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National Museum of African American History and Culture

Extension of the Ku Klux Act

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While the Ku Klux were committing 'outrages,' nobody was arrested. From four to seven months after they have retired to their 'dens,' and society has resumed its normal condition, the Government pounces down upon them. I defy the United States marshal to produce a single warrant against a Ku Klux in which the alleged offense was committed within three months past."

I defy the Senator from Pennsylvania or any other Senator on this floor to adduce one single instance out of all that he has enumerated which did not occur three months anterior to the arrests which were made under this Ku Klux law; and hence it is that the President of the United States on returning a reply to the resolution of the House of Representatives conceals sedulously the dates of the offenses for which these persons were said to have been arrested, although directly asked by the House of Representatives to state the dates of the alleged offenses.

Mr. SCOTT. Does the Senator desire me to give him the answer now?

Mr. BLAIR. Certainly, the Senator may answer if he wishes.

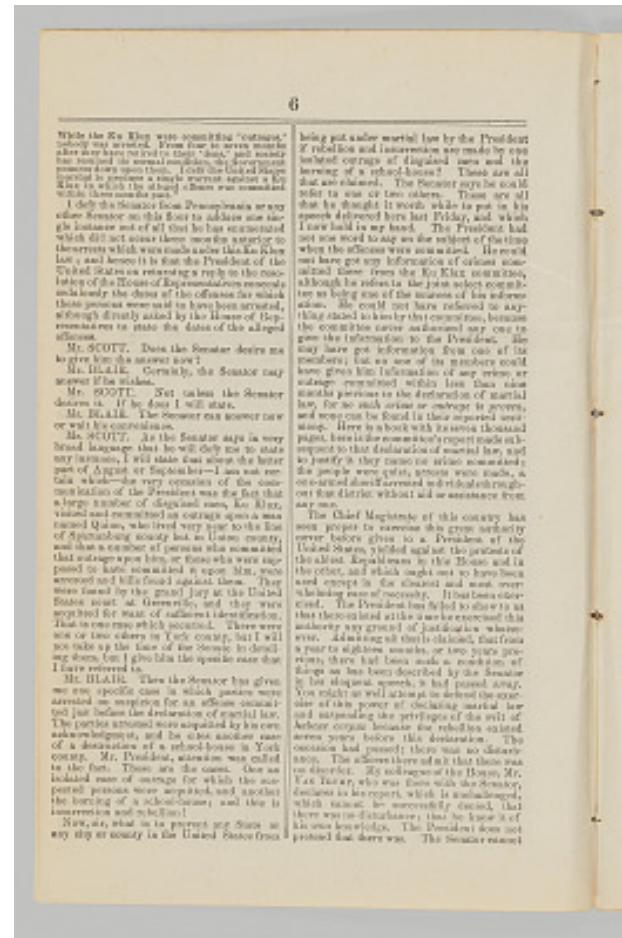
Mr. SCOTT. Not unless the Senator desires it. If he does I will state.

Mr. BLAIR. The Senator can answer now or wait his convenience.

Mr. SCOTT. As the Senator says in very broad language that he will defy me to state any instance, I will state that about the latter part of August or September—I am not certain which—the very occasion of the communication of the President was the fact that a large number of disguised men, Ku Klux, visited and committed an outrage upon a man named Quinn, who lived very near to the line of Spartanburg county but in Union county, and that a number of persons who committed that outrage upon him, or those who were supposed to have committed it upon him, were arrested and bills found against them. They were found by the grand jury at the United States court at Greenville, and they were acquitted for want of sufficient identification. That is one case which occurred. There were one or two others in York county, but I will not take up the time of the Senate in detailing them, but I give him the specific case that I have referred to.

Mr. BLAIR. Then the Senator has given me one specific case in which parties were arrested on suspicion for an offense committed just before the declaration of martial law. The parties arrested were acquitted by his own acknowledgment, and he cites another case of a destruction of a school-house in York county. Mr. President, attention was called to the fact. These are the cases. One an isolated case of outrage for which the suspected persons were acquitted, and another the burning of a school-house; and this is insurrection and rebellion!

Now, sir, what is to prevent any State or any city or county in the United States from being put under martial law by the President if rebellion and insurrection are made by one isolated outrage of disguised men and the burning of a school-house? These are all that are claimed. The Senator says he could refer to one or two others. These are all that he thought it worth while to put in his speech delivered here last Friday, and which I



now hold in my hand. The President had not one word to say on the subject of the time when the offenses were committed. He could not have got any information of crimes committed there from the Ku Klux committee, although he refers to the joint select committee as being one of the sources of his information. He could not have referred to anything stated to him by that committee, because the committee never authorized any one to give the information to the President. He may have got information from one of its members; but no one of its members could have given him information of any crime or outrage committed within less than nine months previous to the declaration of martial law, for no such crime or outrage is proven, and none can be found in their reported testimony. Here is a book with its seven thousand pages, here is the committee's report made subsequent to that declaration of martial law, and to justify it they name no crime committed; the people were quiet, arrests were made, a one-armed sheriff arrested individuals throughout that district without aid or assistance from any one.

The Chief Magistrate of this country has seen proper to exercise this great authority never before given to a President of the United States, yielded against the protests of the ablest Republicans in this House and in the other, and which ought not to have been used except in the clearest and most overwhelming case of necessity. It has been exercised. The President has failed to show to us that there existed at the time he exercised this authority any ground of justification whatsoever. Admitting all that is claimed, that from a year to eighteen months, or two years previous, there had been such a condition of things as has been described by the Senator in his eloquent speech, it had passed away. You might as well attempt to defend the exercise of this power of declaring martial law and suspending the privileges of the writ of habeas corpus because the rebellion existed seven years before this declaration. The occasion has passed; there was no disturbance. The officers there admit that there was no disorder. My colleague of the House, Mr. VAN TRUMP, who was there with the Senator, declares in his report, which is unchallenged, that there was no disturbance; that he knew it of his own knowledge. The President does not pretend that there was. The Senator cannot

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