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National Museum of African American History and Culture

Extension of the Ku Klux Act

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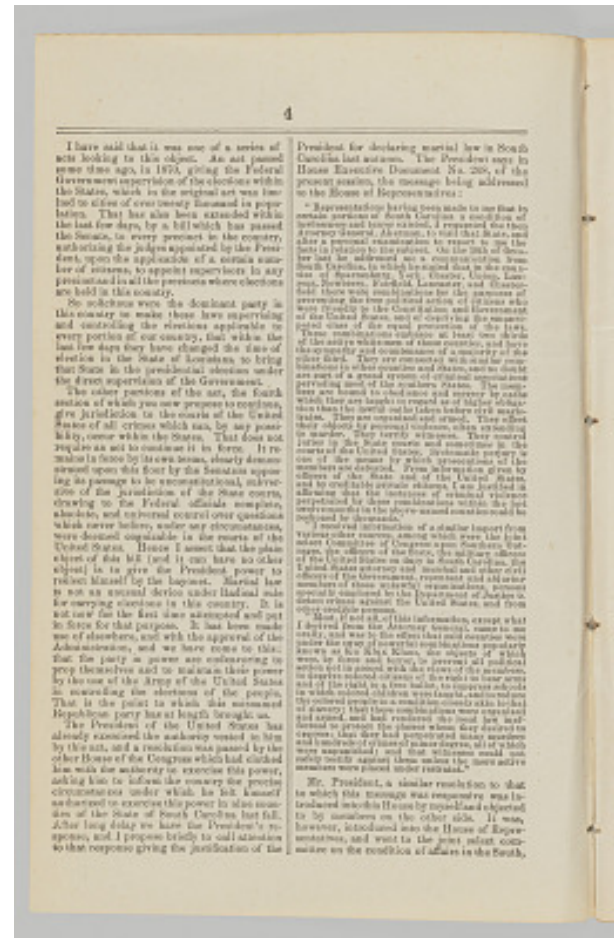
I have said that it was one of a series of acts looking to this object. An act passed some time ago, in 1870, giving the Federal Government supervision of the elections within the States, which in the original act was limited to cities of over twenty thousand in population. That has also been extended within the last few days, by a bill which has passed the Senate, to every precinct in the country, authorizing the judges appointed by the President, upon the application of a certain number of citizens, to appoint supervisors in any precinct and in all the precincts where elections are held in this country.

So solicitous were the dominant party in this country to make these laws supervising and controlling the elections applicable to every portion of our country, that within the last few days they have changed the time of election in the State of Louisiana to bring that State in the presidential election under the direct supervision of the Government.

The other portions of the act, the fourth section of which you now propose to continue, give jurisdiction to the courts of the United States of all crimes which can, by any possibility, occur within the States. That does not require an act to continue it in force. It remains in force by its own terms, clearly demonstrated upon this floor by the Senators opposing its passage to be unconstitutional, subversive of the jurisdiction of the State courts, drawing to the Federal officials complete, absolute, and universal control over questions which never before, under any circumstances, were deemed cognizable in the courts of the United States. Hence I assert that the plain object of this bill (and it can have no other object) is to give the President power to reelect himself by the bayonet. Martial law is not an unusual device under Radical rule for carrying elections in this country. It is not now for the first time attempted and put in force for that purpose. It has been made use of elsewhere, and with the approval of the Administration, and we have come to this: that the party in power are endeavoring to prop themselves and to maintain their power by the use of the Army of the United States in controlling the elections of the people. That is the point to which this misnamed Republican party has at length brought us.

The President of the United States has already exercised the authority vested in him by this act, and a resolution was passed by the other House of the Congress which had clothed him with the authority to exercise this power, asking him to inform the country the precise circumstances under which he felt himself authorized to exercise this power in nine counties of the State of South Carolina last fall. After long delay we have the President's response, and I propose briefly to call attention to that response giving the justification of the President for declaring martial law in South Carolina last autumn. The President says in House Executive Document No. 268, of the present session, the message being addressed to the House of Representatives:

"Representations having been made to me that in certain portions of South Carolina a condition of lawlessness and terror existed, I requested the then Attorney General, Akerman, to visit that State, and after a personal examination to report to me the facts in relation to the subject. On the 16th of October last he addressed me a communication from South Carolina, in which he stated that in the counties of Spartanburg, York, Chester, Union, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield there were combinations for the purposes of preventing the free political action of citizens who were friendly to the



Constitution and Government of the United States, and of depriving the emancipated class of the equal protection of the laws. 'These combinations embrace at least two thirds of the active white men of those counties, and have the sympathy and countenance of a majority of the other third. They are connected with similar combinations in other counties and States, and no doubt are part of a grand system of criminal associations pervading most of the southern States. The members are bound to obedience and secrecy by oaths which they are taught to regard as of higher obligation than the lawful oaths taken before civil magistrates. They are organized and armed. They effect their objects by personal violence, often extending to murder. They terrify witnesses. They control juries in the State courts and sometimes in the courts of the United States. Systematic perjury is one of the means by which prosecutions of the members are defeated. From information given by officers of the State and of the United States, and by creditable private citizens, I am justified in affirming that the instances of criminal violence perpetrated by these combinations within the last twelve months in the above-named counties could be reckoned by thousands.'

"I received information of a similar import from various other sources, among which were the joint select Committee of Congress upon Southern Outrages, the officers of the State, the military officers of the United States on duty in South Carolina, the United States attorney and marshal and other civil officers of the Government, repentant and abjuring members of those unlawful organizations, persons specially employed by the Department of Justice to detect crimes against the United States, and from other credible persons.

"Most, if not all, of this information, except what I derived from the Attorney General, came to me orally, and was to the effect that said counties were under the sway of the powerful combinations popularly known as Ku Klux Klans, the objects of which were, by force and terror, to prevent all political action not in accord with the views of the members, to deprive colored citizens of the right to bear arms and of the right to a free ballot, to suppress schools in which colored children were taught, and to reduce the colored people to a condition closely akin to that of slavery; that these combinations were organized and armed, and had rendered the local law ineffectual to protect the classes whom they desired to oppress; that they had perpetrated many murders and hundreds of crimes of minor degree, all of which were unpunished; and that witnesses could not safely testify against them unless the more active members were placed under restraint."

Mr. President, a similar resolution to that to which this message was responsive was introduced into this House by myself and objected to by members on the other side. It was, however, introduced into the House of Representatives, and went to the joint select committee on the condition of affairs in the South,

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