoke on the House Floor in favor of the bill, describing their personal experience with discrimination in Washington and beyond. Rainey declared they were "determined to fight" to end discrimination, adding that the Constitution guaranteed equal rights to all citizens. Rainey described his experiences riding segregated trains and streetcars, but made his most ardent plea for equal access to education. Three years earlier, he had supported an unsuccessful effort to establish a national system of public schools funded with proceeds raised through the sale of public lands. In 1875, Rainey again called on legislators to embrace what he called "mixed schools" as a means to "annihilate" prejudice. Though the civil rights bill was signed into law March 3, 1875, provisions related to education were removed and the Supreme Court later declared key portions of the law unconstitutional.¹⁰

Throughout his career, Rainey sought to bolster legal protections for what he called "human rights." Rainey's

expansive vision of human rights included not only civil and political rights, but economic rights for working people, immigrants, formerly enslaved people, and others. He supported the sovereignty of Native American tribes and called on the United States government to respect existing treaties. He praised immigrants and opposed legislation that tried to limit the rights of Chinese laborers in the workplace. He also sought to protect the economic interests of African Americans, particularly in the South. Following the Civil War, for instance, the federal government had chartered the Freedman's Bank to help formerly enslaved families build wealth. But the bank failed in 1874. As one of many African Americans who had deposited money with the new financial institution, Rainey knew the long-term ramifications of the bank's collapse. He successfully argued against a measure designed to limit oversight of the distribution of the bank's remaining assets. Rainey also served on the House select committee charged with determining the cause of the bank's failure and aiding depositors in recovering their money—although largely without success.¹¹

Though Rainey won re-election without opposition in 1872, his subsequent campaigns were more competitive. In 1874, Samuel Lee, an African American and a former speaker of the South Carolina house of representatives, challenged Rainey as an Independent Republican. Rainey won the election, taking 52 percent of the vote, but Lee demanded that the House Committee on Elections void some of Rainey's votes because of a spelling error in Rainey's name on some ballots. The committee upheld Rainey's election in May 1876, with the whole House concurring a month later.¹²

The 1876 election cycle occurred during an extraordinarily violent period across the South. That year, South Carolina's Democratic gubernatorial candidate Wade Hampton and his supporters, known as "Red Shirts," orchestrated a campaign of violence and intimidation against Republican voters throughout the state. Similarly, in early July, following a White farmer's dispute with the local Black militia in the town of Hamburg, South Carolina, near the border with Georgia, a White mob attacked the Black militia, killing six men, taking 25 prisoners, and destroying homes and property in the town's African-American neighborhood. Rainey and his House colleague Robert Smalls of South Carolina denounced the assault on the House Floor on July 15, calling on the federal government to maintain

troops in their state to prevent further violence against African Americans. Rainey called this incident "a cold-blooded atrocity" and warned that continued violence would undermine the fragile democracy in the South.¹³

Threats of violence shaped Rainey's re-election bid. In one instance, as Rainey traveled between campaign stops, he was warned of a group of armed Democrats outside of Bennettsville, South Carolina. More than 50 Republicans joined him in anticipation of a violent confrontation. Rainey recalled that only the presence of federal troops prevented hostilities.¹⁴

In November 1876, Rainey defeated Democrat John Smythe Richardson for a seat in the 45th Congress, winning a tight race with 52 percent of the vote. Richardson accused Rainey and the Republican Party of voter intimidation, claimed victory, and traveled to Capitol Hill to dispute the election result. Rainey's election had been certified by South Carolina's existing Republican secretary of state, but Richardson had brought documents from Hampton's victorious Democratic administration declaring him the victor. The House seated Rainey, but in May 1878 the Democratic majority on the Committee on Elections judged that the presence of federal troops in the state unduly influenced the outcome of the election. Although the committee declared the seat vacant, the full House failed to act on the committee report and Rainey kept his seat for the remainder of the term.¹⁵

In 1878, Richardson challenged Rainey again—this time bolstered by a concerted effort by Democrats to suppress Republican votes. Richardson defeated Rainey with nearly 62 percent of the vote. Rainey accused South Carolina Democrats of corruption and election fraud, but did not formally challenge the results in the House. In the remaining months of his House career, Rainey continued his committee work and introduced a bill to impose federal oversight of state voting practices.¹⁶

When Rainey left Congress, Republicans nominated him for the position of Clerk of the House of Representatives, but the Democratic majority in the 46th Congress (1879–1881) elected their candidate. In 1879, Rainey was appointed a special agent of the U.S. Treasury Department in South Carolina. And, in 1881, he started a brokerage and banking business in Washington, but the firm folded five years later. Rainey managed a wood and coal business with a partner before returning to Georgetown, South Carolina, where he died on August 1, 1887.¹⁷

Manuscript Collection

University of South Carolina, South Caroliniana Library (Columbia, SC).
Papers: 1832–1877, four letters. The collection, which is in the South Carolina Vertical Files from Clemson (Biographical Vertical Files, Rainey, Joseph Hayne), contains Joseph H. Rainey's letters to various correspondents.

Notes

- 1 *Congressional Record*, House, 44th Cong., 2nd sess. (28 February 1877): 2016.
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- 4 Packwood, *Detour—Bermuda, Destination—U.S. House of Representatives*: 14–15; "The South Carolina Radical Convention," 29 July 1867, *Charleston Mercury*: 1; *Proceedings of the Constitutional Convention of South Carolina*, vol. 1 (Charleston: Denny & Perry, 1868); "Negro Convention," 16 January 1868, *Charleston Mercury*: 3; "South Carolina: General Canby's Official Announcement of the Result," 9 May 1868, *Philadelphia Inquirer*: 2.
- 5 *Congressional Globe*, House, 41st Cong., 2nd sess. (24 February 1870): 1544; House Committee on Military Affairs, *B.F. Whittemore*, 41st Cong., 2nd sess., H. Rept. 29 (1871): 1–16; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 214.
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- 8 *Congressional Globe*, House, 42nd Cong., 1st sess. (1 April 1871): 395.
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- 10 *Congressional Record*, House, 43rd Cong., 2nd sess. (3 February 1875): 959–960; *Congressional Globe*, Appendix, 42nd Cong., 2nd sess. (3 February 1872): 15–17; Foner, *The Second Founding*: 139, 143, 151.
- 11 *Congressional Record*, Appendix, 45th Cong., 3rd sess. (3 March 1879): 267; *Congressional Record*, House, 44th Cong., 1st sess. (20 April 1876): 2669; *Congressional Record*, House, 43rd Cong., 1st sess. (13 June 1874): 4967–4968; *Congressional Record*, Appendix, 43rd Cong., 2nd sess. (2 March 1875): 184–185; *Congressional Record*, House, 43rd Cong., 2nd sess. (3 March 1875): 2262–2263; House Select Committee on the Freedman's Bank, *Freedman's Bank*, 44th Cong., 1st sess., H. Rept. 502 (1876); Reginald Washington, "The Freedman's Savings and Trust Company and African American Genealogical Research," *Prologue* 29, no. 2 (1997): 170–181.
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Jefferson F. Long

1836–1901

UNITED STATES REPRESENTATIVE

1870–1871

Republican from Georgia

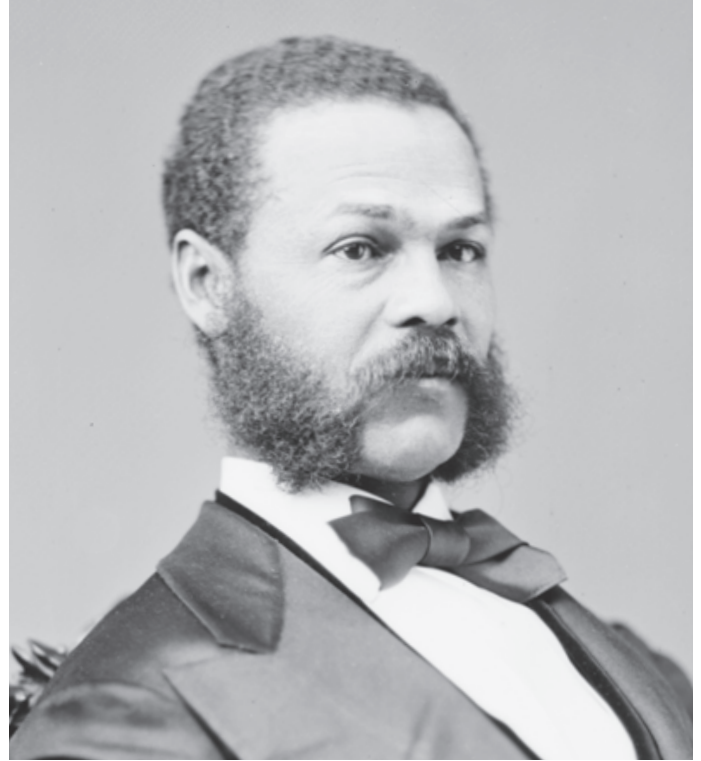


Image courtesy of the Library of Congress

In December 1870, Jefferson F. Long became the second African American elected to the U.S. House of Representatives. His term expired less than three months later—the shortest term of any Black Member in the nineteenth century. Born enslaved, Long was a tailor who embraced the possibilities and politics of Reconstruction in his native state of Georgia. Though he did not introduce a single bill while a Member of Congress, Long became the first Black Representative to speak on the House Floor.

Jefferson Franklin Long was born to an enslaved mother on March 3, 1836, in Knoxville, a small town in west-central Georgia. His White father, James C. Lloyd, was a local tailor. Lloyd listed his son as his property before transferring ownership of Long to a Macon, Georgia-area businessman sometime before 1850. Trained as a tailor while enslaved, Long was emancipated sometime in the 1850s and opened a successful business in Macon, which continued to prosper after the Civil War. Long and his wife, Lucinda, raised seven children. One of Long's sons helped run his business, and one of his daughters later became a schoolteacher.¹

Starting in 1866, Long emerged as a community leader among Black Americans in Macon as well as in the nascent

Republican Party in the region. By the late 1860s, he began promoting literacy among African Americans and advocating for higher wages for Black laborers. In 1867, he became active in the Georgia Educational Association, which was formed to protect and advance the interests of freedmen. Described by many as an impressive orator, he preached the virtues of the Republican Party to Black Americans in Georgia. While traveling the state, he organized local branches of the Republican Party and encouraged potential Black voters to register. He also brought many White Georgians into the Republican fold. In 1869, he served on the Republican state central committee and was president of the Georgia labor convention, which organized Black agricultural workers to demand increased wages, better jobs, and improved working conditions.²

After the war, Georgia faced multiple hurdles blocking its readmission into the Union. First, the state legislature refused to ratify the Fourteenth Amendment, then several White Republicans voted with Democrats to expel legally elected Black lawmakers from the state legislature in September 1868. Georgia finally met these requirements in the summer of 1870, after reseating the Black state house members and ratifying the Fifteenth Amendment.

Congress permitted its state delegation to retake its seats in the House and Senate. State officials scheduled a special election for December 20, 1870, to fill Georgia's vacant seats in the House for the final 10 weeks of the 41st Congress (1869–1871) and for the full term in the 42nd Congress (1871–1873). The Georgia Republican Party chose several Black candidates to run for the abbreviated terms, reserving the full term for White candidates. In the state's central district, the party nominated Long for the 41st Congress and state senator Thomas Jefferson Speer for the 42nd Congress.³

In the lead up to the election, Long gave a series of speeches across the district encouraging Black voters to support the Republican ticket. Long had to compete with the Democratic opposition as well as a local Black barber, Aleck Gaston, who had made a third-party run but dropped out of the race before the multiday-voting process began. As the election approached, both Republicans and Democrats accused the opposition of threatening voters and stoking violence. "This is the last day of the election," the Republican *Atlanta Daily New Era* informed readers on December 22. "Much depends upon your vigilance and firmness. Fraud and intimidation have been resorted to freely, on the part of our opponents." Black voters were also reportedly arrested at the polls as a way to deter others. Ultimately, Long defeated his opponent, Democrat Winburn J. Lawton, with 53 percent of the vote.⁴

Because of complications related to Georgia's readmission to the Union, Long was not sworn in until January 16, 1871. He took his seat one month after Representative Joseph H. Rainey of South Carolina was sworn in as the first Black Member of the House. One Virginia newspaper observed that Rainey and Long "fraternized at once, and struck up a conversation as soon as the latter was sworn in." Long was not assigned to any committees during his short term in office.⁵

Long was closely observed by the press at the start of his short stint on Capitol Hill. Most news articles announcing his election and swearing-in to the House were one or two lines, with little information beyond a physical description or a reference to his race. The *Boston Evening Transcript* described him as a "Republican of African descent." He reportedly attended every session and observed each proceeding from his desk on the House Floor. One of his first formal actions as a Member was a vote on an amendment to a bill establishing a territorial government in the District of Columbia. On January 20,

1871, Representative George Washington Julian of Indiana tried to amend the bill to guarantee women's suffrage in the capital city. The *Boston Journal* noted that Long supported the voting rights amendment, but his Black colleague from South Carolina, Rainey, did not. "The colored vote of the House divided on this question," the *Journal* was quick to note, even though neither Member explained their vote on the unsuccessful amendment.⁶

Long did not draft a single bill or resolution, but on February 1, 1871, he became the first Black Representative to speak before the House. Two years earlier, on February 27, 1869, John Willis Menard was the first Black American to address the House while it was in session. In 1868, Menard had won a special election to represent a district centered on New Orleans, Louisiana. However, his opponent contested the election and Menard was never seated.⁷

Long made his only speech before the House in opposition to a bill designed to modify the "test-oath" for Members of Congress. The measure was designed to accommodate former Confederates who were prohibited from holding public office by altering the text of the federal loyalty oath, thereby allowing them to circumvent its strict terms. Long questioned why the House would act on behalf of those who had tried to destroy the government before securing the rights of millions of Black Americans who had supported the Union. He lamented the violence plaguing his home state, where White vigilantes assaulted and murdered those he called "loyal men" without consequence. Long pleaded with his colleagues to consider the timing of this proposal. "Do we, then, really propose here to-day, when the country is not ready for it, when those disloyal people still hate this Government, when loyal men dare not carry the 'stars and stripes' through our streets, for if they do they will be turned out of employment, to relieve from political disability the very men who have committed these Kuklux [*sic*] outrages?" Long added that he will be "doing my duty to my constituents and my duty to my country when I vote against such a proposition."⁸

Long argued against allowing former Confederates to return to Congress, noting that many belonged to the Ku Klux Klan and feigned loyalty only to gain access to political power. "If this House removes the disabilities of disloyal men," Long warned, "I venture to prophesy you will again have trouble from the very same men who gave you trouble before." The House did not heed Long's warning and voted 118 to 90 to approve the bill later that day.⁹

One of the few votes Long cast in the House was to seat Thomas P. Beard, a Black Republican state legislator from northeast Georgia, after his defeat by Democrat Stephen Alfestus Corker. Beard was one of the state house members expelled from the Georgia assembly in 1868. In sworn testimony, he described the violence that marred his campaign. Beard wrote that many who arrived at the polls intending to vote for him were “shot, beat or otherwise maltreated” by “organized bands of desperadoes [*sic*]” connected to the Democrats. Corker and his Georgia colleague, Pierce Manning Butler Young, denied the allegations. Led by Massachusetts Republican Benjamin Butler, several Republicans—Long among them—objected to seating Corker when he presented his credentials on January 24, 1871. Butler introduced a resolution objecting to Corker’s credentials, but it was soundly defeated in a 148 to 42 vote. Both Democrat Michael C. Kerr of Indiana and the Radical Republican George Frisbie Hoar of Massachusetts, among others, urged Members to seat Corker and allow Beard to contest the election if he desired to do so, as they believed Corker’s credentials qualified him to remain seated until the Elections Committee ruled on the case. Beard’s case never came before the panel, and Corker served out the term.¹⁰

After leaving Congress on March 3, 1871, Long returned to his tailoring business in Macon, though he bore a considerable personal cost. His life was threatened, and his reputation as a Republican political leader meant his affluent White clientele went elsewhere. By the summer of 1871, he had opened a grocery store in Macon with money he had saved from his congressional salary and from having “lived economically in Washington,” he told a reporter. The store was frequented by Black customers, and the reporter noted that Long wore “a shiny hat, faultless white shirt, Nilsson necktie and white Marseilles vest” at work.¹¹

Long remained politically active, holding meetings in his store and campaigning for Republican candidates throughout the 1870s. Long served as a member of the Southern Republican Convention in 1874 and as a delegate to the Republican National Conventions from 1872 to 1880. He made an unsuccessful run for a seat in the Georgia state assembly in 1881.¹²

Long eventually became frustrated by White Republican leaders, who had failed to protect Black civil and political rights. Looking to leverage his influence in the state for practical gains, Long backed several Independent Democrat

candidates running against Democratic nominees. He rejected requests from the Republican Party to automatically support its White candidates. For Long, Republican candidates had done little in terms of legislation or patronage to warrant his support. They were “office-holders” beholden to their personal interests rather than having built a Republican Party more responsive to the needs of Black Americans.¹³

Long tried to mobilize Black voters with this argument, searching for a way to wield some measure of political power in a state where the Republican Party and Black voters were increasingly marginalized. “We have trusted our white republican leaders too long, and now discovered what we should have discovered a long time ago,” he told a local reporter, “that loyalty to our standard and interest in the welfare of our race does not prevail to any great extent among them. We have been made the paw of the hungry, chestnut-loving cat long enough, and now we proposed to sit right square down with them.” In April 1882, Long called a conference in Macon to discuss the need for action. Newspapers described this event as a meeting of the “colored caucus” in the state. Long told attendees that the best way forward would be to form a “compact” and strategically align with Independent Democrats to make their votes count.¹⁴

Long found it difficult to build this opposition movement, however. He continued to back Republican candidates and was active in local Republican politics into the 1890s. Long also spoke on behalf of presidential candidate William McKinley in 1896, which may have secured his son-in-law, Henry Rucker, a patronage position as an internal revenue collector in Atlanta.¹⁵

By the 1880s, Long was once again a tailor and had started a dry-cleaning business. He was also active in establishing the Union Brotherhood Lodge, a Black mutual aid organization. Long died on February 4, 1901, in Macon, after a brief illness.¹⁶

Notes

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- 3 Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper & Row, 1988): 453; “Georgia: The Rebel Perfidy in the Legislature,” 9 September 1868, *New-York Tribune*: 1; Rosenbaum, “Incendiary Negro”: 504–506; Matthews, “Jefferson Franklin Long”: 147.
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- 11 Foner, *Freedom's Lawmakers*: 136; Foner, *Reconstruction*: 361–362; Rosenbaum, “Incendiary Negro”: 512; “The Journal of Commerce Commissioner at the South, Letter No. 16,” 20 July 1871, *New York Weekly Journal of Commerce*: 6.
- 12 Matthews, “Jefferson Franklin Long”: 149; Rosenbaum, “Incendiary Negro”: 522–523.
- 13 Rosenbaum, “Incendiary Negro”: 514–521; Matthews, “Jefferson Franklin Long”: 149–155.
- 14 “Some Plain Talk: From a Noted Colored Politician,” 20 January 1882, *Atlanta Constitution*: 3; Rosenbaum, “Incendiary Negro”: 523–525, 528; “The Colored Caucus,” 29 April 1882, *Atlanta Constitution*: 4.
- 15 Rosenbaum, “Incendiary Negro”: 528–529; “Jefferson Long is Dead,” 5 February 1901, *Atlanta Constitution*: 2.
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Robert C. De Large

1842–1874

UNITED STATES REPRESENTATIVE

1871–1873

Republican from South Carolina



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Robert C. De Large won election to the U.S. House of Representatives in 1870, one of five Black Representatives elected to a full term in the 42nd Congress (1871–1873). Although a protracted contested election ended his term in office in less than two years, De Large participated in several landmark debates on the House Floor, including the consideration of the Ku Klux Klan Act of 1871 and the Amnesty Act of 1872. De Large was committed to Black civil and political rights in his home state of South Carolina and across the nation, and he implored Democrats—and even his fellow Republicans—to find solutions. “The statesman,” De Large declared in 1871, “regards the actual and acts upon it; the desirable, the possible, and even the probable furnishes but poor basis for political action.”¹

Robert Carlos De Large was born on March 15, 1842, in Aiken, South Carolina. Much is unknown about De Large’s early life, including whether or not he was born enslaved. He attended high school in Charleston, South Carolina, before working as a barber, tailor, and farmer. He later married and had a daughter: Victoria. During the Civil War, the Confederate government began to force men into hard labor constructing fortifications for the city of Charleston. To avoid this fate, De Large worked on a

Confederate navy blockade runner that smuggled goods in and out of South Carolina. By 1870, he had amassed a small fortune and belonged to Charleston’s elite circles, joining the Brown Fellowship Society, an exclusive mutual aid and fraternal organization founded by free Black Americans in antebellum Charleston.²

After the war, De Large worked for the Republican state government as an agent in the Freedmen’s Bureau. He became an organizer for the South Carolina Republican Party, serving on important committees at several state conventions. He chaired the credentials committee at the 1865 Colored People’s Convention at Charleston’s Zion Church, where he made impassioned speeches comparing the effect of the Civil War to that of the American Revolution. At the 1867 South Carolina Republican Convention, he chaired the platform committee, and he served on the committee on franchise and elections at the state’s 1868 constitutional convention.³

In 1868, De Large won his first elected office, serving in the state house of representatives, where he chaired the ways and means committee. He also served on a board for an organization that sought resources for those living with mental illness and was a member of the state sinking

fund commission, an institution charged with repaying public debt. In 1870, the legislature chose De Large as land commissioner, a position in which he helped oversee the sale and transfer of small tracts of land.⁴

De Large ambitiously pursued power in South Carolina politics at a moment of internal conflict in the state Republican Party. He maintained a personal friendship and political relationship with South Carolina's White Republican governor, Robert K. Scott, who had been born in the North and served in the U.S. Army during the Civil War before being detailed to South Carolina to help run the Freedmen's Bureau in the late 1860s. Scott was representative of many White Republicans in the state who had moved to South Carolina following the war and accrued power by holding many of its elected and appointed offices. But De Large also sought to keep his party accountable and refused to defend White Republicans against charges of corruption, often publicly chiding party leaders in South Carolina.⁵

In June 1870, De Large was one of several speakers at a large Republican meeting calling for a new direction for the party. He joined a group of Black South Carolina legislators and activists who criticized a faction of White Republicans for holding disproportionate power in the state and for entering politics for their own personal financial gain. De Large told the crowd that he joined the Republican Party because it "professed equal right and privileges to all" and that he wanted to maintain such a standard. Because South Carolina's Black majority was the basis of the Republican Party's power, De Large wanted more Black officeholders in state and local positions. "We placed them in position; we elected them, and by our votes we made them our masters," De Large explained of the White lawmakers. "We now propose to change this thing a little, and let them vote for us."⁶

In 1870, De Large set his sights on South Carolina's Second District, representing Charleston and the southeastern portion of the state in Congress. He secured the Republican nomination over the incumbent, Republican Christopher Columbus Bowen, a former Confederate soldier turned Republican who had been elected to the House in 1868. After losing the primary, Bowen ran against De Large as an Independent Republican in the general election. But De Large ultimately carved out a win by less than 1,000 votes in the majority-Black district after Bowen's allies in Charleston used patronage and job promises to court support for their candidate. Bowen formally challenged the election results, but

De Large was sworn in to the 42nd Congress (1871–1873) when it convened on March 4, 1871, and assigned to the Committee on Manufactures.⁷

De Large's legislative efforts as a first-term Member were undermined by the large workload created by Bowen's decision to challenge the election results. Although he never introduced a bill during his truncated term in office, De Large engaged in debate on the House Floor several times on significant legislation that shaped the ongoing process of Reconstruction in the South. He supported a bill providing amnesty to former Confederates who had been outlawed from holding office following the rebellion. But he was emphatic that this measure should be coupled with federal protection for loyal Black and White southerners from intimidation and violence. De Large emphasized that this vision of reconciliation was the only way to achieve "the preservation of the public peace."⁸

During debate on the amnesty bill, De Large engaged in a rare direct confrontation on the House Floor. Missouri Representative James Gorrell Blair, a Liberal Republican opposed to the Reconstruction goals of the Radical Republicans, accused De Large and other Black Republican lawmakers of extending what he called the degradation and humiliation of former Confederates. "I would appeal to the colored Representatives here to say why the withholding of this measure to-day, refusing to remove these disabilities, will remedy the evil of which they speak in the southern States?" Blair asked. De Large responded succinctly that he intended to vote with Blair in favor of amnesty. But he also favored a bill granting the federal government enforcement powers to intervene in states where rising incidents of violence had undermined the civil and political rights of Black Americans. De Large asked if Blair would "use his best endeavors with us to secure the passage immediately afterward of some measure for the protection of the loyal people of the South?" When Blair demurred, claiming he had to carefully consider his vote, De Large pressed the issue. "I should like to have the gentleman give us a direct answer," he demanded. Blair responded that he promised to vote for "every possible protection."⁹

A month later, De Large voted in favor of the third Enforcement Act, later referred to as the Ku Klux Klan Act, and spoke in favor the bill in April 1871. He called for congressional action and noted that the governor of South Carolina urgently requested federal aid from the President. He believed the federal government should use "the strong

arm of the law to interpose and protect the people in their lives, liberty, and property.” For De Large, the need for federal intervention was clear. “I believe that if there was a single gentleman upon the floor of this House who, before the commencement of this debate, doubted that lawlessness, confusion, and anarchy existed in some portions, of the South,” he observed, “he is at least cured of that doubt by this time.” It was vital that Congress pair a Confederate amnesty bill with legislation offering protections for Black Americans, De Large said, otherwise “neither this legislation nor any other that you may pass from now until the hour of doom will be of any benefit.”¹⁰

Hoping to find a compromise, De Large said “that neither the Republicans of my State nor the Democrats of that State can shake their garments and say that they had no hand in bringing about this condition of affairs.” But he objected when Members such as Democrat Samuel Sullivan Cox of New York accused Black politicians of fueling the corruption in South Carolina’s government. Responding to Cox on the floor, De Large explained that blame should be placed elsewhere. “While there may have been extravagance and corruption resulting from the placing of improper men in official positions,” De Large declared, “these evils have been brought about by the men identified with the race to which the gentleman from New York belongs, and not by our race.”¹¹

Meanwhile, the House Committee on Elections had begun considering De Large’s contested election case in December 1871. He took a leave of absence in April 1872 to prepare his defense. Bowen—who at the time faced additional legal proceedings after forged divorce papers had resulted in accusations of bigamy against him—accused De Large not only of election fraud but also of aiding the Confederacy. De Large acknowledged that while he had worked as “a hired servant” on a blockade runner, he did so to avoid “forced labor” constructing the fortifications for Charleston. Bowen asserted that De Large had engaged in hostile acts against the U.S. government, which would make him ineligible for a seat in Congress. In response, De Large noted that Bowen had voluntarily served in the Confederate cavalry and had sought “to perpetuate the vassalage to which my race had been doomed for many generations.” De Large also argued that the Supreme Court’s 1857 decision in *Dred Scott v. Sandford* could be used in his defense. Even if he had “yielded such support” to the rebellion, De Large claimed he would not be disqualified “for I am of the negro race” and

the U.S. government “at the time alleged vested in me none of the rights and imposed upon me none of the obligations of an American citizen.”¹²

Bowen also charged De Large’s supporters with stuffing ballot boxes with false votes. De Large countered by accusing Bowen of bribing a lawyer to keep exonerating evidence from the Committee on Elections; De Large called, among other witnesses, future Representative Robert Smalls of South Carolina to testify on his behalf. The case was further complicated when De Large’s health failed in the summer of 1872. South Carolina Representative Joseph H. Rainey pleaded on the House Floor for a delay in the case, but the committee reported that the many abuses and irregularities during the election made determining a victor impossible. On January 24, 1873, the House declared the seat vacant with about five weeks remaining in the 42nd Congress.¹³

De Large was not a candidate for re-election in 1872, and the Second District seat in the House was filled by South Carolina’s lieutenant governor, Alonzo J. Ransier, who won election that fall. De Large returned to the state capital in Columbia and later moved to Charleston after Governor Scott appointed him a trial justice in that city. His health continued to decline in early 1874, and he died on February 14, at the age of 31.¹⁴

Notes

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- 9 *Congressional Globe*, House, 42nd Cong., 1st sess. (14 March 1871): 103–104.
- 10 *Congressional Globe*, Appendix, 42nd Cong., 1st sess. (6 April 1871): 230.
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- 12 *Congressional Globe*, House, 42nd Cong., 2nd sess. (20 April 1872): 2594; “The Case of C.C. Bowen,” 15 June 1871, *New York Times*: 4; “News Summary,” 9 June 1871, *Cincinnati Daily Inquirer*: 4; *Papers and Testimony in the Case of C.C. Bowen vs. R.C. De Large in the Second District of South Carolina*, 42nd Cong., 2nd sess., H. Misc. Doc. 37 (1872): 7.
- 13 *Papers and Testimony in the Case of C.C. Bowen vs. R.C. De Large in the Second District of South Carolina*: 2; “Bowen Again,” 25 December 1871, *Chicago Tribune*: 4; “The Ballot Box,” 13 February 1871, *Charleston Daily News*: 3; *Congressional Globe*, 42nd Cong., 3rd sess. (24 January 1873): 842–847; House Committee on Elections, *Bowen vs. DeLarge*, 42nd Cong., 3rd sess., H. Rept. 37 (1873); Chester H. Rowell, *A Historical and Legal Digest of All the Contested Election Cases* (Washington, DC: Government Printing Office, 1901): 282.
- 14 “The New Trial Justices,” 2 April 1873, *Charleston Daily News*: 5; “Death of a Colored Ex-Member of Congress,” 18 February 1874, *Baltimore Sun*: 4; “South Carolina News,” 19 February 1874, *Yorkville Enquirer* (SC): 3.

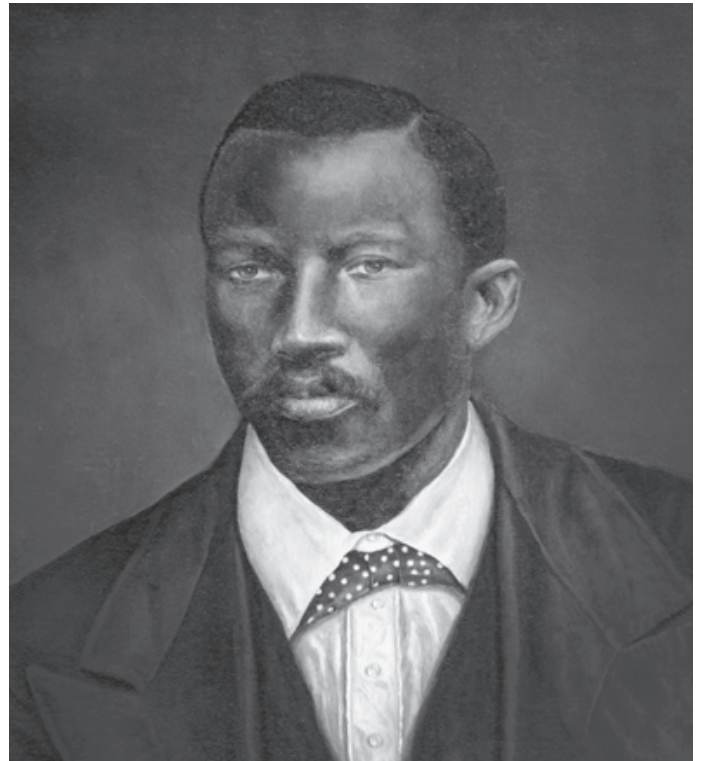
Robert Brown Elliott

1842–1884

UNITED STATES REPRESENTATIVE

1871–1874

Republican from South Carolina



Speaker Robert Brown Elliott, Larry Lebby, Collection of the South Carolina House of Representatives

A renowned lawyer, activist, and public speaker, Robert Brown Elliott was elected to the U.S. House of Representatives from South Carolina in 1870. During his three years on Capitol Hill, Elliott pressed Congress to protect the political gains Black Americans had won after the Civil War and to stem rising rates of violence back home that threatened to undermine the democratic reforms of the Reconstruction Era. Described by a colleague as “a man of character, ability, and marvelous energy,” Elliott had a leading role during debate on the bill that would become the Civil Rights Act of 1875. He ultimately resigned from the House midway through the 43rd Congress (1873–1875) to return to South Carolina and serve in the state legislature in Columbia.¹

The details of Elliott’s early life have been clouded by contradictory sources, rumors, conflicting statements by people who knew him, and different interpretations by historians. According to the *Congressional Directory* for the 42nd Congress (1871–1873), Robert Brown Elliott was born on August 11, 1842, in Boston, Massachusetts. While some sources claim Elliott was born in Liverpool, England, contemporary sources, the U.S. Census, and the *Directory* from his time in office cite Boston as his

birthplace. In the 1880 Census, Elliott declared he was born in Massachusetts. He also listed Massachusetts as the birthplace of his mother and Jamaica as the birthplace of his father. When his congressional career commenced, several references were made to his origins in the North. The *New York Times* called him “a Massachusetts man,” and an 1871 *Charleston Daily News* article referred to him as a “carpet-bagger,” a derogatory moniker applied to people from the North who moved to the South after the Civil War.²

Another point of contention in Elliott’s personal biography was his education. In the *Congressional Directory*, Elliott asserted that he had been educated in England at High Holborn Academy and Eton College, but no sources can be located to verify he attended these institutions. He also claimed he had studied the law with a famous London barrister, which, again, cannot be verified. Some contemporary sources referenced his service in the British Navy and others cited his time the U.S. Navy, though no records exist to confirm either.³

By late 1867, Elliott was living in Charleston, South Carolina, where he was an associate editor for the *South Carolina Leader*, a Black newspaper owned by future

South Carolina Representative Richard Harvey Cain. Elliott married Georgia-born Grace Lee, sometime before 1870. They had no children.⁴

Elliott quickly dove into Reconstruction-era Republican politics in his new South Carolina home, emerging as a leading figure at the January 1868 state constitutional convention. One of 78 Black delegates at the convention, he advocated for compulsory public education and helped defeat the imposition of a poll tax and a literacy test for voters. At the state Republican convention that year, he was nominated for lieutenant governor but dropped out of the race after finishing third on the first ballot. In 1868, while serving as the only Black member of the Barnwell County board of commissioners, Elliott was elected to the state house of representatives, where he remained until 1870. He was almost elected speaker—placing second in the balloting—but went on to chair both the committee on railroads and the committee on privileges and elections. Elliott was admitted to the South Carolina bar in September 1868. In 1869, Republican Governor Robert K. Scott appointed Elliott the assistant adjutant general of the South Carolina militia. He also served on the South Carolina Republican executive committee from 1872 to 1879. “He knew the political condition of every nook and corner throughout the state,” Elliott’s law partner Daniel Augustus Straker recalled.⁵

In October 1870, Republicans in a west-central South Carolina congressional district nominated Robert Elliott over incumbent Solomon Lafayette Hoge to run for a seat in the U.S. House of Representatives. The district included the capital, Columbia, and had a slight Black majority. Representative Preston Smith Brooks, notorious for his caning assault on Senator Charles Sumner of Massachusetts in 1856, once held the seat. Elliott faced John E. Bacon, a lawyer from a prominent Edgefield County family, who campaigned under the banner of the Union Reform Party—a short-lived party mainly consisting of Democrats running on an anti-corruption platform against the Republican-controlled government of South Carolina. Although the *New York Times* predicted Bacon’s victory based on the number of votes the Democratic candidate received in the 1868 election, Elliott soundly defeated him with 60 percent of the vote. Elliott was sworn in to the 42nd Congress on March 4, 1871, and assigned to the Committee on Education and Labor, on which he served during both of his terms in the House.⁶

On Capitol Hill, Elliott gave his maiden speech just 10 days after his swearing-in. In an era when new Members of Congress participated in debate sparingly, Elliott did not hesitate to take to the floor. On March 14, he questioned the merits of a proposed measure to re-establish the political rights of nearly all former Confederates, who, after the Union’s victory, had lost the right to vote and hold office. Elliott told his colleagues that “to relieve those men of their disabilities at this time would be regarded by the loyal men of the South as an evidence of weakness of this great Government, and of an intention on the part of this Congress to foster the men who today are outraging the good and loyal people of the South.”⁷

Only two weeks later, on April 1, Elliott spoke in favor of a bill designed to grant extraordinary powers to the federal government to respond to increasing incidents of violence across the South. In particular, the bill sought to curb the terrorist activities of the Ku Klux Klan. Democrats had made the case that the bill crossed constitutional lines separating the powers of the federal government and state governments. Elliott addressed the argument of Democratic Representative—and future Speaker of the House—Michael C. Kerr of Indiana, who claimed that the federal government should intervene in the affairs of a state only at the request of the state in question.⁸

Elliott, however, argued that Article IV, Section 4 of the Constitution gave the federal government the power to “guarantee to every State in this Union a Republican Form of Government” and to protect states from invasion and “domestic Violence.” The Constitution, he said, “vests in the federal government the right to act” whenever any state was confronted with internal or external threats. Those engaged in the violent attacks on African-American citizens in the South, Elliott said, sought “to defeat the ballot with the bullet and other coercive means,” and were engaged in “acts of organized lawlessness.”⁹

To inform his colleagues of the severity of the threat, Elliott included in his remarks excerpted correspondence from his home state describing the Klan’s activities as well as public threats the terrorist organization made against local officeholders. One of the Klan letters, posted at the courthouse in the town of Union, South Carolina, demanded the resignation of town officials, and Elliott cited acts of Klan violence committed throughout his district and the state. Elliott also referenced Democratic newspapers that described Black Americans as “being in a semi-barbarous

condition,” before turning to his colleagues in the House and asking simply “Who is the barbarian here, the murderer or the victim?”¹⁰

The bill was the third in a series of Enforcement Acts designed to protect Black civil and political rights in the South. Also known as the Ku Klux Klan Act, the measure was signed into law three weeks later. The following October, President Ulysses S. Grant used the powers granted him by the bill to suspend habeas corpus in nine southern states, facilitating the prosecution of Klan members and effectively destroying the organization in South Carolina.¹¹

Elliott thrived as an orator and in debate on the House Floor. During his remarks, he often included historical references and allusions to works of literature and poetry. In his April 1 speech, he included several lines from American poet John Greenleaf Whittier’s poem, “Toussaint,” about the Haitian revolutionary Toussaint Louverture, to frame the struggle of Black Americans in historical perspective. “History has been to me the delight and study of my life,” Elliott told a crowd in 1874. History also informed how Elliott understood the law and the Constitution, lessons that he often imparted during his remarks on civil rights legislation before the House. His law partner, Straker, noted that he was “a man capable of giving to the profession a book on constitutional law, for in this branch he excelled.” Away from the House Floor, he was just as powerful a speaker. His eulogy for Senator Sumner in Boston, Massachusetts, in April 1874, was hailed by the *Boston Globe* as “a magnificent production, particular portions of it being worthy of a place by the side of the best efforts of America’s great orators.”¹²

In addition to his oratory, Elliott also tried to use House procedure to further his legislative agenda. During debate in May 1872, Elliott urged his colleagues to pair the Confederate amnesty bill with a robust civil rights bill, and to pass them together. Elliott wanted to “test the sincerity” of those who backed amnesty, and who claimed to be concerned about limitations imposed upon former Confederates. How could they support the rights of White southerners while dismissing the need for new protections for African Americans? For Elliott, the “magnanimous” act of passing an amnesty bill for former Confederates must be followed with a reciprocal vote on the civil rights act. Following the voice vote that passed the amnesty bill in the House, Elliott introduced a resolution directing the Judiciary Committee to immediately report a civil rights bill for debate, but the House voted against his measure.¹³

Much of the legislation Elliott introduced in the House were private bills related to claims individual people made against the U.S. government. In May 1872, Elliott also defended the South Carolina government amid Democratic criticism that Republicans had mismanaged the state’s finances. Elliott provided a detailed breakdown of the state’s spending history and outlined the many factors involved in creating and perpetuating the debt.¹⁴

In October 1872, Elliott easily won re-election to the House, garnering 93 percent of the vote against two Democrats, W.H. McCaw and Samuel McGowan. But a month later, in November, Elliott attempted to become the first African-American lawmaker to win a full term in the U.S. Senate. Until 1913, all Senators were elected by the individual state legislatures. And when the South Carolina general assembly voted in the fall of 1872, it chose the Pennsylvania-born banker and former newspaper owner John J. Patterson over Elliott. Patterson, a wealthy Republican, had settled in South Carolina after the Civil War, and Elliott claimed “it was Patterson’s money that elected him. His strength was in his purse.” Elliott accused many of the state legislators who backed Patterson—including Black Republican lawmakers—of accepting bribes in exchange for their votes. “If this senatorial election had been before the people I would have beaten Patterson ten votes to one,” he said. In this era, a new Congress typically did not convene for more than a year after House elections, and Elliott’s Senate candidacy did not prevent him from retaking his seat in the House. When Elliott arrived back on Capitol Hill in December 1873 for the opening of the 43rd Congress, he received an additional assignment on the Committee on the Militia.¹⁵

During his second term, Elliott was one of five Black Representatives who seized the opportunity to advocate for Senator Sumner’s civil rights bill to eliminate discrimination from public transportation, public accommodations, and schools. Elliott gained national attention for a January 6, 1874, speech that made the case for federal civil rights legislation while eviscerating the argument of Representative Alexander Hamilton Stephens, who had returned to the House after a 14-year absence to represent a Georgia district. Stephens had lectured the House a day earlier about what he said was the unconstitutional basis of the civil rights bill. The former Confederate vice president argued that “the germinal and seminal principle of American constitutional liberty is the absolute unrestricted right of State self-government in all

purely internal municipal affairs.” He claimed that federal intervention in any form “would be against the very genius and entire spirit of our whole system.”¹⁶

Elliott rejected Stephens’s assertion that Congress lacked the power to pass legislation that pertained to individual rights in the states. In fact, Elliott argued the opposite: that it was the right and the duty of Congress to legislate against discrimination. “The constitution of a free government ought always be construed in favor of human rights,” Elliott said, and it was the role of the federal government to defend these rights. He also rejected the claim by opponents of the bill that there were distinctions between the rights protected by the Constitution and the laws of an individual state. This was irrelevant, Elliott said, as “all discrimination, all denial of equality before the law, all denial of the equal protection of the laws, whether State or national laws, is forbidden” by the Fourteenth Amendment, which broadly defined citizenship and guaranteed equal protection of the law.¹⁷

Elliott identified the many venues where society discriminated against Black Americans, and argued that the civil rights bill would outlaw “our exclusion from the public inn, from the saloon and table of the steamboat, from the sleeping-coach on the railway, from the right of sepulture in the public burial-ground.” To those on the Democratic side who framed the bill as an unconstitutional exercise of the “police power of the State,” Elliott asserted that a civil rights bill was the government rightly exercising its regulatory power.¹⁸

In 1874, Elliott turned his attention away from Capitol Hill and toward South Carolina. In April, he told a reporter that the many accusations of financial mismanagement against the Republican-controlled state government were largely false and rebutted claims that the state government was poorly run because of the presence of Black lawmakers. He acknowledged that some Republicans had engaged in corrupt dealings in Columbia, but emphasized that these critiques were part of a larger effort by the Democratic Party to regain control of the state government. For Elliott, maintaining Republican control of the South Carolina state government was a vital part of protecting Black civil and political rights and preserving the gains of Reconstruction. He contemplated pursuing the position of lieutenant governor, but instead ran for and won a seat in the state house of representatives. He resigned his seat in Congress on November 1, 1874.¹⁹

In November, the South Carolina state house elected Elliott speaker—he succeeded South Carolina’s first Black speaker, Samuel Lee. Elliott served as speaker for two years, and he was elected state attorney general in 1876. Across the state that year, the election cycle was marred by widespread violence that brought to power a new Democratic government led by Governor Wade Hampton. In May 1877, Elliott was forced out of office along with other state officers by the Democratic administration, which used court proceedings to throw out votes from certain counties from the 1876 election, thereby undermining the claim to office held by Elliott and his Republican colleagues.²⁰

Afterward, Elliott founded a law practice with two partners, but it closed in 1879. Later that year, he accepted an appointment as a special customs inspector for the U.S. Department of Treasury in Charleston. On a trip to Florida, he contracted malaria, which severely undermined his health for the remainder of his life. Elliott remained active in politics, however, working on Treasury Secretary John Sherman’s campaign for President in 1880, seconding his nomination and mobilizing support from Black delegates at the Republican National Convention. In January 1881, Elliott was part of a Black delegation that met with President-elect James A. Garfield to protest the lack of civil and political rights in the South. In May of that year, the Treasury Department transferred him to New Orleans. Elliott was dismissed as a Treasury inspector in 1882—a decision attributed in the press to his affiliation with the Republican faction opposed to Louisiana Senator William Pitt Kellogg. He started another law practice in New Orleans.²¹

Robert Elliott died on August 9, 1884, in New Orleans, at the age of 42. Contemporary press accounts cited malarial fever as the cause. Newspapers from across the nation printed notices of his death—large and small publications from states including Illinois, New York, Ohio, and Vermont. Upon learning of Elliott’s death, Frederick Douglass was compelled to write a letter to the editor of the *New York Globe*, mourning the loss of the former Representative “in the midst of his years.” Douglass recalled that “Elliott was to me a most grateful surprise, and, in fact a marvel.” Elliott’s words and actions, Douglass said, contradicted every prejudicial remark directed at Black Americans, for “under his dark brow there blazed an intellect worthy of a place in the highest Legislative hall

of the nation.” Douglass added that he had hoped Elliott would someday return to a seat in Congress. “But alas! He is gone, and we can only hope that the same power that gave us one Elliott, will give us another in the near future.”²²

Manuscript Collection

University of South Carolina, South Caroliniana Library (Columbia, SC). *Papers*: 1880–1881, two items. Correspondence written by Robert Brown Elliott includes a letter dated October 16, 1880, written to Louis Dunneman, Esq., requesting money for trip expenses, and a letter dated April 18, 1881, written to U.S. Assistant Secretary of the Treasury Henry Flagg French regarding Elliott’s failure to repay debts to Dunneman. Available for research by advance notice only.

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Benjamin Sterling Turner

1825–1894

UNITED STATES REPRESENTATIVE

1871–1873

Republican from Alabama



Image courtesy of the National Archives and Records Administration

Benjamin Sterling Turner was the first African-American lawmaker elected to the U.S. House of Representatives from Alabama. Born enslaved, he was a self-made businessman and philanthropist who opened a school for formerly enslaved people after the Civil War. During his one term in office, Turner tirelessly defended the ambitions and industriousness of his Black constituents and sought to restore peace and repair the lingering economic damage in the war-ravaged South. “These people have struggled longer and labored harder, and have made more of the raw material than any people in the world,” he noted on the House Floor. “Since they have been free they have not slackened in their industry, but materially improved their economy.”¹

Benjamin Sterling Turner was born enslaved on March 17, 1825, in Halifax County, North Carolina. When Elizabeth Turner, his widowed enslaver, moved to Selma, Alabama, in 1830, she brought five-year-old Turner with her. As a child, Benjamin Turner secretly learned to read. Turner was sold at age 20 to Major W.H. Gee, the husband of Elizabeth Turner’s stepdaughter. Gee owned a hotel that Turner managed. After Gee’s death, his brother, James, became Turner’s enslaver. Turner married Independence, an enslaved Black woman on January 8, 1857, but their union

was severed when Gee sold her. The 1870 Census indicates that Turner cared for a nine-year-old boy named Osceola. In 1872, Turner married Ella Todd.²

By the start of the Civil War, Turner had accumulated enough money to purchase property. When James Gee left to serve in the Confederate army, he permitted Turner to operate another of the family’s hotels and to run and profit from a livery stable. Selma became a hub for weapons manufacturing and was captured by Union cavalry in the spring of 1865. U.S. troops burned two-thirds of the city and Turner suffered great financial loss as a result. He later sought compensation from the Southern Claims Commission, but it is unclear if he received it. Turner continued to work as a merchant and a farmer after the war, recouping many of his losses. Eager to provide freed people with educational opportunities that they had long been denied, he founded a school in Selma in 1865. In 1867, he attended the Republican state convention and attracted the attention of local Republican officials. In 1869, Turner was elected a Selma councilman, but he resigned in protest nine months later after the council voted to take monthly compensation from the city. He believed public officials should decline payment when the city was in dire financial straits.³

In 1870, Turner made a bid for a southwestern Alabama seat in the U.S. House of Representatives. He received a chilly reception among White Republicans and was largely forced to finance his own campaign—even selling a horse. Turner worked to position himself as candidate who could appeal to all southerners, regardless of race. “I emphatically say that my platform is universal pardon, universal suffrage, and universal repudiation of the war debt,” he told a crowd at a speech in Jackson, Alabama. “Let the war debt go to the devil, the father of the war.” He also made specific promises to his Black constituents, pledging to weed out federal officials who refused to hire Black employees. Turner was able to earn strong support from the Black population, which at nearly 52 percent of the district constituted the second-largest Black voting bloc in Alabama. Despite a prominent Democrat’s prediction that Turner’s nomination “will seal the doom of the Republican Party in Northern Alabama” and that “the party will be killed so dead that the hand of resurrection will never reach it,” Turner defeated Democrat Samuel J. Cummings with 58 percent of the vote in the November 8 election.⁴

In the 42nd Congress (1871–1873), Turner took a generous approach to those who had taken up arms against the government, introducing a bill to eliminate legal and political disabilities imposed on former Confederates. Though his bill was never voted on, the amnesty bill that passed in 1872 cleared the restrictions limiting the political activities of most participants in the rebellion.⁵

Having witnessed firsthand the devastation of the Civil War in the South, Turner spent much of his congressional career seeking financial aid for his state. Turner sought to repair his battle-scarred hometown by sponsoring a bill to appropriate \$200,000 for the construction of a federal building in Selma and the reconstruction of Selma’s St. Paul’s Episcopal Church. Vowing “to not relinquish one foot of ground until I shall have succeeded in my efforts,” he argued that an infusion of federal money would help heal wounds from the war. Turner included a plea for federal funding in the appendix of the *Congressional Globe*. “The Government made a display in that unfortunate city of its mighty power,” Turner wrote of Selma’s experience during the war. “They may have sinned wonderfully, but they suffered terribly.” With eyes firmly on the future, Turner continued magnanimously: “I have no coals of fiery reproach to heap upon them now. Rather would I extend the olive branch of peace, and say to them, let the past be

forgotten and let us all, from every hue and shade, go to work peacefully to build up the shattered temples of this great and glorious Republic.” Although the appropriation for Selma failed to pass, Turner was able to help individual Alabamians from his position on the Committee on Invalid Pensions. Turner passed two private pension bills, one of which put a Black Civil War veteran, Daniel Wooden, on the pension roll at \$8 per month.⁶

In Congress, Turner advocated for the region’s organized farm interests as well as its aspiring smallholders. On February 21, 1872, he presented a petition from the board of trade in Mobile, Alabama, requesting a refund of the cotton taxes collected from the southern states from 1866 to 1868. On May 31, he submitted a speech to be printed in the *Congressional Globe*, declaring the tax unconstitutional and decrying what he called its impoverishing effect on cotton workers—a disproportionate number of whom were freed people. He pleaded “on behalf of the poor people of the South, regardless of caste or color, because this tax had its blighting influence. It cut the jugular vein of our financial system, bled it near unto death. . . . It so crippled every trade and industry that our suffering has been greater under its influence than under that of the war.” In the same speech, Turner called for the government to purchase private land, divide it into tracts of no more than 160 acres, and sell it to new landowners, especially freedmen. This reprised a call he had made in a bill he had submitted more than a month earlier, authorizing the government to buy land sold at public auction and facilitating sales to the “landless citizens of the United States.”⁷

Turner also introduced legislation that protected new Black landowners. His proposal was to enable the transfer of land disputes exceeding \$500 from state courts to federal ones. The bill allowed a claimant to appeal to federal authorities if “he has reason to believe, and does believe, he will not be able to obtain justice in such State courts.” The House, however, took no action on his proposal, nor did lawmakers consider a refund for the cotton tax.⁸

Although Republicans renominated Turner in 1872, he faced an uphill battle to remain in Congress. His economic revitalization bills had failed to pass, and he had been the target of derision from some prominent African-American leaders. One noted condescendingly that during his industrious but modest past Turner had been a “barroom owner, livery stable keeper, and a man destitute of education.” In the Republican primary, Turner defeated

Philip Joseph, a Mobile newspaper editor, who then ran against Turner as an Independent Republican, trying to attract voters aligned with the party's philosophy but opposed to the state party's leadership. Joseph's entry into the race effectively split the Black vote. White candidate Frederick George Bromberg, running on the Democratic and Liberal Republican ticket, benefited from the split, winning the general election with a 44 percent plurality. Turner took 37 percent, and Joseph garnered 19 percent.⁹

After his congressional career, Turner curtailed his political activities for several years before emerging in 1880 to serve as a delegate to the Republican National Convention in Chicago, Illinois. He also served as chair of the Republican executive committee in the Fourth District in 1882.¹⁰

In 1886, Turner campaigned for the House seat representing Alabama's Fourth District. Seeking a return to Capitol Hill for the 50th Congress (1887–1889), Turner promised "a bold and aggressive campaign against the hydraheaded Democracy that has ever struggled to keep us in ignorance and darkness." One of two Republicans to compete in the three-way race, Turner placed last, garnering just 12 percent of the vote.¹¹

Turner eventually bought a 640-acre farm in Dallas County, Alabama, but his businesses suffered during a national economic downturn at the end of the 1870s. Though he may have regained his fortune by 1890, he hit financial trouble again amid another economic recession. Turner suffered a stroke in the early 1890s, and as both his health and investments failed, he sold the remainder of his farm to pay off debts a few months before his death near Selma on March 21, 1894.¹²

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Josiah T. Walls

1842–1905

UNITED STATES REPRESENTATIVE

1871–1873; 1873–1876

Republican from Florida

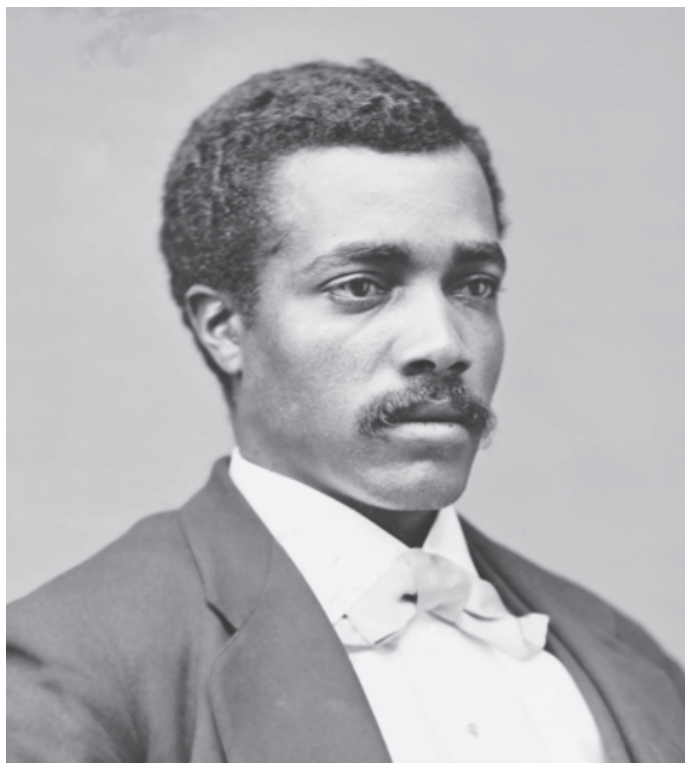


Image courtesy of the Library of Congress

Overcoming deep political divisions in the Florida Republican Party, Josiah T. Walls became the state's first Black Member of Congress in 1871. During his career in the U.S. House of Representatives, opponents often challenged his election victories, and the House twice voted to remove him from office based on disputed election results. When he was not fiercely defending his seat in Congress, Walls fought for internal improvements for Florida and federal support for education. He also pushed the federal government to take an active role protecting individual rights to build a better future for all southerners, particularly his Black constituents. "Yet we demand that our lives, our liberties, and our property shall be protected by the strong arm of our government," Walls said, "that it gives us the same citizenship that it gives to those who it seems would, if it were possible, sink our every hope for peace, prosperity, and happiness into the great sea of oblivion."¹

Josiah Thomas Walls was likely born enslaved near Winchester, Virginia, on December 30, 1842. He may have been the son of his enslaver, Dr. John Walls, and maintained contact with him throughout his life. In July 1863, Josiah Walls joined the Union Army as part of the 3rd Infantry Regiment of United States Colored Troops (USCT) based

in Philadelphia. His regiment moved to Union-occupied northern Florida in February 1864. The following June, he transferred to the 35th Regiment USCT, where he served as the first sergeant and artillery instructor. While living in Picolata, Florida, Walls met and married Helen Fergusson, with whom he had one daughter: Nettie. He was discharged in October 1865 and decided to stay in Florida, working at a sawmill on the Suwannee River and, later, as a teacher with the Freedmen's Bureau in Gainesville.²

Walls began his political career by representing north-central Florida's Alachua County in the 1868 Florida constitutional convention. That same year, Walls ran a successful campaign for state assemblyman. The following fall, he was elected to the state senate and took his seat as one of five freedmen in the 24-man chamber in January 1869. In 1871, Walls attended the Southern States Convention of Colored Men in Columbia, South Carolina.³

The Republican Party nominating convention met in August 1870 to consider candidates for federal and statewide office. For the previous three years, a campaign of violence and intimidation orchestrated by the ruthless Jacksonville branches of the Ku Klux Klan had plagued the state. As a result, Florida's Black voters were widely

expected to avoid the polls on Election Day. Republicans feared that Democrats would capture the election if Black turnout was suppressed, so state Republican Party leaders decided to bypass the incumbent, former Union soldier Representative Charles Memorial Hamilton, and nominate a Black candidate for the state's lone At-Large seat in the U.S. House of Representatives. Fierce competition between the nominees and factional divisions within the party led to intense debate at the convention; attempts to cast fraudulent votes also almost led to violence. Walls's reputation as an independent politician outside the control of any one faction gave him the edge, and the convention selected him for the party's nomination on the eleventh ballot.⁴

Walls faced former slaveholder and Confederate veteran Silas Leslie Niblack in the general election. Niblack attacked Walls relentlessly, telling voters that Walls's former enslavement meant he was not fit to serve in Congress. Walls, meanwhile, held political rallies throughout northern Florida—the most populous section of the state—and challenged Niblack to a debate. The campaign was tumultuous and often punctuated by violence, including gunfire at a Walls rally in Gainesville. As one Clay County observer noted, Florida had been “turned upside down with politics and the election.” Walls emerged victorious, edging out Niblack by 627 votes out of the more than 24,000 cast. After presenting his credentials on March 4, 1871, Walls was immediately sworn in to the 42nd Congress (1871–1873) and given a seat on the Committee on the Militia.⁵

Niblack contested the election. He provided what he said was evidence showing that the canvassers who rejected Democratic ballots in at least eight Florida counties were not legally allowed to do so; their job, he said, had been limited to counting votes. In his defense, Walls argued that he would have had more votes due to voter intimidation and violence at the polls in several counties. The committee granted Walls 29 additional votes in Gadsden County, after each individual provided sworn testimony. But in other counties, Walls lost votes based on evidence provided by Niblack, who disputed Walls's claims regarding voter suppression. Walls was in office for nearly two years when the House Committee on Elections ruled on his case on January 21, 1873, in the final weeks of the 42nd Congress, recommending that Walls was not entitled to his seat. The House Republican majority declared Niblack the winner on January 29, 1873—a rare case in which the committee majority decided in favor of the candidate from the minority party.⁶

Despite his ouster, Walls's congressional career was not over. In November 1872, he had won one of Florida's two At-Large seats in the 43rd Congress (1873–1875). In the four-way race, the top-two vote-getters won a seat. Walls was just 34 votes shy of the top candidate, Republican William Purman. Niblack, running as a Conservative, placed third. Florida Democrats had been using the term “Conservative” to describe themselves to lure formerly loyal Republican voters who were uneasy about casting their ballots for Democrats. Walls returned to Congress when it convened in December 1873, receiving an additional assignment on the Committee on Expenditures in the Navy Department.⁷

Walls spent much of the 42nd and 43rd Congresses advancing the political and economic interests of his Florida constituents. He presented resolutions for statewide internal improvements, including the construction of telegraph lines, railroads, customhouses, courthouses, and post offices. He sought funding to improve Florida's harbors and rivers and to create a land-grant state agricultural college. In an 1872 tariff bill, Walls also fought to protect Florida's orchards from foreign competition. Most of Walls's measures failed to make it out of committee, but he had more success passing private bills. He managed to gain pensions for Seminole War veterans who fought several battles against Native Americans in Florida throughout the early nineteenth century.⁸

Amid fear that the cause of public education would languish if it were left to the states, Walls enthusiastically supported a measure to establish a national education fund financed by the sale of public land during the 42nd Congress. In his first major floor speech on February 3, 1872, Walls discussed the need for a more active federal government in administering schools across the nation. “Education tends to increase the dignity and self-respect of a people, tends to increase their fitness for society and important stations of trust, tends to elevate, and consequently carries with it a great moral responsibility,” Walls observed. “This is why the Democratic party in the South so bitterly oppose the education of all classes. They know that no educated people can be enslaved.”⁹

During Walls's time in Congress, however, lawmakers largely ignored calls to establish a national education system, and Walls was left further frustrated when the Civil Rights Act of 1875 passed without a clause opening universal access to schools. As the 43rd Congress came to a close, Walls assessed the future of the South in a speech

he inserted into the appendix of the *Congressional Record*. “I reluctantly confess, after so many years of concessions that unless partisan and sectional feeling shall lose more of its rancor in the future than has been experienced in the past, fundamental law will be disregarded, overthrown, and trampled underfoot, and a complete reign of terror and anarchy will rule supreme.” He warned that as southern Democrats amassed power in state governments and in Congress they sought to achieve the goals of the Confederacy through more subtle means than armed rebellion. Walls cited the common refrain among White southerners, that it was “their fixed purpose to ‘gain,’ as they say, ‘by the ballot that which we lost by the bayonet.’” Walls urged his colleagues to fully acknowledge what southern reactionaries wanted to achieve. “I hear the answer echoed, by the bayonet we lost our power and our human property, and by the ballot we shall regain what we lost by the bayonet.” For Walls, this movement threatened to undermine the legacy of the Union victory in the Civil War and the gains of Reconstruction.¹⁰

Walls also supported the efforts of Cuban people to overthrow Spain’s colonial government, almost twenty-five years before the U.S. military would intervene in the Spanish-American War. He used remarks printed in the *Record* to make a case for the United States to recognize the Cuban revolutionaries as combatants and to open avenues for military aid. Walls placed the Cuban effort in the great tradition of Latin American republican movements resisting colonial powers to achieve independence. He particularly emphasized the Cuban revolutionaries’ anti-slavery position, linking Spain’s continued control of the island to “the perpetuation of African slavery in the western world.” Instead, Walls insisted, the United States should remember its own revolutionary roots and live up to its inspirational past. “For every effort to achieve independence throughout the world, in the century of the existence of this Republic, the nation is measurably responsible by the proud example of July 4, 1776.” He concluded with statements of support for the cause of Cuban independence from the governor of Florida and the state legislature.¹¹

For the 1874 campaign, Florida was split into two congressional districts, and Walls ran in a district covering the eastern half of the peninsula with a population that was more than 50 percent African American. Nearly the entire population of the new district lived between Walls’s home in north-central Florida and Jacksonville on the Atlantic

Coast. The state Republican Party remained fractured, and a national economic depression further endangered its grip on the state government. Walls took several steps starting in 1873 to secure the Republican nomination for the 44th Congress (1875–1877). Using his congressional salary, Walls purchased a cotton plantation formerly owned by a Confederate general. That same year, he was admitted to the Florida bar and bought the Gainesville *New Era* newspaper. Walls used the *New Era* to campaign for his renomination. In his first editorial, Walls promised to focus on internal improvements and to address the “wants and interests of the people of color.” He also maneuvered to secure support from Republican delegates in the weeks before the district nominating convention in August 1874. He was nominated on the first ballot.¹²

In the general election, Walls faced Conservative candidate Jesse Johnson Finley—a Tennessee native and formerly a member of the antebellum Whig Party. Walls topped Finley by a slim margin of 371 votes out of nearly 17,000 cast, taking 51 percent of the vote.¹³

When the 44th Congress convened in December 1875, Walls was assigned to the Committee on Mileage. He went to work introducing legislation to secure funding for improving Florida waterways, construction of a lighthouse, and purchasing the Jacksonville offices formerly occupied by the Freedman’s Bank for federal office space. But, once again, Walls faced a challenge to his seat. Finley contested the election, claiming that ballots from several precincts where Walls resided in Alachua County had been miscounted. Finley supporters also claimed that other Alachua County votes were illegal because the eligibility oath required by Florida law was executed improperly. Finley claimed that Walls’s Republican ally in one Columbia County precinct had tampered with the ballot box and accused another local Republican of impersonating a federal marshal to protect and encourage Black voters at one of the polling places. With Democrats in the majority in the House, the Committee on Elections voted 8 to 3 against Walls. As the debate moved to the House Floor, Democratic Speaker Michael C. Kerr of Indiana allocated time to Members during the two-day discussion, with Walls briefly taking the floor in his own defense. On April 19, 1876, the House adopted the committee report, 135 to 84, and seated Finley. Walls returned to Florida a week later and, in August 1876, Republican Horatio Bisbee Jr. defeated his attempt at renomination.¹⁴

In November 1876, Walls won a seat in the Florida state senate, where he pushed for the committee on education to assess the condition and effectiveness of public schools in the state while also advocating for compulsory public education. He left the senate in February 1879, two weeks before the end of the session, citing an illness in the family.¹⁵

In 1884, Walls decided to once again pursue a U.S. House seat in the 49th Congress (1885–1887). Walls met with a large conference of African-American leaders in Gainesville, Florida, in February to consider the future role of Black politicians in the state. The consensus among attendees was to mobilize an independent movement, free from the influence of White Republicans seeking to secure patronage positions instead of fighting for Black civil and political rights. Black voters were “shamefully ignored by the leaders of the Republican organization” in Florida, Walls asserted, and the new movement aimed to steer the state in a new direction—away from White supremacy and toward democratic government.¹⁶

Walls challenged the incumbent Republican Bisbee, who had held the seat since the 45th Congress (1877–1879). Despite early enthusiasm around his campaign, Walls placed last in the 1884 general election as an Independent candidate for his old House seat, recording only 215 votes—less than one percent—as Democrat Charles Dougherty won the seat. In 1890, Walls made an unsuccessful bid for state senate.¹⁷

By the mid-1880s, Walls was a successful tomato farmer in central Florida, owning 1,800 acres of land. In 1885, his wife, Helen Fergusson Walls, died and Josiah Walls married Ella Angeline Gass. Wall’s farm was devastated when his crops froze in February 1895. He subsequently took charge of the farm at Florida Normal College—now Florida A&M University. Lobbying for a federal patronage position in 1897, he visited the White House as a candidate for postmaster of Gainesville, Florida. Walls died on May 15, 1905.¹⁸

Notes

- 1 *Congressional Record*, Appendix, 43rd Cong., 2nd sess. (2 March 1875): 166–169.
- 2 Peter D. Klingman, “Race and Faction in the Public Career of Florida’s Josiah T. Walls,” in *Southern Black Leaders of the Reconstruction Era*, ed. Howard Rabinowitz (Urbana: University of Illinois Press, 1982): 10–13, 59–60, 121; Peter D. Klingman, *Josiah Walls: Florida’s Back Congressman of Reconstruction* (Gainesville: University of Florida Press, 1976): 6–7.
- 3 Klingman, *Josiah Walls*: 15.
- 4 Joe M. Richardson, *The Negro in the Reconstruction of Florida, 1865–1877* (Tallahassee: Florida State University Press, 1965): 172; Klingman, *Josiah Walls*: 30–36; Daniel R. Weinfield, “‘More Courage than Discretion’: Charles

- M. Hamilton in Reconstruction-Era Florida,” *Florida Historical Quarterly* 84, no. 4 (Spring 2006): 508.
- 5 Quotation from Klingman, *Josiah Walls*: 37–38; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 217.
- 6 Klingman, *Josiah Walls*: 46–47; House Committee on Elections, *Silas L. Niblack vs. Josiah T. Walls*, 42nd Cong., 3rd sess., H. Rept. 41 (1873); Chester H. Rowell, *A Historical and Legal Digest of All the Contested Election Cases* (Washington, DC: Government Printing Office, 1901): 282–283; *Congressional Globe*, House, 42nd Cong., 3rd sess. (29 January 1873): 949–952.
- 7 The second seat was added as a result of apportionment after the 1870 Census. Dubin, *United States Congressional Elections, 1788–1997*: 223; Klingman, *Josiah Walls*: 62–63.
- 8 H.R. 130, 42nd Cong. (1871); H.R. 730, 42nd Cong. (1872); H.R. 731, 42nd Cong. (1872); H.R. 732, 42nd Cong. (1872); H.R. 3210, 42nd Cong. (1873); H.R. 572, 44th Cong. (1876); H.R. 3211, 42nd Cong. (1873); H.R. 3212, 42nd Cong. (1873); H.R. 3213, 42nd Cong. (1873); H.R. 3215, 42nd Cong. (1873); H.R. 383, 43rd Cong. (1874); H.R. 384, 43rd Cong. (1874); H.R. 385, 43rd Cong. (1874); H.R. 703, 43rd Cong. (1874); H.R. 1131, 43rd Cong. (1874); *Congressional Globe*, House, 42nd Cong., 2nd sess. (20 May 1872): 3655; *Congressional Globe*, House, 42nd Cong., 2nd sess., (17 May 1872): 3569; H.R. 3210, 42nd Cong. (1873); H.R. 378, 43rd Cong. (1874).
- 9 *Congressional Globe*, House, 42nd Cong., 2nd sess. (23 February 1872): 809.
- 10 An act to protect all citizens in their civil and legal rights, 18 Stat. 335 (1875); *Congressional Record*, Appendix, 43rd Cong., 2nd sess. (2 March 1875): 166–169.
- 11 *Congressional Record*, Appendix, 43rd Cong., 1st sess. (24 January 1874): 28–29.
- 12 Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 156; Klingman, *Josiah Walls*: 52–58.
- 13 Klingman, *Josiah Walls*: 62–63; Dubin, *United States Congressional Elections, 1788–1997*: 230.
- 14 H.R. 571, 44th Cong. (1876); H.R. 573, 44th Cong. (1876); H.R. 575, 44th Cong. (1876); H.R. 977, 44th Cong. (1876); House Committee on Elections, *Finley vs. Walls*, 44th Cong., 1st sess. H. Rept. 295 (1876); *Congressional Record*, House, 44th Cong., 1st sess. (19 April 1876): 2602; Klingman, *Josiah Walls*: 64–69, 70, 113–114.
- 15 Klingman, *Josiah Walls*: 119; Klingman, “Race and Faction”: 74.
- 16 Klingman, *Josiah Walls*: 129–130; Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Oakland: University of California Press, 2006): 42–44; “Gen. Walls on Fusion,” 9 February 1884, *New York Globe*: 2.
- 17 Ortiz, *Emancipation Betrayed*: 41–46; Dubin, *United States Congressional Elections, 1788–1997*: 265; Klingman, *Josiah Walls*: 141.
- 18 Carl Webber, *The Eden of the South* (New York: Leve & Alden’s Publication Department, 1883): 93–94; Klingman, *Josiah Walls*: 141–142; “Colored Men Call,” 31 December 1897, *Evening Star* (Washington, DC): 3; “Paragraphic News,” 17 June 1905, *Washington Bee*: 1; “Chips,” 15 July 1905, *Broad Ax* (Chicago, IL): 2.

Richard H. Cain

1825–1887

UNITED STATES REPRESENTATIVE

1873–1875; 1877–1879

Republican from South Carolina

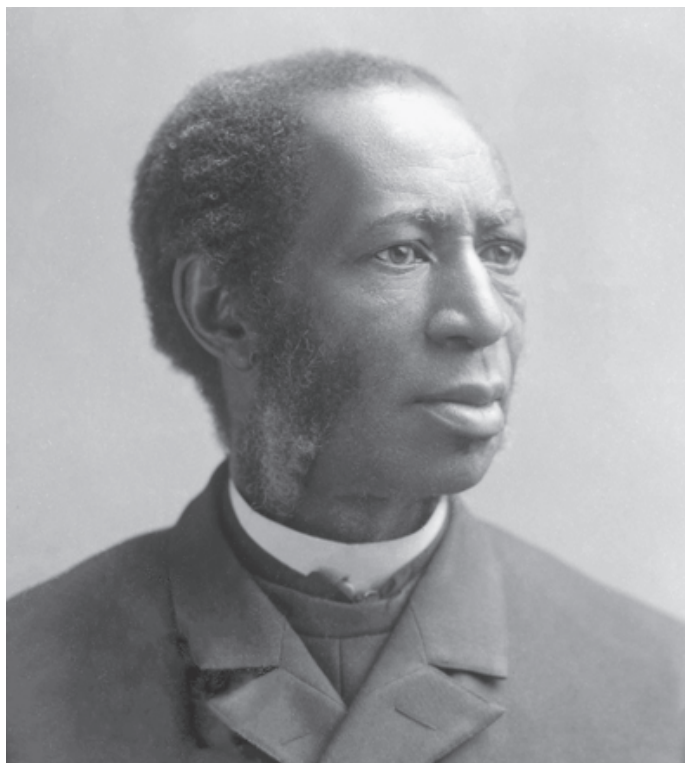


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Richard H. Cain was a pastor, a newspaper editor, and an entrepreneur, making his mark as a writer and missionary before being elected to the U.S. House of Representatives from South Carolina. In two nonconsecutive terms, Cain was a staunch advocate for Black civil and political rights who promoted federal investment in public education. During the 43rd Congress (1873–1875), Cain played a prominent role in Republican efforts to pass the Civil Rights Act of 1875. “All we ask of this country,” Cain told his House colleagues during one of the final debates on the bill, “is to put no barriers between us, to lay no stumbling blocks in our way; to give us freedom to accomplish our destiny.”¹

Richard Harvey Cain was born to free parents on April 12, 1825, in Greenbrier County, Virginia, in what is now West Virginia. They moved with their son to Gallipolis, Ohio, in 1831. Living in a free state afforded Cain access to an education; he learned to read and write in Sunday school classes. He also worked on steamboats along the Ohio River. In 1844, Cain entered the Methodist ministry; his first assignment was in Hannibal, Missouri. In 1848, frustrated by the Methodists’ segregated practices, he transferred to the African Methodist Episcopal (AME) Church. Cain then served as a pastor in Muscatine, Iowa, where he was elected

a deacon in 1859. When the Civil War broke out in 1861, he was studying at Wilberforce University in Ohio, one of the first American colleges founded by Black men. In 1862, Cain married Laura Hazzard of Baltimore, Maryland. He adopted a daughter, Anna J. Cook, who was formerly enslaved in Virginia.²

In 1861, Cain was assigned to serve as pastor at the Bridge Street Church in Brooklyn, New York, where he quickly became involved in politics. As a delegate to a national Black convention held in Syracuse, New York, in 1864, he advocated for Black voting rights. After the war, the AME Church assigned Cain to the historic Emanuel Church in Charleston, South Carolina. The state government had dissolved the congregation in 1822 following the revelation that enslaved people in the city were plotting a revolt. But under Cain’s leadership Emanuel was rebuilt, becoming the largest Black congregation in the state by 1871. Cain played a prominent role at the 1865 Charleston Colored People’s Convention, penning the “Address to the People of South Carolina,” which outlined the positions of the convention and appealed to South Carolinians to recognize the civil and political rights of African Americans. An observer praised his skills

as an orator, noting he has “a military way of massing his arguments, and hurling them like an avalanche against the weaker portion of the lines of his opponent.”³

Cain found multiple outlets through which to channel his public voice. He established the *South Carolina Leader* newspaper in 1866, renaming it the *Missionary Record* in 1868. He hired future South Carolina Black Representatives Robert Brown Elliott and Alonzo J. Ransier as associate editors. The editorial page of the *Missionary Record* helped expand Cain’s base of support in Charleston beyond Emanuel’s congregation, which he had turned into a formidable political organization in its own right. Cain first served in South Carolina as a delegate to the state constitutional convention in 1868. He was elected to the state senate that same year, heading a commission to investigate South Carolina state senators who voted against the ratification of the Fourteenth Amendment. After an unsuccessful campaign for re-election to the state senate in 1870, Cain was named chair of the party’s Charleston branch, and he set his sights on national politics. He was known by both Black and White South Carolinians as “Daddy Cain”—for the former, as a nickname that paid respect to a champion of Black civil rights and social advancement, but for the latter, it was sometimes used derisively.⁴

Land redistribution was one of Cain’s core objectives. In 1869, he supported the creation of a state land commission and petitioned Congress to fund it with a \$1 million loan from the Freedman’s Bank. When the commission proved corrupt and ineffective, Cain purchased large tracts of farmland 20 miles outside Charleston in 1871 and attempted to sell them exclusively to freed people. He established the Ebenezer AME Church on the property, and a new community named Lincolnville grew out of its congregation. When Cain was unable to meet the mortgage payments, however, his financiers foreclosed on the project and the endeavor failed. Cain’s participation in Reconstruction-era politics came with extraordinary personal risk; White supremacists harassed him, and his daughter would later recall that the family “lived in constant fear at all times.”⁵

The 1872 campaign in South Carolina appeared to be a propitious one for Cain. A new reform movement was gaining strength in state politics, particularly following the revelation of corruption on the part of outgoing Governor Robert K. Scott. An anti-corruption advocate

and a cofounder of the Honest Government League, Cain made his activism a key part of his candidacy for elected office. After failing to obtain the nomination for lieutenant governor, Cain sought an At-Large seat in the U.S. House of Representatives. Running on a platform of good government, he won 71 percent of the total vote in a four-way race.⁶

Upon being sworn into the 43rd Congress, Cain became the first Black Representative assigned to the influential Committee on Agriculture. In his first term, he focused the bulk of his effort on a long-awaited civil rights bill. First introduced in 1870, the bill aimed to prohibit discrimination in public transportation, accommodations, and education. Cain welcomed the opportunity to debate the bill on the House Floor in January 1874. Cain identified the civil rights legislation as the final battle of the Civil War, fulfilling “the great mission,” as he called it, “of giving all the people equal rights.” Cain described the essential contributions made by African Americans to the economic development of the South, contrasting that legacy with the ongoing insult of discrimination. He rejected the Democratic argument that civil rights legislation would somehow fatally damage southern society by instigating conflict between White and Black residents of the region. “Now I am at a loss to see how the friendship of our white friends can be lost to us by simply saying we should be permitted to enjoy the rights enjoyed by other citizens,” Cain said on January 10. “I do not ask for any legislation for colored people of this country that is not applied to the white people. All that we ask is equal laws, equal legislation, and equal rights throughout the length and breadth of this land.” A diminished version of the civil rights legislation passed on February 4, 1875. Cain voted for the bill, despite limitations, including a last-minute amendment striking the clause that would have integrated public schools.⁷

Before the 1874 election, Cain’s At-Large seat was replaced by a new Fifth District in South Carolina. Cain, however, pursued the nomination in the Third District, which had been represented by Robert Elliott in the 43rd Congress. Elliott had resigned to return to South Carolina and run for a seat in the state legislature. Cain allied with the Independent Republican faction that was opposed to the Republican candidate for governor, Daniel Chamberlain, and his supporters in the regular Republican Party. Cain and the Independent Republicans wanted to reform the Republican Party in South Carolina by eliminating corruption. To do so, they nominated their

own gubernatorial candidate, John T. Green, and engaged in a campaign against Chamberlain. The movement was ultimately unsuccessful in diverting Republican votes from the Chamberlain ticket, and, while newspaper accounts described him as an Independent Republican candidate, Cain did not appear in the election results for the Third District, and it is unclear if he ever was on the general election ballot. The Republican nominee, Solomon Lafayette Hoge, won the seat and Cain returned to his Charleston ministry.⁸

In 1876, Cain accepted the Republican nomination for a seat in a new Second District mapped by the Republican state legislature. South Carolina's Second District, which was more than 65 percent Black, swept from low-country Charleston to neighboring inland Orangeburg County. Cain defeated his Democratic opponent, Michael Patrick O'Connor, taking 62 percent of the vote. But that Election Day was one of the most tumultuous and violent in South Carolina history. The chaos drew national attention when South Carolina's outgoing Republican administration and its incoming Democratic administration both sent separate sets of electoral votes for each of the presidential candidates, Republican Rutherford B. Hayes and Democrat Samuel J. Tilden. Two other states also sent competing electoral votes to Congress.⁹

O'Connor contested Cain's victory when the 45th Congress (1877–1879) convened on October 15, 1877. He challenged Cain's credentials, signed by South Carolina secretary of state Henry E. Hayne, who served under the outgoing Republican governor. O'Connor argued that the number of votes in three counties exceeded the number of legally qualified voters and that voters were threatened by crowds of Black men at the polls. He also questioned the integrity of the state canvassers who tallied the final votes because they had appeared as candidates on the Republican ticket along with Cain. The following day, Cain defended himself, noting that the state secretary who had signed his credentials also had signed those of four other South Carolina Representatives, including White candidates as well as both Republicans and Democrats. That same day the House voted 181 to 89 to seat Cain, and he was assigned to the Committee on Private Claims. On May 8, 1878, the chair of the Committee on Elections, John Thomas Harris of Virginia, reaffirmed Cain's 1876 election, noting that the committee had unanimously supported his claim to the seat; the House upheld his election in a voice vote.¹⁰

During his second term, Cain introduced a bill requiring the federal government to set aside proceeds from the sale of public lands to fund public education. The money would be apportioned to the states based on population. Cain framed his argument in support of the bill as a national issue that affected both Black and White communities. Cain provided federal census statistics showing that school attendance was low among the poor in all regions. Declaring that "the education of the nation is paramount," he called upon the House to "recognize the absolute necessity of elevating our citizens of whatever class or condition from ignorance, from degradation, from superstition, from pauperism, from crime." For Cain, "the more intelligent the citizen is the better citizen he is." Although he gained the support of several of his colleagues, including fellow South Carolina Representative Joseph H. Rainey, Cain's proposal never made it out of the Committee on Education and Labor.¹¹

Cain's frustration with the collapse of Reconstruction following the election of 1876 shaped his agenda during his second term. He defended South Carolina Governor Daniel Chamberlain's decision to employ military protection for voters in the 1876 election and argued against cutting military budgets that he believed were needed to ensure domestic peace and to protect western settlers. On the House Floor Cain praised the prospect of westward expansion—and the role of the federal government in this process. "We must give such strength and such power to protect the country as is necessary for its advancement." But Cain also seized the opportunity to connect this call for military intervention in the West to the responsibility of the government to protect citizens throughout the nation. Cain called for continued federal intervention in South Carolina where violence against his African-American constituents only worsened in the late 1870s.¹²

Concerned about the attacks on Black civil and political rights in South Carolina and elsewhere in the South, Cain also reconsidered his initial reluctance to support Black emigration to Liberia. In the *Missionary Record*, Cain described how many of his Black constituents had grown disillusioned with life in the South. With the goals of Reconstruction imperiled in 1877, he became involved in the Liberian Exodus Joint Stock Steamship Company, which was founded that same year. In the spring of 1878, Cain submitted a bill to establish routes for mail and passenger ships to the west African republic, though that proposal never left the Committee on Commerce.¹³

In 1878, Cain was not nominated for re-election. Instead, the party chose Edmund William McGregor Mackey, a lawyer who went on to lose a close election to Cain's former opponent Michael O'Connor. At the South Carolina Republican convention in October, Cain called the party's decision to omit him from the ticket a "gross insult to me, offered without cause and without reason." Several attendees accused him of not doing enough for his constituents and questioned his decision to offer federal appointments to certain individuals. Although he was disappointed, Cain made clear to the convention that he would not "bolt" and make a run against Mackey.¹⁴

After leaving Congress, Cain became more active in the affairs of the AME Church. In 1880, Cain was elected to serve as bishop in the Texas-Louisiana Conference. He cofounded Paul Quinn College, an all-Black Christian institution in Waco, Texas, and served as its president until July 1884. Cain then returned to Washington, DC, to serve as bishop of the AME Conference with jurisdiction in the mid-Atlantic and New England states, overseeing his new post from the nation's capital until he died on January 18, 1887.¹⁵

Notes

- 1 *Congressional Record*, House, 43rd Cong., 1st sess. (3 February 1875): 957.
- 2 Federal Writers' Project of the Works Progress Administration, *A Folk History of Slavery in the United States From Interviews with Former Slaves, 1936–1938*, vols. 1–17, pages 10–14, Library of Congress, Washington, DC, <https://www.ancestrylibrary.com/>.
- 3 Bernard E. Powers Jr., "I Go To Set the Captives Free": The Activism of Richard Harvey Cain, Nationalist Churchman and Reconstruction-Era Leader," in *Southern Elites and Social Change: Essays in Honor of Willard B. Gatewood*, ed. Randy Finley and Tom DeBlack (Bloomington: Indiana University Press, 1991; Fayetteville: University of Arkansas Press, 2000): 43–44; *Proceedings of the Colored People's Convention of the State of South Carolina, Held in Zion Church, Charleston, November, 1865* (Charleston: South Carolina Leader Office, 1865): 14, 23–26; William C. Hine, "Cain, Richard Harvey," *American National Biography* 4 (New York: Oxford University Press, 1999): 188.
- 4 Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861–1877* (Chapel Hill: The University of North Carolina Press, 1965): 206–207; Kenneth Eugene Mann, "Richard Harvey Cain, Congressman, Minister and Champion for Civil Rights," *Negro History Bulletin* 35, no. 3 (March 1972): 65.
- 5 Thomas C. Holt, *Black Over White: Negro Political Leadership in South Carolina During Reconstruction* (Urbana: University of Illinois Press, 1977): 131; Bo Peterson, "Lincolntonville: Church Remains Town's Cornerstone," 22 February 2003, *Charleston Post and Courier*: 1A; Reginald F. Hildebrand, *The Times Were Strange and Stirring: Methodist Preachers and the Crisis of Emancipation* (Durham, NC: Duke University Press, 1995): 66; Federal Writers' Project of the Works Progress Administration, *A Folk History of Slavery in the United States From Interviews with Former Slaves, 1936–1938*: 11.
- 6 Williamson, *After Slavery*: 393, 399; C.G.W., "Cain, Richard Harvey," *Dictionary of American Biography* (New York: American Council of Learned Societies, 1973): 404; "The Curse of Cain," 19 March 1872, *Charleston Daily News*: 2; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 226.
- 7 *Congressional Record*, House, 43rd Cong., 1st sess. (10 January 1874): 565–567; *Congressional Record*, House, 43rd Cong., 1st sess. (3 February 1875): 982.
- 8 "A Warm Endorsement of the Green Movement From New England," 21 October 1874, *Newberry Weekly Herald* (SC): 2; "Daybreak at Last," 5 October 1874, *Charleston News and Courier*: 1; "The Ball Rolls On?," 30 September 1874, *Fairfield Herald* (SC): 2; "Darlington to the Front," 2 November 1874, *Charleston News and Courier*: 1; "The South Carolina Canvass," 22 October 1874, *New-York Tribune*: 2; Dubin, *United States Congressional Elections, 1788–1997*: 233; Mann, "Richard Harvey Cain, Congressman, Minister and Champion for Civil Rights": 66.
- 9 Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883*: 213; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper and Row Publishers, 1988): 573–575.
- 10 *Papers in the Case of O'Connor vs. Cain, Second District, South Carolina*, 45th Cong., 2nd sess., H. Misc. Doc. 45 (1878): 1–6; *Congressional Record*, House, 45th Cong., 1st sess. (16 October 1877): 68–69; *Congressional Record*, House, 45th Cong., 2nd sess. (8 May 1878): 3274.
- 11 H.R. 3809, 45th Cong. (1878); *Congressional Record*, House, 45th Cong., 3rd sess. (23 January 1879): 684.
- 12 *Congressional Record*, House, 45th Cong., 2nd sess. (22 May 1878): 3683.
- 13 *Congressional Record*, House, 43rd Cong., 1st sess. (24 January 1874): 901–903; George B. Tindall, "The Liberian Exodus of 1878," *South Carolina Historical Magazine* 53 (1952): 133–145; H.R. 3808, 45th Cong. (1878); "Regular Proceedings: Senate," 12 March 1878, *Washington Post*: 3.
- 14 Dubin, *United States Congressional Elections, 1788–1997*: 247; "The Radical Convention," 26 October 1878, *Charleston News and Courier*: 1.
- 15 Daniel A. Payne, *History of the African Methodist Episcopal Church* (Nashville, TN: Publishing House of the A.M.E. Sunday-School Union, 1891): 450–451; "Death of Bishop Cain," 22 January 1887, *New York Freeman*: 2; "Bishop Richard Harvey Cain," 19 January 1887, *New-York Tribune*: 5; "The Death of Daddy Cain," 20 January 1887, *Watchman and Southron* (Sumter, SC): 3; "Obituary," 19 January 1887, *Worcester Daily Spy* (MA): 4.

John R. Lynch

1847–1939

UNITED STATES REPRESENTATIVE

1873–1877; 1882–1883

Republican from Mississippi

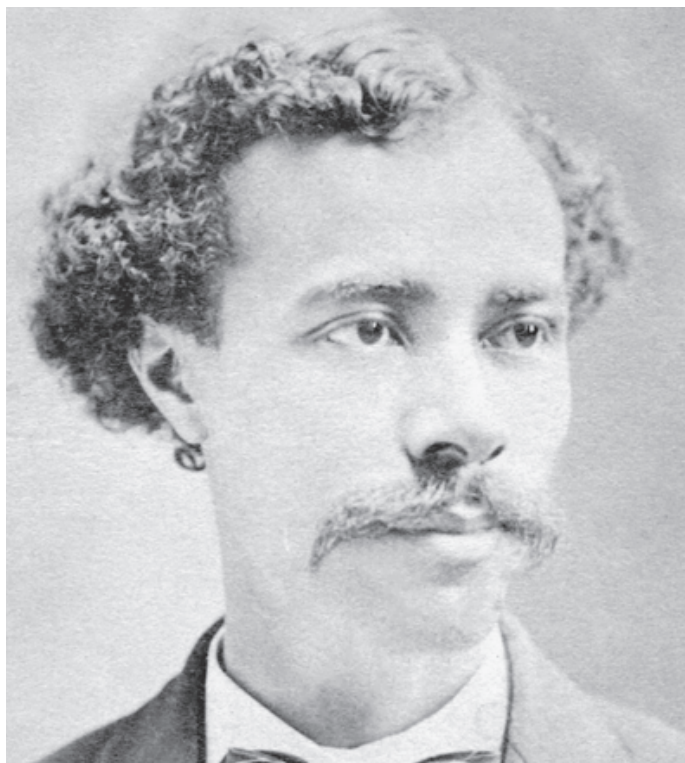


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Only 26 years old when he took his seat in the U.S. House of Representatives, John R. Lynch of Mississippi was a tireless champion of civil and political equality in America. The youngest Black Member ever elected to Congress, Lynch fought to sustain the Republican Party in his state in the face of violent Democratic opposition. An outspoken advocate of the bill that became the Civil Rights Act of 1875, Lynch stressed that Congress needed to act to ensure the rights of all its citizens, or else “our boasted civilization is a fraud; our republican institutions a failure; our social system a disgrace; and our religion a complete hypocrisy.” Lynch remained active in Republican politics throughout his long life. He was also a prolific author who challenged the emerging historical consensus disparaging the role of Black Americans in Reconstruction.¹

John Roy Lynch was born into slavery near Vidalia, Louisiana, on September 10, 1847. His immigrant father, Patrick Lynch, was a native of Dublin, Ireland, and had moved to Louisiana where he found work managing the Tacony Plantation. His mother, Catherine White, was enslaved. He had two older brothers, William and Edward. Patrick Lynch purchased Catherine White and her children just before his death in April 1849 and willed them to

William Deal, who promised to care for them and look out for their interests. Instead, Deal sold the Lynches to Alfred W. Davis of Natchez, Mississippi.²

Lynch initially worked in the Davis home but was forced to engage in plantation labor when Davis left to serve in the Confederate army in 1862. After his emancipation at the end of the war, Lynch worked as a cook for an Illinois regiment in the U.S. Army stationed in the South. He found other jobs where he could, eventually managing a photographer’s studio.³

Lynch embraced the possibilities of Mississippi politics during Reconstruction. He began his political career in 1868 by speaking at the local Republican club in favor of a new Mississippi constitution. The following year, he served as an assistant secretary at the Republican state convention. In April 1869, the local party selected Lynch to advise Reconstruction Governor Adelbert Ames on various candidates for political positions in Natchez, Mississippi, which led to Lynch being appointed justice of the peace. In November 1869, Lynch won a seat in the Mississippi state house of representatives, his first elected office. In January 1871, Lynch’s colleagues selected the 24-year-old as speaker.⁴

The following year, Lynch sought a U.S. House seat representing a district that he had been instrumental in

creating as presiding officer in the Mississippi house of representatives. The district encompassed the southern quarter of the state, including his Natchez home, and had a population that was 55 percent African American. In the party primary, Lynch defeated the incumbent Representative, Republican Legrand Winfield Perce, for the nomination, noting that Perce, a native of Buffalo, New York, was vulnerable to Democratic charges that he was a carpetbagger. Lynch faced Democratic Judge Hiram Cassidy in the general election. Both candidates canvassed the state and engaged in a series of debates before Lynch defeated Cassidy with 65 percent of the vote. When the 43rd Congress (1873–1875) convened, 26-year-old Lynch was its youngest Member. He remains the youngest Black Member ever elected to Congress. He received appointments to the Committee on Mines and the Committee on Expenditures in the Interior Department.⁵

Like other African Americans in Congress, Lynch enthusiastically backed the civil rights bill championed by Senator Charles Sumner of Massachusetts, which outlawed discrimination on public transportation and in public accommodations and guaranteed equal access to education. Even as a Member of Congress, Lynch knew firsthand the sting and insult of segregation. On a trip to St. Louis, he was denied accommodation at several hotels. When Lynch eventually found a room, the hotel refused to allow him to eat in the main dining room and forced him to take his meals elsewhere. He told his colleagues on the House Floor that these were not isolated incidents. When traveling to Washington, Lynch said, “I am treated not as an American citizen, but as a brute,” forced to move into segregated rail cars “simply because I happen to be of a darker complexion.” Lynch used his personal experience to advocate for the civil rights bill, connecting these individual instances of discrimination to the need for a broad law.⁶

On the House Floor, Lynch argued that civil rights legislation would help Black Americans fully enjoy their rights as citizens and achieve political independence. On February 3, 1875, just before the civil rights bill came to a vote, Lynch rebuffed Democratic arguments meant to distract from the legislation’s main point: which was that any form of discrimination violated the Constitution’s guarantee of equal treatment. “It is not social rights that we desire. We have enough of that already. What we ask for is protection in the enjoyment of public rights—rights that are or should be accorded to every citizen alike,” Lynch said.⁷

For Lynch, the federal government had the responsibility and the power to act to protect Black Americans from discrimination. He dismissed those who asserted that the bill violated the rights of the states by pointing to the Fourteenth and Fifteenth Amendments to the Constitution, which fundamentally expanded the federal government’s role in protecting civil and political liberties. Opponents of the bill, Lynch said, “seem to forget that the Constitution as it is is not in every respect the Constitution as it was.” The Civil Rights Act came to a final vote on February 4, 1875, but numerous amendments had weakened it severely. Nevertheless, Lynch was among the majority that ushered in its passage.⁸

In the House, Lynch also worked on a local election issue which had major ramifications back home. In 1874, he sponsored a bill to sanction a decision by the Mississippi state government to move its congressional elections from the fall of 1874 to 1875. In the nineteenth century, most Congresses convened in December of every odd-numbered year, meaning that for many states the House opened 13 months following an election in the previous November. Because the 44th Congress was not going to begin until December 1875, the Mississippi state government decided to push its elections to 1875 to save on administrative costs. Lynch introduced a bill in the House to give the state federal backing.⁹

This change in the election calendar proved consequential when Lynch returned home to a crisis in Mississippi in the spring of 1875. The passage of the Civil Rights Act of 1875 sparked a vicious backlash by Mississippi Democrats who sought to seize power using economic coercion and violence to intimidate Black voters and other Republicans in the state. As a result, many White Republicans left the party by 1875, with some even defecting to the Democrats. Governor Ames asked for federal troops to keep the peace but was rebuffed by the administration of President Ulysses S. Grant. Lynch opened his re-election campaign doubtful he could retain his seat in the face of such vicious Democratic opposition but campaigned throughout his district, despite the constant threat of attack by White supremacists. In a violent campaign, Lynch narrowly defeated Democrat Roderick Seal to retain his seat, taking 51 percent of the vote. Lynch’s re-election was all that prevented a Democratic sweep of the Mississippi House delegation. When Lynch took his seat in the 44th Congress (1875–1877), he kept his seat on the Committee on Mines and Mining.¹⁰

Although eight African-American Members (including Senator Blanche K. Bruce of Mississippi) took the oath of office in December 1875—a record number at the time—the Democratic Party controlled the House for the first time since before the Civil War. With Republicans out of power, Lynch spent his second term defending Reconstruction in the South. Throughout 1876, he tried to turn the attention of his colleagues on Capitol Hill toward the violence plaguing his state, including the rise of White supremacist vigilante groups like the White League. Lynch directly connected White League attacks on African Americans and their allies with the Democratic Party's efforts to strengthen its hold on the state. He called the White League “an organization which has been brought into existence by the bad men of the Democratic Party for the purpose of securing position by the power of the bullet and not by the power of the ballot.” For Lynch, the nation as a whole had to “crush out mobocracy at the South,” and preserve individual freedoms by eliminating the prevailing violence and intimidation from organizations like the White League. “Otherwise,” he warned, “you will lay the foundation for the dissolution of this Republic.” Lynch's pleas were ignored in the months prior to the 1876 election.¹¹

Traveling home to Mississippi to seek re-election, Lynch faced a hostile campaign against Democrat James R. Chalmers, a former Confederate general. Having recaptured a majority in the state legislature, Democrats reconfigured Lynch's district to their advantage, gerrymandering the majority of the state's GOP voters into one “shoestring district” that narrowly hugged the Mississippi River. Having secured the Republican nomination without opposition, Lynch made his trademark canvass of the new district. Although he and his supporters did not face the violence prevalent in other parts of the state, opponents often interrupted his stump speeches. Lynch characterized this activity as “harmless” compared with the “riot and bloodshed which had been contemplated.” Initial results showed Chalmers having defeated Lynch with 56 percent of the vote. But Lynch contested the election, claiming that local Democrats had tampered with the ballots and manipulated the final tallies to aid their candidate. Ultimately, the House Committee on Elections, controlled by the Democratic majority, ruled against Lynch without issuing a formal report.¹²

After leaving Congress, Lynch remained active in the Mississippi Republican Party, working to maintain party

unity in the face of dwindling federal support during the administration of President Rutherford B. Hayes. Along with Senator Blanche K. Bruce and Mississippi secretary of state James Hill, Lynch encouraged the Hayes administration to appoint White and Black allies of the state Republican Party to federal offices.¹³

Lynch declined to run in 1878, but he renewed his interest in national politics in 1880 when his former House colleague James A. Garfield of Ohio ran for President on the Republican ticket. Lynch once again activated his extensive network of allies in Mississippi, including Senator Bruce, as he sought the nomination in the Sixth District. Lynch emerged victorious in a tight, four-way race. But the statewide strength of the Democratic Party carried the incumbent Chalmers to victory with 63 percent of the vote in the general election.¹⁴

Again, Lynch contested his election defeat. This time, however, Republicans had won control of the House for the 47th Congress (1881–1883) and Lynch's case was referred to the Committee on Elections. After reviewing evidence submitted by both parties, the committee issued a report on April 6, 1882. The Republican majority recommended the House remove Chalmers from office and swear in Lynch. Three weeks later, Lynch presented his case on the House Floor. He argued that in five counties, more than 5,000 of his votes had been counted for Chalmers. He further asserted that several thousand Republican ballots had been thrown out after a secret hearing because of technicalities such as a clerical failure to send a list of names with the returns, and the presence of unusual marks on the ballots. Lynch cited an interview in which Chalmers admitted that Lynch's votes had been thrown out and declared that he was “in favor of using every means short of violence to preserve the intelligent white people of Mississippi [in] supreme control of political affairs.” On April 29, 1882, the House voted 125 to 83 to seat Lynch. He received positions on the Committee on Education and Labor and the Committee on the Militia.¹⁵

The legislative agenda of the Republican Party during the 47th Congress focused on internal improvements and tariff legislation, devoting comparatively little attention to conditions in the South and the deterioration of civil and political rights for African Americans. Arriving late in the first session, Lynch concentrated on economic legislation favoring his Mississippi constituents; he requested funds to reimburse an orphanage in Natchez that was damaged in the Civil War and sought appropriations to improve the

shoreline of the Mississippi River and to create two judicial districts in the state. Lynch also submitted legislation to reimburse depositors who lost money when the Freedman's Savings and Trust Company failed. His colleagues on the Education and Labor Committee reported favorably on the bill, but it died in the House Rules Committee. He also sought appropriations for a National Board of Health, citing the devastating toll of the 1878 yellow fever epidemic in the South. Based on personal experience, Lynch also appealed to the House to revise the statute limiting reimbursement for losses incurred contesting an election, believing a \$2,000 cap would deter all but wealthy candidates.¹⁶

In 1882, Lynch faced Democrat Henry Smith Van Eaton, a local judge, for re-election. In a district redrawn the previous year to include more reliably Democratic counties, Van Eaton defeated Lynch with 53 percent of the vote. Lynch made two more unsuccessful bids for Congress. In 1884, Van Eaton again defeated Lynch, this time with 60 percent of the vote. Two years later, Lynch lost to Democrat Thomas Ringland Stockdale, polling less than a third of the vote.¹⁷

After departing Capitol Hill, Lynch returned to Mississippi to oversee his real estate investments but remained active in politics. He served as a Mississippi member of the Republican National Committee from 1884 to 1889. In 1884, he was a delegate to the Republican National Convention. Lynch served as a temporary chairman after future President Theodore Roosevelt spoke in favor of his selection. Lynch also delivered a keynote address, making him the only African American accorded such an honor at a national political convention until 1968. He returned to the Republican convention in 1900 to serve on the committee on platform and resolutions.¹⁸

On December 18, 1884, Lynch married Ella Wickham Somerville, an Alabama native who was a Washington, DC, teacher. The couple had one daughter: Alice. President Benjamin Harrison appointed Lynch an auditor of the Treasury Department in 1889, a position he held for four years.¹⁹

Lynch was admitted to the Mississippi bar and opened a Washington, DC, law office in 1897, practicing for one year. In 1898, President William McKinley's administration appointed him a major in the U.S. Army and paymaster of volunteers, and he served in the Spanish-American War. Lynch was one of the first Black paymasters in the U.S. Army and despite his rank endured protests by White soldiers who refused to be paid by a Black officer.²⁰

After divorcing his wife in 1900, Lynch spent three years stationed in Cuba. His military career subsequently took him to Omaha, Nebraska; San Francisco, California; and the Philippines. In 1911, Lynch retired as a major and married Cora Williamson. They moved to Chicago, Illinois, where Lynch practiced law.²¹

Lynch remained committed to the goals of Reconstruction throughout his life. By the early twentieth century, a group of historians led by Columbia professor William Dunning established an interpretation of Reconstruction as a period of misrule imposed on the South, one in which corrupt and incompetent Black officials were given undeserved license to govern Whites. By claiming to show that African Americans had proven themselves unfit to partake in the democratic experiment, this school of historical thought served as justification for the ongoing disenfranchisement and segregation of Black people in the South. In response, Lynch published *The Facts of Reconstruction* in 1913 and several articles in the *Journal of Negro History* challenging these claims and defending the merits of postwar Republican governments.²²

During the 1930s, Lynch was able to reflect on his life in politics and meet with Oscar De Priest of Illinois, the first Black Member of Congress elected in the twentieth century. He wrote an autobiography, *Reminiscences of an Active Life*, which was edited and published by the historian John Hope Franklin in 1970. Lynch was editing the manuscript when he died at age 92 on November 2, 1939, in Chicago. Lynch was buried in Arlington National Cemetery in Virginia.²³

Manuscript Collection

Mississippi Department of Archives and History (Jackson, MS). *Papers*: 1873–1877, five items. The papers of John R. Lynch include a manuscript autobiography, a photograph, and three letters.

Notes

- 1 *Congressional Record*, House, 43rd Cong., 2nd sess. (3 February 1875): 945.
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- 3 Lynch, *Reminiscences of an Active Life*: 27–28, 36, 39–42.
- 4 Kenneth Eugene Mann, "John Roy Lynch, U.S. Congressman from Mississippi," *Negro History Bulletin* 37, no. 3 (April/May 1974): 238; John Hope Franklin, "John Roy Lynch: Republican Stalwart from Mississippi," in *Southern Black Leaders of the Reconstruction Era*, ed. Howard Rabinowitz (Urbana: University of Illinois Press, 1982): 42–43.
- 5 Kenneth C. Martis, *The Historical Atlas of Political Parties in the United States Congress: 1789–1989* (New York: MacMillan, 1989): 126–127; Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 184–185; Michael J. Dubin, *United States*

- Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 224.
- 6 Franklin, “John Roy Lynch: Republican Stalwart From Mississippi”: 46; *Congressional Record*, House, 43rd Cong., 2nd sess. (3 February 1875): 945.
 - 7 *Congressional Record*, House, 43rd Cong., 2nd sess. (3 February 1875): 943–947.
 - 8 Lynch, *Reminiscences of an Active Life*: 107–111; *Congressional Record*, House, 43rd Cong., 2nd sess. (3 February 1875): 943.
 - 9 H.R. 3332, 43rd Cong. (1874); An act to fix the time for the election of Representatives in the Forty-fourth Congress from the State of Mississippi, 18 Stat. 116 (1874); Lynch, *Reminiscences of an Active Life*: 165.
 - 10 Franklin, “John Roy Lynch: Republican Stalwart From Mississippi”: 46–47; Dubin, *United States Congressional Elections, 1788–1997*: 234.
 - 11 *Congressional Record*, House, 44th Cong., 1st sess. (15 June 1876): 3824–3825.
 - 12 Franklin, “John Roy Lynch: Republican Stalwart from Mississippi”: 47; Lynch, *Reminiscences of an Active Life*: 185–186; Dubin, *United States Congressional Elections, 1788–1997*: 238; *Congressional Record*, House, 45th Cong., 2nd sess. (31 October 1877): 202–203; *Congressional Record*, House, 45th Cong., 2nd sess. (8 May 1878): 3274.
 - 13 Harris, “Blanche K. Bruce of Mississippi: Conservative Assimilationist”: 17–19.
 - 14 Lynch, *Reminiscences of an Active Life*: 209, 217–219, 223; Dubin, *United States Congressional Elections, 1788–1997*: 252.
 - 15 *Testimony in the Contested Election Case of John R. Lynch vs. James R. Chalmers*, 47th Cong., 1st sess. H. Misc. Doc. 12 (1881); House Committee on Elections, *Contested-Election Case of Lynch vs. Chalmers*, 47th Cong., 1st sess., H. Rept. 931 (1882); *Congressional Record*, House, 47th Cong., 1st sess. (27 April 1882): 3384–3387; *Congressional Record*, House, 47th Cong., 1st sess. (29 April 1882): 3451–3452.
 - 16 H.R. 6205, 47th Cong. (1882); H.R. 6289, 47th Cong. (1882); H.R. 6767, 47th Cong. (1882); H.R. 6202, 47th Cong. (1882); H.R. 6204, 47th Cong. (1882); House Committee on Education and Labor, *Reimbursing Depositors of Freedman’s Savings Bank*, 47th Cong., 2nd sess., H. Rept. 1991 (1883); H.R. 7483, 47th Cong. (1883).
 - 17 Lynch, *Reminiscences of an Active Life*: 265; Dubin, *United States Congressional Elections, 1788–1997*: 259, 267, 274.
 - 18 Franklin, “John Roy Lynch: Republican Stalwart From Mississippi”: 51–52; “No Negro Member of the Fifty-Seventh Congress,” 8 December 1901, *Courier-Journal* (Louisville, KY): 7; “The Chicago Convention,” 4 June 1884, *New York Tribune*: 1; John R. Lynch, *The Facts of Reconstruction* (1913; repr., New York: Arno Press, 1969): 282. Mississippi Senator Blanche K. Bruce was the first African American to preside over a national political convention at the 1880 Republican Convention. See Thura Mack, “John Roy Lynch,” in *Notable Black American Men*, ed. Jessie Carney Smith (Farmington Hills, MI: Gale Research, Inc., 1999): 145.
 - 19 Lynch, *Reminiscences of an Active Life*: 301; “Major John R. Lynch Buried at Arlington,” 11 November 1939, *Chicago Defender*: 1; Franklin, “John Roy Lynch: Republican Stalwart From Mississippi”: 51; “The Day’s Appointments,” 18 May 1889, *St. Louis Republic*: 7; “Washington,” 18 May 1889, *Daily Picayune* (New Orleans, LA): 1.
 - 20 “Paymaster Lynch,” 24 September 1898, *Washington Bee*: 4.
 - 21 Lynch, *Reminiscences of an Active Life*: 306, 498–502.
 - 22 Lynch, *The Facts of Reconstruction*; John R. Lynch, “Some Historical Errors of James Ford Rhodes,” *Journal of Negro History* 2, no. 4 (Oct. 1917): 345–368; “More About the Historical Errors of James Ford Rhodes,” *Journal of Negro History* 3, no. 2 (Apr. 1918): 139–157.
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Alonzo J. Ransier

1834–1882

UNITED STATES REPRESENTATIVE
1873–1875

Republican from South Carolina



Image courtesy of the Library of Congress

South Carolina's first Black lieutenant governor, Alonzo J. Ransier had a reputation for fighting corruption that helped him win a seat in the U.S. House of Representatives in the 43rd Congress (1873–1875). Sent to Washington at a critical moment in Reconstruction, he called on the federal government to act in defense of Black civil and political rights. "All these people ask is an equal chance in the race of life, and the same privileges and protection meted out to other classes of people in our land," he implored his colleagues on the House Floor. "We cannot engage in the industrial pursuits, educate our children, defend our lives and property in the courts, receive the comforts provided in our common conveyances necessary to our wives and little ones if not essentially so to us, and, in short, engage in the 'pursuit of happiness' as rational beings, when we are circumscribed within the narrowest possible limits on every hand, disowned, spit upon, and outraged in a thousand ways."¹

Alonzo Jacob Ransier was born to free parents on January 3, 1834, in Charleston, South Carolina. He received a limited education before beginning work as a shipping clerk at age 16. In 1856, Ransier married Louisa Ann Carroll, with whom he had 11 children; Louisa died in 1875, and he married Mary Louisa McKinlay in 1876.²

Ransier's prewar freedom enabled him to achieve the financial security and prominence to establish himself quickly in postwar South Carolina politics. He attended the 1865 Colored People's Convention in Charleston, which called upon South Carolina leaders to enfranchise formerly enslaved men and to do away with laws that aimed to keep emancipated Black workers in a condition resembling servitude. He was part of a delegation that traveled to Washington, DC, in 1865 to serve as an "outside Congress," lobbying lawmakers to back legislation in the interest of Black civil and political rights. Ransier was one of several influential Black Americans in the delegation, including Frederick Douglass and Black activist and restaurateur George T. Downing. The delegation met with President Andrew Johnson, who received them in a contentious meeting in the White House. While in the capital, they also presented a petition to the U.S. Congress.³

In January 1868, Ransier served as a delegate from Charleston to the South Carolina constitutional convention. The following October, he took over the post of Republican state central committee chairman. The following November, he was elected to the state house of representatives where he served one term.⁴

In 1870, Ransier was part of a group of state legislators who tried to investigate whether businesses in Charleston were in compliance with state laws prohibiting discrimination. Later that year he defeated ex-Confederate general Matthew Calbraith Butler to become South Carolina's first Black lieutenant governor serving under Governor Robert K. Scott.⁵

In August 1872, after Representative Robert C. De Large declined renomination for his coastal South Carolina seat in the U.S. House, local Republicans selected Ransier to represent the majority-Black Second District. He was part of the "Moses State ticket," the state's first party ticket in which Black candidates constituted a majority. Ransier defeated Independent Republican candidate General William Gurney with 75 percent of the vote in the general election.⁶

When he was sworn in to the 43rd Congress, Ransier received an assignment to the Committee on Manufactures. He introduced legislation that focused on the interests of his coastal South Carolina constituents, including measures to erect a public building in Beaufort, South Carolina, and to rebuild the war-damaged west wing of the Citadel Academy in Charleston. Ransier also argued for appropriating \$20,000 to improve Charleston Harbor. However, none of these bills passed.⁷

Representative Ransier spoke on several occasions in 1874 during House Floor debate on civil rights legislation. Allotted 20 minutes on the subject on January 5, 1874, Ransier described the need for a comprehensive set of legal protections for Black Americans in hotels and schools, on public transportation and jury service. "Five millions of people, citizens of our country, who bode you no evil, suffer to-day the most humiliating discrimination, in the matter of the ordinary privileges attaching to them as human beings, because of their color and previous condition of imposed servitude," he observed. Ransier also called attention to the limitations of the civil rights bill, criticizing Congress for having excluded the rights of women from the debate, even though they deserved the same opportunities as other citizens, he said. Ransier hoped that soon "American citizenship in civil and political rights and public privileges shall cover not only those of our sex, but those of the opposite one also."⁸

On February 7, Ransier delivered a floor speech explaining the desire among Black Americans in the South for racial harmony and he outlined how it could best be achieved. He praised the Black soldiers who fought for the Union in the Civil War, stressed the freed people's

overwhelming loyalty to the Republican Party, and stated that such fidelity should be rewarded by the passage of the bill. Ransier also focused his remarks on the bill's support for equal educational opportunities, discussing the advantages of integrated education, and citing successful programs at Oberlin College and at Wilberforce, Harvard, and Yale Universities. Ransier believed that equal educational opportunities would allow talented Black men to achieve leadership roles in their communities, ultimately curbing discrimination. "Let the doors of the public school house be thrown open to us alike," he declared, "if you mean to give these people equal rights at all, or to protect them in the exercise of the rights and privileges attaching to all free men and citizens of our country."⁹

On June 9, Ransier pleaded with opponents not to make the existence of corruption in Republican state governments in the former Confederacy an excuse to defeat the bill. "Because some officials in these States have abused the public confidence and prostituted their office should violence be done to a great principle of justice and a whole race denied therein equal rights in a government like ours? It cannot be." When the civil rights bill came to a vote in February 1875, the education clause which Ransier had championed had been eliminated. Ransier himself did not vote for the final bill; Representative James Beverley Sener of Virginia announced that Ransier had to leave because of a sudden illness in his family and declared the South Carolinian would have voted "aye."¹⁰

Upon returning to South Carolina in 1874, Ransier was outspoken about his disenchantment with the corruption in Governor Franklin Moses's administration. Having paid off some of his personal debt with public funds and sold executive pardons to prisoners, Moses resisted arrest by calling the South Carolina militia to defend him. His well-paid allies in the state legislature saved him from impeachment, and Moses carefully placed his friends in key patronage positions to maintain his political control. Ransier aligned himself with a faction of Independent Republicans in South Carolina who called for statewide reform after the Moses administration. Independent Republicans mobilized a slate of candidates for 1874 and Edmund William McGregor Mackey was chosen as the nominee for the Second District seat held by Ransier. Representative Ransier considered running for re-election as an Independent but decided against it. The Republicans nominated a White candidate named Charles W. Buttz,

who went on to lose the election to Mackey. The House declared the seat vacant in July 1876 after Buttz contested the election.¹¹

Soon after Ransier left Congress he secured appointment as a collector of internal revenue in Charleston. He later appealed to Governor Daniel Chamberlain for a position in the South Carolina state government when his tenure as a tax collector came to an end. Ransier did not receive a nomination but worked instead as a night watchman in a customs house and as a municipal street sweeper. Struggling financially at the end of his life, Ransier died on August 17, 1882, at age 48.¹²

- 12 “A Place for Ransier,” 6 March 1875, *Troy Daily Times* (NY): 3; Hine, “Ransier, Alonzo Jacob,” *American National Biography*: 151–152; Thomas C. Holt, *Black Over White: Negro Political Leadership in South Carolina During Reconstruction* (Urbana: University of Illinois Press, 1977): 218–219; “South Carolina News,” 24 August 1882, *Yorkville Enquirer* (York, SC): 2; “Brevities,” 24 August 1882, *Camden Journal* (SC): 1; “Various and All About,” 24 August 1882, *Newberry Weekly Herald*: 3.

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- 2 1880 United States Federal Census, Charleston, South Carolina, roll 1222, enumeration district 070, page 373C, National Archives and Records Administration, <https://www.ancestrylibrary.com/>; William C. Hine, “Ransier, Alonzo Jacob,” *American National Biography* 18 (New York: Oxford University Press, 1999): 151–152.
- 3 Hine, “Ransier, Alonzo Jacob,” *American National Biography*: 151; “Summary of News,” 13 December 1865, *Boston Investigator*: 6; “An Outside Congress,” 13 December 1865, *New-York Tribune*: 4; “Important Expression of Views by the President,” 7 February 1866, *Evening Star* (Washington, DC): 2; David W. Blight, *Frederick Douglass: Prophet of Freedom* (New York: Simon & Schuster, 2018): 474–475; *Memorial of A Delegation Representing the Colored People of the Several States*, 39th Cong., 1st sess., S. Misc. Doc. 56 (1866); *Congressional Globe*, Senate, 39th Cong., 1st sess. (23 February 1866): 984; *Congressional Globe*, Senate, 39th Cong., 1st sess. (9 March 1866): 1289; Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863–1877* (New York: Harper and Row Publishers, 1988): 253.
- 4 Hine, “Ransier, Alonzo Jacob,” *American National Biography*: 151.
- 5 Bernard E. Powers Jr., “Community Evolution and Race Relations in Reconstruction Charleston, South Carolina,” *South Carolina Historical Magazine* 95, no. 1 (Jan. 1994): 35–36; Hine, “Ransier, Alonzo Jacob,” *American National Biography*: 151.
- 6 Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 212–213; “The Radical State Convention,” 15 August 1872, *Intelligencer* (Anderson, SC): 2; “South Carolina Politics—The Moses Ticket Probably Successful,” 18 October 1872, *Chicago Daily Tribune*: 1; Benjamin Ginsberg, *Moses of South Carolina: A Jewish Scalawag During Radical Reconstruction* (Baltimore: Johns Hopkins University Press, 2010): 152–153; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland and Company Inc., Publishers, 1998): 226.
- 7 H.R. 834, 43rd Cong. (1874); H.R. 835, 42nd Cong. (1874); *Congressional Record*, House, 43rd Cong., 1st sess. (12 February 1874): 1442–1444.
- 8 *Congressional Record*, House, 43rd Cong., 1st sess. (5 January 1874): 382.
- 9 *Congressional Record*, House, 43rd Cong., 1st sess. (7 February 1874): 1314.
- 10 *Congressional Record*, House, 43rd Cong., 1st sess. (9 June 1874): 4786; *Congressional Record*, House, 43rd Cong., 2nd sess. (4 February 1875): 1011.
- 11 Christine Doyle, “Moses, Franklin J., Jr.,” *American National Biography* 15 (New York: Oxford University Press, 1999): 971–972; “Speaking Out,” 12 March 1874, *Daily Phoenix* (Columbia, SC): 2; “Political Information,” 3 September 1874, *Intelligencer*: 2; “A Warm Endorsement of the Green Movement From New England,” 21 October 1874, *Newberry Weekly Herald* (SC): 2; “The South Carolina Canvass,” 22 October 1874, *New-York Tribune*: 2; House Committee on Elections, *C. W. Buttz vs. E. W. Mackey*, 44th Cong., 1st sess. H. Rept. 758 (1876).

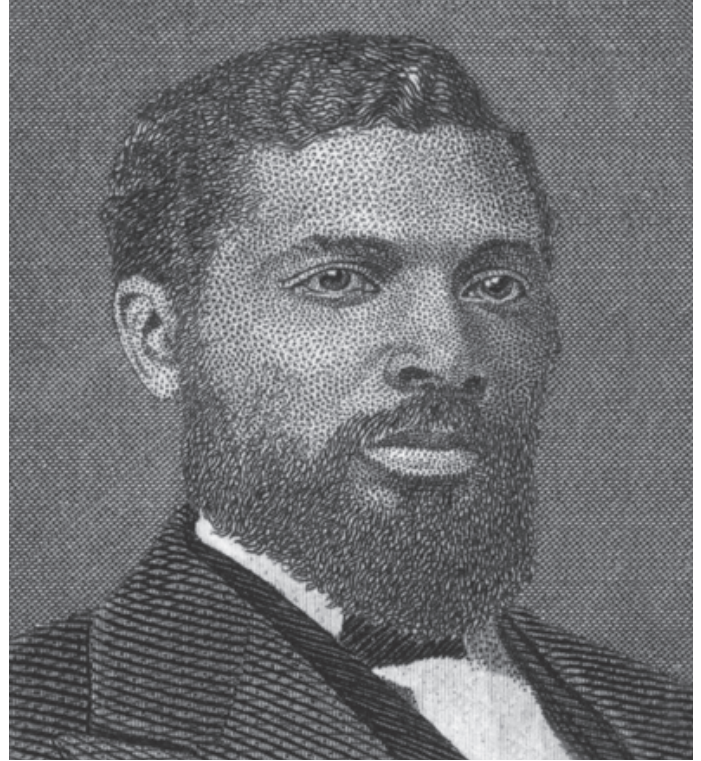
James T. Rapier

1837–1883

UNITED STATES REPRESENTATIVE

1873–1875

Republican from Alabama



Collection of the U.S. House of Representatives

Born in Alabama and educated in Canada, James T. Rapier returned to the United States following the Civil War and became an advocate for Black civil, political, and labor rights. He navigated the violent politics of his home state in the early 1870s to win election to the U.S. House of Representatives in 1872. In the 43rd Congress (1873–1875), Rapier was one of seven Black Representatives who fought for the passage of the Civil Rights Act of 1875.

James Thomas Rapier was born in Florence, Alabama, on November 13, 1837, to John H. and Susan Rapier. He had three older brothers: Richard, John Jr., and Henry. The Rapiers were wealthy and well-established in Florence. John Rapier Sr. was born enslaved but was emancipated in 1829. He had prospered running a lucrative business as a barber for 40 years. Susan Rapier, a free Black woman from Baltimore, Maryland, died in 1841 during childbirth. Five-year-old James Rapier and his brother, John Jr., went to live with their paternal grandmother, Sally Thomas, in Nashville, Tennessee. James Rapier attended a school for Black children in the 1840s, but by the 1850s he was working and gambling on river boats.¹

In 1856, Rapier decided to attend school, and his father sent him to live with another family member in

Buxton, a community in Ontario, Canada, established by self-emancipated slaves. While living in Buxton, Rapier attended school with other Black students before enrolling in a normal school in Toronto, where he earned a teaching certificate in 1863. He then returned to Buxton as an instructor. Rapier followed the events of the Civil War from Canada and returned to Nashville in late 1864. There he worked briefly as a reporter for a northern newspaper. With his father's help, he purchased 200 acres of land in Maury County, Tennessee, and became a successful cotton planter. He never married.²

In Tennessee, Rapier embraced political activism. He gave a keynote address at a Black voting rights convention in Nashville in 1865. But the following year Rapier returned to Florence, Alabama, to contribute to the Republican efforts to win control of state and local governments. He rented 550 acres along the Tennessee River and again found success as a planter. He hired Black tenant farmers and financed sharecroppers with low-interest loans. In March 1867, Black voters found few restrictions accessing the ballot, and Rapier played a role in calling a local meeting to elect a Black registrar. His father won the election, and James Rapier was unanimously chosen to represent the county at

the Alabama Republican convention. James Rapier served as the convention's vice chairman and directed the platform committee. Rapier opposed the total disenfranchisement of former Confederates and the redistribution of seized land. He pushed for a political alliance between White and Black Republicans in the interests of the party in Alabama. In November 1867, he served as a delegate to the Alabama constitutional convention, where he advanced the Republican platform as the only Black man representing his district.³

In 1868, as Rapier campaigned for President Ulysses S. Grant and other Republican candidates in Alabama, he faced repeated threats of violence. He fled Florence and took up residence in Montgomery, before returning in the spring of 1870. Rapier traveled to Washington, DC, in 1869 to attend the founding convention of the National Negro Labor Union (NNLU). He joined several delegates in meeting with President Grant to encourage the creation of a federal land bureau. The NNLU chose Rapier as its vice president, and he opened an Alabama branch in 1871.⁴

Rapier's increasing prominence in Alabama Republican politics led him to pursue the Republican nomination for secretary of state in 1870. He was the first Black candidate to run for statewide office in Alabama. Rapier ultimately lost the election, as violence against Black voters drove down turnout and factionalism within the Republican Party undermined the campaign. Many White Republicans rejected the notion of a Black statewide officeholder in 1870, and William Hugh Smith, the party's gubernatorial candidate, outpaced Rapier at the polls by thousands of votes. In fact, before Election Day, a group of White Republicans offered Rapier \$10,000 to exit the race, but he declined.⁵

Undeterred, Rapier remained an avid organizer for the Republican cause in the state and advocate for a strong and biracial Republican Party that worked in the interest of Black Alabamians. In 1871, he was appointed as a federal internal revenue assessor with the assistance of Representative Benjamin Sterling Turner, the first African-American Member of Congress from Alabama. In a June 1872 interview, Rapier described how his new position intersected with his role in Alabama Republican politics. "No colored man in the State has a more extensive acquaintance with colored men than myself," he said. "I have traveled in all the counties of the cotton belt on business, and my office is headquarters for Republicans from all quarters."⁶

By the early 1870s, Rapier had become one of the most influential Black politicians in Alabama. When he decided to run for the Second District seat in the House, however, he found that the Alabama Republican Party remained unconvinced that White voters would back a Black candidate in the upcoming election. Incumbent Representative Charles Waldron Buckley, originally from New York, maintained a strong base of support in the southeastern Alabama district where African Americans were 44 percent of the population. Defying party leaders, Rapier sought the district's Republican nomination. He had recently founded a newspaper, the *Montgomery Republican Sentinel*—the state's first Black-owned and Black-operated newspaper—to crusade for the Republican Party, the rights of freed people, and the re-election of President Grant. In the months before the election, Rapier used the newspaper to build his campaign for office, producing 1,000 copies a week and distributing them for free. He criticized Democrats and those White Republicans such as Buckley, who he said had done little for Black residents of the district. At a late-summer convention, Rapier easily gained the Republican nomination, receiving 25 delegate votes to Buckley's five.⁷

In the general election, Rapier faced Democratic and Liberal Republican candidate William C. Oates, a former Confederate soldier. Rapier tirelessly traversed the district, speaking in 36 towns in as many days. He promised to support national legislation providing land for tenant farmers. Unlike previous election cycles, the Enforcement Acts had temporarily quelled the violence in Alabama by disrupting the Ku Klux Klan, making for a relatively peaceful election. Rapier defeated Oates with 55 percent of the vote, becoming Alabama's second Black Representative in Congress.⁸

Before the 43rd Congress convened in late 1873, Rapier traveled to Europe for several months. In July, he served as a commissioner to the Fifth International Exposition in Vienna, Austria, where he helped create a display for his home state. Rapier later noted that "the moment I put my foot upon the deck of a ship that unfurled a foreign flag from its mast-head, distinctions on account of my color ceased." He remained in Europe for several months, visiting Germany, France, and England.⁹

In the 43rd Congress, Rapier was assigned to the Committee on Education and Labor. One of his first acts as a Representative, on January 5, 1874, was to introduce legislation designating Montgomery, Alabama, a federal

customs collection site. The measure provided federal funding for a customs collector in the city and was designed to regulate and facilitate the economic activity at the city's inland port on the Alabama River. President Grant signed the bill into law on June 20, 1874.¹⁰

Rapier's subsequent attempts to gain federal funding for Alabama were less successful. He proposed a bill to construct a public building in Montgomery and another to fund the improvement of two Alabama rivers that emptied into the Gulf of Mexico. Rapier also voted in favor of railroad regulation and called for increased currency circulation, promoting economic conditions that typically divided the House along sectional lines as they were considered favorable to the agrarian South and West.¹¹

Rapier was also at the center of the struggle to pass a landmark civil rights bill in the 43rd Congress, which sought equal access to education and accommodations on public accommodations, schools, and even cemeteries. He hosted strategy meetings in his Washington home and on June 9, 1874, Rapier spoke on the House Floor in favor of the bill, largely recounting his personal experiences with discrimination. For Rapier, Congress could not afford even the slightest amount of ambiguity in the law. "Either I am a man or I am not a man," he said, adamant that constitutional protections needed to be extended to all. "If one, I am entitled to all the rights, privileges, and immunities common to any other class in this country; if not a man, I have no right to vote, no right to a seat here upon this floor; or if I am tolerated here, it is in violation of the Constitution of our country."¹²

Rapier also addressed those who claimed that civil rights legislation would somehow force White and Black southerners to form personal relationships and other "associations," arguing those relationships were a matter of individual preference. Rapier expected the bill to do little to solve racial prejudice at the personal level, but the point was to ensure Black Americans had equal access to civil and political rights as citizens. Rapier was adamant that federal legislation was necessary to guarantee Black civil rights and that it could not be left to the individual states to resolve. Were it not for the Fourteenth and Fifteenth Amendments, alongside the Reconstruction Acts, "when would public opinion in the South have suggested the propriety of giving me the ballot?" he asked.¹³

The civil rights bill had not yet come to a vote in July 1874 when Rapier returned to Alabama in anticipation of

a close re-election contest. Divisions among southeastern Alabama Republicans threatened his candidacy. At the time, two prominent Republican factions disagreed over whether to back the impeachment of a federal judge credited with enforcing laws against the Ku Klux Klan. When Rapier refused to weigh in on the controversy, he lost support from both sides of the intraparty dispute. Meanwhile, White supremacists, emboldened by state and federal ambivalence, renewed their violent attacks on Black voters in Alabama as part of a coordinated effort by Democratic candidates to return White Alabamians to power. Physical intimidation was coupled with a campaign of economic coercion, as plantation owners refused to hire Black job seekers or anyone who swore allegiance to the Republican Party.¹⁴

Amid much more dangerous conditions than he had faced in 1872, Rapier campaigned across the district even as threats from the Ku Klux Klan disrupted his itinerary. He tried in vain to convince Alabama voters that the civil rights bill was not designed to force social interactions between White and Black citizens, and that it did not require integrated schools but merely allocated funding for Black schools. He also called on the federal government to ensure a peaceful election, sending a personal telegram to U.S. Attorney General George H. Williams that went unanswered. Despite his plea, the election turned extraordinarily violent. In the chaos that ensued, more than 100 people were killed and scores of Black voters stayed away from the polls. Democrats swept the elections, taking two-thirds of the state offices. Rapier ultimately lost to attorney and former Confederate army major Jeremiah Norman Williams by just over 1,000 votes. Rapier considered contesting the election but declined as the Democratic Party won control of the House for the 44th Congress (1875–1877). Before the end of the 43rd Congress, the Republican majority in the House conducted an investigation into election violence in Alabama, compiling extensive evidence of violence and intimidation against Black voters in the state.¹⁵

The civil rights bill was once again before the House in early 1875. Rapier's Republican Alabama colleague, Representative Alexander White, offered an amended version of the bill as a substitute on the House Floor and claimed that the state Republican Party endorsed it based on support from Black Alabamians. Rapier challenged White's assertion. "That class of people commissioned me to speak for them upon this subject in the House,"

he declared, adding he was well acquainted with the goals and aspirations of the Black population in Alabama. They were not in favor of any deviation from the original civil rights bill, Rapier clarified, adding that they were determined to have equal rights. Though the education provisions and other aspects of the bill were removed before the final vote, Rapier voted in favor of the Civil Rights Act.¹⁶

In 1876, Rapier once again ran for a House seat, this time in the Fourth District, one of two Black-majority districts in the state that had been gerrymandered by the Democratic state legislature. The Fourth District was represented by Republican Jeremiah Haralson, one of seven Black Members of the House in the 44th Congress. Rapier defeated Haralson in the Republican primary, but Haralson subsequently ran in the general election as an Independent. In a three-way race, neither Haralson nor Rapier amassed enough votes. With Haralson garnering 34 percent of the vote and Rapier 28 percent, Democrat Charles Miller Shelley—a former Confederate general and the Selma sheriff—won with only 38 percent of the vote.¹⁷

Rapier returned to Lowndes County, where he secured loans to develop a real estate business in which he rented out seven plantations and hired Black farmers to work the land. In July 1878, U.S. Treasury Secretary John Sherman of Ohio recommended Rapier for appointment as a collector of internal revenue. The *Atlanta Constitution* claimed he was the “first of his color” to hold such a position. Prior to the 1878 election, Rapier started publishing the *Republican Sentinel and Hayneville Times* in Lowndes County, mobilizing support for Republican candidates including former rival Jeremiah Haralson, who unsuccessfully challenged Shelley in 1878.¹⁸

By the end of the 1870s, Rapier became a proponent of Black emigration to the West. He offered financial support to families to move and testified in support of the migration before a Senate committee. Rapier’s testimony chronicled the economic distress experienced by many Black farmers in the South. He outlined the exploitative system of sharecropping for the committee, illuminating the way White landowners took advantage of Black farmers seeking work by trapping them in debt. He noted that he offered Black farmers more favorable rates of interest for food and supplies. Rapier also traveled to Kansas at least a dozen times, meeting with Black leaders in several counties and purchasing land in the state in 1880.¹⁹

In 1880, Rapier traveled to Chicago, Illinois, for the Republican National Convention. He was denied

credentials, however, as the Alabama delegation called on the convention not to seat Rapier because he would not pledge to back former President Grant as the nominee.²⁰

In 1882 and 1883, Rapier fended off attempts by political opponents to remove him from his post as a collector, but failing health nonetheless forced him to resign. He was appointed a disbursing officer for a federal building in Montgomery just before he died on May 31, 1883.²¹

Manuscript Collection

Howard University, Moorland–Spingarn Research Center (Washington, DC) *Papers*: In the Rapier Family papers, 1836–1883, two linear feet. Correspondence of James T. Rapier and other members of his family, including John Rapier Sr.; John Rapier Jr.; Richard Rapier; Henry R. Thomas; James P. Thomas; and Sarah Thomas; a diary from 1857 of John H. Rapier, journalist, surgeon, and world traveler, containing cash accounts, clippings, and indications of letters written and received; and an autobiography.

Notes

- 1 Loren Schweninger, *James T. Rapier and Reconstruction* (Chicago: The University of Chicago Press, 1978): 16–18, 29–31; John Hope Franklin and Loren Schweninger, *In Search of the Promised Land: A Slave Family in the Old South* (New York: Oxford University Press, 2006): 23.
- 2 Schweninger, *James T. Rapier and Reconstruction*: 30, 35; Loren Schweninger, “Rapier, James Thomas,” *American National Biography* 18 (New York: Oxford University Press, 1999): 167–168.
- 3 Schweninger, *James T. Rapier and Reconstruction*: 38–39, 54–57; “Proceedings of the State Convention,” 12 August 1865, *Colored Tennessean* (Nashville): 1; Loren Schweninger, “Rapier, James Thomas,” in *Dictionary of American Negro Biography*, eds. Rayford Logan and Michael Winston (New York: Norton, 1982): 514.
- 4 Schweninger, *James T. Rapier and Reconstruction*: 68–71, 90–91; Loren Schweninger, “James Rapier and the Negro Labor Movement, 1869–1872,” *Alabama Review* 28 (July 1975): 185–201.
- 5 Schweninger, *James T. Rapier and Reconstruction*: 79–81; “Smith & Co. Swindling the Negro,” 1 November 1870, *Mobile Register*: 2.
- 6 Loren Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction,” in *Southern Black Leaders of the Reconstruction Era*, ed. Howard Rabinowitz (Urbana: University of Illinois Press, 1982): 80; “The Negroes Solid For Grant,” 20 June 1872, *New National Era* (Washington, DC): 2.
- 7 Schweninger, *James T. Rapier and Reconstruction*: 106, 107–108, 112; Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 81–82; Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 146.
- 8 Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 81; Schweninger, *James T. Rapier and Reconstruction*: 104–105; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 223.
- 9 “Hon. James T. Rapier,” 9 October 1873, *New National Era*: 2; *Congressional Record*, House, 43rd Cong., 1st sess. (9 June 1874): 4784; Schweninger, *James T. Rapier and Reconstruction*: 117–118.
- 10 H.R. 899, 43rd Cong. (1874); *Congressional Record*, House, 43rd Cong., 1st sess. (5 January 1874): 370; An act to constitute Montgomery, in the State of Alabama, a port of delivery, 18 Stat. 196 (1874).
- 11 H.R. 300, 43rd Cong. (1873); H.R. 1818, 43rd Cong. (1874); Schweninger, *James T. Rapier and Reconstruction*: 123–125.
- 12 Schweninger, *James T. Rapier and Reconstruction*: 148–149; S. 916, 41st Cong. (1870); *Congressional Record*, House, 43rd Cong., 1st sess. (9 June 1874): 4782–4785.

- 13 *Congressional Record*, House, 43rd Cong., 1st sess. (9 June 1874): 4785.
- 14 Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 84; Schweninger, *James T. Rapier and Reconstruction*: 136.
- 15 Schweninger, *James T. Rapier and Reconstruction*: 142–144; Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 85–86; House Select Committee on Affairs in Alabama, *Affairs in Alabama*, 43rd Cong., 2nd sess., H. Rept. 262 (1875): 1241; Dubin, *United States Congressional Elections, 1788–1997*: 230.
- 16 *Congressional Record*, House, 43rd Cong., 2nd sess. (4 February 1875): 1001, 1011.
- 17 Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 86; Parsons et al., *United States Congressional Districts, 1843–1883*: 148–149. Parsons notes that a southwestern district also had a Black majority with (53 percent). See also Schweninger, *James T. Rapier and Reconstruction*: 153; Dubin, *United States Congressional Elections, 1788–1997*: 236.
- 18 Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 89; Schweninger, *James T. Rapier and Reconstruction*: 158–159; “Revenue Collector Rapier’s Bond,” 15 August 1878, *New York Times*: 5; “The Federal Focus,” 1 June 1878, *Atlanta Constitution*: 1.
- 19 Senate Select Committee to Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States, *Report and Testimony of the Select Committee of the United States Senate*, 46th Cong., 2nd sess., S. Rept. 693, part 2 (1880): 464–482; Schweninger, “James T. Rapier of Alabama and the Noble Cause of Reconstruction”: 91.
- 20 “Chicago,” 5 June 1880, *Sacramento Daily Record-Union*: 1; “The Convention,” 5 June 1880, *Cleveland Leader*: 2.
- 21 Schweninger, *James T. Rapier and Reconstruction*: 177–178; “Federal Happenings,” 1 June 1883, *Atlanta Constitution*: 1; “Death of Hon. Jas. T. Rapier,” 9 June 1883, *Huntsville Gazette* (AL): 3.

Blanche K. Bruce

1841–1898

UNITED STATES SENATOR

1875–1881

Republican from Mississippi



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Blanche K. Bruce was the second African American to serve in the U.S. Senate and the first to serve a full six-year term. Born enslaved, Bruce rose quickly in Mississippi politics during Reconstruction. He later became a successful planter and was well-connected in politics and society in Washington, DC. In the Senate, Bruce was an advocate for Black civil and political rights as well as federal investment in the economic development of Mississippi. He was also the first Black Member of Congress to preside over the Senate and the first appointed to chair a congressional committee.

Blanche Bruce was born near Farmville, Virginia, on March 1, 1841. He was the son of an enslaved woman named Polly Bruce and the man who enslaved her, Pettus Perkinson. Polly Bruce had formerly been enslaved by Perkinson's father-in-law, Lemuel Bruce. Blanche Bruce's first name was originally "Branch," but he changed it to "Blanche" as a teenager. He later chose the middle name "Kelso." Bruce's father kept him enslaved for the entirety of his childhood and young adulthood. In the decades leading up to the Civil War, Perkinson moved Bruce and his family west to Chariton County, Missouri, in 1844, before relocating to Mississippi in 1849. There, Bruce was forced to work in the cotton fields for a year before Perkinson

decided to return to Missouri. Bruce lived for the next 12 years in the town of Brunswick, where he was hired out by Perkinson and did a range of jobs from carpentry to farm labor.¹

When the war began, Bruce escaped to Lawrence, Kansas—a haven for abolitionists before the war. Bruce had been accorded a range of privileges by his father while enslaved, including access to education, and in Lawrence he taught at a local school in the small free Black community. In 1863, he narrowly escaped a Confederate guerrilla attack on Lawrence that killed more than 140 residents. Near the end of the war, he moved to Hannibal, Missouri, and organized the state's first school for Black students in 1864. Determined to get a formal education, Bruce attended Oberlin College in Ohio in 1866. By 1867, he lacked the funds to continue studying and decided to return to Missouri, where he worked as a steamboat porter out of St. Louis on the Mississippi River.²

After visiting Mississippi and witnessing a stump speech by Republican gubernatorial candidate James Lusk Alcorn, Bruce was inspired to enter politics and moved to the state in 1869. He quickly became part of the Republican campaign operation that year, speaking to large crowds in

Black communities. Bruce was appointed registrar of voters in Tallahatchie County by the district military commander, General Adelbert Ames, a Republican who was elected to represent Mississippi in the U.S. Senate in 1870. Bruce was elected sergeant at arms of the state senate when the reconstituted Mississippi state legislature convened for the first time in late 1870. The following year, he was elected to the joint office of sheriff and tax collector of Bolivar County, and by 1872 the Republican state board of education appointed him county superintendent of education. Bruce's attention to costs, employment of local Black teachers rather than northern emigrants, and efficient administration of the system won wide support, even from White planters. Bruce invested in land and property in Floreyville, Mississippi, becoming a successful planter by the late 1870s. In 1872, he was named to the board of levee commissioners for a district containing three counties. The commissioners were empowered to raise revenue and build embankments in the Mississippi Delta region.³

By the mid-1870s, Blanche Bruce was among the most renowned Republican politicians in the state. The 1873 gubernatorial contest pitted then-Senator Ames against Alcorn, who had been elected to the U.S. Senate in 1871. During the campaign, Ames offered Bruce the position of lieutenant governor. Bruce refused, instead maneuvering for the Senate seat to be vacated by the victor. When Ames won and resigned in January 1874, the state legislature decided to choose two candidates for the Senate—one for Ames's unexpired term ending on March 3, 1875, and another for a full six-year term beginning in the 44th Congress (1875–1877). Henry Roberts Pease was chosen for the short term, while Bruce was nominated to serve the full term primarily because of the backing of Black Republicans, who were a majority in the party caucus and preferred Bruce to Representative George Colin McKee and U.S. district attorney Guilford Wiley Wells. The full legislature elected Bruce nearly unanimously on February 4, 1874.⁴

When Bruce arrived in the U.S. Senate Chamber on March 5, 1875, tradition called for the senior Senator from his home state to escort him to the podium. Senator Alcorn snubbed the Senator-elect because of Bruce's support for Governor Ames. Bruce walked up the aisle alone until Republican Senator Roscoe Conkling of New York offered to escort him. Thereafter Bruce had a powerful ally in Conkling, who helped the new Senator secure desirable committee assignments, including the Committee on

Education and Labor, the Committee on Manufactures, and the Committee on Pensions.⁵

Bruce was only 34 when he joined the Senate, which made him the second-youngest Senator behind 33-year-old Stephen Wallace Dorsey of Arkansas. Four years later, when Dorsey's term expired, Bruce was the youngest Senator in the 46th Congress (1879–1881). Arriving in the Senate without the experience of serving in the state legislature, Bruce astutely determined that “success depended to some extent on personal conduct,” and he took a diplomatic approach to building relationships with his colleagues, “to cultivate and exhibit my honorable associates a courtesy that would inspire reciprocal courtesy.”⁶

On March 3, 1876, Bruce delivered his maiden speech in the Senate. The Senator from Mississippi petitioned his colleagues to seat P.B.S. Pinchback, the African-American Senator-elect from Louisiana—and a personal friend. The Senate had refused to seat Pinchback because of ongoing claims that the Republican-led legislature that took office in January 1873 was the product of a disputed election in 1872. Bruce noted that if Congress had not acted to settle this dispute in the ensuing three years—and had welcomed other Members elected during this period—how could the Senate deny Pinchback his seat? Despite the backing of Bruce and other Republicans, the Senate ultimately rejected Pinchback's claim to the seat.⁷

On March 31, Bruce spoke in favor of a proposed investigation into election violence in Mississippi in 1875. He described the “flagrant wrongs” perpetrated against Black voters in the state as undermining representative government and denying the civil and political rights of African Americans. Bruce denounced the violence in Mississippi as “an attack by an aggressive, intelligent, white political organization upon inoffensive, law-abiding fellow-citizens; a violent method for political supremacy, that seeks not the protection of the rights of the aggressors, but the destruction of the rights of the party assailed.” While Black Mississippians had become influential in state politics, he added, they could not be accused of using “our newly acquired power as a sword of attack and not as a shield of defense.” He included in his remarks statistics demonstrating the “hopeful progress” of African Americans in his home state, highlighting the increase in marriages, property ownership, population, and the establishment of businesses. For Bruce, these model citizens deserved the enforcement of existing law to protect their individual rights. Ultimately,

a Senate select committee produced a two-volume report on the 1875 Mississippi elections that chronicled violence, intimidation, and a coordinated Democratic effort to stop Black voters from casting their ballots.⁸

Bruce skillfully used his platform as a U.S. Senator to bolster his influence in Republican politics. He chaired the Mississippi delegation to the 1876 Republican National Convention and campaigned for the nominee, Rutherford B. Hayes, in Mississippi and Louisiana. During the administration of President Hayes, Bruce worked closely with two Black Mississippi Republicans, former Representative John R. Lynch and secretary of state James Hill, to garner federal appointments for White and Black allies of the state Republican Party.⁹

Bruce was also an advocate for African Americans in the U.S. military and the interests of Black war veterans. On April 11, 1878, he spoke in favor of a bill to end discrimination in the military enlistment process, opening all branches of the service to Black soldiers. Two years later, Bruce urged the Senate to pass a resolution calling for the Secretary of War to investigate the brutal hazing of Black West Point cadet Johnson C. Whittaker.¹⁰

Throughout his term in office Bruce fought to ensure the government issued long overdue backpay to Black soldiers and sailors for their service in the Civil War. The first bill he introduced in the Senate mandated the immediate payment of “all sums due” to Black soldiers for their service to the Union. Many Black soldiers who enlisted while still technically enslaved had not received the promised “bounties,” or cash bonuses, for their service, so Bruce introduced legislation designed to force the government to distribute these funds. In 1879, he submitted a bill to distribute money that had not been claimed by Black Civil War soldiers to schools and colleges serving African-American students. Bruce’s proposal was widely reported in the press, causing more veterans to submit claims and significantly deplete the fund. In 1881, he again supported legislation that prevented discrimination against Black soldiers who had been denied wartime bounties and pensions.¹¹

On February 14, 1879, Bruce became the first Black Senator to preside over a Senate session. Senator George Frisbie Hoar of Massachusetts called on Bruce to lead proceedings during debate on a bill restricting immigration from China. Following his time in the chair, Bruce interjected with a short statement of opposition to the proposed legislation. Before voting, he urged his colleagues

to consider his position as the lone representative of “a people who but a few years ago were considered essentially disqualified from enjoying the privileges and immunities of American citizenship, and who have since been so successfully introduced into the body-politic.” Bruce praised “the strength and the assimilative power of our institutions,” which he expected would mold immigrants from China into American citizens.¹²

Bruce also discussed the need to improve relations between the U.S. government and Native American tribes in the West. In an April 7, 1880, speech in the Senate Chamber, he criticized federal policy toward Native Americans, emphasizing that repeated “aggressions” by the U.S. military along with constant revisions to existing treaties had created distrust and animosity between both parties. The actions of the U.S. government, Bruce said, appeared to target Native Americans for “expulsion and extinction from the continent.” In his own comments on the issue, Bruce used patronizing terms to describe a path to assimilation, which he considered the best outcome for Native Americans. This involved exposure to what Bruce called the “attractive side of our civilization,” including property ownership, representative government, and individual rights. As a result, he said, the “savage life will lose its attractions.” While Bruce embraced contemporary ideas contrasting “civilization” and “savagery,” he also recognized the humanity of Native Americans and called on the U.S. government to apply “the wise and equitable principles that regulate the conduct of public affairs relative to every other race in the Republic.”¹³

Bruce supported many internal improvements to benefit Mississippi. In the 45th Congress (1877–1879), he became the first Black Member of Congress to chair a congressional committee when he led the Select Committee on the Levees of the Mississippi River. In this position, he pushed for federal funding to mold the river in the interests of trade and agriculture. Bruce backed a measure in 1879 to create and fund the Mississippi River Improvement Commission, a panel charged with surveying the river for levee construction and other enhancements to improve navigation and protect waterfront property. A revised version of the bill passed in the 46th Congress. In 1880, Bruce introduced a bill to grant a Mississippi railroad company the right to construct a new railroad and telegraph line through public lands in the state.¹⁴

In April 1879, Bruce introduced a resolution to create the Select Committee to Investigate the Freedman’s Savings

and Trust Company. The Freedman's Bank, as it was commonly known, was chartered by Congress in 1865 to offer banking services to newly liberated African Americans. The bank failed in 1874 and depositors lost their savings. The Democratic Party had just regained control of the U.S. Senate for the first time since the Civil War. Before formally introducing the resolution, Bruce inquired with Democratic leadership about the prospects of establishing a select panel to determine the cause of the bank's failure and the status of its assets. In an unusual move, the Democratic majority in the Senate not only approved his request but appointed Bruce the committee chair. He was joined on the panel by three Democrats and one Republican. In addition to conducting several hearings, the committee reviewed documents from branch offices and compiled an extensive report on the demise of the bank. Bruce introduced a bill to reimburse depositors, which was not brought up for a vote. Two other bills recommended by the committee did become law. The first eliminated the roles of three commissioners charged with administering the bank's remaining assets and appointed a lone commissioner. The second authorized the federal government to purchase the bank's former Washington, DC, headquarters.¹⁵

Bruce opposed the emigration of Black Americans who departed the South in search of opportunities in western states such as Kansas. He did argue in favor of a bill to distribute duty-free British cotton clothing to impoverished Black emigrants, which ultimately became law. Bruce compared these charitable donations to the effort to raise money in the United States to send to poor communities in Ireland.¹⁶

During his time in the Senate, Bruce became a fixture in Washington, DC, politics and society. He welcomed influential White and Black elected officials and advocates into his home. In June 1878, he married Josephine Beall Wilson of Ohio—the first Black teacher in the Cleveland public schools and the daughter of a prominent dentist. Josephine Bruce also became prominent in Washington society and was active in local and national Black women's civic organizations. They had one son, Roscoe Conkling Bruce—born in 1879 and named after Bruce's Senate colleague—who was an educator in Washington, DC. After Bruce's death in 1898, Josephine was hired by Booker T. Washington to serve as “lady principal” of Tuskegee Institute in Alabama.¹⁷

By the end of the decade, Mississippi Democrats had secured control of the state legislature, leaving Bruce with

little chance of being elected to another six-year term. In January 1880, the legislature chose Democrat James Zachariah George to succeed him. After leaving the Senate, Bruce remained active in the Mississippi and national Republican parties. He briefly served as presiding officer at the 1880 Republican National Convention in Chicago, where he received eight votes for the nomination for Vice President. When the convention returned to Chicago in 1888, Bruce received 11 such votes.¹⁸

In 1881, Bruce was rumored as a nominee for a Cabinet position in the administration of President James A. Garfield. He rejected an offer to be U.S. minister to Brazil, citing the climate and his apprehension that “a colored man will not be well received” there. Instead, Bruce obtained a prime position as register of the U.S. Treasury. In 1884, Bruce was appointed head of the “Colored Department” at the World's Industrial and Cotton Centennial Exposition, a World's Fair held in New Orleans, Louisiana, from December 1884 to June 1885. He traveled throughout the country to collect items such as books, art, tools, and machinery created by Black Americans. The goal of the exhibit, Bruce said, was to demonstrate to “the world” what African Americans “have been able to do in less than twenty years of freedom.”¹⁹

In 1885, the inauguration of Democratic President Grover Cleveland meant that Bruce had to resign his Treasury position. He focused on his agricultural investments and engaged in a popular nationwide lecture tour. From 1886 to 1890, Bruce and his family spent significant time in Indianapolis, Indiana. They returned to the capital in 1890, when President Benjamin Harrison appointed Bruce recorder of deeds for the District of Columbia. When President Cleveland returned for a second term in 1893, Bruce left that office and joined the board of trustees at Howard University, which also granted him an honorary doctor of laws. Bruce was again touted in the press as a possible Cabinet appointee at the beginning of President William McKinley's administration in 1897. Instead, he returned to the Treasury post. He continued to reside in Washington until he died after a prolonged illness on March 17, 1898.²⁰

Manuscript Collection

Howard University, Moorland–Spingarn Research Center (Washington, DC). *Papers:* 1841–1898, amount unspecified. Contains correspondence, documents, newspaper clippings, family papers, and other material. Most of the correspondence relates to Blanche K. Bruce's service as Senator and reflects the political, economic,

and social conditions in Mississippi and the South during Reconstruction. Correspondents represented include James Hill (secretary of state for Mississippi, 1874–1878), John R. Lynch, P.B.S. Pinchback, and J.J. Spellman. Other persons represented include Booker T. Washington, the Plummer family, and Sadie Daniel St. Clair. Topics represented include the Republican Party in Mississippi. *Additional Papers*: In Roscoe Conkling Bruce papers, 1897–1924, son of Senator Blanche K. Bruce. A finding aid is available in the repository and online.

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Jeremiah Haralson

1846–unknown

UNITED STATES REPRESENTATIVE

1875–1877

Republican from Alabama

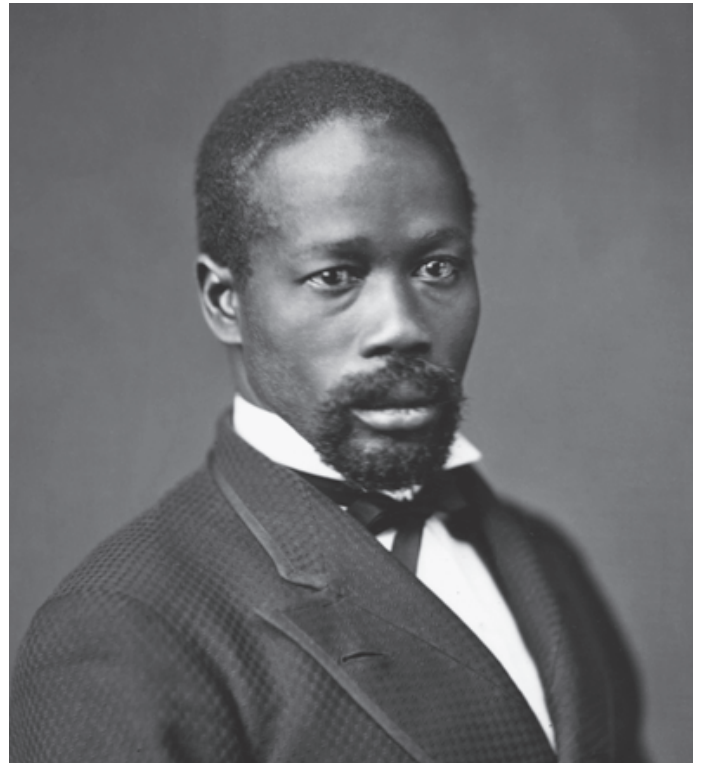


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Jeremiah Haralson, a powerful orator and adroit debater, rose quickly in Alabama state politics before serving one term in the U.S. House of Representatives during the 44th Congress (1875–1877). In the contentious politics of Reconstruction Alabama, Haralson battled the resurgent Democratic Party to preserve Black civil and political rights before violence and election fraud undermined his re-election campaigns in 1876 and 1878. He was both principled and pragmatic, willing to challenge those in his own party who prioritized their personal and political interests over building a lasting and just peace in the South. “Is it not better that the leading colored men take this thing in hand and build up our race, build up our party, upon the true principles of right and justice of Republicanism,” Haralson wrote in 1876, “and drive those who are striving to ride into office on prejudice into the blackest political hell?”¹

Jeremiah Haralson was born enslaved near Columbus, Georgia, on April 1, 1846. His early life is not well documented. He was sold twice as a child before John Haralson, a lawyer from Selma, Alabama, purchased him in 1859. One observer, noting the brutal physical toll Jeremiah Haralson’s early experiences had on his body, recorded,

“Every square inch on his back shows the scars of the whip of his slavery days.”²

After he was emancipated at the end of the Civil War in 1865, Haralson taught himself to read and write. He made his living as a farmer and married Ellen Norwood in 1870. They had one son: Henry. In the contemporary press Haralson was often referred to as “Jere,” which was also how his name appeared in the *Congressional Directory* for the 44th Congress.³

Haralson’s skills as a politician were often commended by colleagues and the press during his career. He was described as “a born wit,” who punctuated his speeches with sarcasm and humor. “He is a ready and shrewd debater,” a colleague noted in 1872, with a “ringing voice.” During his time presiding over the Alabama state senate, observers praised him as “well versed in parliamentary usages.” After hearing Haralson speak at the National Convention of Colored Men in New Orleans, Louisiana, in April 1872, Frederick Douglass called him “one of the most amusing, ready, witted and gifted debaters” at the gathering. “While he has humor enough in him to supply a half dozen circus clowns; he is a man of real solid sense.” Douglass went on to note that Haralson may be “in danger of letting his immeasurable

love of drollery get the better of the more serious side of his nature, and preferring to make men laugh to making them think, for it is in his power to do the latter as well as the former.”⁴

While most Black Alabamians supported the Republican Party—which championed the civil and political rights of formerly enslaved people after the Civil War—Haralson made the unconventional decision to enter political life as a Democrat. In 1868, he made several speeches in support of Democratic presidential candidate Horatio Seymour and his running mate, Francis P. Blair. Haralson also served as secretary of the local “Seymour and Blair Club,” an all-Black organization which supported the Democratic ticket in 1868 and which, it was said, denounced “the efforts of the carpet baggers to ruin both races.” In August 1868, Haralson narrowly escaped a violent attack by a group of Black Republicans described as “Radicals” by a local paper.⁵

It is difficult to reconcile Haralson’s early Democratic activism with the balance of his career. In both state and national office, Haralson demonstrated a stark aversion to the Democratic Party’s agenda while upholding the principles of the Republican Party. While some sources attributed his Democratic affiliation to a sincere political decision on Haralson’s part, a contemporary source close to Haralson relayed a story the Alabama Representative often told about his speeches for the Democratic ticket. Haralson later claimed that he was more interested in backing the Republican candidates, Ulysses S. Grant for President and Schuyler Colfax for Vice President. “While he made Seymour and Blair speeches for money, he talked Grant and Colfax for nothing.”⁶

By 1870, Haralson had become more direct in his association with Republican politics. In 1869, he served as an election inspector in a Dallas County, Alabama, voting precinct for the congressional election held in August. A year later, he successfully ran as an Independent for the state house of representatives. In September 1870, Haralson presided over the Republican Party’s district convention, at which Benjamin Sterling Turner—the first African American from Alabama to serve in Congress—was nominated for the House. By 1872, when he was elected to the Alabama state senate, Haralson was a staunch and vocal Republican. He successfully navigated a civil rights bill through the state senate, though its progress stalled in the house. Only a few years into his legislative career, Haralson’s skills in debate made him, as one observer wrote, “feared,

perhaps, more than any colored man in the legislature of Alabama.” He was also president of the Alabama Laborers’ Union for most of the 1870s.⁷

By the time he addressed the 1872 National Convention of Colored Men, Haralson had fully embraced the Republican Party as a vehicle for national change. During the presidential election later that year, a Liberal Republican faction had mobilized to challenge the Republican Party’s standard bearer, the incumbent President Grant. Haralson was adamant that Black Americans recognize the urgency of the moment and back Grant. When one attendee suggested they wait to see if Liberal Republicans nominated Senator Charles Sumner of Massachusetts for President, Haralson warned, “We have waited too much, and if we do not look out we will keep on a waiting.”⁸

Even though Haralson stressed the importance of Republican solidarity, he remained skeptical of many White Republicans in Alabama who he believed had entered politics strictly for personal gain. For Haralson, they were “office hunters” more interested in dividing Alabamians to maintain their control over the Republican Party than they were in building a durable and prosperous peace in the South. This perspective shaped his relationship with the party for years to come.⁹

In 1874, Haralson won the Republican nomination in Alabama’s First Congressional District, which stretched over a swath of western Alabama, including Haralson’s hometown of Selma and a large chunk of the central Alabama Black Belt. Representative Turner had held the same seat in the 42nd Congress (1871–1873). The district’s population was about 50 percent African American. Haralson campaigned on a strong civil rights platform, appealing to the district’s freed people. Both White Republicans and Democrats rallied behind the incumbent, Liberal Republican Frederick George Bromberg, who had defeated Turner and another Black candidate two years earlier. But Haralson ultimately captured 54 percent of the vote to win his seat in Congress.¹⁰

When the House convened for the 44th Congress in December 1875, Haralson was sworn in and assigned to the Committee on Public Expenditures. Bromberg contested Haralson’s victory, however. The Committee on Elections did not report on the case until April 18, 1876, when it decided unanimously to reject Bromberg’s challenge. The Democratically-controlled committee declared some of Haralson’s votes invalid, but he retained a winning margin.

In announcing the decision on the House Floor, Democrat John Thomas Harris of Virginia, the committee chair, accused Republicans in Haralson's district of manipulating and intimidating Black voters and claimed the committee's investigation had uncovered "frauds as flagrant and abuses as violent as ever have been committed in this country upon the elective franchise." Republican Martin Ingham Townsend of New York defended the panel's unanimous decision and Haralson's right to be seated, stating that after 43 years as a lawyer, "I have never seen such infamous, such glaring, such self-confuted perjury as was attempted in opposition to the sitting member." The House ultimately approved the resolution reported by the committee, confirming Haralson's hold on the seat.¹¹

During his single term in office, Haralson never addressed the House in an extended speech on the floor. His only brief remarks came at the end of a debate on a bill amending an 1871 measure providing pensions to surviving veterans of the War of 1812 and their wives and children. Haralson asked that lawmakers extend these benefits to "the surviving colored soldiers" of the conflict as well. Haralson's other legislative proposals focused largely on the needs of his state and those of African Americans throughout the nation. He drafted two bills to use the proceeds from the sale of public land to fund educational initiatives as well as a bill to revise the list of counties included in three Alabama judicial districts. He also presented a petition from citizens in Mobile, Alabama, requesting compensation for the use of a medical college and supplies by officers of the Freedmen's Bureau. None of Haralson's proposals passed the House.¹²

In January 1876, Haralson voted for a bill to lift the remaining political restrictions on all former Confederates. Although the bill did not pass, Haralson recognized that his support had been controversial among Republicans. In a letter to a friend later that month, he tried to justify his vote by pointing out that President Grant favored amnesty and that the 1874 Republican platform guaranteed equal protection of the law. He also mentioned the need for change born out of cooperation between the White and Black residents of Alabama. Haralson stressed that the "office-hunters" of the Republican Party had made the amnesty bill a divisive issue by not thinking about what he called the long-term interests of the region. "We must drive out these hell hounds and go in for peace between the two races in the South," he declared.¹³

Haralson anticipated a violent 1876 election across the southern states. But he was wary of using federal soldiers to police polls and ensure orderly voting. "Every 'blue-jacket' sent to the South makes democratic votes," Haralson warned. He did, however, welcome federal election supervisors at the polls, particularly during his difficult re-election campaign.¹⁴

By 1876, the Alabama state legislature had gerrymandered Haralson's district, cutting it nearly in half so that it encompassed only the west-central Alabama Black Belt. The new Fourth District had by far the largest Black electorate—65 percent—of any district in the state. In the Republican primary, Haralson faced former Representative James T. Rapier, who had previously held the Second District seat in the 43rd Congress (1873–1875).¹⁵

Haralson and Rapier belonged to different factions within the Alabama Republican Party. Rapier allied with Alabama Senator George Eliphaz Spencer and Haralson with former governor William Hugh Smith. At the district convention, Rapier appeared to receive the votes necessary to win the nomination. Haralson, however, left the convention and mobilized his supporters in another building nearby, where he was subsequently nominated. By the end of the night, both men claimed to be the Republican standard-bearer in the Fourth District. "That was a difference of opinion between Mr. Rapier's friends and me," Haralson later recalled. "I thought I was a regular nominee, and he thought he was a regular nominee." Because both Haralson and Rapier appeared on the ballot, they split the substantial Republican ticket, emerging with 34 and 28 percent of the vote, respectively. Democrat Charles Miller Shelley—a former Confederate general and the Selma sheriff—won the election with a 38 percent plurality.¹⁶

Haralson contested the election, claiming Shelley had unfairly selected the inspectors at the polling places. As sheriff, Shelley had the power to appoint the three inspectors at each site. He always appointed two Democrats and one Black Republican who could not read or write, thereby enabling his Democratic allies to manipulate the election. After inspectors threw out many of Haralson's votes, he protested that there had been plenty of Black Republicans available to work as inspectors who could read and write, and understood the election process.¹⁷

In February 1877, with his case pending before the Committee on Elections, Haralson provided detailed testimony before a subcommittee of the Senate Committee

on Privileges and Elections investigating Alabama's recent elections in 1874, 1875, and 1876. Haralson responded to questions related to polling sites, political factions, and the violence and intimidation Black voters faced in his district. He spoke specifically about his own difficulties in the 1876 election, and how local election officials threw out the crucial votes that would have guaranteed his victory.¹⁸

Haralson's testimony outlined the process by which Democrats used widespread election fraud to disenfranchise Black Americans in the late nineteenth century. He described how local Democratic officials commandeered the vote certification process, throwing out ballots and manipulating tallies to manufacture sizeable winning majorities. "If they wanted to make it one hundred thousand," he said, "they could do it." He also discussed the ways White and Black Republicans faced economic reprisals, threats to their homes and family, and violent attacks from Democrats. Haralson told the panel of several threats against his life, including from his opponent Shelley, who threatened him at gunpoint during the campaign. If Democrats regained control of the state government, he warned, they "would inaugurate slavery in a new form; not such as it was, but by depriving us of our right to vote; and the gentlemen who used to own us would represent us, and get up in the American Congress and say that we voted for them and sent them there, when we did not."¹⁹

Haralson acknowledged the difficulty he faced in unseating Shelley. "I know that it is a novel and hazardous thing for a negro to contest before a Democratic House a white man's claim to a seat," he said in an April 1878 letter to the editor of the *Washington Post*. But Haralson insisted that he had won. "Mr. Shelley is no more entitled to the seat in the Forty-fifth Congress than the Sultan of Turkey, and is only here by taking advantage of his own wrong." Haralson submitted papers to the Committee on Elections and took additional testimony in the summer of 1878, but the committee never issued a formal report on his challenge and the House opted not to consider the case before the term expired in March 1879.²⁰

While battling to unseat Shelley in the 45th Congress, Haralson won the Republican nomination for 1878 election. The campaign between the formerly enslaved Haralson and the ex-Confederate Shelley was again fraught with violence and intimidation by White Democrats against Black voters. Officials reported that Shelley had captured 55 percent of the vote to win a seat in the 46th

Congress (1879–1881), but Haralson suspected that Democratic election supervisors had manipulated ballot boxes throughout the district, costing him votes. Haralson began to collect evidence, but several local judges refused to take affidavits from witnesses. When he was finally able to solicit the aid of Republican judge George Craig, Shelley supporters jailed his witnesses and attempted to have Haralson and his lawyer imprisoned under false charges. While traveling between Montgomery and Selma, Haralson was attacked by an armed mob and ordered to leave the state. Fearing for his life, he fled to Washington, DC.²¹

Haralson persevered and submitted evidence to the Committee on Elections to contest Shelley's victory. In April 1879, Haralson sent a memorial to the committee stating his claim to the seat. The committee finally responded to Haralson in January 1880, and requested additional evidence, threatening to dismiss the case if he did not provide the documentation. Haralson criticized the committee's delay and requested a "proper hearing." He also demanded the removal of Harris, the chair, and another Democrat, Ezekiel John Ellis of Louisiana, before he agreed to appear before the committee. Ultimately, the committee never ruled on Haralson's claim.²²

In May 1880, Haralson traveled to Chicago, Illinois, to attend the Republican National Convention. The election that fall carried high stakes, he told the *Chicago Tribune*. "If we are beaten this time," Haralson declared, "white men can live in the South, but not negroes." He predicted a Democratic administration would tilt the balance of power—that Democrats would use the Supreme Court to sanction their states' rights doctrine and "undo everything" Republicans had passed during Reconstruction. Haralson also speculated that Democrats would "increase the Supreme Court bench" to get their desired results. Haralson also questioned the candidacy of President Grant, whom he had supported in the past but was now in pursuit of an unprecedented third term in office. Haralson predicted Grant had no chance in the South. "How could he carry a Southern State when we couldn't hold them with all the power of his Administration at our back?" he asked. "He has no power now, and power is greater than his name. All the election machinery is in the hands of the Democrats."²³

In 1884, Haralson revived his campaign for Alabama's Fourth District, where African Americans were 80 percent of the population. He had spent the intervening years in patronage positions, first as a clerk at Baltimore's federal

customs house and later as a clerk at the U.S. Department of the Interior. He also worked for the Pension Bureau in Washington, DC, from 1882 to 1884. At the September 1884 Republican nominating convention, Haralson faced George Craig—the judge who had helped him in 1878. After a disputed vote, both candidates claimed to be the nominee and ran as Republicans. In the general election, Haralson received just 683 votes in a four-way contest. Democrat Alexander Caldwell Davidson won easily with 64 percent of the vote, garnering twice as many votes as Craig who finished second.²⁴

Haralson remained active in Alabama Republican politics, but by 1891 he had settled in Pine Bluff, Arkansas. He worked in what was known as the pension business, helping potential applicants—soldiers, widows, and children—compile information and follow the strict guidelines to secure federal pensions. An 1894 article in the *Washington Post* noted that Haralson did “the largest pension business in the State.” In December 1894, he was convicted of forgery in federal court and sentenced to two years in prison. Haralson served his sentence in Albany, New York.²⁵

The circumstances of Haralson’s death have been subject to much speculation. In the 1920s, a congressional aide tasked with compiling and updating the *Biographical Directory of the United States Congress* received and published information that Haralson had been “killed by wild beasts” near Denver, Colorado, in 1916. This mysterious end to Haralson’s life, however, cannot be verified, and recent research makes clear that the individual in that account was most likely not former Representative Jeremiah Haralson of Alabama. Ultimately, the date and manner of Haralson’s death remain unknown.²⁶

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John Adams Hyman

1840–1891

UNITED STATES REPRESENTATIVE

1875–1877

Republican from North Carolina

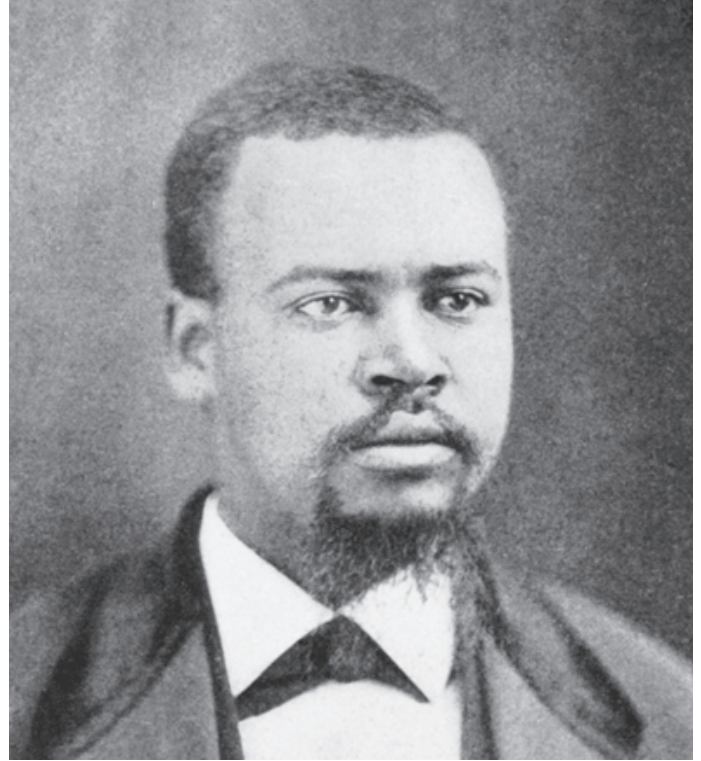


Image courtesy of the National Archives and Records Administration

While enslaved, John Adams Hyman undertook great personal risk to learn to read and write, repeatedly breaking laws across the South that prohibited his education, and as a result, was sold at least seven times. After his emancipation, Hyman sought with equal determination to become the first Black U.S. Representative from North Carolina. Although he made no speeches on the House Floor, he worked to ensure the civil and political rights of African Americans. “No man can say that all men were not created equal; that they are not endowed by their Creator with certain inalienable rights,” Hyman asserted in an 1872 letter to Senator Charles Sumner of Massachusetts. “There can be no grades of citizenship under the American flag.”¹

John Adams Hyman was born enslaved near Warrenton, North Carolina, on July 23, 1840. Hyman later recalled that he was treated like “chattel, bought and sold as a brute.” As a young man, Hyman rebelled against the institution of slavery, and eagerly pursued an education. “Early in life he was seized with an intense desire to improve himself,” reads an 1876 profile in the *Congressional Directory*. Hyman was often “caught with a spelling-book during the hours of night, among his fellow-slaves, trying to learn,” before

being “sold and sent to Alabama, where he suffered like persecution on account of his desire for self-improvement.” When he gained his freedom in March 1865, Hyman returned from Alabama to Warrenton, where he became a farmer and opened a country store. He also became a trustee of the first public school in the area. Hyman married and had four children.²

Hyman quickly became active in the movement to secure political rights for African Americans in North Carolina. At age 26, he served on two committees at the state’s Freedmen’s Convention, including the committee on invitations, an important panel whose purpose was to encourage the attendance of influential politicians and to raise awareness about the convention. Hyman also served as a delegate to the March 1867 Republican State Convention and recruited Black voters in his role as registrar for northern Warren County. In November 1867, Hyman was elected to the Warren County delegation to the North Carolina constitutional convention. The convention met in Raleigh the following January, and produced a state constitution that guaranteed male voting rights and declared that all North Carolinians had the basic “right to the privilege of education.”³

In 1868, Hyman won election to the state senate, where he served for six years. At the state level, he backed a variety of policies to safeguard Black freedoms while keeping abreast of efforts to do the same in Congress. In January 1872, he wrote to Charles Sumner in support of the Massachusetts Senator's civil rights bill. Hyman shared Sumner's ideas about human rights and rooted his understanding of Black equality in the Declaration of Independence. He also described his personal journey since emancipation, in which he became "raised to the dignity of man and of an American citizen."⁴

Hyman opposed President Andrew Johnson's leniency toward ex-Confederates and strongly advocated requiring states to ratify the Fourteenth Amendment before being readmitted to the Union. In 1872, Hyman supported the decision by North Carolina's Republican Governor William Holden to order the arrest of Ku Klux Klan members suspected of lynching and terrorizing the state's Black population.⁵

Hyman's hometown of Warrenton was in the northern section of the "Black Second" congressional district. By 1872, it was the only remaining safe Republican district after Democrats in North Carolina's legislature gerrymandered the state to their advantage. The "Black Second" stretched from Warren County, adjacent to the Virginia border, and hooked around to coastal Craven County. By 1880, African Americans made up more than two-thirds of the population in three of the district's 10 counties. In all but two of the counties in the district, African Americans were more than 50 percent of the population—and in those two, the Black population was at least 45 percent. In 1872, White Republican Representative Charles Randolph Thomas sought a third term in the reapportioned district, but several African-American politicians in the "Black Second" demanded that a Black candidate serve as the Republican nominee. Hyman challenged Thomas for the nomination—embittering many White Republicans—but lost at the May 1872 district convention. Thomas went on to handily defeated his Democratic opponent in the general election.⁶

Yet, Thomas's term in the 43rd Congress (1873–1875) went poorly; he introduced few bills and made the political blunder of voting to retroactively raise congressional salaries, an unpopular issue in his district. Seven candidates, including Hyman and African-American state representative James E. O'Hara—who would win election to the House

in 1882 from the same seat—challenged the weakened incumbent at the 1874 district convention. The early ballots taken at the convention saw the votes split evenly among the candidates, but after a series of negotiations, Hyman prevailed on the twenty-ninth ballot.⁷

In the general election, Hyman faced Democrat George W. Blount, a local lawyer, who entered the race at the last minute and who hoped to take advantage of a growing rift among Black and White Republicans, as well as another Black candidate, Garland N. White, who ran as an Independent Republican. Hyman ultimately won in a rout, taking 62 percent of the vote against his two opponents. Blount complained that the phrase "Republican Congressional Ticket" printed at the top of Hyman's ballots persuaded many voters who could not read to vote for the eventual victor. But it was the Independent Republican Garland White, who had only earned a little more than 1,000 votes, who attempted to contest Hyman's election on Capitol Hill. The Committee on Elections did not issue a formal report on Hyman's 1874 election, though it did report favorably on his right to his seat and dismissed the contestant's complaint on August 1, 1876.⁸

Upon his arrival for the 44th Congress (1875–1877), Hyman was assigned to the Committee on Manufactures. For the first time in nearly two decades, House Republicans found themselves in the minority, and Hyman's committee assignment had little significance for his agricultural district. Hyman made no speeches on the House Floor, but he was an active lawmaker, offering private bills and petitions on behalf of poor constituents in his district and state. He sponsored a bill authorizing the Treasury Department to build a lighthouse at Gull Rock on North Carolina's Pamlico Sound and introduced legislation to compensate constituents for financial losses incurred during the Civil War. He joined others from the North Carolina delegation in seeking relief for members of the Cherokee nation who had been forcibly expelled to the West. He cast a noteworthy "nay" vote against restricting President Ulysses S. Grant to two terms. Though a formal term limit for Presidents did not yet exist, the resolution sought to solidify the custom that a chief executive would step down after two terms based on the precedent established by President George Washington. Hyman was one of only 18 Members—including nearly all of the Black Representatives in the 44th Congress—to back a third term for Grant as most Republicans voted against the proposal.⁹

By the spring of 1876, Hyman faced growing hurdles to his re-election. Back home, North Carolina Governor Curtis Hooks Brogden began mustering support to defeat Hyman for the Republican nomination. Brogden, whose hometown was in the Second District, had taken office in 1874 following the death of Governor Tod Robinson Caldwell but expected to be passed over for the gubernatorial nomination in 1876. By the summer, Brogden's supporters had convinced some of Hyman's White and Black allies that the sitting governor was well-positioned to win Republican nomination in the Second District, and at the party convention Brogden captured the ticket on the ninth and deciding ballot. Deflecting rumors he would run as a third-party candidate, Hyman threw his support behind his erstwhile rival, allowing Brogden to win the general election by a wide margin. Brogden then took his place as the only Republican in the state's new congressional delegation.¹⁰

After leaving the House, Hyman returned to his farm in Warrenton, where he also ran a grocery and liquor store. He briefly served as a special deputy internal revenue collector for the Rutherford B. Hayes administration, but political pressure from the North Carolina Republican Party kept him from fully assuming his post. In 1878, he again ran for Congress, losing the nomination to James O'Hara. Despite being out of office, Hyman searched for ways to secure political appointments for African Americans in Warrenton County, including a scheme to encourage Black voters in the district to support local Democratic candidates in exchange for patronage positions.¹¹

In his later years, Hyman, who remained politically-connected, was employed in a variety of public jobs. He accepted work as a postal clerk in Richmond, Virginia, before taking a position as a watchman in the Government Printing Office, in Washington, DC, from 1883 to 1886. In 1887, he returned to Warrenton hoping to again secure the congressional nomination in the Second District in 1888. Unsuccessful, Hyman moved back to Washington, DC, in 1889, where he took a position in the U.S. Department of Agriculture's seed dispensary. In 1890, his sons opened a wholesale store in the District of Columbia that was hailed in the press as "managed and controlled entirely by Afro-Americans." On September 15, 1891, John Hyman died at home following a stroke. He was 51 years old.¹²

Manuscript Collection

University of North Carolina, Louis Round Wilson Special Collections Library, Southern Historical Collection (Chapel Hill, NC). *Papers*: 1876, three letters. The John Adams Hyman Letters include correspondence recommending that Republican F.D. Schlachter be appointed as Superintendent of the National Cemetery in New Bern, North Carolina.

Notes

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Charles E. Nash

1844–1913

UNITED STATES REPRESENTATIVE

1875–1877

Republican from Louisiana



Image courtesy of the Library of Congress

Charles E. Nash was the first Black Member of Congress elected from Louisiana. A wounded veteran of the Civil War, he served one term in the U.S. House of Representatives, in the 44th Congress (1875–1877). Unable to find legislative success in a House controlled by Democrats, this Republican lawmaker nonetheless made an impassioned plea for reconciliation and recovery following the devastation of war.

Charles Edmund Nash was born to free parents, Richard and Masie Cecile Nash, in Opelousas, St. Landry Parish, Louisiana, on May 23, 1844. Nash attended public schools before becoming a bricklayer in New Orleans. He married and had five children. During the Civil War, Union troops occupied New Orleans in 1862, and in July 1863, Nash enlisted as a private in Company A of the 82nd Regiment, United States Volunteers, known as the Chasseurs d’Afrique. He was eventually promoted to sergeant major. Nash was severely wounded and lost part of his right leg in April 1865, in the battle of Fort Blakely, Alabama, only days before the end of the Civil War. In 1869, Nash was hired for a federal patronage position as a night inspector in the New Orleans custom house. He also became politically active, joining the Workingmen’s Republican Club of Washington,

Louisiana, and running unsuccessfully for a seat in the state legislature from St. Landry Parish in 1872.¹

Beginning in 1868, Louisiana Republicans faced a precarious situation after the state was readmitted to the Union and federal military occupation ended. Clashes between Democrats and Republicans grew more common and were compounded by a number of intraparty rivalries that had split the Republican Party in the state. In 1872, the election of Republican William Pitt Kellogg as governor was challenged by Democrat John McEnery. During the next two years, violence plagued the state. McEnery established his own militia and tried to seize police stations in New Orleans in the spring of 1873. In April, the Black community in Colfax, concerned that Democrats were going to seize control of the local government, mobilized an armed defense of the courthouse. But a White mob murdered more than 150 Black residents in what came to be known as the Colfax massacre. In 1874, the White League, a vigilante organization set on using violence to re-establish White supremacy in the state, openly attacked Republican officials and African Americans.²

During this period of violence and instability, the Republican Party convened in New Orleans on August 8

in preparation for the 1874 election. Nash was nominated for a House seat in the Sixth District surrounding Baton Rouge. By September, Governor Kellogg was able to secure military assistance from President Ulysses S. Grant to stop a White League uprising in New Orleans that tried to install his rival, McEnery, as governor. Only the arrival of the U.S. military stopped the insurrection. Nash's election to Congress in 1874 was smooth by comparison. He defeated Democrat Joseph B. Moore by a little more than 1,000 votes.³

Nash was the first Black lawmaker from Louisiana to serve in Congress. His experience contrasted sharply with that of three Black candidates from the state who preceded him. John Willis Menard of New Orleans was elected to the House in 1868 but was never seated after his opponent contested the election. In 1872, Samuel Peters of Shreveport had won election to the 43rd Congress (1873–1875) but died before he was sworn into office. And in 1873, lieutenant governor P.B.S. Pinchback—one of Louisiana's most influential Black politicians—claimed a seat in the House and the Senate only to be denied both through the contested election process.⁴

Nash joined a then-record eight Black Members—including Mississippi Republican Blanche K. Bruce in the Senate—in the 44th Congress. Upon his swearing-in, Nash was assigned to the Committee on Education and Labor. In the House, Nash focused on constituent services, introducing private bills to provide petitioners monetary compensation and pension requests for former soldiers. He also introduced a bill requesting federal funding for a survey of Bayou Cortebateau with the intention of improving navigation of the waterway in his district.⁵

Nash eagerly participated in debate, particularly on matters related to his home state. For example, on May 31, 1876, Louisiana Republican Frank Morey spoke for 90 minutes during a debate on a disputed election in a district just north of Nash's Sixth District. When Morey went over his allotted time, he was granted an additional 30 minutes. As Morey's speech concluded, Nash rose to speak, claiming that Morey had promised him time to offer his own assessment of the controversial election. Denied a chance to speak by Democrats, and encouraged by Morey to print his remarks in the *Congressional Record* instead, Nash refused, declaring "I do not desire leave to print."⁶

Eight days later, on the evening of June 7, Nash delivered a speech on the House Floor on the political conditions in

the South. He chastised those in the Democratic Party who claimed the Republican Party had not attempted to aid the freed people. "I may be no historian, but this much of history do I know, because I have been an actor in its scenes," Nash declared. He reminded his colleagues that the Democratic Party had opposed measures to protect Black civil and political rights. Nash also warned that Democrats had determined to maintain "a continual warfare upon the advancement, peace, and prosperity of our people." He called for strict enforcement of the Fourteenth and Fifteenth Amendments and other federal legislation passed during Reconstruction, to safeguard "personal liberty and individual security." Finally, he warned that "a government which cannot protect its humblest citizens from outrage and injury is unworthy of the name and ought not to command the support of a free people."⁷

Nash also praised former Confederate general James Longstreet, who after the Civil War settled in New Orleans and supported Republican-led Reconstruction efforts. Responding to criticism of Longstreet from former Confederates, Nash defended Longstreet's postwar actions, holding him up as an example for former rebels in Louisiana and across the South to follow toward a better future.⁸

Even in 1876, amid the twilight of Reconstruction, Nash called upon the federal government to take an active role in local matters. For instance, he argued that support for public education in the South would be critical to bolstering its citizens' democratic capacities, and thus to achieving the long-term goals of Reconstruction. "Designing demagogues can influence the uneducated and thus compass their ends; whereas if intelligence were universal, any combination of vice and ignorance would be impossible." Nash ended on an optimistic note, reaffirming his faith that the United States could overcome its racial and political divisions and find reconciliation between the once warring sections. "For we are not enemies, but brethren," he declared, adding that "this country is our joint inheritance."⁹

In 1876, Nash lost his seat to Democrat Edward White Robertson, who won with 58 percent of the vote to Nash's 42 percent. Nash's re-election campaign was overshadowed by the crisis that followed the inconclusive presidential election. Louisiana was one of three states with disputed election results, leaving the presidential contest unresolved for months. Ultimately, Congress established a commission that awarded the disputed Electoral College votes to Republican Rutherford B. Hayes.¹⁰

After another violent election throughout the state in 1876, Louisiana became central to the debate on the electoral crisis. On December 15, 1876, Louisiana Democrat William Brainerd Spencer, who had unseated the Republican Frank Morey through a contested election six months earlier, spoke on the House Floor to dispute allegations that the Democratic Party was at fault for the violence. Spencer claimed to “know the colored people of the state” and said he had heard that many of them wanted to vote Democratic but could not for fear of violent reprisals. Nash tried to intervene in the debate by asking a question, but he was ignored. It was the final time he attempted to speak on the House Floor during his short time in office. He submitted several private bills in early 1877 as time expired on the 44th Congress, including one for Mohammed Khan, a veteran of Civil War from the 43rd New York Volunteers, for a pension.¹¹

Nash’s 1876 defeat became a partisan point of contention on the House Floor when the 45th Congress (1877–1879) convened in October 1877. Nash claimed he had been re-elected and furnished credentials provided by Governor Kellogg to prove his victory. Republican William Pierce Frye of Maine offered a resolution to swear in Nash. Representatives Harry White of Pennsylvania and Charles Grandison Williams of Wisconsin spoke in defense of Nash’s right to the seat, citing the Kellogg document. Democrat Ezekiel John Ellis of Louisiana rejected Nash’s credentials, noting they did not conform to the required legal specifications. Ultimately, Ellis moved to seat Robertson and the Democratic majority voted in favor of the measure.¹² Nash never formally contested Robertson’s election.

In June 1878, a congressional investigation into the 1876 presidential election uncovered a story of attempted election fraud that involved Nash’s quest for re-election. The Select Committee on the Alleged Frauds in the Presidential Election of 1876, also known as the Potter committee for its Democratic chair, Clarkson Nott Potter of New York, interviewed witnesses to determine how the disputed electoral votes from several states were allocated to President Hayes. Philadelphia newspaper editor James E. Anderson appeared as a witness before the committee on June 1. In 1876, he had been a clerk in the New Orleans custom house and supervisor of registration in the East Feliciana Parish, which was part of Nash’s Sixth District. Anderson claimed he had convinced Kellogg to disregard the vote tally and issue Nash a certificate stating that he

was duly elected and should be seated. Anderson told the committee that he threatened to expose Kellogg’s role in Republican efforts to manipulate the vote in favor of Hayes. Before taking any action, Anderson testified that he made a signed pact with Nash that stipulated Anderson would receive a job at the port of New Orleans if Nash was able to return to the House. Anderson produced copies of signed papers for the investigating panel, including the agreement and correspondence. Though Nash never testified before the Potter committee, pages of witness testimony compiled in 1879 placed him at the center of a series of convoluted conspiracies to manipulate the vote tallies in his district.¹³

Abandoning his political career after his term in the 44th Congress, Nash returned to Louisiana to work as a custom house inspector in New Orleans. He served briefly as postmaster of Washington, Louisiana, in 1882. By 1900, Nash was working as a bricklayer. He also worked as a cigar maker before he died in New Orleans on June 21, 1913.¹⁴

Notes

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Robert Smalls

1839–1915

UNITED STATES REPRESENTATIVE

1875–1879; 1882–1883; 1884–1887

Republican from South Carolina



Image courtesy of the Library of Congress

A Civil War hero who had led a dramatic escape from slavery in 1862, Robert Smalls served part of five terms in the U.S. House of Representatives from a district along South Carolina's seaboard. Smalls often endured violent elections to represent his staunchly Republican, majority-Black district. On Capitol Hill, he fought to authorize and fund internal improvements for coastal South Carolina and was an advocate for his Black constituents in the face of Democratic disenfranchisement efforts. "My race needs no special defense, for the past history of them in this country proves them to be equal of any people anywhere," Smalls asserted in 1895. "All they need is an equal chance in the battle of life."¹

Robert Smalls was born enslaved on April 5, 1839, in Beaufort, South Carolina. His mother, Lydia Polite, was enslaved and worked in the house of her and her son's enslaver, John McKee. The identity of his father is not known, though it may have been John McKee. Smalls worked in the McKee home in Beaufort throughout his youth and, in 1851, moved to McKee's Charleston home. He was hired out on the waterfront as a lamplighter, stevedore foreman, sail maker, rigger, and sailor and became an expert navigator of the South Carolina and

Georgia coasts. In 1856, he married Hannah Jones, who was also enslaved and was hired out to work in hotels in Charleston. They had two daughters: Elizabeth and Sarah. A third child, Robert Jr., died as a toddler. Smalls and his family lived away from their enslavers, but were forced to give them most of their wages.²

During the Civil War, the Confederate army forced Robert Smalls into service aboard the *Planter*, an ammunition transport ship that had once been a cotton steamer. On May 13, 1862, Smalls led his crew of eight enslaved men as they hijacked the well-stocked ship and turned it over to the U.S. Navy, earning their freedom at the same time. Smalls's wife and child were also on board as well as four other women and another child. Smalls became a celebrity in the North and his escape became a symbol of the Union cause—and effective propaganda against the South. For the remainder of the war, Smalls served in the U.S. Navy. Piloting both the *Planter*, which was re-outfitted as a troop transport, and later the ironclad *Keokuk*, Smalls used his intimate maritime knowledge of the South Carolina Sea Islands to advance the Union military in at least 12 engagements. On April 14, 1865, Smalls piloted the *Planter* to Fort Sumter in Charleston Harbor, bringing

visitors to attend the raising of the U.S. flag above the site where the Civil War began.³

Even as Smalls fought the Confederacy, he worked to advance the cause of civil rights in the North too. In 1864, he joined free Black delegates to the Republican National Convention; over the course of his career, he attended seven of the next 10 party conventions as a delegate. On December 30, 1864, Smalls was staying in Philadelphia, Pennsylvania, awaiting repairs to the *Planter* when he was removed from an all-White streetcar while trying to traverse the city. In the following months, he participated in one of America's first mass boycotts of segregated public transportation. A city law finally permitted integrated streetcars in 1867.⁴

At the war's conclusion, Smalls received a commission as brigadier general of the South Carolina militia. He then purchased his former enslaver's house in Beaufort. Smalls had received some instruction from private tutors in Philadelphia during the war, and after the war he continued his studies in Beaufort. He embarked on business ventures, opening a store and a school for Black students in 1867. He also published a newspaper, the Beaufort *Southern Standard*, starting in 1872. Smalls's extensive résumé and his ability to speak the sea island Gullah dialect enhanced his local popularity and opened doors in South Carolina politics. He was a delegate to the 1868 South Carolina constitutional convention and later that year won his first elective office: a term in the state house of representatives. From 1870 to 1874, he served in the state senate, where he chaired the printing committee.⁵

In 1874, the creation of a new southeast South Carolina district, where 68 percent of the population was African-American, gave Smalls the opportunity to run for a seat in the U.S. House. In an uneventful campaign, Smalls defeated Independent nominee J.P.M. Epping—a White candidate who ran against the Radical Republican state government—with nearly 80 percent of the vote. He received a position on the Agriculture Committee, a key assignment for his farming constituency.⁶

Despite the Democratic majority in the 44th Congress (1875–1877), Smalls's first term was one of his most productive. For his coastal constituents, he obtained appropriations to improve the Port Royal Harbor; his bill passed with little debate, owing to a letter from the Secretary of War supporting the project. Smalls also sought other internal improvements in his district, including

compensation from the federal government for its use of Charleston's military academy, the Citadel, since 1865.⁷

In June 1876, Smalls attempted unsuccessfully to add an antidiscrimination amendment to a U.S. Army reorganization bill desegregating Army regiments. The following month, Smalls addressed a bill to redeploy federal troops in the South to patrol the Texas border with Mexico. He argued against transferring federal troops stationed in South Carolina, warning that without the military's presence, private Red Shirt militias—all-White paramilitaries who backed the Democratic Party's effort to win control of the state—would make war on both the state government and the state's freed people. Smalls considered the presence of federal troops essential, which he called the only way to “cut off that rotten part all round South Carolina so as to let the core stand. It is those rotten parts which are troubling us. We are getting along all right ourselves.”⁸

While touring the state with Republican Governor Daniel Chamberlain during the 1876 campaign, Smalls attended a rally in Edgefield, South Carolina, where Red Shirt leader, former Confederate general, and soon-to-be U.S. Senator Matthew Calbraith Butler overran the meeting and threatened Smalls's life. Though Smalls's Republican entourage escaped unharmed, a correspondent for the *New York Times* noted the ease with which Butler and his Red Shirts moved through the town and the support they had in the state. The correspondent described Smalls's opponent, George D. Tillman—brother of future Senator Benjamin Ryan Tillman—as a “Democratic tiger, violent in his treatment of Republicans, incendiary in his language, and advising all sorts of illegal measures to restrain Republicans from voting.” During the campaign, Smalls called Tillman “the personification of red-shirt Democracy” and the “arch enemy of my race.” Smalls survived the Democratic sweep of South Carolina elections, barely defeating Tillman with 52 percent of the vote. Polling places in his district were spared much of the Red Shirt violence, primarily because Governor Chamberlain requested federal troops to stand guard. Tillman later contested the election, appealing to the House Democratic majority to unseat Smalls because of the U.S. military presence during the election. Before the end of the 44th Congress, Smalls used 13 pages in the appendix of the *Congressional Record* to print evidence from congressional inquiries and press reports concerning the rising incidents of violence and voter suppression in his home state. Smalls

called Election Day in South Carolina “a carnival of bloodshed and violence.”⁹

When Smalls arrived in Washington for the 45th Congress (1877–1879), he received a seat on the Committee on the Militia and prepared to face Tillman’s challenge to his election. But a situation at home prevented him from getting to work. Three months earlier, the Democratic South Carolina state government charged Smalls with accepting a \$5,000 bribe while chairing the printing committee in the state senate. Smalls was arrested in Beaufort and taken to Columbia on October 6, 1877. Released on bail two days later, he briefly attended the opening of the 45th Congress on October 15 before returning to Columbia after his indictment on October 22. After a trial that ran from November 7 to 11, Smalls was convicted and sentenced on November 26 to a three-year prison term. Republican newspapers cried foul, accusing Democrats of targeting the “hero of the *Planter*” because of his success as a Black Representative. After three days in jail, Smalls was released pending his appeal with the state supreme court. He returned to Washington to face Tillman’s contested election challenge before the Democratically-controlled Committee on Elections. Although the committee ruled in Tillman’s favor just before the end of the second session on June 20, 1878, Smalls retained his seat because the whole House never voted on the case.¹⁰

By Smalls’s next election in 1878, the White supremacist-controlled state government posed a deadly threat to South Carolina’s Black politicians. “Political times are simply frightful. Men are shot at, hounded down, trapped and held till certain meetings are over, and intimidated in every possible way,” observed Laura Towne, a Pennsylvania native who had moved to the South Carolina Sea Islands to teach after the war. Smalls also had to contend with his unresolved conviction, which Tillman—who returned as his opponent—made into a campaign issue. Though Smalls received a majority of the Black votes in the district, those who braved the fierce intimidation were unable to prevent the Democratic sweep. Tillman won with 71 percent of the vote.¹¹

On April 29, 1879, South Carolina’s Democratic governor, William Simpson, pardoned Smalls for his earlier bribery conviction. Small’s pardon was part of a larger deal between Simpson and the U.S. District Attorney that also included an agreement that the federal government would drop charges against South Carolina Democrats accused of violating election laws in 1876.¹²

By 1880, Smalls resolved to take back his House seat from Tillman. At the time, however, the internal disputes among Beaufort Republicans meant Smalls faced a fractured party going into the election. That fall, Smalls failed to defeat Tillman in another violent campaign, garnering 40 percent of the vote. But because Republicans held a slim majority in the House for the 47th Congress (1881–1883), Smalls hoped that a contested election appeal would go his way. His case came before the House Committee on Elections in June 1882. Smalls ultimately won the support of the committee by testifying that his supporters had been frightened away from the polls in communities like Edgefield, South Carolina, across his district. The committee reported in favor of Smalls on June 29. In an attempt to prevent Smalls from taking the seat, House Democrats deserted the House Chamber to avoid a quorum when his case came to a vote on July 19, 1882. Their plan backfired, however, as the House voted to seat him, 141 to 5 with 144 abstentions. Smalls returned to his appointments on the Agriculture and Militia Committees. During his short term in the 47th Congress, Smalls became the second Black Representative to preside over debate in the House when Speaker J. Warren Keifer of Ohio called him to the rostrum on January 11, 1883, during debate on a bill regulating American shipping.¹³

By 1882, South Carolina Democrats had gerrymandered the state so that only one district retained any hope of electing a Black candidate. The new district cut across county lines and contained one-quarter of the state’s substantial Black population; Black voters made up 82 percent of the district’s population. Smalls sought the nomination but was opposed at the Republican convention by longtime Black politician Samuel Lee and Smalls’s congressional friend and ally Representative Edmund William McGregor Mackey. On the 257th ballot, Smalls—fearing the toll that the long nomination process would have on Republican strength in the general election—withdrew his candidacy and threw his support behind Mackey. When Mackey died suddenly on January 28, 1884, after defeating Lee—who ran as an Independent candidate—in the general election, Smalls ran unopposed in a special election on March 10 to take his seat in the House. (By that point, Lee had taken a federal patronage position in Alabama and no longer lived in the state.) Smalls was sworn in on March 31, 1884, and resumed his position on the Committee on the Militia and received an appointment to the Committee on Manufactures.¹⁴

Smalls continued his earlier efforts to secure federal debt relief for South Carolinians who lost property due to nonpayment of wartime taxes, justifying the relief by pointing to the free services and the welcome federal soldiers had received in places like Port Royal. The House, however, rejected the proposal. Smalls was more successful addressing discrimination in the District of Columbia by offering an amendment to a bill regulating the manufacture and sale of liquor in the city. His amendment prohibited the denial of service on the basis of “race or color” in the District’s restaurants and other eating facilities. Although the House approved his amendment, the bill died in the Senate Committee on the District of Columbia.¹⁵

In the 1884 election, Smalls defeated Democrat William Elliott with ease. Although both candidates expected a violent campaign, the election was relatively quiet, with Black voters from Sea Island coming out to support their favorite son. Smalls was appointed to the Committee on War Claims in the 49th Congress (1885–1887). Encouraged by his recent victory, Black state senators nominated Smalls for an open seat in the U.S. Senate in December 1884. In an era when state legislatures chose their U.S. Senators, Smalls lost to Democratic Governor Wade Hampton, 31 to 3.¹⁶

In his first full term since 1875, Smalls gave an impassioned speech calling on Congress to approve a \$50-per-month pension for Maria Hunter, the widow of General David Hunter. Hunter was one of the first White Union commanders to raise African-American regiments in the Civil War and was known for issuing an order to emancipate enslaved people in Florida, Georgia, and South Carolina. Smalls recalled that Hunter asked him to personally relay a message to President Abraham Lincoln and Secretary of War Edwin Stanton regarding the need to mobilize Black troops in the South for the Union cause. When Democrats opposed the pension, Smalls questioned their motives and admonished his colleagues: “Can it be that this is your revenge for all his patriotic conduct?” Though the private bill passed both the House and Senate, President Grover Cleveland vetoed the measure, claiming that Maria Hunter’s case was best handled by the Pensions Bureau. She died in February 1887.¹⁷

In the 49th Congress, Smalls also steered through the House a bill that allowed for the sale of school farmlands outside Beaufort that had been owned by the federal government since the Civil War. He also submitted a

resolution requesting relief funds after a flood in 1886 destroyed crops and homes in his district. The House refused to appropriate funds, despite Smalls’s appeal that the state government would not furnish relief money until late in the year. Smalls also introduced a bill to make Port Royal a coaling station for the U.S. Navy and another bill to restore a library in Beaufort.¹⁸

Smalls faced competition from within his own party for re-election in 1886, as several Black candidates challenged him during the Republican primary. Smalls won the nomination but Democrat William Elliott returned to defeat him with 56 percent of the vote in a general election in which Black disenfranchisement was routine. “Elections,” Smalls lamented to the *Washington Post*, “are all in the hands of Democrats.”¹⁹

Smalls contested his loss, but the House Committee on Elections recommended Elliott retain his seat. Smalls spoke on the House Floor in protest on February 12, 1889, after Democratic Members had questioned his character and dredged up his 1878 conviction. Smalls reminded his colleagues of his service during the war and suggested that his case was not being judged fairly because of his heroism years earlier having “taken a steam-boat out of Charleston under the guns of Forts Sumter and Moultrie and surrendered her with all her ammunition to the Federal Government.” The Democratically-controlled House declined to seat Smalls, with a vote of 142 to 127 on February 13, 1889.²⁰

In 1888, Smalls had stepped aside to allow Thomas E. Miller to run for his seat. But Smalls remained an active and popular politician, managing to win the chairmanship of the Republican state convention in 1890. Although he was favored for the post of sheriff in Beaufort County, Smalls made another bid for the U.S. Senate, but received only one vote from the state legislature. After his wife Hannah died in 1883, Smalls married Annie Wigg on April 9, 1890. They had one son, William Robert, in 1892, before Annie’s death in 1895. Smalls also had two stepdaughters: Clara and Charlotte Jones.²¹

Smalls attempted to return to the House in 1892 but lost a four-way race for the Republican nomination, which Representative George Washington Murray secured en route to a general election victory. In the 1890s, Smalls joined Murray and Miller as part of a small group of Black former and current legislators working to oppose the efforts of Governor and later Senator Benjamin Tillman to eliminate

Black political participation in South Carolina. At the South Carolina state constitutional convention in 1895, Smalls was one of six Black delegates in attendance. He spoke out against the proposed changes to the state constitution designed to eliminate Black South Carolinians from the voter rolls and limit Black civil and political rights.²²

Smalls's personal story of liberation—and his contribution to the Union cause when he captured the *Planter* in Charleston Harbor in 1862—inspired repeated attempts in Congress to compensate him for his efforts. Lawmakers introduced nearly a dozen bills seeking compensation for Smalls for the value of the *Planter*. Representative James E. O'Hara was the first of many Black Congressmen to work on Smalls's behalf when he submitted such a bill in the 49th Congress. In 1897, Smalls visited the House Floor in pursuit of a monetary reward for the ship. The House finally approved a measure submitted by North Carolina Representative George Henry White on January 12, 1900, during the 56th Congress (1899–1901). White originally requested that Smalls receive \$20,000, but the Committee on War Claims reduced the amount to \$5,000. President William McKinley approved the reward on June 5, 1900.²³

After leaving Congress, Smalls received a series of Republican patronage jobs in South Carolina. In 1889, President Benjamin Harrison appointed him the collector at the port of Beaufort. He held the post until Republicans lost the White House in 1892. Smalls regained the appointment in 1898 from President McKinley. Over time, his duties as collector became more onerous in the face of racism and segregation in Beaufort. He was forced to step down in 1913 after the White House again transferred to a Democrat. Smalls died in his Beaufort home on February 23, 1915.²⁴

Manuscript Collection

University of South Carolina, South Caroliniana Library (Columbia, SC).
Papers: 1865–1894, four items. The collection contains correspondence from Robert Smalls, contracts, and an autograph book.

Notes

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James E. O'Hara

1844–1905

UNITED STATES REPRESENTATIVE

1883–1887

Republican from North Carolina

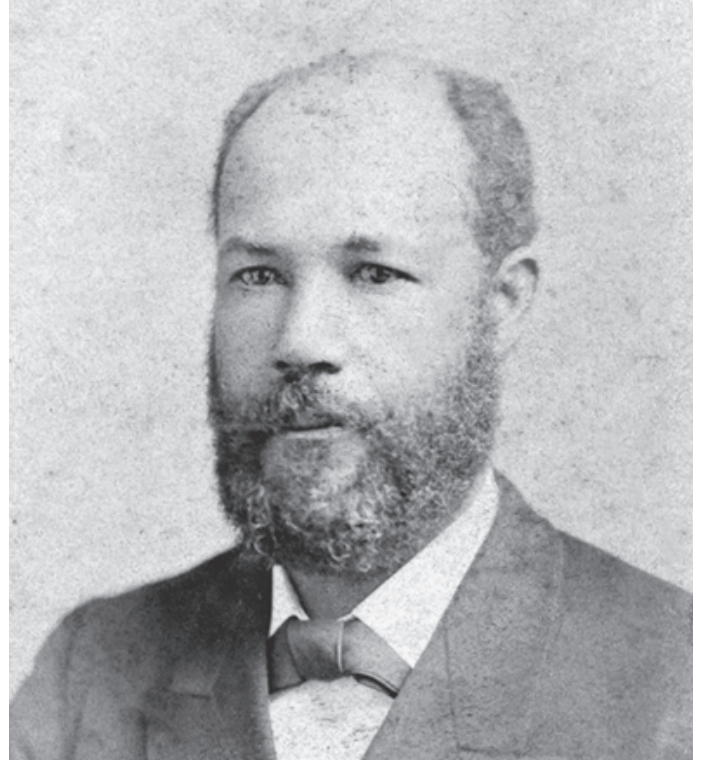


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James E. O'Hara was the only Black Member on the first day of the 48th Congress (1883–1885), having succeeded on his fourth attempt to win a seat representing North Carolina's "Black Second" district. A resolute legislator, he worked to restore the civil rights that had been stripped from African Americans since the end of Reconstruction in 1877. "I for one, sir, hold that we are all Americans," he told his congressional colleagues. "That no matter whether a man is white or black he is an American citizen, and that the aegis of this great Republic should be held over him regardless of his color."¹

James Edward O'Hara was born February 26, 1844, in New York City. His father was from Ireland, and his mother had roots in the Caribbean. O'Hara spent time in his youth in what was then known as the Danish West Indies—now the U.S. Virgin Islands. By 1862, O'Hara had arrived in Union-occupied eastern North Carolina with a group of New York-based missionaries. Well-educated, he taught primary school to free Black children in New Bern and Goldsboro, North Carolina. In 1864, O'Hara married Ann Maria Harris; the couple separated two years later and eventually divorced. They had one son. O'Hara married Elizabeth Eleanor Harris in 1869, and they had a son, Raphael.²

O'Hara began making a name for himself in Republican Party circles soon after the Civil War. He served as a secretary at the North Carolina freedmen's convention in 1866 and at Republican Party meetings in 1867. At the 1868 North Carolina constitutional convention, he was a delegate and an engrossing clerk. His party activism paved the way for O'Hara to receive valuable patronage positions. From 1868 to 1869, O'Hara was an engrossing clerk in the state house of representatives. He also worked for the U.S. Treasury Department in Washington, DC, as a clerk for about two years. During this time, he studied law at Howard University in Washington, DC, but there is no record of his graduation. The first African American admitted to the North Carolina bar in 1873, he established a private practice in Enfield, North Carolina. That same year, he was elected chairman of the Halifax County board of commissioners.³

O'Hara began his long quest for a seat in the U.S. Congress in 1874, when he made a bid to represent North Carolina's northeastern "Black Second" district. Centered in the cotton-growing region of the state, the district acquired its nickname because 58 percent of the population was African American—the largest portion

of any congressional district in the state. O'Hara lost the Republican nomination to John Adams Hyman, who became the first Black lawmaker to represent North Carolina in the Congress. With Democrats having regained control of the state government and a patronage position unlikely to be forthcoming, O'Hara sought to keep his political career alive amid narrowing opportunities. In part as a result, he remained committed to winning the congressional seat.⁴

While not a candidate for Congress in 1876, O'Hara nonetheless faced great difficulty in that year's tumultuous election season. He was forced to resign his post as a presidential elector in the face of threats to his life from local Democrats and prejudice from White Republicans. "I may have to a certain extent yielded to a case of prejudice," he said justifying his resignation to local newspapers, "but by whom is this prejudice fostered, kept alive and used?"⁵

Despite that experience, O'Hara remained politically active and made another attempt at the "Black Second" nomination in 1878. He obtained the Republican endorsement over Hyman, another former Representative, Curtis Hooks Brogden, and three other candidates. The fight for the nomination lasted 29 ballots at the contentious party district convention. In the general election, O'Hara's opponents accused him of corruption during his tenure on the board of commissioners and even charged him with bigamy amid questions as to whether he was legally divorced from his first wife. O'Hara's American citizenship was also debated by those who claimed he was born in the Caribbean, not New York. O'Hara had been in the process of applying for naturalization when he discovered evidence of his New York birth. Dissatisfied with his defenses, state Republican leaders gathered three weeks before Election Day to try to nominate another Black candidate, James H. Harris, to take O'Hara's place. But O'Hara refused to step down, and despite the attacks and the loss of party support, he won the three-way race between the two Republican candidates and Democrat William Hodges Kitchin, a member of a politically powerful family in North Carolina. Citing technicalities, however, election canvassers subsequently eliminated enough of O'Hara's votes in three counties to hand Kitchin the victory. O'Hara made a failed attempt to demand a recount at the state level before he formally contested the election in the House.⁶

While the House Committee on Elections considered his case in 1879, O'Hara appeared before a Senate Select Committee investigating the causes of Black emigration

from the South. He testified to the relative prosperity of Black landowners near his home in Halifax County, North Carolina, and shared his view that Black laborers fared better in the absence of competition from White immigrant labor. O'Hara stated that he opposed Black emigration from the South; he expected prejudice in all parts of the country and distrusted advertising by "agents that are going around through the country making glowing representations and distributing highly-wrought descriptive circulars, telling how easily houses and lands can be obtained in the North." When asked about the political pressures put upon Black North Carolinians, O'Hara first condemned members of his own party. "I say that the colored Republicans of the South have more to fear from the white Republicans than from the Democrats," he observed. "And there is always a combination between the white Republicans against any intelligent colored Republican who seeks to aspire to office." O'Hara also testified that racial prejudice and discrimination were not only a problem for southern states, such as North Carolina; for O'Hara, bigotry was a national problem. "I suppose if a colored man should attempt to take a principal seat in a theater in North Carolina he would have the same difficulty as in New York."⁷

A member of O'Hara's own party, Senator Henry William Blair of New Hampshire called him a "carpetbagger from New York" and implied that his motives for testifying were cynical: attempting to keep the support of Black Republicans in his district—his most dependable voters—and currying favor with the Democratic majority in the 46th Congress (1879–1881) to win his pending contested election contest. O'Hara responded calmly to Blair's accusations and focused on conveying the difficult situation faced by Black Americans who felt that they needed greater independence from Republican power brokers but who also feared the designs of the openly racist Democratic party. "I am one of those who think the American negro ought to be left to work out his own destiny, and that he has been a foundling and a ward too long already," O'Hara stated. "At the same time, I believe that no man ought to be made discontented in his condition simply in order that he may be cheated out of that which he has."⁸

The Committee on Elections did not report on O'Hara's case until February 17, 1881, well into the third session of the 46th Congress. The committee accused O'Hara of not submitting his contest within the legal time window and rejected his complaint. Meanwhile, O'Hara again sought

the congressional seat in the 1880 election but lost the Republican nomination to Orlando Hubbs, a New York native who had moved to North Carolina in 1865.⁹

Between congressional bids, O'Hara was active in local and national politics. By 1881, he had aligned himself with a statewide anti-Prohibition campaign. That same year, he made his fourth attempt to gain the "Black Second" seat, bolstered by discontented local Black politicians who believed they were being marginalized within the party. At the state Republican convention, two other candidates opposed him: the incumbent Hubbs and Lotte W. Humphrey. None of the candidates controlled the convention's first ballot, and all three ruthlessly attacked their opponents while promising patronage for their potential supporters. Humphrey eventually bowed to O'Hara, giving him the majority of the delegates. An O'Hara delegate called for his nomination by voice vote. Though the crowd roared in O'Hara's favor, the convention chairman declared the vote to have gone for Hubbs and quickly adjourned.¹⁰

Both sides claimed victory. In the following months, Hubbs and O'Hara demanded their opponent's withdrawal from the race. Shortly before the election, Hubbs capitulated to pressure from O'Hara's forces, who spoke for the majority-Black district electorate when they threatened to abandon the state Republican ticket if their candidate was not on the ballot. O'Hara was unopposed in the general election. Reapportionment in 1883 changed the borders of O'Hara's district in his favor, increasing the Black population with the addition of Bertie County. In 1884, he was easily re-elected over Democrat Frederick Augustus Woodard, taking 59 percent of the total return.¹¹

As part of the Republican minority in the House, O'Hara received appointments to the Committee on Mines and Mining and the Committee on Expenditures on Public Buildings when he took his place in the 48th Congress (1883–1885) in December 1883. He later traded his Mines and Mining position for a spot on the Invalid Pensions Committee in the 49th Congress (1885–1887). O'Hara was active on this committee, referring more than 100 individual pension cases to the House for consideration. He also held a leadership role on an ad hoc subcommittee charged with reporting on a pension benefit bill for individuals with eye injuries.¹²

On Capitol Hill, O'Hara delivered concise speeches and introduced legislation designed to protect Black

Americans from discrimination. On January 8, 1884, O'Hara boldly proposed a constitutional amendment to ensure equal accommodations for African Americans on public transportation. The Civil Rights Act of 1875 had nominally guaranteed that right, but a series of Supreme Court decisions rendered in 1883 had struck down the law, denying Congress the authority to prohibit discrimination by private individuals. The House refused to consider O'Hara's measure. The following December, O'Hara proposed an amendment to regulate interstate travel and commerce, calling for equal accommodations for all railroad passengers, regardless of color. Under existing state laws, when a railroad passed into some southern states, first-class Black passengers were typically forced to move to a second-class car. "It is not a race question, nor is it a political action. It rises far above all these," he said while introducing the amendment. "It is plain, healthy legislation, strictly in keeping with the enlightened sentiment and spirit of the age in which we live; it is legislation looking to and guarding the rights of every citizen of this great Republic, however humble may be his station in our social scale." O'Hara capitalized on contemporary arguments favoring federal regulation of interstate commerce, maintaining that if Congress had authority over freight passing between states, it could regulate how railroads served their customers. O'Hara's amendment passed on the first vote, but Democratic opponents quickly countered with their own amendment allowing railroads to classify passengers at their own discretion. The final bill passed—without O'Hara's vote—in the 48th Congress with language so vague that the railroads easily continued their discriminatory practices.¹³

On January 12, 1885, O'Hara offered a bill that required restaurants in the nation's capital to charge customers equally without discriminating on the basis of race or risk fines up to \$100. Referred to the Committee on the District of Columbia, the bill was never reported back. He reiterated his request at the opening of the 49th Congress, but the bill met the same fate.¹⁴

On March 17, a White mob stormed a Carrollton, Mississippi, courthouse where a White man was being charged with the attempted murder of two Black men. The mob opened fire on all the Black men in attendance, killing as many as ten. Afterward, O'Hara introduced a resolution requesting that Speaker John G. Carlisle of Kentucky appoint a five-member committee to investigate the incident and issue a report. His original request

was rejected before it could be submitted to the Rules Committee, and a renewed request submitted the following month was referred to the committee but never reported.¹⁵

As the Representative of a coastal district, O'Hara sought river and harbor appropriations for North Carolina in nearly every session of his congressional service. He pursued funding for waterway improvements to support his district's cotton-growing industry. Although most of O'Hara's requests were rejected, he obtained funding to remove obstructions from one North Carolina stream and to expand another.¹⁶

Recognizing that a great number of his constituents were laborers, he opposed the passage of a labor arbitration bill that allowed a third party to settle disputes between employers and employees. Although he favored arbitration in the abstract, O'Hara wanted to concentrate on organizing unions to defend labor interests.¹⁷

O'Hara led the way in pursuit of legislation recognizing the wartime contributions of his Black colleague Robert Smalls of South Carolina. During the Civil War, while still enslaved, Smalls commandeered a Confederate transport ship, the *Planter*, sailed it out of Charleston harbor under the cloak of darkness, and turned it over to the Union naval blockade. Smalls's Black House colleagues repeatedly sought compensation for him equal to the value of the ship as a reward for his actions more than 20 years earlier. O'Hara was the first of many Black Congressmen to submit such a bill in the 49th Congress; Smalls eventually received a sum of \$5,000 in 1900.¹⁸

Internal feuds among "Black Second" Republicans ended O'Hara's congressional career. Although O'Hara won 75 percent of the 1886 nominating convention's vote, he faced stinging accusations that he was unable to meet the needs of his constituents, that he did not distribute available patronage positions to worthy Black aspirants, and that he preferred to associate with White colleagues and only congregated with the Black community in the district when he needed its votes. Another Black Republican, Israel B. Abbott, opposed O'Hara in the 1886 race, running as an Independent Republican. Abbott had one term in the state legislature to his credit, had served as a delegate to the Republican National Convention in 1880, and emphasized that he had roots in the district—in contrast with O'Hara's New York origins. Nevertheless, O'Hara won most of the Black vote, taking 40 percent to Abbott's 15 percent. However, Democrat Furnifold McLendel Simmons capitalized on the Republican fissure, capturing 45 percent of the vote, which was enough for victory. Two years

later, O'Hara again sought congressional nomination, but lost to Henry Plummer Cheatham, who would reclaim the Second District by defeating Simmons in 1888.¹⁹

O'Hara returned to his law practice, partnering with his son, Raphael. He began publishing a newspaper, the *Enfield Progress*, shortly before his death in New Bern, North Carolina, on September 15, 1905.²⁰

Manuscript Collection

University of Chicago Library, Special Collections Research Center (Chicago, IL). *Papers*: 1866–1970, three linear feet. The James E. O'Hara Papers consist of miscellaneous materials that document his life and career in Congress. There are several letters from family and from constituents in North Carolina. In addition, three folders are devoted to photographs of Representative O'Hara, his wife and son, and associates. A biographical sketch of Representative O'Hara and his family written by his granddaughter, Vera Jean O'Hara Rivers, and entitled "A Thespian Must Play His Role," offers detailed information on family genealogy and the social history of the late nineteenth-century South. The collection also includes ephemeral material, such as a handbill announcing the establishment of a Canadian newspaper for fugitive slaves, an autograph book and "Register of Documents sent" owned by Representative O'Hara, and a twentieth-century booklet of biographical sketches that includes him. An inventory is available in the repository and online.

Notes

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- 4 Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 200; Anderson, "James O'Hara of North Carolina: Black Leadership and Local Government": 103, 106–107; Boyd, "Service in the Midst of the Storm": 323.
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- 7 Senate Select Committee to Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States, *Report and Testimony of the Select Committee of the United States Senate*, 46th Cong., 2nd sess., S. Rept. 693, part 1 (1880): 49–71.
- 8 Senate Select Committee to Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States, *Report and Testimony of the Select Committee of the United States Senate*: 65–66.

- 9 House Committee on Elections, *O'Hara vs. Kitchin*, 46th Cong., 3rd sess., H. Rept. 263 (1881): 1–6; Anderson, *Race and Politics in North Carolina*: 63–68.
- 10 Anderson, *Race and Politics in North Carolina*: 98; Anderson, “James O'Hara of North Carolina: Black Leadership and Local Government”: 117.
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- 12 Anderson, *Race and Politics in North Carolina*: 124. There were no official subcommittees for the Invalid Pensions Committee, but Members were often assigned leadership roles to consider specific bills or were charged with organizing petitions from specific states. See the Minutes of the Committee on Invalid Pensions, 49th Congress, Records of the United States House of Representatives (RG 233), National Archives and Record Administration, Washington, DC.
- 13 H.J. Res. 92, 48th Cong. (1884); *Congressional Record*, House, 48th Cong., 1st sess. (10 January 1884): 347; H.R. 1561, 48th Cong. (1883); *Congressional Record*, House, 48th Cong., 2nd sess. (16 December 1884): 296–297, 317–318; *Congressional Record*, House, 48th Cong., 2nd sess. (8 January 1885): 554.
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- 16 H.R. 3531, 48th Cong. (1884); *Congressional Record*, House, 48th Cong., 1st sess. (10 June 1884): 4980–4982; *Congressional Record*, House, 48th Cong., 1st sess. (12 June 1884): 5069; H.R. 8130, 48th Cong. (1885); *Congressional Record*, House, 48th Cong., 2nd sess. (18 February 1885): 1857; H.R. 7489, 49th Cong. (1886); *Congressional Record*, House, 49th Cong., 1st sess. (12 February 1886): 1404; *Congressional Record*, House, 49th Cong., 1st sess. (22 April 1886): 3748.
- 17 *Congressional Record*, House, 49th Cong., 1st sess. (2 April 1886): 3049.
- 18 H.R. 1696, 49th Cong. (1886); *Congressional Record*, House, 56th Cong., 1st sess. (18 May 1900): 5715.
- 19 Anderson, *Race and Politics in North Carolina*: 133–136; Dubin, *United States Congressional Elections, 1788–1997*: 275, 282.
- 20 Boyd, “Service in the Midst of the Storm”: 330; “Death of James E. O'Hara,” 17 September 1905, *Daily Journal* (New Bern, NC): 1.

Henry Plummer Cheatham

1857–1935

UNITED STATES REPRESENTATIVE

1889–1893

Republican from North Carolina



Collection of the U.S. House of Representatives

In 1888, Henry Plummer Cheatham won election to the U.S. House of Representatives from the “Black Second” district of eastern North Carolina, recapturing a seat formerly held by Black Representatives John Adams Hyman and James E. O’Hara. During two terms in office, Cheatham was a proponent of federal appropriations for education and advocated for the economic interests of farmers in his home state.

Henry Plummer Cheatham was born enslaved in Henderson, North Carolina, on December 27, 1857. His mother was enslaved, and his father was Isham Cheatham, a wealthy farmer and slaveholder. At age eight, Cheatham was emancipated at the end of the Civil War. With antebellum laws prohibiting the education of Black children now obsolete, Cheatham attended Henderson Public School. In 1882, he graduated with a bachelor’s degree from historically Black Shaw University in Raleigh, North Carolina, the oldest college for African Americans in the state. In 1887, Shaw awarded him an honorary master’s degree. Cheatham also studied law but never completed a degree. He married Louise Cherry, and they had three children. After she died in 1899, Henry Cheatham married Laura Joyner with whom he also had three children.¹

A year after he graduated from college, Cheatham was named principal of a teacher-training school in Plymouth, North Carolina, and in 1884, he was elected register of deeds for Vance County. Cheatham made valuable political connections during his two terms as register. In 1887, he was part of a group that founded and incorporated an orphanage for Black children in Oxford, North Carolina, and in 1888, he made his first bid for Congress.²

Two years earlier, Furnifold McLendel Simmons, a White Democrat, had defeated Representative O’Hara, who was seeking a third term in the House representing the “Black Second” congressional district, where 60 percent of the population was African American. The district snaked along coastal and inland sections of the northeastern part of the state. Even though the Republican Party had a strong showing in North Carolina that fall—gaining victories in local offices and the state legislature—another Black Republican candidate, Israel B. Abbott, had entered the race. Abbott drew enough votes in two counties to undermine O’Hara’s re-election bid.³

The early stages of the 1888 campaign initially pointed to a similar outcome—with Simmons set to face the winner of a fractious Republican primary. At a tumultuous Republican

district convention, Cheatham topped 10 other candidates, including former Congressmen Hyman and O'Hara, to win the nomination. But the disarray continued. George Allen Mebane, a Black candidate who had sought the nomination at the district convention, decided to run against Cheatham in the general election, claiming he had the backing of the Republican executive committee. Cheatham rejected Mebane's calls for a new nomination process, and each candidate spent the summer of 1888 blaming the other for sustained Republican divisions. The rivalry continued unabated until October when Mebane suddenly withdrew and asked his supporters to back Cheatham. Though Republicans praised him for acting for the sake of party unity, Democrats spread rumors that Cheatham supporters had bought off Mebane. The result meant that although Simmons retained support in the district, Democrats faced a more unified Republican Party than they had two years earlier. Unable to depend on the divided vote that aided Simmons in 1886, district Democrats cast a Cheatham victory as a direct threat to White voters. Cheatham fought back, warning Black voters that Democrats wanted to return them to slavery. On Election Day, Cheatham defeated Simmons by a little more than 600 votes, a narrow 1 percent margin. Republicans had their best showing across the state since 1872 and claimed three of the state's nine congressional seats.⁴

In an era when a new Congress typically did not organize for more than a year after the fall elections, Cheatham traveled to Washington, DC, in December 1888 to observe the legislative process. Accompanied by North Carolina Representative John Nichols, Cheatham visited the House Floor to study the daily proceedings of Congress. When the House organized itself in December 1889, he was the only Black Member in the 51st Congress (1889–1891)—Thomas E. Miller of South Carolina and John M. Langston of Virginia would join him in September 1890 after winning their contested elections. Newspapers emphasized Cheatham's background as a school principal, which earned him an assignment on the Committee on Education. Cheatham also served on the Committee on Expenditures on Public Buildings during his first term.⁵

At the time of his swearing in, Cheatham's Black constituents faced a series of economic and political crises in North Carolina. During his first term, the economy in eastern North Carolina plunged into depression. The prices of two staple crops, cotton and corn, dropped dramatically, which squeezed small farmers. Facing poor economic

prospects, many Black residents in Cheatham's district left North Carolina in search of opportunities in Arkansas, Texas, and Mississippi. In an attempt to stem the flight, Cheatham returned to his district in the first month of the 51st Congress and appealed to his constituents. Those who remained were disenfranchised by new voting laws including rigid requirements for proving birthplace and residence—all enforced by local election officials who were likely to be Democrats. African Americans urged Cheatham and his Republican colleagues from North Carolina, Representatives John Morehead Brower and Hamilton Glover Ewart, to withdraw from the House Republican Conference to protest the party's perceived indifference to their plight. Black Republican voters insisted Republican leaders should be reminded of their dependence on Black voters in the South, but Cheatham and his colleagues declined.⁶

In one of his first acts in the House in December 1889, Cheatham introduced an education bill that provided funds for separate schools. Largely modeled on a Senate bill introduced by Senator Henry William Blair of New Hampshire, Cheatham's bill proposed eight years of federal funding to "secure the benefits of common-school education to all the children of the school-age" population in the United States. The bill further required that the money should be apportioned based on local literacy rates and divided proportionally among schools segregated by race. Although the Committee on Education reported favorably on Cheatham's bill the following July, the House never acted on it.⁷

In Cheatham's first speech on the House Floor, which he delivered in August 1890, he came out in opposition to a tax on compound lard made from pig fat and cottonseed oil produced by farmers in his district. Cheatham explained that destitute farmers in his community began producing the hybrid lard after a fully animal-based product became too expensive due to an epidemic that decimated North Carolina's hog population. "That which most oppresses the laboring classes of the South," Cheatham explained, "and which hinders their advancement more than any other cause, is the price they are compelled to pay for their foodsupplies." Cheatham stressed that the economic interests of farmers were also undermined by the "mortgage and lien system," which had indebted many farmers and caused "suffering and even crime" in the South. Cheatham's plea in the interest of southern farmers did not stop the bill from clearing the House, but it died in the Senate.⁸

Cheatham was a consistent vote for Republicans on Capitol Hill, and supported the administration of Republican President Benjamin Harrison, who also took office in 1889. “I was elected to Congress by the Republican party and upon Republican principles,” he told the *Washington Post*, “and there is no question about my not cheerfully supporting the party.” His loyalty to the party was advantageous—it enabled him to distribute patronage positions, particularly in the post office, to constituents. Cheatham also supported some of the primary Republican protectionist policies of the early 1890s. He supported tariff legislation proposed by Representative William McKinley of Ohio, which raised duties an average of 45 percent in the hope of protecting domestic manufacturers from foreign competitors. In remarks printed in the *Congressional Record*, Cheatham noted that “the leading incentive of the great tariff system of America has always been to stimulate and protect home industries, and this has become the spirit of the age.” But Cheatham broke with party doctrine on issues favored by his rural constituents, including support for new monetary policy that prioritized the coinage of silver in an effort to create a more flexible economy for depressed agriculture markets in the 1890s.⁹

Cheatham also argued in favor of policies to prevent the practice of “short selling” agricultural products, in which the financial industry bet against the growth in certain rural markets. Cheatham called for new regulations and taxes to protect rural communities from crop devaluation before their products went up for sale. For Cheatham, market speculation directly damaged the interests of southern farmers, “for this debars the farmer and planter of that voice and right in fixing the price to be received for the product of his labor.” He presented evidence from the Agriculture Committee’s report demonstrating that speculation destabilized his district’s economy. The proposed regulatory bill, Cheatham said, “will do justice to all and injustice to none.”¹⁰

During the 1890 election, Cheatham faced Democrat James M. Mewboorne, a business agent for the powerful North Carolina Farmers’ Alliance, which had connections to the national Populist Party. Seeking to attract the support of White voters, Cheatham vowed to aid depressed farmers. And he appealed to Black voters by citing his efforts to distribute patronage positions. He also reiterated his commitment to securing federal funding for education. Cheatham won re-election by roughly 1,000 votes, with 52 percent of the total. He was the only Republican in the

North Carolina delegation and the only Black Member of the 52nd Congress (1891–1893). Though the Democrats held an overwhelmingly majority, Cheatham won a plum assignment to the Committee on Agriculture.¹¹

In the 51st Congress, Cheatham introduced a proposal to fund an exhibit at the upcoming World’s Columbian Exposition in Chicago, Illinois, about the contributions Black Americans had made to society since emancipation. But debate on the measure was quickly hijacked by lawmakers who disparaged the merits of Reconstruction and questioned election integrity in the former Confederacy. In one of his few floor speeches, Cheatham rose in favor of the appropriation and openly lamented the direction of the debate. “It seems to me that whenever the colored people of this country ask for anything,” he lamented, “something unfortunate intervenes to hinder their getting what they asked.” He further emphasized the importance of sharing the accomplishments of Black Americans. The appropriation—a proposed amendment to the 1890 law establishing the exhibition—was rejected on procedural grounds, but Cheatham introduced the same request in a stand-alone bill a few hours later. The following day, Cheatham proposed a study to quantify the successes of Black Americans by “collection, preparing, and publishing facts and statistics.” Both measures died in committee. When the House debated the funding for the Columbian Exposition again the following July, Cheatham attempted to appropriate \$50,000 to highlight the accomplishments of Black Americans. His efforts were once again thwarted on procedural grounds.¹²

By 1892, North Carolina’s Democratic state legislature had carved up the “Black Second” district, virtually destroying its traditional voting base by removing the district’s three southeastern counties—including Craven County that was 65 percent Black. By then, state election laws also severely restricted the voting rights of African Americans in North Carolina. An uneasy alliance between North Carolina Populists and Republicans had also dissolved; heading into the elections that fall, Populists nominated their own candidate for Congress, Edward Alston Thorne, who had strong connections to the Farmers’ Alliance. Democrats selected Frederick Woodard, who had lost to former Representative O’Hara in 1884. Cheatham, meanwhile, easily gained the support of the district’s Republican convention. But the three-way race pulled voters away from the Republican Party. The Populists announced

Black candidates for local offices, particularly in Black-majority counties, and promised patronage positions for African-American residents. Several White Republican officials also left the party and publicly announced they were backing Democratic candidates. Woodard won with 45 percent of the vote. Cheatham took 38 percent of the vote, and Thorne drew 17 percent.¹³

Two years later, in 1894, Cheatham ran for the House again and won the Republican nomination after a bitter campaign against his brother-in-law, George Henry White. Later that fall, however, he lost to Woodard in the general election. Cheatham contested the election—claiming some of the ballots cast for him were credited to Woodard—but the House Committee on Elections, No. 2, rejected his claim. The Democratic majority on the committee concluded that Cheatham had lost Black voters following the bruising GOP primary, and that the Populist candidate, H.W. Freeman, had siphoned off former Republican voters. Two years later, Cheatham lost the GOP nomination to George Henry White.¹⁴

In 1897, Cheatham returned to Washington when President William McKinley, a Republican and a former colleague in the House, appointed him recorder of deeds for the District of Columbia. The U.S. Senate confirmed Cheatham for the post. Cheatham also was named a trustee and an honorary doctor of laws by Shaw University, his alma mater. In 1907, Cheatham became the superintendent of the Oxford, North Carolina, orphanage he had founded two decades earlier. For the next 28 years, he managed the facility until his death in Oxford, on November 29, 1935.¹⁵

Manuscript Collection

The New York Public Library, Manuscripts, Archives and Rare Books Division, Schomburg Center for Research in Black Culture (New York, NY). *Papers*: 1912–1941, three file folders. The Henry Plummer Cheatham collection contains personal correspondence regarding Cheatham's military experience, World War I, and funeral arrangements. Items also include programs, Representative Cheatham's obituary, a speech, and announcements and flyers for an event that featured him.

Notes

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- 3 Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 97; Anderson, *Race and Politics in North Carolina*: 134–140.
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- 10 Anderson, *Race and Politics in North Carolina*: 188; *Congressional Record*, Appendix, 52nd Cong., 1st sess. (28 June 1892): 508, 510.
- 11 Anderson, *Race and Politics in North Carolina*: 165, 172, 178; Dubin, *United States Congressional Elections, 1788–1997*: 291.
- 12 *Congressional Record*, House, 52nd Cong., 1st sess. (25 May 1892): 4668–4684; H.R. 8982, 52nd Cong. (1892); H.R. 9012, 52nd Cong. (1892); 26 Stat. 62 (1890); *Congressional Record*, House, 52nd Cong., 1st sess. (26 July 1892): 6824.
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John M. Langston

1829–1897

UNITED STATES REPRESENTATIVE

1890–1891

Republican from Virginia

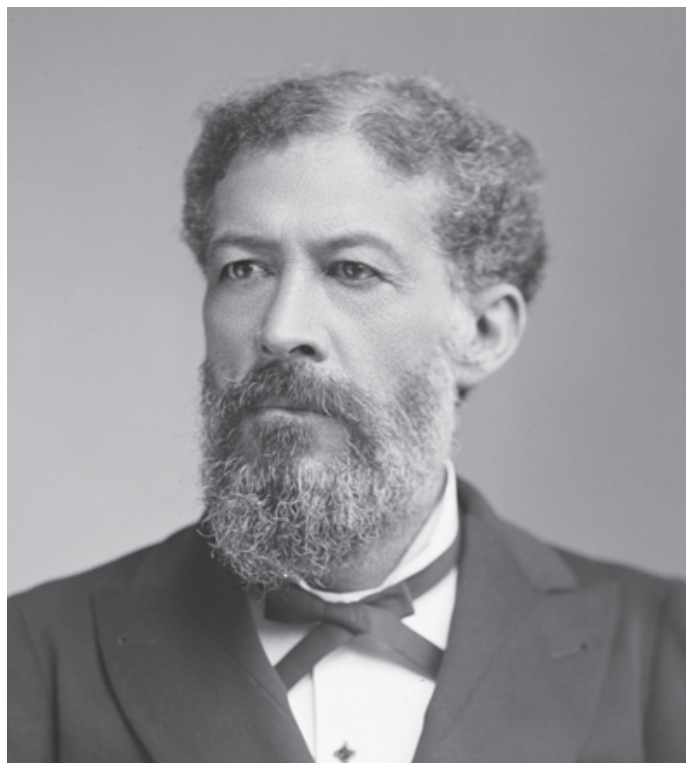


Image courtesy of the Library of Congress

Alongside luminaries including Frederick Douglass, John M. Langston was one of the most prominent African-American leaders in the United States during the nineteenth century. In 1855, he became one of the first African Americans to hold elective office in the nation as the township clerk for Brownhelm, Ohio. On September 23, 1890, Langston, a lawyer, educator, activist, and former diplomat, was sworn in to the 51st Congress (1889–1891) after successfully contesting the election of his Democratic opponent. Langston was the first Black Representative from Virginia in the U.S. House of Representatives—one of many achievements in his long political career.

John Mercer Langston was born free in Louisa, Virginia, on December 14, 1829. His father, Ralph Quarles, was a plantation owner and had been a captain in the Revolutionary War. Langston's mother, Lucy, was a free woman of Native American and African descent who had been enslaved by Quarles. In 1806, Quarles emancipated Lucy and their daughter, Maria. Lucy Langston left Quarles shortly after she was freed and had three children outside their relationship: William, Harriet, and Mary Langston. The couple later reunited, though state law forbade them to marry, and had three more children: Gideon, Charles

Henry, and John Mercer. When John Langston's parents died in 1834, his father's estate was divided among his three sons and held in trust. Four-year-old John Langston moved in with a family friend, William Gooch, and his family in Chillicothe, Ohio. When Langston was 10 years old, Gooch made plans to move to Missouri, then a slave state. John's brother, William, sued to relinquish Gooch's custody over his brother, fearing the move would jeopardize John's freedom and his substantial inheritance. The court prevented Gooch from taking John to Missouri, and Langston entered the care of Richard Long, an abolitionist who had purchased William Gooch's Ohio farm.¹

In 1840, John Langston's brother Gideon brought him to live in Cincinnati, Ohio, where he went to school and was exposed to some of the strongest antislavery rhetoric in the North. A year later, he experienced several days of sustained White violence against Black communities in the city. In 1843, William Langston took custody of John and returned with him to Chillicothe.²

Following the example set by his older brothers and their colleagues, who were among the first Black graduates of Oberlin College in Ohio, Langston also attended Oberlin and earned a bachelor's degree in 1849 and a master's degree

in theology in 1852. Langston then set out to become a lawyer, a profession that had welcomed only three Black men in the nation in the early 1850s. After two law schools denied him admission, he studied under local abolitionists in Elyria, Ohio. In September 1854, Langston appeared before a committee on the district court to confirm his knowledge of the law. The committee admitted him to the Ohio bar but made clear they were affording this status only because of Langston's light skin, which they claimed granted him the rights of a White man in the state. He commenced his practice in Brownhelm, Ohio. In 1854, he married Caroline Wall, also a former student at Oberlin, who was active in the abolitionist movement. The couple had five children: Arthur, Ralph, Chinque, Nettie, and Frank.³

By the mid-nineteenth century, Langston began regularly attending Black political conventions in Ohio. By one count, he attended at least 21 of these public meetings convened by African Americans to mobilize support for Black civil and political rights between 1849 to 1873. By the early 1850s, Langston had entered politics, and at one point allied with the Free Democrats, antislavery activists previously affiliated with the Free Soil Party. In early April 1855, Langston became one of the first African Americans elected to public office in the United States when Brownhelm Township voted him clerk on the Liberty Party ticket. Following his victory, Langston wrote a letter to Frederick Douglass to tell him the news, which Douglass published in his newspaper, *Frederick Douglass' Paper*. "What we so much need just at this junction, and all along the future," Langston advised, "is political influence; the bridle by which we can check and guide to our advantages, the selfishness of American demagogues. How important, then, it is, that we labor night and day to enfranchise ourselves."⁴

In 1856, he left Brownhelm for Oberlin and served on the town's board of education, the first of several local offices he held during more than a decade there, including a seat on the Oberlin town council. During the Civil War, Langston recruited Black soldiers for the U.S. Army. He unsuccessfully pursued a commission as a colonel in the U.S. Army in the final year of the war.⁵

Following the war, Langston led the National Equal Rights League, a nationwide organization that campaigned for Black voting rights and lobbied Congress to prohibit discrimination. In 1867, Langston served as general inspector of schools for the Freedmen's Bureau, touring the postwar

South and encouraging formerly enslaved men and women to seek educational opportunities. He regularly spoke out against segregated facilities, including churches, and worked with Republican Party officials to mobilize Black voters in the South. He gave speeches, encouraged Black candidates to run for office, and organized chapters of the Union League throughout the region.⁶

For the first two decades of the postwar era, Langston held prominent political and educational appointments. In 1868, he returned to Washington, DC, where he established the law department at Howard University, a new college founded for Black students. In the early 1870s, Senator Charles Sumner of Massachusetts sought Langston's aid in drafting his civil rights bill. In 1871, Langston received an appointment from President Ulysses S. Grant—for whom he had campaigned in 1868—to the District of Columbia board of health. During his tenure at Howard University, Langston served as dean of the law department and later as vice president and acting president from December 1873 to June 1875. Langston resigned from Howard when the board of trustees failed to offer him a full term as president.⁷

In 1877, President Rutherford B. Hayes appointed Langston resident minister to Haiti and chargé d'affaires in Santo Domingo, a position he held until 1885 when Democratic President Grover Cleveland began his first term in office. In 1882, the Democratically-controlled Congress voted to reduce Langston's salary after he campaigned for Republican President James A. Garfield in 1880. Following his departure in 1885, Langston petitioned the U.S. Court of Claims for more than \$7,000 withheld from him during his service. The U.S. Supreme Court ruled in his favor in 1886. From 1885 to 1887, Langston served as president of the Virginia Normal and Collegiate Institute in Petersburg. He left when the college's board of governors fell into Democratic hands.⁸

Langston settled in south-central Virginia and became active in the community. In 1888, a citizen's committee asked Langston to run for a seat in the U.S. House, representing the "Black Belt of Virginia," a region where African Americans were 65 percent of the population. Langston began an energetic campaign for the Republican nomination, lobbying Black and White delegates to the district convention.⁹

White Republicans led by former Confederate general William Mahone, a central figure in Virginia Republican politics, worked against Langston's candidacy. Mahone used

his formidable influence with Black and White Republicans in the district—cultivated by the distribution of patronage positions—to hold a district convention that excluded Langston’s supporters and nominated White candidate Judge R.W. Arnold. Langston appealed for support from the national Republican executive committee to no avail, but the national party also did not respond to Mahone’s request for campaign support during the race. Langston, who ran as an Independent Republican against both Arnold and the Democratic nominee, methodically canvassed the district. He invested \$15,000 of his own money into the campaign to purchase a meeting hall and hire organizers. He also benefited from the support of local women’s clubs established to back his candidacy.¹⁰

Langston’s Democratic opponent, Edward Venable, refused to divide time with him at public meetings throughout the campaign. Moreover, because Langston’s candidacy as an Independent Republican threatened to divide the Republican vote, several prominent African Americans came out against him. By the 1880s, Langston and Frederick Douglass clashed over political arguments that increasingly turned personal. As the election neared, Douglass wrote a letter denouncing Langston’s candidacy as detrimental to the goals of the Republican Party, and the Mahone faction spread copies throughout the district. On Election Day, Langston dispatched supporters to monitor every precinct for fraud and other irregularities. His lieutenants instructed voters to say Langston’s name after voting as evidence of their support. Black voters were directed to separate lines at the polls, forcing them to wait as long as three hours to vote. Ballot boxes were allegedly emptied of Langston’s votes, and Langston’s supporters were not permitted to witness the count. Arnold drew enough Republican votes from Langston to put him in second, 641 votes behind Venable. Arnold was a distant third.¹¹

Langston contested the result in the House. Both Venable and Langston accused the other campaign of buying votes. But Langston made the case that the Democrats had manipulated the lines at polling sites and used other means such as intimidation to turn away Black voters. Langston’s poll observers corroborated these charges with evidence, and the Republican majority on the Committee on Elections ruled in Langston’s favor on June 16, 1890.¹²

The House, however, delayed hearing his case for three months. Democrats repeatedly blocked Langston’s claim

from receiving consideration on the floor, primarily by denying the House a quorum, which it needed to proceed with debate. Earlier in the year, the Republican Speaker of the House, Thomas Brackett Reed of Maine, had done away with obstructionist tactics that the minority party had long used to frustrate and delay the majority’s agenda. Reed’s reforms empowering the GOP majority proved crucial in Langston’s seating in the 51st Congress.¹³

On September 23, 1890, Langston’s case finally came to a vote before a crowded gallery occupied primarily by African Americans. All but nine of the 152 Democratic Members retired to the hallway to avoid a quorum. But Republican discipline prevailed; the majority doggedly mustered enough Members, primarily from their own ranks. Despite Democratic protests, Reed announced a quorum was present and the House declared Langston the winner by a vote of 151 to 1. Langston held Virginia’s Fourth District seat for the remaining seven months of the Congress. Most Democratic Members were absent from the floor for Langston’s swearing in, but a few welcomed him respectfully when they returned. Langston was seated next to Henry Plummer Cheatham of North Carolina, another Black lawmaker, on the Republican side of the chamber.¹⁴

Langston was appointed to the Committee on Education. The first session of the 51st Congress concluded only one week after Langston was sworn in, and he returned home to campaign for re-election. William Mahone, now the governor, again refused to support Langston as his district’s Republican candidate. Antagonized by Langston’s Independent run for office in 1888, Mahone accused him of “arraying black against white” and of undermining the Republican Party’s interest in the state. With strong support from Black voters, the district convention backed Langston. Republican newspaper accounts indicated that President Benjamin Harrison, congressional Republicans, and the GOP national leadership supported Langston’s re-election. Many White Republicans in the district, however, followed Mahone’s lead and abandoned Langston. That year, Democrats were also mobilized in opposition to Langston for his support of a federal elections bill which would have worked to protect Black voting rights. Langston ultimately lost the election to Democrat James Fletcher Epes by about 3,000 votes in the state’s first Democratic sweep since before secession. The contest mirrored a national trend: From nearly a 20-Member deficit, Democrats in the U.S. House captured a 100-Member majority in the 52nd Congress

(1891–1893). Langston believed the election was tainted by fraud—as evidenced by long lines for Black Republicans at the polls, missing ballots in Black strongholds, and Mahone’s efforts to undermine his candidacy by urging his supporters to vote for Epes. Ultimately, Langston decided against contesting the election in the 52nd Congress because Democrats held the majority.¹⁵

Langston returned to Capitol Hill in December 1890 for the second session of the 51st Congress. He made his first speech on January 16, 1891, in support of the federal elections bill which the House had already passed and was then under consideration in the Senate. The measure placed congressional elections under federal authority and better secured Black voting rights. Langston recalled the history of those of African descent in North America and highlighted the contributions Black Americans had made to the United States. Langston reminded the House of the sacrifices African-American troops had made in defense of their country as soldiers, as well as state court rulings that had for decades confirmed the citizenship of Black Americans. The elections bill, Langston said, would not only protect Black voting rights but would outlaw poll taxes and other restrictive measures that also excluded White voters. Langston rejected calls for Black Americans to emigrate abroad, reminding the House of the constitutional guarantee of birthright citizenship. For Langston, the bill would stop the Democratic Party’s efforts to maintain a stranglehold on political affairs in the South. Ultimately, Langston was optimistic about what he hoped would be “the good time coming” in the United States and declared that nothing would deter Black Americans in pursuit of civil and political rights in the United States. “Abuse us as you will, gentlemen,” Langston told the Democrats in the chamber, “There is no way to get rid of us. This is our native country.”¹⁶

One day after his speech, Langston asked the U.S. Attorney General to send the House all documentation he had regarding lawsuits in response to alleged violations of voting rights laws. The Judiciary Committee agreed to Langston’s resolution, and it was adopted in the whole House.¹⁷

On January 19, Langston introduced a joint resolution to amend the Constitution to mandate literacy tests for all voters in the United States. Langston sought to make this a federal requirement to undermine state efforts designed to deliberately restrict Black voters.

In addition, the measure allowed for the reduction of state representation in Congress based on the number of voters rather than the total population. The House never considered Langston’s amendment.¹⁸

Langston also submitted bills to establish a national industrial university for Black students and to observe the birthdays of former Presidents Abraham Lincoln and Ulysses S. Grant as national holidays, but the bills died in committee. Langston tried but was unable to secure the appointments of several Black candidates to the U.S. Military Academy at West Point, New York, and the U.S. Naval Academy at Annapolis, Maryland. He also supported the Republican majority’s high tariff, which was designed to drive up the price of cheap goods manufactured abroad in the hope of protecting domestic producers.¹⁹

On February 27, 1891, Langston participated in debate on a civil appropriations bill on the House Floor. He used his experience as a diplomat to advocate for federal funding to improve American shipping, recalling that he observed an incessant flow of ships from Europe in Haiti during his work there. He suggested that congressional investment would help the United States grow its international trade and provide for the “general welfare and defense of American interests.”²⁰

With the end of the 51st Congress, Langston returned to Petersburg, Virginia. In 1892, Republicans in his Virginia district asked him to run for the House again, but he declined. He continued to be active in politics, often speaking publicly about the achievements of Black Americans. Promised a federal judicial appointment as well as several U.S. Department of Treasury patronage positions, Langston began campaigning for President Benjamin Harrison’s re-election in 1892; however, when the administration withdrew the promised positions, he backed rival Republican James G. Blaine’s quest for the nomination. Langston spent the remainder of his life traveling between Petersburg and Washington and working on his autobiography, *From the Virginia Plantation to the National Capitol*, which was published in 1894. Langston died at home in Washington, DC, on November 15, 1897.²¹

Manuscript Collections

Fisk University (Nashville, TN). *Papers*: 1853–1898, approximately 3 feet (900 items). The papers of John M. Langston consist of correspondence, speeches, drafts of writings, receipts, estate papers, banking papers, handbills, passports, minutes, a scrapbook, and newspaper clippings. Subjects covered in the papers include slavery in the United States, the abolition movement, Reconstruction, American

relations with Haiti and the Dominican Republic, Howard University, the War Department, and the Bureau of Refugees, Freedmen, and Abandoned Lands.

Howard University, Moorland-Spangarn Research Center (Washington, DC).

Papers: 1870–1891, 2 linear feet. Four scrapbooks of John M. Langston containing newspapers clippings, broadsides, programs, and invitations relating to race relations and politics in the United States. Includes information about the Virginia Normal and Collegiate Institute (now Virginia State University) in Petersburg, Virginia, and the John G. Whittier Historical Association in Memphis, Tennessee.

Notes

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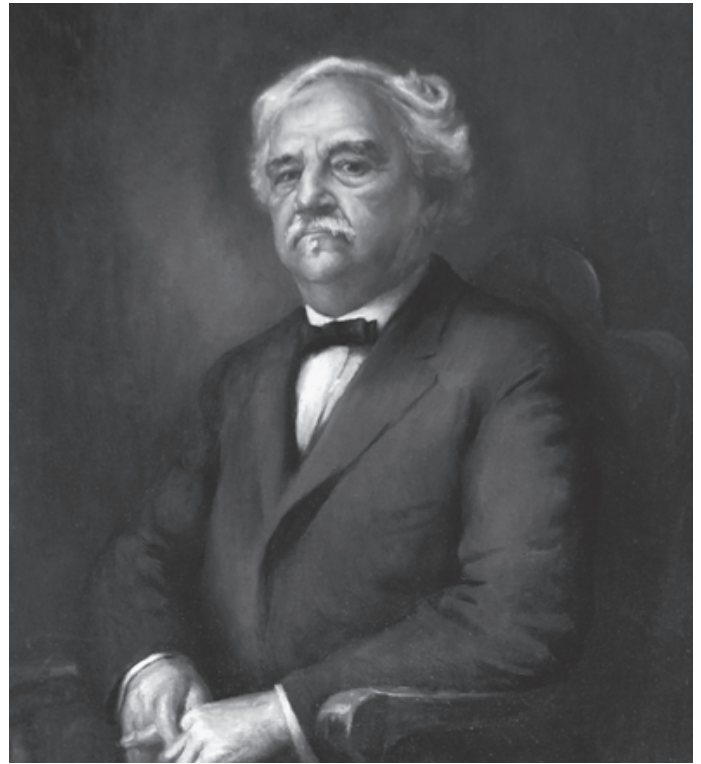
Thomas E. Miller

1849–1938

UNITED STATES REPRESENTATIVE

1890–1891

Republican from South Carolina



Harleston, Edwin. "Portrait of Thomas Miller" Lowcountry Digital Library, Avery Research Center at the College of Charleston, 1919

A seasoned local and state politician, Thomas E. Miller joined the U.S. House of Representatives after a contested election in 1890. Miller brought his extensive experience fighting for Black civil and political rights in post-Civil War South Carolina to an abbreviated term in the 51st Congress (1889–1891). With little time to legislate, Miller used his new position as a platform to protest the deterioration of Black civil and political rights occurring in the South. "I shall not be muffled here," Miller declared on the House Floor. "I am in part the representative of the living; of those whose rights are denied; of those who are slandered by the press, on the lecture platform, in the halls of legislation, and oftentimes by men in the livery of heaven, and I deem it my supreme duty to raise my voice, though feebly, in their defense."¹

Thomas Ezekiel Miller was born on June 17, 1849, in Ferrebeeveville, South Carolina. He was raised by Richard and Mary Ferree Miller. Many years later, Thomas Miller recalled that his father was White and claimed that his mother was the daughter of Judge Thomas Heyward, who had signed the Declaration of Independence.²

By the late 1850s, Thomas Miller was living in Charleston, South Carolina, attending illegal schools for free Black children, and selling the *Charleston Mercury*

newspaper at hotels. During the Civil War, Miller delivered newspapers on the railroad line that ran between Charleston and Savannah, Georgia. He was made assistant conductor of the railroad, which required him to wear the uniform of the Confederate army because the rebel government controlled the railroads. Captured by Union forces in January 1865, he spent two weeks in a Savannah prison camp 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 legal studies under the tutelage of state solicitor P.L. Wiggins and state supreme court justice Franklin L. Moses Sr. Admitted to the South Carolina bar in December 1875, Miller set up his practice in Beaufort, South Carolina, seat of the coastal county where he had won his first election just three years

before. In 1874 he married Anna Hume, with whom he had nine children.³

Shortly after establishing his law practice, 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 Democrats led by Governor Wade Hampton gained control of the state in 1877. He served as a member of the Republican state executive committee from 1878 to 1880. Miller was also a customs inspector and served in the state militia throughout the 1880s. He unsuccessfully sought the Republican nomination for a U.S. House seat in 1884, and in 1886 he returned to the state house of representatives for one year.⁴

In 1888, Miller entered the race for a seat in the U.S. House that had been formerly occupied by Black Representative and Civil War hero Robert Smalls. Covering the center of the South Carolina's pre-Civil War rice and cotton plantations, the "shoestring district" had narrow borders that twisted from Sumter County in the center of the state to Georgetown and parts of Charleston on the coast. African-American residents were 82 percent of the gerrymandered district's population. Republicans expected Smalls to run in 1888 to avenge his 1886 election loss to Democrat William Elliott, an outcome Smalls unsuccessfully contested. But Miller's supporters convinced Smalls to defer. Facing the incumbent Elliott, Miller received financial backing from Randall D. George, one of the wealthiest Black men in the state. Representative Elliott was initially declared the winner by slightly more than 1,000 votes, with 54 percent to Miller's 45 percent of the vote.⁵

Miller contested the election, charging that many registered Black voters had been prevented from casting their ballots. Though the Republican-controlled 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 M. Langston. Democratic Members had tried to obstruct the seating of Langston by deserting the House Chamber in an effort to prevent a quorum; however, Republican Speaker Thomas Brackett Reed of Maine declared a quorum present and held a vote to seat Langston.⁶

Inspired by their success seating Langston, House Republicans moved quickly to take up Miller's claim. Representative Charles Triplett 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. Accusing Democrats of conspiring to stonewall Miller's consideration, Speaker Reed shut down all protest. Shouts from the packed Republican side of the chamber implored the Speaker to call a vote. Over O'Ferrall's vehement protests, the House seated Miller by a vote of 157 to 1. Elliott was unseated, and the following day Miller was sworn in and was assigned to the Committee on Labor.⁷

Miller got to work and began introducing legislation almost immediately. Six days after his swearing-in, he submitted a bill to appropriate funds for the construction of a monument to Black Union soldiers. The proposal would have also created a commission of three former Union generals—former Representative Benjamin Franklin Butler of Massachusetts, Oliver O. Howard, and William Birney—tasked with choosing the monument's location. Miller also introduced legislation to fund, construct, and operate a home for Black Americans who had been formerly enslaved and needed assistance in old age.⁸

Miller only had a week on Capitol Hill before the first session of the 51st Congress concluded on October 1. He then 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 Independent Republican candidate Ellery M. Brayton and former Representative Elliott, the Democrat whom Miller had unseated in September. Elliott insisted the vote count was fraudulent and contested the results. On November 9, the South Carolina supreme court, seizing on minor details such as discrepancies in paper size, color, font sizes, and weights, ruled that Miller's ballots were illegal and that Elliott was therefore the winner. Miller contested the court's decision before the House of Representatives and returned for the final session of the 51st Congress with the election still unresolved. He submitted just three private bills during the three-month session but made two significant speeches on pressing matters for Black Americans in the South.⁹

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. Miller urged the Senate to join the House in passing the Lodge proposal, which he considered to be a crucial means of undermining the “infernal lynch law” employed across the region against African-American voters. Republicans had delivered a number of federal appointments to Black Americans, but voting rights protections were more important, he said. Only then could Black Americans elect candidates that might take action to arrest the growth of extrajudicial terror in the South. “Offices are only emblems of what we need and what we ought to have,” Miller pleaded. “We need protection at home in our rights, the chiefest of which is the right to live.”¹⁰

Miller worked to secure Black Americans a place of respect in a peaceful and prosperous South. On February 14, 1891, Miller rebutted a discriminatory speech by Senator Alfred Holt Colquitt of Georgia, in which he blamed southern freed people for slowing regional economic development. Miller’s passionate reply took on Colquitt point by point, arguing that it was White southerners who encouraged economic stagnation by exploiting Black farmers and denying Black Americans full citizenship. “It is not the negro,” he said, “that keeps Northern capital and Western energy from within the borders of the South land.” Rather, he argued, “it is the clannishness of the white citizens, it is the petty prejudices of the white citizens . . . it is the mean jealousy of the white citizen, it is his love of misjudging and misrepresenting historical achievements that drive from our borders thrift, capital, energy, and inventive genius.”¹¹

Miller told his colleagues of the economic obstacles facing Black agricultural workers, citing the way many landowners paid tenant farmers in credit to be used only at certain stores, where merchants frequently charged exorbitant prices for their wares. He submitted copies of these credit notes to the *Congressional Record*, documenting how this system trapped Black workers in crushing debt.¹²

Miller, who was still contesting the 1890 election, acknowledged that he may lose his seat for speaking out against South Carolina Democrats but declared himself willing to pay that price. “If it should lose me a single vote, I will accept it. I have stated nothing but the truth; I have done nothing but my duty; I would not for anything do less,” he vowed. “I leave here possessed of the consciousness that I have endeavored to defend, in this Chamber, my people and my party.”¹³

When the House convened for the 52nd Congress in December 1891, Miller, now a private citizen, appealed to 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. Their firm majority meant the Committee on Elections could stall consideration of Miller’s contest. In fact, the panel did not take up the case until one month before the end of the Congress: February 11, 1893. Indiana Republican Henry Underwood Johnson lambasted the committee for traveling “at the pace of the tardy snail” and submitted a resolution demanding that Miller’s case should be decided within five days. Although Speaker Charles Frederick Crisp of Georgia rejected Johnson’s resolution, the committee soon ruled against Miller on February 25, 1893. By that time, George Washington Murray had defeated Miller for the Republican nomination to represent the district in the 53rd Congress (1893–1895).¹⁴

While Murray went on to win election to the U.S. House, Miller returned to the South Carolina state house for a single term in 1894. For the next 40 years, he remained an active observer of politics. He also was one of six prominent South Carolina Black politicians—including former Representative Robert Smalls—who served as delegates to the 1895 state constitutional convention. White Democrats, led by then Senator Benjamin Ryan Tillman, dominated the convention and were determined to draft a new state constitution with measures designed to disenfranchise the state’s Black citizens. Miller and the Black delegates tried to delay convention resolutions and offer alternatives but were consistently rebuffed.¹⁵

Following the convention debacle, Miller redoubled his efforts to serve his community, especially through education, and helped establish the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina, which later became South Carolina State University. Although previously affiliated with Claflin University, a Black school staffed by White educators, the new college hired only Black teachers. Miller himself was named its first president when it opened in 1896. He held this position until 1911, when he was forced to resign by newly elected Governor Coleman Livingston Blease, a Democrat who Miller had opposed during the 1910 campaign.¹⁶

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. By 1924, Miller had moved to Philadelphia, Pennsylvania. Miller testified before the House Judiciary Committee that year regarding several bills proposing to investigate race relations in the South.¹⁷

He returned to Charleston in 1934, where he lived with his daughter as his eyesight failed. Thomas Miller died in Charleston on April 8, 1938.¹⁸

Notes

- 1 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2695.
- 2 William C. Hine, "Miller, Thomas Ezekiel," *American National Biography* 15 (New York: Oxford University Press, 1999): 518–520; "Interview with The Hon. T.E. Miller," Federal Writers' Project, 1936, WPA Federal Writers' Project Materials on African American Life in South Carolina, South Caroliniana Library, University of South Carolina, Columbia, South Carolina, <https://digital.library.sc.edu/collections/wpa-federal-writers-project-materials-on-african-american-life-in-south-carolina/>.
- 3 Hine, "Miller, Thomas Ezekiel," *American National Biography*: 518–520; "Interview with The Hon. T.E. Miller," Federal Writers' Project, 1936; "Personals: Thomas E. Miller," *Journal of Negro History* 23, no. 3 (July 1938): 402.
- 4 Hine, "Miller, Thomas Ezekiel," *American National Biography*: 518–520; "Interview with The Hon. T.E. Miller," Federal Writers' Project, 1936; Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders During Reconstruction* (New York: Oxford University Press, 1993): 150.
- 5 Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 143; Andrew Billingsley, *Yearning To Be Free: Robert Smalls of South Carolina and His Families* (Columbia: University of South Carolina Press, 2007): 161; George Brown Tindall, *South Carolina Negroes, 1877–1900*, 2nd ed. (1952; repr., Columbia: University of South Carolina Press, 2003): 128; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 284.
- 6 House Committee on Elections, *Miller vs. Elliott*, 51st Cong., 1st sess., H. Rept. 2502 (1890); *Congressional Record*, House, 51st Cong., 1st sess. (23 September 1890): 10338–10339.
- 7 *Congressional Record*, House, 51st Cong., 1st sess. (23 September 1890): 10339; "Republicans Steal," 24 September 1890, *Atlanta Constitution*: 1; "Langston Gets His Seat," 24 September 1890, *Chicago Daily Tribune*: 7.
- 8 H.R. 12166, 51st Cong. (1890); H.R. 12169, 51st Cong. (1890).
- 9 Hine, "Miller, Thomas Ezekiel," *American National Biography*: 518–520; 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, *United States Congressional Elections, 1788–1997*: 292. See also "Elliott Re-Elected to Congress," 10 November 1890, *New York Times*: 1; "Will They Heed the Lesson?," 17 November 1890, *Washington Post*: 4; Committee on Elections, *Miller vs. Elliott*, 52nd Cong., 2nd sess., H. Rept. 2569 (1893): 2; H.R. 12728, 51st Cong. (1891); H.R. 13181, 51st Cong. (1891); H.R. 12476, 51st Cong., (1891).
- 10 *Congressional Record*, House, 51st Cong., 2nd sess. (12 January 1891): 1216.
- 11 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2691, 2694.
- 12 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2691–2696.
- 13 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2695.
- 14 Dubin, *United States Congressional Elections, 1788–1997*: 301; *Congressional Record*, House, 52nd Cong., 2nd sess. (11 February 1893): 1489–1494; Committee on Elections, *Miller vs. Elliott*, 52nd Cong., 2nd sess., H. Rept. 2569 (1893).
- 15 Hine, "Miller, Thomas Ezekiel," *American National Biography*: 518–520; Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill: University of North Carolina Press, 2000): 221–226.
- 16 William C. Hine, "South Carolina State College: A Legacy of Education and Public Service," *Agricultural History* 65, no. 2 (Spring 1991): 151–152.
- 17 Hine, "Miller, Thomas Ezekiel," *American National Biography*: 518–520; Hearings before the House Committee on the Judiciary, *H.R. 3228 and H.R. 5564*, 68th Cong., 1st sess. (1924): 37.
- 18 "Interview with The Hon. T.E. Miller," Federal Writers' Project, 1936; "Hon. T.E. Miller, Last S.C. Race Congressman, Grandfather of Miss Anne M. Cooke, Passes Away," 13 April 1938, *Atlanta Daily World*: 1; "Personals: Thomas E. Miller," *Journal of Negro History* 23, no. 3 (July 1938): 400–402; "T.E. Miller, 88, Dies; Ex-Representative," 10 April 1938, *New York Times*: 47.

George Washington Murray

1853–1926

UNITED STATES REPRESENTATIVE

1893–1895; 1896–1897

Republican from South Carolina

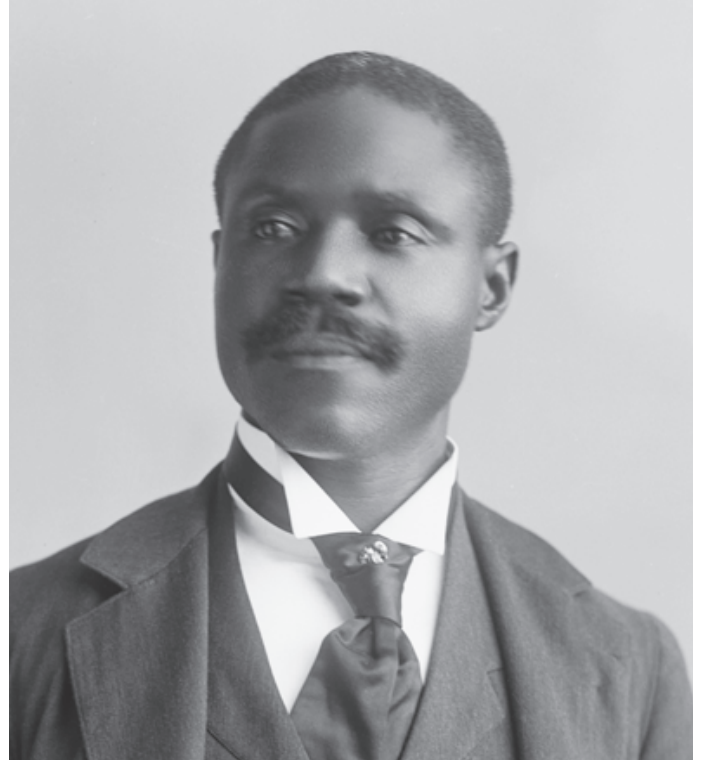


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In 1892, George Washington Murray, a farmer and inventor, won election to the U.S. House of Representatives from South Carolina. As the only Black Member in the 53rd and 54th Congresses (1893–1897), Murray fought disenfranchisement laws that undermined Black political participation across the South in the 1890s. In 1895, however, South Carolina politicians codified their assault on Black voting power in a new state constitution. Unable to defeat the overwhelming tide of White supremacy, either nationally or at home, Murray was defeated the very next year in his bid for a third term in Congress. His departure from Capitol Hill marked the end of Black representation in Congress from South Carolina for nearly a century.

George Washington Murray was born enslaved on September 22, 1853, near Rembert, in Sumter County, South Carolina. His parents, whose names are not known, were enslaved and died before the end of the Civil War. Murray had at least two brothers: Prince and Frank. Murray never received a formal primary education, but in 1874 he entered the University of South Carolina in Columbia after it was opened to Black students by the Republican state government. When Democrats took control of the state government in 1877, Murray and the other Black students

were forced out of the university. He eventually graduated from the nearby state teacher-training institution. Murray married Ella Reynolds in 1877, and they had two children: Edward and Pearl. Murray also had a son, William, from another relationship.¹

Working as a farmer, a teacher, and a lecturer in Sumter County, Murray obtained eight patents for various agricultural tools. His agricultural success garnered him local recognition, and he was selected as the Sumter County delegate to the 1880 Republican Party state convention. Murray's support of Republican President Benjamin Harrison during the 1888 campaign won him a patronage appointment as customs inspector at the port of Charleston in February 1890. That same year he sought the nomination for the South Carolina "shoestring district," which included sections of Charleston and Georgetown on the coast and twisted narrowly to the northeast to include central portions of the state. The Seventh District had a recent history of Black representation: Civil War hero Robert Smalls in the 49th Congress (1885–1887) and the incumbent, Thomas E. Miller, who served in the 51st Congress (1889–1891). In 1890, Miller defeated Murray for the Republican nomination but eventually lost his bid for re-election to Democrat William Elliott.²

In 1892, Murray again pursued the Seventh District seat. Murray defeated Miller and a White candidate named E.W. Brayton to capture the Republican nomination. Although reapportionment modified the “shoestring district” slightly, African-American residents made up nearly 75 percent of the population. During the general election, especially in areas outside Charleston, precinct workers looked for any reason to reject votes cast for Murray. In one instance, an election official judged that Murray’s ballots were one-eighth or three-sixteenths of an inch too short. In other cases, Murray’s votes were challenged amid accusations that the ballot boxes were allegedly not opened at the appointed time, and that the precinct managers failed to record the name of the precinct before sending the election returns to the state capital, Columbia.³

Murray’s candidacy, however, was helped by divisions within the state Democratic Party. Then Governor Benjamin Ryan Tillman, a future Senator who led a statewide political machine mobilized to establish White supremacy in South Carolina, was at odds with E.M. Moise, the district’s Democratic candidate. Moise disagreed with the governor by rejecting populist economic proposals such as the coinage of silver, which emerged as a national issue during the 1892 election. Like many farmers, Murray supported silver as a way to expand the money supply and provide some means of debt relief to growers in the mostly agricultural district. Though Moise was originally declared the winner, canvassers for the state board of election—run by Democratic supporters of Governor Tillman—confirmed that Murray had won by 40 votes. In the House, he received an assignment to the Committee on Education.⁴

Murray’s position as the only Black Member during his two terms in Congress defined his career. One of the first things he did after arriving in Washington was to visit newly inaugurated Democratic President Grover Cleveland. In their meeting, Murray told Cleveland that southern African Americans were concerned about their welfare under a Democratic President but that the new administration had a fresh opportunity to prove that the national Democratic Party cared about their well-being. Murray asked Cleveland to consider appointing more African Americans to government positions, but neither the President nor his congressional allies were concerned with appealing to this new constituency for votes.⁵

When a financial panic gripped the country in early 1893, President Cleveland blamed much of the economic

instability on the 1890 Sherman Silver Purchase Act. He sought to repeal the law that required the federal government to trade 4.5 million ounces of silver bullion each month in exchange for legal tender to pump into the economy. Cleveland called a special session of Congress to deal with the crisis. Murray joined Populists and other Silverites in defending the Silver Purchase Act. Speaking on the House Floor for the first time on August 24, 1893, Murray argued that most of his constituents earned little and were disadvantaged by the diminishing supply of gold on which the economy was based. Murray believed that silver coinage would help to stabilize the economy in his district and noted that his constituents traced their overwhelming poverty to the gold standard, “the circulating medium, which like a viper with its victim in its coils, has been drawing its cords tighter and tighter around their prosperity, until it is dead. I am of the opinion that the only sure and permanent remedy is a lengthening of the cords, an enlargement of the volume of money.” Although Murray took the floor at 10:00 p.m., a large crowd gathered in the gallery to hear his maiden speech. Ultimately, however, proponents of silver coinage were unable to secure the necessary votes and, overcoming a Senate filibuster lasting two months, President Cleveland secured the congressional repeal of the Sherman Silver Purchase Act on October 30, 1893.⁶

In 1893, when Representative Henry St. George Tucker of Virginia authored a bill to remove from southern polling places the impartial election supervisors and federal marshals who had helped enable Black voting in the region, Murray sought to block the legislation. On several occasions, he contested Tucker’s allies on the House Floor, citing personal experiences of discrimination. On October 2, 1893, Murray interrupted freshman Representative and future Speaker Champ Clark of Missouri, who insisted that state officials adequately monitored polling places. Murray challenged Clark’s arguments, including his claim that federal officials arrested potential voters to keep them from the polls which skewed the results. Three days later, Murray made a long speech against Representative Tucker’s legislation. “While I can not persuade myself that there can be found here and in the Senate enough cruel and wicked men to make this law effective,” he pleaded with President Cleveland to not “join in this cowardly onslaught to strike down the walls impaling the last vestige of liberty to a helpless class of people.” Murray called upon Black voters to consider any Member who voted for the bill “as their perpetual enemy.”

The bill passed both chambers and, despite Murray's stated hope for a presidential veto, was signed into law by Cleveland in February 1894.⁷

In 1894, Murray faced a crucial decision when running for re-election for a seat in the 54th Congress (1895–1897). The South Carolina legislature had dissolved the old Seventh District, cutting off much of Charleston and Murray's Black voting base and created a new First District that was far more favorable to White candidates. Murray secured the Republican nomination in the new district, overcoming competition from former Member Robert Smalls. Former Representative William Elliott, who had been unseated by Black Republican Representative Thomas Miller in 1890, won the Democratic nomination to face Murray in November. Elliott emerged with 60 percent of the vote in the general election, but several precincts reported instances of fraud. Murray appealed to the state board of election canvassers, but they rejected his claim.⁸

In 1895, Murray prepared to contest Elliott's election before the House in the 54th Congress. On February 23, after the death of abolitionist and activist Frederick Douglass, Murray attempted to introduce a resolution to have Douglass lay in state in the Capitol. At the end of the legislative day, Murray waited while colleagues delivered several lengthy eulogies for North Carolina's Zebulon Baird Vance, who had been a Confederate officer, wartime governor, and later U.S. Senator, and who had died almost a year earlier. When the series of speeches concluded, Murray rose to request unanimous consent to introduce his resolution honoring Douglass but was told that the House had already adjourned. He never had the chance to introduce the resolution.⁹

In 1895, Democrats in the South Carolina state legislature passed a referendum to revise the state's Reconstruction-era constitution. Murray tried to organize Black voters to elect sympathetic delegates to the constitutional convention, but only six Black delegates managed to gain seats, among them former Representatives Robert Smalls and Thomas Miller. The convention proved disastrous for Black voters in South Carolina. White Democrats created new residency requirements, instituted poll taxes, established property qualifications, and created literacy tests—all aimed at disenfranchising Black voters.¹⁰

Despite the looming disenfranchisement of his core supporters, Murray's contested election case was still in the hands of the House Committee on Elections.

Murray provided the committee with a massive amount of testimony indicating that he had been fraudulently denied re-election. Murray's evidence revealed that ballot boxes in three of four heavily Republican counties in his new district were never opened, that Black voters were issued fake registration certificates or had their paperwork withheld entirely, and that local authorities simply failed to open certain precincts in Black neighborhoods. The worst fraud occurred in the small portion of southern Charleston that remained in Murray's district. In a precinct with 2,000 more registered Black voters than White voters, officials had reported 2,811 votes for Elliott and only 397 for Murray.¹¹

After reviewing the testimony, the Republican-controlled House Committee on Elections concluded that Murray had prevailed by 434 votes. On June 3, 1896, the whole House first took up the case late in the first session of the 54th Congress. Democrats spent several hours trying to prove that Murray was not favored by all African-American voters and thus could not claim the majority of votes cast based solely on the demographics of the district. The next day, the House voted to seat Murray, 153 to 33. With only seven days remaining in the first session, Murray was again assigned to the Committee on Education and was also appointed to the Committee on Expenditures in the U.S. Department of Treasury.¹²

Upon joining the 54th Congress, Murray immediately turned his attention to re-election in the fall of 1896 where he faced one hurdle after another. The new state constitution's discriminatory voting clauses prevented scores of his Black constituents from being able to register, while hundreds of others were turned away from the polls. Elliott ultimately defeated Murray with 67 percent of the vote.¹³

Even in defeat, Murray kept up the fight for voting rights. In December 1896, he introduced legislation intended "to insure minority representation in Federal elections." In February 1897, Murray announced he would object to South Carolina's nine electoral votes in the presidential election—which went to Democratic candidate William Jennings Bryan—if Congress did not investigate the state's new election laws. He submitted a petition signed by hundreds of South Carolina Republicans, alleging that more than 100,000 eligible Black men had been denied the vote in the 1896 election. Influential Republicans attempted to dissuade Murray, fearful that disrupting the electoral vote count would impede Republican William McKinley's apparent victory. Murray dropped his objection

but submitted a resolution requesting an investigation into South Carolina's electoral vote, which was referred to the Committee on Election of President, Vice President, and Representatives. Although the committee reported favorably on the resolution on March 2—one day before the end of the Congress—it refused to take stronger action, referring the matter to the 55th Congress (1897–1899).¹⁴

After leaving Congress, Murray returned to his South Carolina farm. He invested in more land, which he sold to Black tenant farmers. In 1904, Murray was convicted in a circuit court for forgery related to a contract dispute between two of his tenants. After another legal trial on a perjury charge along with a suspicious fire in his home, Murray fled to Chicago in 1905 to avoid a prison sentence. He also told family members he was concerned about escalating harassment and feared he would be the victim of violence if he remained in the state. Ella Murray was unwilling to leave South Carolina, and the two separated. In 1908, Murray married Cornelia Martin, who ran a boarding house. The Murrays adopted a 10-year-old boy, Donald, in the 1920s.¹⁵

Murray became active in the Republican Party in Chicago. He tried several unsuccessful business ventures, including investing in a local Black-owned department store. Murray also lectured across the country. He compiled many of his speeches into two self-published books, which claimed to take a scientific approach to the problems facing African Americans in the United States. In *Race Ideals: Effects, Cause and Remedy for Afro-American Race Troubles* (1914) and *Light in Dark Places* (1925), Murray made the case for cultural pride as a key component to ending racism and discrimination in American society, along with self-help strategies of a sort popularly associated with Booker T. Washington.¹⁶

Murray died of cancer in Chicago on April 21, 1926. Former Mississippi Representative John R. Lynch and antilynching activist Ida B. Wells-Barnett were among the speakers at his funeral.¹⁷

Notes

- 1 John F. Marszalek, *A Black Congressman in the Age of Jim Crow: South Carolina's George Washington Murray* (Gainesville: University Press of Florida, 2006): 6–7, 9, 157–158.
- 2 Stephen Middleton, *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT: Greenwood Press, 2002): 245; Marszalek, *A Black Congressman in the Age of Jim Crow*: 9, 22; Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 143.
- 3 Parsons et al., *United States Congressional Districts, 1883–1913*: 278–279; Marszalek, *A Black Congressman in the Age of Jim Crow*: 37; William J. Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina,” *Journal of Negro History* 62, no. 3 (July 1977): 259–260.
- 4 Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 301; Thomas Holt, “Murray, George Washington,” *Dictionary of American Negro Biography* (New York: Norton, 1982): 465; Marszalek, *A Black Congressman in the Age of Jim Crow*: 47–50.
- 5 Marszalek, *A Black Congressman in the Age of Jim Crow*: 51.
- 6 *Congressional Record*, House, 53rd Cong., 1st sess. (24 August 1893): 858; Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina”: 260–261; Marszalek, *A Black Congressman in the Age of Jim Crow*: 57–58; Neil MacNeil and Richard A. Baker, *The American Senate: An Insider's History* (New York: Oxford University Press, 2013): 312; Robert J. Dole, *Historical Almanac of the United States Senate: A Series of “Bicentennial Minutes” Presented to the Senate During the One Hundredth Congress* (Washington, DC: Government Printing Office, 1989): 159.
- 7 *Congressional Record*, House, 53rd Cong., 1st sess. (10 October 1893): 107; Marszalek, *A Black Congressman in the Age of Jim Crow*: 60–63; *Congressional Record*, House, 53rd Cong., 1st sess. (2 October 1893): 2048–2049; *Congressional Record*, House, 53rd Cong., 1st sess. (5 October 1893): 2161; An Act To repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes, 28 Stat. 36 (1894).
- 8 Parsons et al., *United States Congressional Districts, 1883–1913*: 278–279; Marszalek, *A Black Congressman in the Age of Jim Crow*: 68–69, 75–81; Dubin, *United States Congressional Elections, 1788–1997*: 310; Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina”: 260.
- 9 *Congressional Record*, House, 53rd Cong., 2nd sess. (23 February 1895): 2669; “Fred Douglass's Remains,” 24 February 1895, *Atlanta Constitution*: 15.
- 10 J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and Establishment of the One-Party South, 1880–1910* (New Haven: Yale University Press, 1974): 145–152; Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill: University of North Carolina Press, 2000): 198–242.
- 11 Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina”: 266; Marszalek, *A Black Congressman in the Age of Jim Crow*: 79; House Committee on Elections, *George W. Murray v. William Elliott*, 54th Cong., 1st sess., H. Rept. 1567 (1896): 2–5.
- 12 House Committee on Elections, *George W. Murray v. William Elliott*, 54th Cong., 1st sess., H. Rept. 1567 (1896): 55; *Congressional Record*, House, 54th Cong., 1st sess. (3 June 1896): 6072–6077; *Congressional Record*, Appendix, 54th Cong., 1st sess. (3 June 1896): 445–452; Marszalek, *A Black Congressman in the Age of Jim Crow*: 101; *Congressional Record*, House, 54th Cong., 1st sess. (4 June 1896): 6011.
- 13 Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina”: 263–267; Dubin, *United States Congressional Elections, 1788–1997*: 327.
- 14 H.R. 9757, 54th Cong. (1896); *Congressional Record*, House, 54th Cong., 2nd sess. (19 December 1896): 320; H. Res. 543, 54th Cong. (1897); *Congressional Record*, House, 54th Cong., 2nd sess. (15 February 1897): 1868; Committee on Election of President, Vice-President, and Representatives in Congress, *Electoral Vote of South Carolina*, 54th Cong., 2nd sess., H. Rept. 3065 (1897); Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina”: 266; Marszalek, *A Black Congressman in the Age of Jim Crow*: 107–108.
- 15 Marszalek, *A Black Congressman in the Age of Jim Crow*: 132–136, 142–143, 145–146, 157–158.
- 16 Marszalek, *A Black Congressman in the Age of Jim Crow*: 144–145, 146–151.
- 17 “Death Takes Former Rep. G.W. Murray,” 1 May 1926, *Chicago Defender*: 1.

George Henry White

1852–1918

UNITED STATES REPRESENTATIVE

1897–1901

Republican from North Carolina

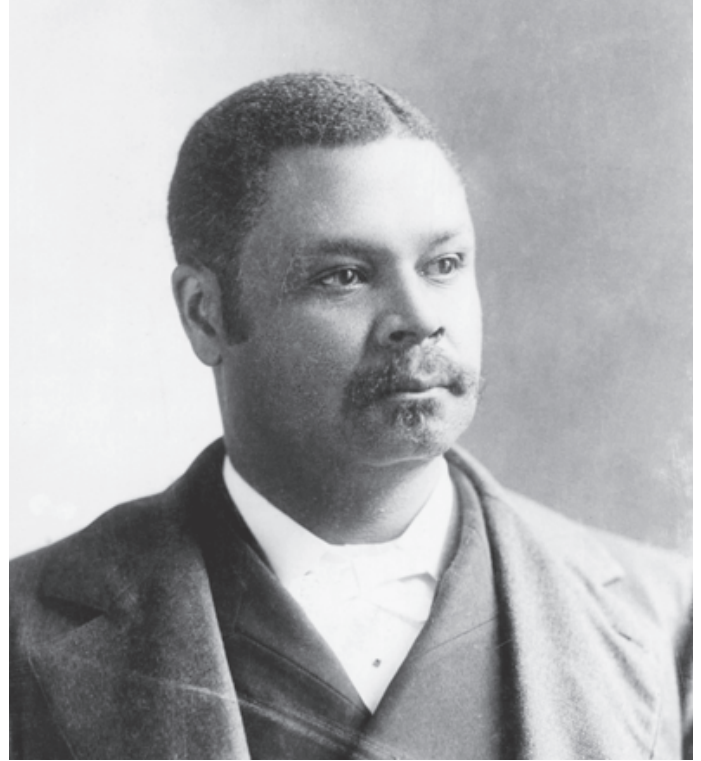


Image courtesy of the National Archives and Records Administration

George Henry White was elected to the U.S. House of Representatives from North Carolina in 1896. His bold legislative proposals combating disenfranchisement and mob violence challenged the repression of the Jim Crow South. The lone African-American Representative at the dawn of the twentieth century, White denounced the efforts of the Democratic Party in his home state to restrict Black voting rights and embrace White supremacy. After he departed the chamber on March 3, 1901, no Black Member was elected to Congress for another 27 years. “This, Mr. Chairman, is perhaps the negroes’ temporary farewell to the American Congress,” White declared in his final months as a Representative, “but let me say, Phoenix-like he will rise up someday and come again.”¹

George Henry White was born in Rosindale, North Carolina, on December 18, 1852. His father, Wiley F. White, was a free farmer. His mother, Mary, was enslaved. At the end of the Civil War, White helped out on the family farm and assisted in the family’s funeral home business while intermittently attending public schools in Columbus County, North Carolina. In 1873, he entered Howard University in Washington, DC, graduating in 1877. White joined the North Carolina bar in 1879 and

served as the principal at several Black public schools. He married Fannie B. Randolph in 1879; six years after her death in 1880, he married Cora Lena Cherry. White had four children: a daughter, Della, with his first wife and two daughters and a son—Mary Adelyne, Beatrice Odessa, and George Henry White Jr.—with his second wife. Beatrice Odessa White died in infancy in 1892.²

White’s political career began with his election to the North Carolina house of representatives in 1880. That same year, he served as a delegate to the Republican National Convention. White initially focused on legislation pertaining to education, securing funding and authorization to open four Black teacher-training schools to provide training for Black teachers. After establishing a second residence in Tarboro, North Carolina, he was elected solicitor and prosecuting attorney in 1886 in the “Black Second,” a boot-shaped congressional district winding from the Virginia border to the southern coast which contained a large Black majority. White considered seeking national office but decided to work on local issues in the solicitor’s office.³

White’s brother-in-law, Representative Henry Plummer Cheatham, held the Second District seat in the House from 1889 to 1893, before losing re-election in 1892.

When White made a serious bid for the “Black Second” congressional seat in 1894, the campaign became marked by family rivalry when Cheatham entered the race for his old seat as well. At the time, the Populist Party—a national third party which largely attracted struggling farmers disenchanted with America’s political system—continued to challenge the Republican Party in the district. The volatile political situation divided delegates at the hotly contested 1894 Republican district convention. After 13 ballots, both White and Cheatham emerged claiming the nomination. After both candidates canvassed the district for several months, the two men brought their still-undecided case to Washington, DC, before the National Republican Congressional Committee. After hearing each man’s arguments, a seven-member panel agreed to support Cheatham. But Cheatham failed to capture the backing of the Populists, and in a three-way general election he lost handily to incumbent Democratic Representative Frederick Augustus Woodard after a Populist candidate siphoned off a large fraction of the White Republican vote.⁴

Two years later, in 1896, White handily defeated Cheatham for the Republican nomination to the House. Hoping to avoid Cheatham’s fate in another three-way election, White reached out to Populist voters in the district by embracing the call for the free coinage of silver while distancing himself from the national Republican adherence to the gold standard. His chances for election improved greatly when Republican and Populist district leaders agreed on a “fusion” plan in the fall of 1896. White also benefited when the state legislature reversed many of the Democratic election laws that impeded African-American voters in 1894—each of the three parties provided a judge and registrar at every polling place to ensure a fair election. Turnout among Black voters in North Carolina rose to record levels of more than 85 percent. On Election Day, White defeated Woodard and Populist candidate D.S. Moss with 52 percent of the vote.⁵

The only African-American lawmaker in the 55th Congress (1897–1899), George Henry White was part of a large Republican majority that had been swept into office on the coattails of President William McKinley. He received a seat on the Agriculture Committee, an assignment that positioned him to serve the interests of his largely rural constituency. Early in the 55th Congress, White, like many Republicans hoping to spur domestic production, voted to raise tariffs, fees the government placed on imports.

White intended his vote to protect eastern North Carolina’s timber industry.⁶

White also joined his party in embracing imperialism. Although he missed the vote on a resolution on April 18, 1898, authorizing U.S. military intervention to help Cuba achieve independence from Spain, he announced on the House Floor the following morning that he backed a U.S. invasion of Spanish-controlled Cuba. He later declared his unqualified support for the “acquisition of all of the territory that is within our grasp as a result of that war,” including not only Cuba but the former Spanish colonies of Puerto Rico and the Philippines as well. White was not present for the vote to annex the Hawaiian Islands. Critical of the apparent mistreatment of the native Hawaiians, White nonetheless remained loyal to Republican foreign-policy objectives and steered clear of overt conflict with his colleagues who overwhelmingly supported annexation. White later offered legislation creating the Hawaiian territorial government, a measure he hoped would ensure the voting rights of Hawaiian residents.⁷

As the only African-American legislator between 1897 and 1901, White’s primary focus in Congress was to defend the civil rights of his Black constituents. “I am easily the leader of one thing, and that is the Black phalanx on this floor,” White declared in 1898. “I have no rival and will not be disturbed in that leadership.”⁸

Throughout his two terms, White attempted to use congressional power to address the country’s obligations to its Black citizens at both local and national levels. For instance, he offered a resolution providing relief for the widow and surviving children of Black postmaster Fraser B. Baker, who along with his infant daughter was murdered by a White mob in Lake City, South Carolina. Like many of his earlier Black colleagues, White proposed compensation for depositors of the failed Freedman’s Savings and Trust Company and reimbursement for P.B.S. Pinchback, a Black politician from Louisiana who had incurred significant expenses related to his contested election in the 43rd Congress (1873–1875). White was finally successful in obtaining modest compensation for former Representative Robert Smalls of South Carolina for his seizure of the steamship *Planter* from Confederate forces in Charleston in 1862.⁹

White also made several unsuccessful attempts to push Congress to open new opportunities for Black Americans. In 1898, for instance, White sought an amendment to commission the first all-Black artillery unit in the U.S.

Army—noting that no Black serviceman had ever served as an artilleryman. He also proposed \$15,000 in federal funding for an exhibit on Black contributions to the progress of the country at the 1900 Paris Exposition.¹⁰

Returning home to campaign for re-election, George Henry White was the primary target of White supremacist politicians who feared the renewal of the Republican-Populist political fusion strategy. The *Raleigh News and Observer* was particularly scathing, calling White the mastermind behind the “Negro domination” of local politics and businesses, and citing as proof his refusal to give his seat to a White Republican. White, meanwhile, armed himself with endorsements. Republican colleague George Newell Southwick of New York printed glowing praise of White in the *Colored American*, a Black newspaper published in Washington, DC. Second District Republicans also expressed solidarity with White by renominating him without opposition in May 1898.¹¹

The last stages of the campaign witnessed White supremacist forces align against White. White’s opponents fabricated and misconstrued a number of quotations from his renomination and accused him of calling on Black Americans to take up arms in the South in pursuit of “social equality.” The White Government Union, a new group led by former Representative Furnifold McLendel Simmons which was aligned with the Democratic Party, used the words attributed to White to stir outrage among White voters. The press also continued to stoke unfounded fears that African Americans were planning an armed rebellion. In 1898, Populists also broke from standing fusion agreements and nominated their own candidate, James B. Lloyd, threatening to undercut a significant part of White’s support. The final week of campaigning descended into chaos. After Lloyd refused to run on a platform of White supremacy, William Fountain added his name to the ballot as an Independent Populist and sought to swing the Populist Party against George Henry White. At a Democratic campaign event as Election Day approached, South Carolina Senator and former Governor Benjamin Ryan Tillman unabashedly praised North Carolina’s efforts to establish White supremacy. Although Black voter turnout was low, the confusion of a four-way race divided the vote in White’s favor, and he won re-election. After the election in November 1898, North Carolina experienced grotesque violence when White supremacists in Wilmington, the biggest city in the largely rural state, attacked Black neighborhoods: killing at least

seven and as many as 20 Black residents, injuring many more, and overthrowing the local government.¹²

The bloody Wilmington coup traumatized Black North Carolinians well beyond the city, and disgusted White as he returned to Washington for the final session of the 55th Congress. On January 26, 1899, he vented his frustration in his longest floor speech to date. During the consideration of a measure to extend America’s standing army after the Spanish-American War, White segued debate to disenfranchisement in the South. He argued in favor of a bold proposal to decrease representation in the U.S. House for states with discriminatory laws proportionate to the number of eligible voters they prevented from going to the polls. “If we are unworthy of suffrage, if it is necessary to maintain white supremacy,” White chastised his colleagues, “then you ought to have the benefit only of those who are allowed to vote, and the poor men, whether they be black or white, who are disfranchised ought not go into representation of the district of the state.” Republicans greeted his speech with long applause.¹³

The 56th Congress (1899–1901) convened with a Republican majority, and White was given a second assignment on the District of Columbia Committee, which administered the capital city’s government. He submitted bills to aid the District’s residents, including a request that unclaimed federal pensions earmarked for Black Civil War soldiers be redirected into a retirement home for African Americans in the District of Columbia. White also introduced legislation to prohibit fertilizer factories in the District, industries that used unsightly and foul-smelling dead animals in their operations.¹⁴

On January 20, 1900, White introduced an unprecedented bill to make lynching a federal crime, subjecting those who participated in mob violence to potential capital punishment—a sentence equivalent to that for treason. White provided national statistics on lynchings over a six-month period in 1899 and listed the ostensible crimes said to have justified the murder of innocent Black Americans: alleged property crimes and assault, social transgressions—including interactions with White women—and the simple act of looking for work. “Mr. Chairman, the sickening effect of these crimes is bad enough in degenerating and degrading the moral sensibilities of those who now play upon the arena of the nation,” White declared on the House Floor, “but this is nothing when compared with the degrading and

morbid effect it must have upon the minds of children in communities where these murders are committed in open daylight with the flagrant defiance of all law, morals, the State and nation, and the actors are dubbed as the best citizens of the community.” He concluded: “I tremble with horror for the future of our nation when I think what must be the inevitable result if mob violence is not stamped out of existence and law once permitted to reign supreme.” White’s landmark antilynching bill did not attract significant support on Capitol Hill or from President William McKinley, and subsequently died in the Judiciary Committee.¹⁵

White announced he would not run for renomination to the 57th Congress (1901–1903) in a speech on June 30, 1900. Several factors contributed to his decision. In 1899, the North Carolina state legislature followed the lead of neighboring states and passed new laws further restricting Black voter registration. White speculated that he may even be denied a certificate of election from the state government if he won re-election. He also faced criticism from White Republicans in the district, who disapproved of White’s statements about the need for Black candidates and patronage appointees in a largely Black congressional district. Without strong Republican support, White faced formidable odds defeating his Democratic opponent Claude Kitchin, a White supremacist whose family was well-connected in North Carolina Democratic politics. White also faced resistance at the national level when, as a delegate to the Republican National Convention in mid-June, he watched as the convention rejected the addition of an antilynching plank and voting rights guarantees to the national party platform.¹⁶

On January 29, 1901, White gave a celebrated valedictory address to the 56th Congress. He acknowledged that his departure from Capitol Hill signaled the end of an era but predicted the return of Black Members to Congress in the future. He called for respect and equality for African Americans. “The only apology that I have to make for the earnestness with which I have spoken,” White concluded, “is that I am pleading for the life, the liberty, the future happiness, and manhood suffrage for one-eighth of the entire population of the United States.”¹⁷

Fearing for the well-being of his family, White moved away from North Carolina. The health of his wife, Cora, had suffered greatly under the strain of racist attacks against her and her husband. “I cannot live in North Carolina and be a man and be treated as a man,” White lamented to the *Chicago Daily Tribune*. He also encouraged Black

families to leave the South and settle in western farming regions, to, he said, “lose themselves among the people of the country. A few families could settle here and there. Then their children will be better educated.”¹⁸

After leaving the House, George Henry White began a second successful career as a lawyer and an entrepreneur, opening a law practice in Washington, DC, in 1901. Hoping to create a safe place where Black Americans could thrive beyond the restrictive confines of the Jim Crow South, White organized the town of Whitesboro on 1,700 acres of land in Cape May, New Jersey. By 1906, its population had swelled to more than 800 people. In 1905, White left Washington to establish another law practice in Philadelphia. He also opened the People’s Savings Bank to help Black homeowners and merchants. White made significant connections with the Black community in Philadelphia, becoming active in the local branch of the NAACP and serving as a board member of the Frederick Douglass Hospital.¹⁹

In April 1912, White announced his candidacy for Pennsylvania’s First District following the death of Representative Henry Harrison Bingham. In a statement, White declared that Black Americans were “entitled to at least one Representative in the American Congress.” White, however, ultimately did not formally put his name forward for the nomination, and William Scott Vare won the seat. In 1917, White’s bank failed. A year later, George Henry White died in Philadelphia on December 28, 1918.²⁰

Notes

- 1 *Congressional Record*, House, 56th Cong., 2nd sess. (29 January 1901): 1638.
- 2 Benjamin R. Justesen, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge: Louisiana State University Press, 2001): 2–3, 35–36; George W. Reid, “Four in Black: North Carolina’s Black Congressmen, 1874–1901,” *Journal of Negro History* 64 (Summer 1979): 235; Justesen, *George Henry White*: 166.
- 3 Justesen, *George Henry White*: 80–81, 151; Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 97–99.
- 4 Justesen, *George Henry White*: 151–153, 182, 185, 187, 188–189; Michael J. Dubin, *United States Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 308.
- 5 Justesen, *George Henry White*: 206, 210–211; H. Leon Prather Sr., *We Have Taken a City: The Wilmington Racial Massacre and Coup of 1898* (Rutherford, NJ: Associated University Presses, 1984): 34–35; Dubin, *United States Congressional Elections, 1788–1997*: 318.
- 6 Justesen, *George Henry White*: 213; *Congressional Record*, House, 55th Cong., 1st sess. (31 March 1897): 550.
- 7 *Congressional Record*, House, 55th Cong., 2nd sess. (19 April 1898): 4086; *Congressional Record*, House, 55th Cong., 3rd sess. (26 January 1899): 1124; Justesen, *George Henry White*: 235; *Congressional Record*, House, 56th Cong., 1st sess. (5 April 1900): 3814.

- 8 *Congressional Record*, House, 55th Cong., 2nd sess. (22 April 1898): 4194.
- 9 “Topics of Talk in Beaufort,” 28 February 1898, *Charleston News and Courier* (SC): 6; “Negro Postmaster Killed,” 23 February 1898, *New Haven Register* (CT): 1; H.R. 2578, 56th Cong. (1899); H.R. 6573, 56th Cong. (1900); An Act For the Relief of Robert Smalls, 31 Stat. 1600 (1900).
- 10 *Congressional Record*, House, 55th Cong., 2nd sess. (7 March 1898): 2556; H.R. 4755, 56th Cong. (1899); H.J. Res. 75, 56th Cong. (1899).
- 11 Eric Anderson, “White, George Henry,” *American National Biography* 23 (New York: Oxford University Press, 1999): 205–206; “Southwick Praises White,” 11 June 1898, *Colored American* (Washington, DC): 1; Justesen, *George Henry White*: 233–234; Justesen, *George Henry White*: 232–234.
- 12 Justesen, *George Henry White*: 238–241, 245–246; “The Negro White Speaks,” 28 July 1898, *North Carolinian* (Raleigh, NC): 6; “Glorious Day in Cumberland,” 25 October 1898, *Semi-Weekly Messenger* (Wilmington, NC): 8; Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894–1901* (1951, repr.; New York: Russell and Russell, 1973): 163–164; John Hope Franklin and Alfred A. Moss, *From Slavery to Freedom: A History of African Americans*, 8th ed. (New York: Alfred A. Knopf, 2000): 288; David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill: University of North Carolina Press, 1998): 35; David Zucchino, *Wilmington’s Lie: The Murderous Coup of 1898 and the Rise of White Supremacy* (New York: Atlantic Monthly Press, 2020).
- 13 *Congressional Record*, House, 55th Cong., 3rd sess. (26 January 1899): 1125; Justesen, *George Henry White*: 263.
- 14 H.J. Res. 67, 56th Cong. (1899); H.R. 8696, 56th Cong. (1900).
- 15 H.R. 6963, 56th Cong. (1900); Edmonds, *The Negro and Fusion Politics in North Carolina*: 86; *Congressional Record*, House, 56th Cong., 1st sess. (23 February 1900): 2151–2154.
- 16 “Southern Negro’s Plaint,” 26 August 1900, *New York Times*: 8; Eric Anderson, *Race and Politics in North Carolina, 1872–1901: The Black Second* (Baton Rouge: Louisiana State University Press, 1981): 299–300; Justesen, *George Henry White*: 290, 292–293.
- 17 *Congressional Record*, House, 56th Cong., 2nd sess. (29 January 1901): 1638.
- 18 “Sees No Hope In South, 26 August 1900, *Chicago Daily Tribune*: 7; “Southern Negro’s Plaint.”
- 19 Justesen, *George Henry White*: 356, 411.
- 20 “Announces His Candidacy for Congress,” 30 March 1912, *Philadelphia Tribune*: 1; “He Has Heard the Battle Cry,” 20 April 1912, *Chicago Defender*: 4; “White Not in the Fight,” 20 April 1912, *Afro-American* (Baltimore, MD): 4; “Vare Wins For Congress,” 26 April 1912, *Baltimore Sun*: 15; “Former N.C. Negro Congressman Dead,” 29 December 1918, *Wilmington Morning Star* (NC): 1; “Ex-Congressman Geo. White, Negro, Dies in the North,” 29 December 1918, *Greensboro Daily News* (NC): 16; “Last Negro Congressman George H. White, Is Dead,” 30 December 1918, *Greensboro Patriot* (NC): 1.



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