

Chapter Seventeen:

Reconstruction

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Chapter Seventeen: Reconstruction

17.1 INTRODUCTION

Even before the Civil War officially ended with the surrender of the last Confederate forces in 1865, Americans thought about what the reunited nation would look like. Issues not contemplated at the beginning of the war took center stage as the nation began transitioning from war to peace. National leaders had to decide the terms of peace, especially who would control southern governments and how the rebelling states would return to the Union. They also needed to address the legal and social status of former slaves and the development of a new labor system to replace slavery. Finally, they needed to determine what branch of government would handle the process: the executive branch or the legislative branch. During Reconstruction, from 1865 to 1877, the federal government took responsibility for making many administrative decisions for the southern states until residents formed new governments. Once that happened, the federal government sought to ensure the new governments protected the legal rights of the freedmen.

Andrew Johnson, who became president after Abraham Lincoln, shared his predecessor's view that the executive branch should control Reconstruction. He devised a plan for readmitting the southern states to the Union and proceeded to implement that plan in 1865. Many Republicans in Congress, however, disagreed because white southerners appeared determined to maintain slavery in any way possible. So, Congress asserted their control over Reconstruction by enhancing the federal government's protection of the freedmen in late 1866. The battle between Johnson and Congress ultimately led Republicans to impeach the president. Although Johnson remained in office, the ongoing debate soured many northerners and southerners on the efforts to reconstruct the South. In 1868, Republican Ulysses S. Grant won the presidential election based on his promise to bring peace to the country.

During Reconstruction, Republicans controlled the state governments in the South, but struggled to maintain this control. First, they represented a diverse group of voters, and they could not find a means to balance the interests of their black and white supporters. Second, conservatives, mostly members of the Democratic Party, sought to regain control of their state governments. They used threats and violence to keep Republicans away from the polls when elections rolled around. The problems associated with reconstructing the southern states seemed only to get worse during Grant's presidency. People began to lose patience with the constant focus

on southern issues; many Americans wanted national leaders to focus on more pressing issues, such as the depression that followed the Panic of 1873. In the end, neither the executive branch nor the legislative branch found an effective means to reunite the nation and to protect the rights of the freedmen. Reconstruction officially ended in 1877 after Republican Rutherford B. Hayes became president and pulled the last of the federal troops out of the South.

17.1.1 Learning Outcomes

After completing this chapter, you should be able to:

- Examine the challenges the Lincoln administration confronted in its attempts to reconstruct the Border States and Union-occupied territory during the Civil War.
- Analyze the economic and political problems facing the nation at the conclusion of the Civil War.
- Demonstrate an understanding of Reconstruction and its impact on race relations in the United States.
- Analyze the positions of Abraham Lincoln, Andrew Johnson, and the Radicals in Congress on the nature and course of Reconstruction and the rights of the freedmen.
- Explain the effects of Reconstruction, the Black Codes, and the actions of the Freedmen's Bureau on African Americans in the South and North.
- Examine the social fears that helped give rise to groups such as the Ku Klux Klan.
- Assess the problems the Grant administrations faced in its attempts to deal with the political and economic issues confronting the nation.

17.2 WARTIME RECONSTRUCTION

Before the Civil War began, rumors spread in many southern communities that Abraham Lincoln planned to free the slaves. Slowly, a small number of slaves made their way to Union forts and camps seeking refuge. Initially, Union leaders returned the slaves, pursuant to the Fugitive Slave Act of 1850. However, General Benjamin Butler, at Fortress Monroe in Virginia, decided to put the slaves to work for the Union cause once the war broke out. For the remainder of the war, these “contrabands of war,” as Butler called them, continued to flock to Union lines. At first, the Lincoln administration allowed individual commanders to determine how to handle the runaway slaves. As the war progressed, it became necessary for the government to adopt a more standard policy.¹

Lincoln struggled to find a policy that would meet the demands of the refugees for freedom while also placating the needs of Border State slaveholders. Initially, his administration focused on the military uses of black labor in the Confiscation Acts. They did not develop a long-term policy for dealing with the former slaves. However, the Emancipation Proclamation, coupled with Union victories, contributed to the disintegration of slavery. Moreover, it meant when southern states, either by choice or by force, returned to the Union, they had to accept abolition. Therefore, Lincoln developed a policy for restoring the rebelling states that took into consideration the transition from a slave labor system to a free labor system. At the same time, the Congressional Republicans did not always approve of the president’s approach. By 1864, Congress actively sought to challenge Lincoln for control of the process of reunifying the nation.²

17.2.1 Lincoln and Restoration

As Abraham Lincoln approached the interrelated questions of emancipation and reconstruction, he needed to balance the Union’s political and military goals. In other words, Lincoln had to pursue a policy on emancipation that would not drive the Border States toward secession. So initially, he supported gradual compensated emancipation in the Border States. If successful, the plan would serve as a model for reconciling the rebelling states to the Union. Lincoln believed voluntary acceptance of emancipation would have better long-term results than a forced arrangement. In 1862, the president sent Congress a measure to enact his proposal, but most Republican members opposed compensation, so the bill died.³ Lincoln also had to devise a policy that would not increase anti-war sentiment in the North. If he moved too fast on emancipation, then Democrats, who favored a more limited war, might begin to criticize his war-related policies. Such criticism could easily undermine the effort to preserve the union.⁴

In spite of these concerns, Lincoln increasingly saw emancipation as a military necessity. By freeing the slaves in the rebelling states, which he considered still part of the union, he hoped to undermine their ability to wage war. In July 1862, he raised the issue with his cabinet. According to Gideon Wells, the secretary of the navy, the president moved toward blanket emancipation because of the Union's military defeats and the failure of his plans for compensated emancipation in the Border States. While the cabinet initially split over his proposal, the president decided in favor of the move and announced the Emancipation Proclamation in September 1862, which was scheduled to take effect on January 1, 1863 unless the southern states ended their rebellion. Not only did Lincoln's decision effectively make the abolition of slavery a war aim, but it also raised questions about how occupied territories would implement emancipation and return to the Union.⁵

In 1863, Lincoln encouraged military governors in the occupied South to push residents to accept the end of slavery. However, he did not require immediate emancipation. The president told one governor that southern states could "adopt systems of apprenticeship for the colored people, conforming substantially to the most approved plans of gradual emancipation."⁶ To Lincoln, a slower transition to freedom would benefit the black and the white population. Moreover, the president continued to support the possibility of colonization for former slaves in order to ease concerns about the post-emancipation relationship between blacks and whites. Lincoln hoped that by allowing for gradual emancipation and suggesting possible colonization, he could encourage pro-Union sentiments in the South, thereby shortening the conflict. By late 1863, the Lincoln administration's effort to increase loyalty in the southern states had accomplished little. Therefore, Lincoln decided the time had come to outline a policy for restoration.⁷

On December 8, 1863, Abraham Lincoln issued the "Proclamation of Amnesty and Reconstruction" and then explained the initiative in his annual message to Congress. In the proclamation, the president offered southerners who participated in the rebellion a "full pardon...with restoration of all rights of property, except as to slaves" if they would "take...an oath, and thenceforward keep and maintain said oath." He did exclude from amnesty all persons who served in "the so-called Confederate government" as well as those who served as high-ranking officers in the Confederate military. Furthermore, once ten percent of the number of voters in the 1860 presidential election took the oath, a state could establish a government, which the Union would recognize "as the true government of the state." Finally, he noted only Congress could decide whether to seat new members from the loyal governments. In his annual message, Lincoln suggested his plan followed the Constitution's provisions on presidential pardons. To quell

possible concerns among the Radical Republicans, he also reinforced the idea that amnesty and restoration would not undermine the Emancipation Proclamation.⁸

Lincoln based the Ten Percent Plan on the principle that the “so-called Confederate” states had never really left the Union. As historian James McPherson noted, for Lincoln “the task of reconstruction was one of restoration rather than revolution.” He designed the plan to shorten the war, not to launch major social and political changes in the South. The president proposed moderate, some even said lenient, terms in order to encourage enough southerners to declare their fidelity to the Union. If he imposed draconian terms or promoted black rights, lukewarm secessionists would never declare their loyalty. Additionally, any policy needed to respect the states’ authority to determine the civil and political rights of their residents because they had never left the Union. Therefore, under the proclamation, loyal southern states had to accept the end of slavery, but they could set the pace at which it happened. The president also thought state action on slavery, as opposed to federal action, would help avoid questions about the constitutionality of the Emancipation Proclamation as it related to reconstruction. Lincoln hoped the procedures he set forth during the war would provide a model for the postwar era, but nothing quite turned out as planned since the Border States seemed reluctant to adopt emancipation and the Union-occupied territories struggled to establish loyal governments.⁹

17.2.2 Emancipation in the Border States

Although the Border States never left the Union, they still underwent a process of reconstruction during the war. The Lincoln administration encouraged Delaware, Kentucky, Maryland, and Missouri to adopt a policy of gradual compensated emancipation, which it hoped to use as a model for restoring the states in rebellion. Delaware and Kentucky firmly resisted the pressure to abolish slavery. However, discussions about emancipation led to significant political changes in Maryland and Missouri. There, whites excluded from power in the antebellum era made their voice heard. They managed to increase their own political power in the new state constitutions, but they did little to change the political status of the freedmen. Two factors seemed to make the difference between the move toward and the resistance to emancipation. At the beginning of the Civil War, federal troops moved into both Maryland and Missouri to help secure the loyalty of the population. The presence of those troops helped to undermine slavery, which caused support for abolition to grow.¹⁰

Lincoln offered Delaware a plan for gradual, compensated emancipation financed by the federal government early in the war. He expected leaders

there to accept the plan given the small number of slaves in the state. While some residents supported abolition, Delaware never acted on the president's offer. Lincoln did not count on the white population's hostility to any suggestion of equality between the races. Once people heard about the proposal, some began to worry that emancipation would in turn produce demands for political rights. Supporters could not convince opponents otherwise, and Delaware retained slavery until the ratification of the Thirteenth Amendment in December 1865.¹¹ Resistance to emancipation in Kentucky proved even greater than in Delaware. Early on, leaders suggested any attempt by the Lincoln administration to undermine slavery would affect their loyalty to the Union. Throughout the war, the planter class retained political power and no opposition movement emerged to challenge that control. The Emancipation Proclamation and the enlistment of runaways in the Union army weakened slavery, but did not destroy it in Kentucky. Masters only freed their slaves because of the Thirteenth Amendment, which the state never ratified.¹²

Early in the war, free black support for abolition, along with a rise in the number of slaves enlisting in the army, weakened the institution of slavery in Maryland. Most Unionists accepted emancipation, but they disagreed about when and how. Led by Henry Winter Davis, radicals wanted to enact immediate emancipation. Led by Montgomery Blair, conservatives embraced Lincoln's ideas for a gradual, compensated program. In 1863, supporters of immediate action won a majority of seats in the legislature because the army required all voters to take a loyalty oath, thereby curbing planter power. The legislature then called for the convention to write a new state constitution. Lincoln privately and publicly supported immediate emancipation if the convention chose to move in that direction. The resulting constitution abolished slavery immediately. It also cut the power of the planters in state politics, limited future voting to those who took a stringent loyalty oath, and created a tax-supported school system. However, it excluded the black population from political rights and access to education. By the end of the year, voters approved the new constitution, but the future of the freedmen in the state was far from certain.¹³

Like Maryland, Unionists in Missouri also divided over the issue of emancipation and therefore experienced political reconstruction during the war. Both conservatives and radicals pushed Lincoln to back their position, while the president tried to find a policy to reconcile their differences. In 1863, conservative unionists, who tended to be slaveholders, encouraged the adoption of gradual compensated emancipation. In response, radicals, who tended to be non-slaveholders, launched an effort to promote an immediate end to slavery. In 1864, voters chose as Governor Thomas C. Fletcher, a radical, a choice which led to a constitutional convention. The

new constitution provided for an immediate end to slavery and granted the freedmen some political and educational rights. In order to secure its ratification, the radicals relied on laws restricting the political participation of Confederate sympathizers. The limited electorate approved the constitution in June 1865. However, their actions left the state bitterly divided as the war ended.¹⁴

17.2.3 Reconstruction in Union-Occupied Territory

Early in the war, Lincoln seized the initiative on restoring the southern states when he placed occupied territory under the control of a military governor. In so doing, he took the first step in moving toward presidential reconstruction. He planned to use executive decisions, not Congressional legislation, to shape the government's policy on the return of the rebelling states.¹⁵ In Virginia, Arkansas, Tennessee, and Louisiana, the president sought to encourage the formation of loyal governments to help shorten the war. While Lincoln ascribed publicly to the Ten Percent Plan, he was more than willing in these states to be flexible on the means of restoration.

Both Virginia and Arkansas established loyal governments in 1864 under the auspices of the Ten Percent Plan. Loyalists in Virginia held an election for representatives and then a convention to draft a new constitution. Adopted in April, it barred slavery, restricted suffrage to white men, and created a system of public education for whites. At no point before the end of the war, however, could this government claim to represent ten percent of the states' population. Lincoln hoped the situation would be better in Arkansas because residents in the northern regions seemed more likely to declare their loyalty. Nevertheless, unionists there bypassed any elections under the Ten Percent Plan and moved directly to creating a constitution. The delegates proposed to end slavery gradually through a system of indentured servitude and to limit suffrage to the white population. In March, unionist voters approved the constitution. Although neither Virginia nor Arkansas followed the Ten Percent Plan exactly, Lincoln recognized the new governments as the legitimate authority in both states in order to show the success of his restoration policy.¹⁶

After Confederate forces withdrew from Tennessee in 1862, the president appointed Andrew Johnson as the military governor and instructed him to establish a new government. While Johnson convinced Lincoln to exempt Tennessee from the Emancipation Proclamation, the issue still divided the state. Some people renewed their commitment to slavery, and others became more vocal in their opposition to it. Johnson eventually sided with those who wanted to abolish slavery, and he took action to undermine the conservatives by expanding on the loyalty oath outlined in the Ten Percent

Plan. In Tennessee, potential voters had to declare loyalty to the Union, vow to fight the Confederacy, and support the end of slavery. Johnson's support for abolition had more to do with a desire to punish the state's slaveholders, whom he long resented, than to do with a desire to help the state's slaves. His approach to restoration and amnesty did little to support the creation of a pro-Union government in 1864. After his election as Lincoln's vice president, Johnson followed the Arkansas model of restoration. He endorsed a constitutional amendment ending slavery drafted by a convention of unelected unionists. People permitted to vote under Johnson's loyalty oath approved the amendment in February 1865.¹⁷

Lincoln was optimistic about the restoration in Louisiana because many reluctant Confederates, immigrants from Europe and the northern states, and free blacks lived in the occupied area, and they appeared likely to support a constitution barring slavery. Partly because of the slow pace of change in Louisiana in 1863, Lincoln proposed the Ten Percent Plan. He thought it would encourage the residents to overcome their differences about how to approach reconstruction, particularly their questions on the future status of blacks. Conservatives and moderates preferred abolition but not equality; they feared mentioning equality would undermine unionism in the region. On the other hand, many of the radicals came from the wealthy free black community in New Orleans. They possessed more civil liberties than did most free blacks in the antebellum South, and they wanted to maintain those rights and secure voting rights.

The demand for black suffrage complicated the effort to create a loyal government in Louisiana. In 1863, the Lincoln administration supported the free black community's desire to vote in elections pertaining to the new state government. Edwin Stanton, the secretary of war, instructed General Nathaniel P. Banks to allow all loyal citizens to vote. Banks, however, ignored the order because he shared the moderates' opinion on how black suffrage would affect unionism. He supported the creation of a government under the old state constitution, which maintained slavery, rather than calling directly for a new state constitution. So, Banks used his patronage power, or power to appoint loyal supporters to public office, to help the moderates win a majority of seats in the elections in February 1864.

Lincoln accepted this move in Louisiana because he wanted a loyal government as quickly as possible, but he also continued to encourage Banks to support the drafting of a new constitution. After meeting with two representatives from the free black community who presented a petition regarding voting rights, the president also wrote soon-to-be governor, Michael Hahn, suggesting the possibility of voting rights for well-educated blacks. The president's work to please both factions led to a new constitution in July 1864 abolishing slavery, undermining the power of the planters, and

providing tax-supported schools. It also granted the legislature the authority to extend the right to vote and for blacks to receive an education in the future. Ten percent of the voters in the 1860 presidential election supported the new government and constitution, somewhat validating Lincoln's plans for reconstruction.¹⁸

17.2.4 The Possibility of Land Redistribution

Elsewhere in the Confederacy, the advance of the Union troops forced military leaders to continue to address the issue of what to do about slaves who had fallen under union control. In some areas, Union military commanders experimented with land redistribution as a possible plan for reconstruction. Such instances occurred on South Carolina's Sea Islands, in Mississippi's Davis Bend, and along Georgia's coastline. These experiments represented an atypical approach to reconstruction. Nevertheless, they raised important questions about the nature of rebuilding the South. Should the loss of land be a form of punishment for those who rebelled against the Union? Should the granting of land be a means to provide for former slaves and compensate them for past abuses by their owners?

Late in 1861, Union forces occupied parts of the South Carolina Sea Islands. White residents fled to the mainland, leaving some 10,000 slaves behind. The slaves ransacked their masters' homes and then set about planting foodstuffs to support themselves. However, soon U.S. officials, missionaries, and reporters descended on the region, and they had their own ideas about how to help slaves transition to a life of freedom. Although the slaves had begun to disperse the land among themselves, treasury officials decided to organize land sales to cover the back taxes on the abandoned property. The missionaries hoped to secure some of the land for the freedmen, but most of it went to northern investors. They in turn hired the black residents to work as wage laborers on the plantations, a move which provided an opportunity to test the merits of free labor. Relatively quickly, the free labor experiment on the Sea Islands showed how whites and blacks understood the term differently. For the white landowners, free labor meant they would pay their workers wages; however, for the black workers, free labor meant the opportunity to own land and grow the crops of their choice. The misunderstanding on the Sea Islands very much foreshadowed the problems that emerged in the postwar transition from slave to free labor.¹⁹

In Louisiana, and later Mississippi, Union commanders struggled to devise a policy to manage occupied plantations along the Mississippi River. They came up with a system to lease abandoned lands to northern investors who would pay slaves to work that land; while the workers technically remained in bondage and they remained subject to the whims of white investors,

the payment of wages suggested a move toward free labor. However, military commanders occasionally allowed blacks to farm abandoned land independently. The best known of these experiments happened at Davis Bend on the Mississippi River, the former plantations of Jefferson Davis and his brother Joseph. Prior to the war, the Davis brothers developed a model slave community based on the ideas of British socialist Robert Owen where the slaves had a good deal of control over their own lives. Nevertheless, when the war forced Joseph Davis to abandon the plantation, his slaves refused to accompany him. Instead, they transitioned their experiences with utopian self-government into a successful self-run commercial enterprise. General Ulysses S. Grant instructed John Eaton Jr., the commander in the area, to lease the land to the freedmen. In November 1863, Eaton began distributing the land and instilling free labor principles among the residents. By 1865, under the leadership of former slave Benjamin Montgomery, Davis Bend produced 2,000 bales of cotton and made a profit of \$160,000, suggesting to some observers that, given a chance, the freedmen and their families could become part of the market economy.²⁰

The question of land and labor also came to Georgia in the waning days of the war. As General William T. Sherman launched his March to the Sea in September 1864, slaves took the opportunity to seize their own freedom by following the Union troops across the state. When Union forces reached Savannah in December, approximately 20,000 men, women, and children had joined the advance, and they refused the army's orders to disperse. Edwin Stanton, the secretary of war, travelled to Georgia to assess the situation. He recommended that Sherman arrange a meeting with black leaders. Stanton thought it important to understand how the freedmen conceived of their freedom. On the evening of January 12, 1865, Sherman and Stanton met with twenty representatives of Savannah's black community.²¹ As former slave and Baptist minister Garrison Frazier noted,

Slavery is receiving by irresistible power the work of another man, and not by his consent. The freedom, as I understand it, promised by the proclamation, is taking us from under the yoke of bondage and placing us where we could reap the fruit of our own labor, and take care of ourselves, and assist the Government in maintaining our freedom. The way we can best take care of ourselves is to have land, and turn in and till it by our labor...and we can soon maintain ourselves and have something to spare...We want to be placed on land until we are able to buy it and make it our own.²²

Several days after that meeting, Sherman released Special Field Order No. 15, which set aside confiscated land south of Charleston, running thirty miles in from the Atlantic coast and totaling about 400,000 acres, for the settlement of the freedpeople in forty-acre plots. Sherman later indicated he would distribute some of the army's old mules to any freedpeople who cared

to take advantage of the offer. For Sherman, the field order represented a temporary wartime measure designed to deal with the refugee problem. For the former slaves, conversely, it set up the expectation that the U.S. government supported land redistribution with a policy of granting “forty acres and a mule.”²³

17.2.5 Congress and Reconstruction

While the Lincoln administration proceeded with its efforts to promote wartime reconstruction through the Ten Percent Plan, Congress began to question his methods. By 1863, as historian Eric Foner notes, for Lincoln and the Radical Republicans, “the definition of Southern loyalty...encompassed not merely a willingness to rejoin the Union, but an acceptance of the slaves’ freedom.” Yet, they did not agree on the best method to end slavery. The president preferred a more moderate approach directed by the states. Radical Republicans wanted reconstruction to do more than just end slavery.²⁴

The Radicals thought the federal government should have a greater say in the process of reconstruction. They wanted to ensure real Unionists controlled the process and to somewhat protect the rights of the freedpeople. To justify more federal control, Senator Charles Sumner of Massachusetts contended that when the southern states seceded they committed “state suicide.” Therefore, they had to apply for readmission to the Union, and only Congress had the right to set the terms. Concerns about Louisiana, where the control of genuine Unionists seemed slim and the rights of the freedpeople seemed tenuous, prompted Radical Republicans in Congress to introduce an alternate approach to reconstruction that would forestall any decisions until after the war ended.²⁵

In mid-1864, Congress considered numerous plans on how to improve Lincoln’s approach to restoration. They finally settled on a measure sponsored by Senator Benjamin (Ben) Wade of Ohio and Representative Henry Winter Davis of Maryland. The proposed Wade-Davis bill required fifty percent of voters to declare their loyalty before reconstruction could begin. The first step in the process would be the drafting a new constitution that abolished slavery, barred Confederates from voting and serving in the new government, and repudiated the Confederate government’s debt. Only voters who could swear an “iron-clad” oath of past and future loyalty could vote for delegates to the constitutional convention. The bill also contained provisions for federal courts to enforce the maintenance of the freedpeople’s liberty. Congress would only readmit the reconstructed states to the Union if they followed these steps.²⁶

Radicals won support for the bill from a majority of Congress on July 2, 1864, just before it adjourned for a break. To ensure support among



Figure 17.1 Senator Benjamin Wade and Representative Henry Winter Davis | In 1864, Congress tried to reassert control over the reconstruction process. Radical Republicans Benjamin Wade and Henry Winter Davis sponsored a bill to require at least fifty percent of voters in an occupied state to swear an oath of loyalty before restoration could begin.

Author: Mathew Brady (both)
Source: Library of Congress

moderates, Wade and Davis decided to leave out any provisions for black suffrage, even though they supported such a move. Therefore, similar to Lincoln’s plan, observes James McPherson, the measure “confined the reconstruction process to white voters.” The sponsors recognized most Republicans wanted to exert greater control over the process of reconstruction, but, for some, political equality went too far. Wade-Davis never became law because Abraham Lincoln decided to pocket veto the measure. In other words, he did not sign the measure before Congress adjourned. The president viewed the proposed law as unconstitutional because it would force states to abolish slavery. He also worried it would undermine the governments created under the Ten Percent Plan and it would limit his options for creating loyal governments.²⁷

Although the Wade-Davis bill died, the debate about the future of reconstruction continued throughout the presidential campaign of 1864. The Republican Party, rechristened the National Union Party, ultimately chose Abraham Lincoln as their presidential nominee, pairing him with Andrew Johnson, and the party adopted a moderate platform. While the party came together to support the president and win the election, their divisions over the future of reconstruction remained. When Congress reconvened in December after the election, Lincoln hoped to mend fences

with the Radical Republicans. He decided to appoint Salmon P. Chase, his radical opponent for the Republican nomination, as the Chief Justice of the Supreme Court. Then, Lincoln and Congressional leaders tried to work out their differences. Congress agreed to accept the reconstructed governments of Louisiana and Arkansas; the president agreed to support harsher terms for the unreconstructed states. However, Congress repeatedly defeated versions of the compromise because some members wanted to include support for black suffrage and others did not.²⁸

Meanwhile, Congress took another step toward inserting the federal government into the reconstruction process. For some time, Republicans had considered creating a government agency to assist former slaves in making the transition to freedom. However, they could not come to an agreement on the details about the management and functions of the agency. After the House of Representatives approved the Thirteenth Amendment on January 31, 1865 (the Senate had approved it in 1864), and it went to the states for ratification, Congress became determined to finish their work on a bill to create the Freedmen's Bureau. Their reason for doing so was that, in addition to abolishing slavery, the Thirteenth Amendment enabled Congress to use legislation to guarantee that freedom.²⁹

The Freedmen's Bureau bill was an attempt by Congress to define their authority over the former slaves as well as over the process of reconstruction. The measure, approved in March 1865, created the Bureau of Refugees, Freedmen, and Abandoned Lands to provide relief for loyal refugees, black and white, for the period of one year. The Freedmen's Bureau administered by the War Department distributed clothing, food, fuel, and land, as well as ran schools for the freedmen to help prepare them for citizenship. Although Congress envisioned the measure as a temporary solution to the problem of refugees in the South, it significantly expanded the power of the federal government over the states. Moreover, as historian Randall M. Miller maintains, "the act carried an implied promise of government aid to blacks and Unionists in staking new lives as independent farmers in a reconstructed South."³⁰ The creation of the Freedmen's Bureau showed Congress intended to exert more authority over reconstruction; however, until the war actually ended, no decisions about reconstruction were final. Moreover, policymakers in Washington rarely considered the needs and wants of blacks or whites in the South.

17.2.6 Before You Move On...

Key Concepts

Throughout the Civil War, Republican leaders in the North debated how to bring the Confederate states back into the Union. For Abraham Lincoln, the process of restoration fit into his desire to win the war as quickly as possible. He pursued a cautious policy on emancipation in the Border States to secure their loyalty. As for the rest of the South, he hoped to outline a policy that would encourage unionists to declare their loyalty to the United States. With the “Proclamation on Amnesty and Reconstruction” issued in December 1863, the president made emancipation a precondition for restoration, but allowed the states to determine how exactly to end slavery. Moreover, he required only ten percent of voters in a state to take a loyalty oath. In 1864, Lincoln worked with unionists in Virginia, Arkansas, Tennessee, and Louisiana to create loyal governments. Radical Republicans in Congress, however, found the president’s Ten Percent Plan too lenient. Therefore, they tried to reassert their control over reconstruction with the Wade-Davis Bill. The measure set forth additional qualifications for readmission to the Union, so Lincoln pocket vetoed it. In 1865, after Congress sent the Thirteenth Amendment to the states for ratification, it created the Freedmen’s Bureau to help the South transition from a slave labor to a free labor system. Although Congress had asserted its authority over reconstruction, it remained unclear whether the president or Congress would control the process in the postwar years since the war had not ended.

Test Yourself

1. Which of the following statements best describes Abraham Lincoln’s “Proclamation on Amnesty and Reconstruction”?
 - a. The policy was consistent in the Union-occupied territories.
 - b. The policy was designed to promote the rights of the freedmen, not to help end the war.
 - c. The policy was fairly lenient toward the southern states.
 - d. The policy was widely supported by the Radical Republicans in Congress.
2. The Border States quickly accepted Lincoln’s proposals for gradual compensated emancipation and willingly implemented the Thirteenth Amendment.
 - a. True
 - b. False

3. Which of the following measures did Republicans in Congress promote in 1864 to counter Lincoln's Ten-Percent Plan?
 - a. The Military Reconstruction Bill
 - b. The Louisiana Bill
 - c. The Civil Rights Bill
 - d. The Wade-Davis Bill

4. Congress envisioned the Freedmen's Bureau created in March of 1865 as a permanent solution to dealing with the problems of African Americans after the Civil War.
 - a. True
 - b. False

[Click here to see answers](#)

17.3 RECONSTRUCTION AFTER THE ASSASSINATION OF LINCOLN

At the time of Abraham Lincoln's assassination, Vice President Andrew Johnson assumed the presidency. He also assumed the role that both he and Lincoln believed belonged to the executive branch: reconstructing the South. Johnson was a unique figure in American politics and more than one historian has characterized him as one of the most unfortunate men ever to take the Presidency. He was grim-faced and taciturn, and was about as ill-prepared as anyone could be to lead the nation in a time of crisis. Prior to becoming President, Johnson had had a varied career. He was a slave owner before the War; the only southern senator to remain in that body after his state, Tennessee, had seceded from the Union; he served as military governor of Tennessee in 1862; and, during the early years of the war, he was a Southern War Democrat. Johnson's success as governor of Tennessee led to Lincoln's choosing him as running mate in 1864 on the National Union Party ticket. Johnson had no strong allies in either the North or South, did not learn how to read until taught by his wife, and did not enjoy a significant following in either party.

Johnson's opinion about reconstructing the South changed over the first few months of his Presidency. At first, he tended to agree with the Radicals in Congress that the South should be punished for seceding from the Union and was famous for remarking in the spring of 1865, "Treason is a crime and must be...made infamous, and traitors must be impoverished."³¹ He was particularly hostile toward Southern aristocrats, whose attachment

to slavery he blamed for the war. A staunch Jacksonian, he distrusted banks, corporations, and the New England states generally. Shortly after he came to the presidency, Ben Wade, an ardent Radical Republican, declared, “Johnson, we have faith in you. By the gods, there will be no trouble now in running this government.”³²

On the other hand, Johnson did not share the Radical Republican idea that the freedmen should be assured of constitutional equality with white Americans. As a previous slave owner who believed in white supremacy, and despite the fact that he told Tennessee blacks in 1864 that he would be their “Moses,” he commented earlier, “Damn the Negroes! I am fighting these traitorous aristocrats, their masters.” Two years later he remarked, “As for the Negro I am for setting him free but at the same time I assert that this is a white man’s government...If whites and blacks can’t get along together arrangements must be made to colonize the blacks.”³³ He was equally blunt in 1866 when a delegation, led by Frederick Douglass, visited the White House to make a plea for black suffrage, remarking that not only did he have no interest in black suffrage, but also he distrusted Douglass, who “would sooner cut a white man’s throat than not.”³⁴

Despite Ben Wade’s optimism, trouble came soon enough, because Johnson, like Lincoln, believed that reconstruction, which he labeled “restoration,” fell within the purview of the executive branch of the national government. Because of a conviction that he could proceed without the “advice and consent” of Congress, Johnson did not call for a special session when Lincoln was assassinated; instead, he moved to accomplish the restoration of the Confederate states before Congress was scheduled to assemble in December 1865. Following another line of Lincoln’s reasoning, Johnson took the position that it was individuals who had rebelled and not states; therefore, individuals should be punished but not states, as they retained their constitutional rights. Thus, the states could quickly be brought back into a proper relationship with the Union.

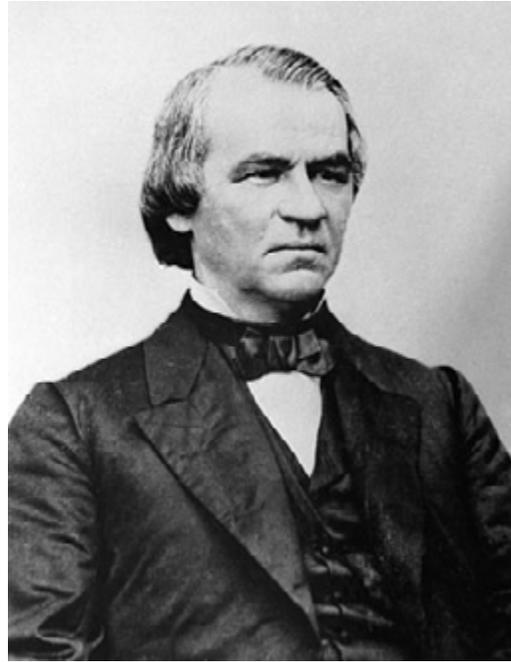


Figure 17.2 Andrew Johnson | After Lincoln’s assassination, Andrew Johnson, the new president, attempted to “restore” the South using the plan begun by Lincoln.

Author: Unknown
Source: National Archives

17.3.1 Andrew Johnson Undertakes Reconstruction, 1865

In May 1865, Johnson issued two proclamations that would go far to define his approach to reconstructing the South. The first offered amnesty and restoration of property (except slaves) to anyone who took an oath of loyalty to the United States. Excepted from this offer were Confederate officials, army officers above the rank of Army Colonel, and Navy lieutenant; any men who had held positions in the Union government before the war and had left their posts to join in the rebellion; and all who owned property worth \$20,000 or more. The first proclamation was similar to that issued by Lincoln in December, 1863, with the exception of the last category. In order for states to be readmitted to the union, they must repudiate their war debts, accept the Thirteenth Amendment, declare secession null and void, and draft a constitution. The second proclamation appointed a provisional governor for North Carolina and called for the state to create a constitution. In the ensuing weeks, Johnson made similar offers to six additional southern states and recognized the Lincoln-sponsored governments of Louisiana, Arkansas, and Tennessee. By the fall of 1865, “regular civil administrations” were thereby functioning in all of the former Confederate states except Texas. When Congress convened in December 1865, ten of the eleven Confederate states had therefore been readmitted to the Union.³⁵

In neither proclamation did Johnson address the issue of civil rights for freedmen; the only requirement for the new constitutions was that they must specify that suffrage was limited to white men who had taken an oath of loyalty to the national government and received amnesty. None of the constitutions deviated from this instruction, so no state granted blacks the right to vote.

17.3.2 The South Reacts

Though the North was distrustful of Johnson’s reconstruction measures, white southerners were jubilant. Southerners had braced themselves for a harsh retaliation, especially in light of the earlier utterances of the president, and at first, they could not believe their good fortune. On September 11, 1865, a delegation of Southerners met with the president to express their thanks for his “desire and intention to sustain Southern rights in the Union.” Johnson was equally solicitous, declaring his “love, respect and confidence” in the Southern people.³⁶

The measures of the President had an unintended lulling effect on the South, and within months Southern leaders began to show their previous irascible independence. Some of state legislatures ratified the Thirteenth Amendment; some did not. Some began to argue about war debts, and,

while some declared secession null and void, others merely “repealed” their articles of secession. And if this were not enough to alarm the Radical Republicans, old Confederate leaders were elected to the state constitutional conventions, and the states even sent ex-Confederate generals, colonels, and congressmen to Washington, among these including the Vice President of the Confederacy, Alexander Stephens.

The worst offense of the newly reconstructed states, however, was the creation of Black Codes in every state; these were based on the pre-emancipation Slave Codes. Designed to create a supply of cheap labor and to prevent integration of the races, these codes regulated every aspect of the lives of “blacks, mulattos, or other persons of color.” Although the Codes varied from state to state, in most, marriage among blacks was recognized, and the newly freed-men could sue and be sued in court. But here the rights of the freemen ended, as the Codes denied basic rights, including the following: the right of freedmen to bear arms or vote; serve on juries; co-mingle with whites; leave the premises of an employer without permission; own property except in designated areas of a state, city, or town; and testify in court except in cases involving other blacks. Rules also prohibited miscegenation. According to the Black Code of Florida, for example, any black man guilty of sexual relations with a white woman would be fined \$1000 and whipped (not to exceed 39 lashes); the woman would be similarly punished. In Mississippi, the punishment was even harsher; any person convicted of intermarriage would be sentenced to life in prison.

Because a primary goal of the Codes was to provide a constant source of subservient labor in the post-emancipation South, most contained sections dealing with free labor. All terms between laborer and employer were spelled out in contracts that specified the number of hours to be worked and amount of wages to be paid. Most Codes also contained clauses that children of freedpeople could be arbitrarily bound out by the state as apprentices; some of these listed obligations that the master owed the apprentice such rights as education, religious instruction, and housing; some did not. The monies gained from the apprentice’s employment belonged to the master, except for a “small allowance” given the apprentice at the end of his tenure “with which to begin life.” Similarly, freedpeople living in “idleness,” such as gamblers and the unemployed, could be bound out to a master for a period of time “no longer than a year.” Most states defined “person of color” as any man or woman who had one-eighth “or more Negro blood.”³⁷

17.3.3 The Issue of Equality

The North voiced outrage at the Codes, but it is interesting to look closely at the issue of black equality in the North as well as in the South. As early

as 1863, Frederick Douglass, an abolitionist and former slave, warned that emancipation was only the first step toward black equality, and his words were echoed by Thaddeus Stevens and Charles Sumner, the authors of a radical plan of reconstruction, as they urged integration be adopted in southern society. But the fact is that the majority of Northerners were no more in favor of racial equality than were those in the South. In the North, only seven percent of the black population was allowed to vote and that was in the five New England states. All public facilities were segregated, including schools, prisons, hospitals, churches, and cemeteries; also, most states had housing and job restrictions. Moreover, many northern states still had laws against the immigration of blacks from state to state. But if Northerners, like Southerners, were not in favor of social and economic equality, most did want a reconstruction that would bring a better life for southern blacks, one in which they would enjoy equality before the law, freedom of movement, the right to sit on juries, and like punishment for like crimes.³⁸

17.3.4 Congress Intervenes, 1865-1866

Radicals in the North looked with dismay as the South apparently returned to its pre-War social structure, with the exception of an established institution of slavery. The election of Confederate leadership to positions of importance in state and national offices was bad enough, but the Black Codes looked very much like a return to slavery. James G. Blaine, then Speaker of the House of Representatives, wrote in the early 1870s, "If the Southern men had intended as their one special desirable aim, to inflame public opinion of the North against them, they would have proceeded precisely as they did."³⁹

When Congress convened in December 1865, its members acted to forestall the effects of the Black Codes and remind Southerners that the Confederacy had indeed been defeated. First, Congress created a Joint Committee on Reconstruction. Although the committee was not controlled by the Radicals, it did have among its membership one of the most influential Radicals in Congress: Thaddeus Stevens of Pennsylvania. Stevens and Charles Sumner, who was the Republican leader in the Senate, were the most outspoken proponents of radical reconstruction. The irascible Stevens made clear his position on Presidential Reconstruction when he remarked, "The punishment of traitors has been wholly ignored by a treacherous Executive and a sluggish Congress."⁴⁰ The Joint Committee eventually created the plan for reconstruction that Congress would ultimately adopt.

While the Joint Committee was getting to work, Congress acted on its determination to wrest control of reconstruction from the executive branch. In February 1866, the body tried to extend the life and powers of the

Freedmen's Bureau, though this measure was vetoed by Johnson. In April, Congress passed the Civil Rights bill of 1866, which struck at the Black Codes and foreshadowed the provisions of the Fourteenth Amendment by specifying that "all persons born in the United States...of every race and color, without regard to any previous condition of slavery" would be entitled to the full protection of the Constitution. Further, the federal government could intervene in the affairs of the states to see that civil rights for all citizens were upheld and that any law designed to deprive citizens of their rights would be considered unconstitutional. Johnson vetoed the *Civil Rights Act*, but his veto was overridden, a sign of the solidarity of opinion that was beginning to become apparent in Congress.⁴¹ The *Civil Rights Act* was the first act passed over a Presidential veto.

Meanwhile, the Joint Committee drafted and sent the Fourteenth Amendment to the states for ratification. This Amendment echoes the intent and language of the *Civil Rights Act* by proclaiming that "all persons born or naturalized in the United States are citizens of the United States and of the states wherein they reside." No state could "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Moreover, suffrage could not be denied to any adult male citizen; if this denial of suffrage was accomplished by state law, then that state's representation in Congress would be decreased. And lastly, the Amendment disqualified from any state or national office anyone who had been involved in an "insurrection or rebellion against the [United States]." The still undeterred white South would not accept the third provision, and the Amendment did not pass at that time.⁴²

Race Riots in the South

To make matters worse, violence against blacks began to sweep through the South. In Memphis, trouble broke out in May 1866 when carriages driven by a white man and a black man collided. What began as a fight between the two men evolved into violence when a group of whites stormed the black quarter and began burning houses and killing their inhabitants. A more serious riot occurred in New Orleans when a peaceful procession of blacks was fired upon. When the smoke cleared, 119 blacks and seventeen of their supporters had been injured, and thirty-seven blacks and three white friends were killed. It was in the context of this unrest that the Congressional campaigns of 1866 began.⁴³

The Radical Cause Strengthens

The Southern refusal to ratify the Fourteenth Amendment strengthened the Radical position in Congress as northerners became more convinced

than ever that the South was unreconstructed and unrepentant and that the plans of Johnson and Lincoln were failures. Northern opinion shaped the Congressional elections of 1866, as Johnson and the Radicals squared off before the American public. Johnson made what he called a “Swing around the Circle,” an eighteen-day tour in which he went from Washington to New York to Chicago, south to St. Louis and then back to the nation’s capital. While he did not declare a party allegiance, his rhetoric was decidedly pro-Democratic. Despite his efforts, the Republicans won by a landslide, taking thirty-seven additional seats in the House, which gave them a total of 173 seats in that body; the Democrats were left with forty-seven. In the Senate, the Republicans held fifty-seven seats and the Democrats held nine. Not until the 1930s’ New Deal would the Democrats enjoy a similar majority.⁴⁴

Radical Reconstruction

The Radicals now had a firm base of support in both the House and Senate, and they moved to adopt the plans outlined by the Joint Committee, including the First Reconstruction Act of March 1867. Historian Samuel Eliot Morison calls this act “the most important legislation of the entire period.”⁴⁵ Thaddeus Stevens, an important contributor to the act’s wording, commented, somewhat incorrectly, “I was a Conservative in the last session of this Congress, but I mean to be a Radical henceforth.”⁴⁶ The basic premise of the act was that “no legal state governments or adequate protection for life and property now exists in the southern states,” with the exception of Tennessee, which had accepted the Fourteenth Amendment in July 1866.⁴⁷

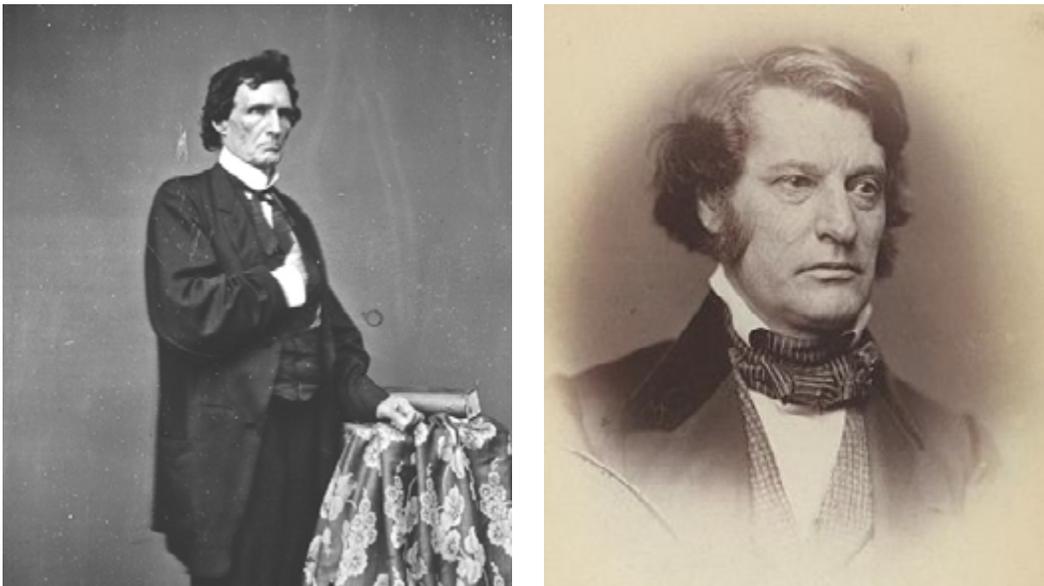


Figure 17.3 The Radical Republicans | Thaddeus Stevens and Charles Sumner were the main authors of Radical Reconstruction.

Authors: Mathew Brady, Julian Vannerson

Sources: National Archives US Presidents in the Census Records, Library of Congress

The Act, which passed over Johnson's veto, divided the ten unreconstructed states into five military districts, each under a federal military commander "not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned."⁴⁸ The responsibilities of the commanders were to establish new requirements for voting, set up new state governments, and oversee the drafting of state constitutions.

When a convention was elected by all citizens of a state (with the exception of those disenfranchised because of participating in "the rebellion" or those who had been convicted of a felony), a constitution created in keeping with the language and intent of the Constitution of the United States, and the Fourteenth Amendment ratified, then the states could apply for reentry into the union. The constitutions of the states must guarantee black suffrage. An addendum to this act was passed in July; it stated, "no district commander... shall be bound in his action by any opinion of any civil officer of the United States."⁴⁹ This addendum was of dubious constitutionality because it infringed on the powers of the as Commander in Chief by keeping him from removing the commanders of the military districts.⁵⁰

The state constitutions established under the direction of the military commanders were more egalitarian than those they replaced. In South Carolina, for example, property qualifications for voting were removed, thus allowing universal manhood suffrage; the Bill of Rights was expanded; all reference to "distinctions on account of color" were removed; women's rights were expanded; and imprisonment for debt ended.⁵¹ By the summer of 1868, six of the previous confederate states, Arkansas, North Carolina, South Carolina, Louisiana, Alabama, and Florida, had met all requirements and been accepted back into the Union. The remainder of the states were reconstructed in 1870, at which time they had to ratify the Fifteenth Amendment as well as the Fourteenth; the former specified that "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." Once the conditions of the Reconstruction Act had been met, Congress formally readmitted the states to the union.

17.3.5 A Constitutional Imbalance: The Impeachment of Andrew Johnson

As the Radicals in Congress attempted to solidify Congressional power, an important aspect of this goal was to bring the Presidency into a position inferior to that of Congress. The *Reconstruction Act* began this process when it included the provision that "no district commander...shall be bound in his action by any opinion of any civil officer of the United States."⁵² A second



Figure 17.4 Johnson's Impeachment | Andrew Johnson was impeached by the House of Representatives in 1867 for disobeying the Tenure of Office Act, itself clearly unconstitutional. He was narrowly acquitted.

Author: Theodore R. Davis
Source: Library of Congress

attempt came with the passage of the *Tenure of Office Act* in 1867 which denied the president the right to remove civil officials, including his own cabinet, without the approval of the Senate. The immediate goal of this legislation was to keep President Johnson from removing the Secretary of War, Edwin Stanton, who was the last remaining Radical in his cabinet. The next goal was to remove Johnson through impeachment; if Johnson were impeached and convicted, then his replacement would be the president

pro-tempore of the Senate, the Radical Benjamin Wade. Falling in line with the Radical plan, Johnson did in fact dismiss Stanton and appointed to his place in the War Department General Lorenzo Thomas. On February 24, 1867, the House voted to impeach Johnson for “high crimes and misdemeanors.” According to the Constitution, once impeached, or indicted, a president is tried by the Senate with the Chief Justice of the Supreme Court presiding. Seven Senators voted against conviction, so Johnson was not removed from office. Had one more Senator voted to convict, Wade would have become the President of the United States.

17.3.6 Before You Move On...

Key Concepts

With the death of Abraham Lincoln, the presidency passed to his Vice President, Andrew Johnson, who, like Lincoln, believed that the process of restructuring the South lay in the hands of the Presidency. Johnson's *Amnesty Proclamation*, delivered shortly after he came to office, was mild, and, within eight months of the death of Lincoln, all but one of the previous Confederate states had been brought back into the Union. When white Southerners displayed attitudes and political policies reminiscent of those in place before the beginning of the War, the Radicals in Congress seized the reins of reconstructing the South and created a series of Reconstruction Acts designed to punish as well as reconstruct the South. Congress also attempted to secure Congressional supremacy over the executive branch by passing the Tenure of Office Act and then bringing articles of impeachment against Johnson. Though he was indeed impeached, Johnson was not convicted. The last of the southern states fulfilled the dictates of the

Congressional reconstruction acts, including the acceptance of the Thirteenth, Fourteenth, and Fifteenth amendments, and were returned to the union in 1870.

Test Yourself

1. The Black Codes passed in most southern states in 1865-1866 were based on the Slave Codes common in the period before emancipation.
 - a. True
 - b. False

2. The purpose of the Tenure of Office Act was to:
 - a. Force Andrew Johnson into a position that could lead to his impeachment.
 - b. Allow the presidency greater freedom in appointing officials to his Cabinet.
 - c. Limit the number of terms members of the Supreme Court could serve.
 - d. Keep previous confederate officials from holding office in southern states.

3. According to the First Reconstruction Act passed in 1867, the South was divided into military districts.
 - a. True
 - b. False

4. The Fifteenth Amendment specifies that no citizen of the United States will be:
 - a. Deprived of the right of due process.
 - b. Forced into servitude.
 - c. Deprived of the right to vote.
 - d. Kept from the occupation of his/her choice.

[Click here to see answers](#)

17.4 THE RECONSTRUCTION EXPERIENCE

Life in the South during Reconstruction was often not easy for anyone. Among the obvious problems, the South was physically devastated by the war. Anywhere the armies had clashed, terrible destruction ensued, and where the armies had not advanced, there was still suffering from deprivation due to the shortages during and after the war. Almost everyone in the South, no matter their race, gender, social standing, or political views, suffered during and immediately after the war. The war had been physically and emotionally difficult; for many, Reconstruction would also prove to be a painful, even traumatic, experience.

Uncertainty prevailed in the South after the end of the war. What would the future bring? President Lincoln had not laid out concrete plans for reconstruction before his assassination. After his assassination, anger in the North became a key component of the reconstruction equation. Was the South to be accepted back and the nation healed, or was the South to be punished and brought to heel? Differing opinions among the public and the politicians held sway at various times as the Union decided what to do with the defeated Confederacy.

President Jefferson Davis's experience was atypical, but it does illustrate on a very personal scale the impact of the wrangling in the North following Lincoln's assassination. Davis had been captured in Georgia in 1865 as he tried to make his way to Texas in hopes of joining with Confederates still in the field. Davis was taken to Fort Monroe, Virginia while the investigation into Lincoln's assassination was conducted. Many believed that the Confederate government, and thereby Davis, had been behind, or at least connected to, the assassination. The investigation proved otherwise, but with feelings running high, Davis could not be released. Magazines and papers such as *Harper's Weekly* called for Davis to be charged with treason, tried, and, if convicted, executed.

General Ulysses S. Grant had given a parole to General Robert E. Lee and his army; however, Davis was not a part of the military, so he received no such parole. He was charged with treason. He was kept in a small cell and, at one point, shackled, not due to any order for such from Washington or fear of his escape, since his health was failing. Rather, the officer in charge of Davis's care, General Nelson Miles, who was given full authority and discretion to do as he thought best, chose to do so. When the officer in charge of Davis changed, so did Davis's treatment. Eventually he was moved into officer's quarters, and his wife and children were allowed to live at the fort with him. Davis was released on bond after two years, having never been brought to trial, and the charges were dropped. New charges of treason were brought in Richmond in 1868, and Davis was finally brought

to trial, a proceeding that soon became entangled in constitutional issues. The trial simply ceased to continue, and the prosecution eventually dropped the case.

17.4.1 The Shared Experience

Focusing on the Reconstruction experience of one group or another in the South carries the danger of overlooking the shared experience. For many in the South before, during, and after the war, life was not a case of simple segregation.

For example, Joel M. Lax, of Halifax County, Virginia, was a white, slave-owning tobacco farmer with personal property valued at over \$4,000 in 1860. In 1861 two of his sons, John and William A., joined the Confederate army. John stayed healthy and served throughout the war, while William A. contracted dysentery early on and spent most of the war moving from one army hospital to another until, at last, he came to the Confederate hospital at Chimborazo in Richmond, one of the largest hospitals in history. John was surrendered at Appomattox and returned home; William A. was captured along with the other hospital patients when Richmond fell and was shipped north to Point Lookout, Maryland, a Union prisoner of war camp known for its horrific conditions. William A. died there in May, still a prisoner a month after Lee's surrender. Like most families of soldiers in the war, William A.'s family had to wait to find out what had happened to their son. By the time they learned of his death, his body had long been buried in a mass grave.

Along with such uncertainties as the Lax family faced, came the uncertainty regarding the treatment of former slaves. At the end of the war, slaves were freed; however, entities responsible for their rights were unidentified. Although set free by law, many had nothing and were given nothing except their freedom. Some, whether by choice or necessity, stayed on their old plantations. Two such were Linda, age 25, and Sallie, age 45, who lived on the Lax farm. They almost certainly had been slaves previously but were listed in 1865 as servants. By the end of the war, both women had consumption, known more commonly today as Tuberculosis, a common disease in Virginia and other areas at the time. For people weakened by lack of proper food, clothes, and shelter, the chances of surviving this disease were slim. Sallie died in May, the same month as did William A. Linda survived until August, often a humid month in Southside Virginia, which is an unfavorable environment for consumptives. Although the war in Virginia had been over for months, Linda was still at her home, being provided for not by Federal officials but by her former owners, who were now her employers. If Sallie and Linda had had families, they might have left, but having none, they remained.

The 1870 Federal Census gives one more snapshot of the Lax family during Reconstruction. In the decade since the previous census, Joel Lax's personal property value had been cut in half to \$2000. All of his living children, except his son John, remained at home. By the time of his death in 1887, Joel's personal property value had reached just below \$4,000, still under its 1860 value.

In one respect, Joel Lax was fortunate: he was a tobacco farmer. Although the war impoverished many, he worked a crop that would continue to sell; consequently, barring natural disasters, such as the flood that hit his county, Lax would be able to have an annual income. Further south, from Georgia to Texas, the cash crop was cotton. The cotton economy had suffered during the war, as Southern cotton planters could not sell their cotton either to the North or overseas. With a lack of cotton coming from the South, overseas buyers, such as those in England, were forced to look elsewhere for a supply. By the time the war was over, the damage was done, and cotton prices fell. Many farmers in the Cotton Belt turned to cotton production to try to earn money only to fail because they could not sell their crop at prices high enough to cover their debts.

Being "land poor" was not a new condition for farmers and planters across the South. They produced much of what they needed on their own land and often did not have much available actual cash money. Seeds for crops and supplies could be purchased on credit with the debt being paid when the crop came in. The war strained this system of debt and harvest. Farm production had been reduced during and immediately after the war. Supplies, even when the farmers had cash, were short. Even General Lee, who still owned two farms after the war, had to cover his uniform buttons with cloth since he could not afford a new coat or buttons but had to conform to the law forbidding anyone wearing Confederate insignia in public.

17.4.2 Forty Acres and a Mule!

Post-war farmers potentially included former black slaves. In many parts of the South, former black slaves who had the skills and desire to farm often, however, did not have the opportunity to purchase land of their own. As whites tried to hold on to their land, blacks struggled to acquire land of their own. Because few opportunities for them to buy land existed, blacks were forced to find land to rent in order to farm for themselves. To earn money as farm hands, they had to find white farm owners who would hire them. Many blacks, as well as poor whites who lost their property and were economically devastated, became sharecroppers, paying the owner of the land with a portion of the crops they raised.

One means of obtaining land in the United States had long been through land grants from Jamestown colonists who were given grants of land if they paid the passage for themselves or other colonists, to Revolutionary War soldiers who were given land grants in return for military service. Land grants historically have played a part in the settlement of this country. In 1865, General Sherman devised a land grant program as a means to provide former slaves with land of their own. With Special Field Order No. 15, Sherman established white-free, black-only zones on the islands from Charleston, South Carolina down the coast to St. Johns River in Florida. The freedmen would be able to establish their own homesteads and communities and have self-governance. The homesteads were restricted in size to forty acres, and the freedmen could use old government mules if they were available to help work the land. In one sense, the program was a success: approximately 40,000 freedmen flocked to the islands and built their homes. However, the land Sherman gave away had been plantations before the war confiscated from their previous owners.

President Johnson did not support the forced confiscation of property, so in 1866 he ordered the land be returned to its previous owners. For the Radical Republicans in Congress, Sherman, not Johnson, had the right idea. They believed it was necessary, or at least desirable, to destroy the old plantation system and Southern aristocrat class. Breaking up the plantations and redistributing the land was an ideal means of achieving this goal. Some Radical Republicans even wanted to expand the program, seeing it as a way to crush the planter class they blamed for the war, generate revenue to pay off the war debts, and attach the freedmen to the Southern landscape, where they would be motivated by property ownership to remain.

Johnson prevailed, and, by 1867, the Sea Islands experiment in freedmen land grants was essentially over. The freedmen were forced to give up their land and encouraged instead to go to work for the “real” landowners. In many cases, these were the very plantation owners who had owned the freedmen as slaves. Even so, some freed people did manage to retain their holdings, but, within a couple of generations, being divided among heirs or sold off piecemeal reduced these holdings until they were also reduced to sizes too small to support families, thus resulting in communities held in a state of near perpetual poverty.

17.4.3 Interracial Relationships

The uncertain and problematized place of freed people in the United States after the war reflected a long history of uncertain relations between different races. Indeed, since the earliest European explorers arrived in the Americas, interracial relationships have existed between whites and

Indians, whites and blacks, and blacks and Indians. These relationships were not always accepted and were often frowned upon, yet were found in many communities. Anti-miscegenation laws in the colonies date back to the seventeenth century, although these laws could often be ignored if the couple in question did not marry. What changed with Reconstruction was a heightened awareness by some Southerners of, and objection to, these relationships, particularly those between whites and blacks. White men with black women were more likely to be left alone than were black men with white women. Returning to the example of the Lax family, two of Joel Lax's brothers raised families with black women in Virginia during Reconstruction, leaving their portion of the family farm to them in their wills. Not all white male-black female relationships were so accepted; discretion was one key to avoiding trouble, while another was luck.

Black men having relationships with white women was a great risk at that time. In 1871, John Walthall, a black man in Haralson County, Georgia, was accused of sleeping with white women after he had stayed in a house of four white sisters who were probably prostitutes. Although warned to leave the area, Walthall remained, married a black woman, and settled down. A group of men from the Ku Klux Klan, known as the "KKK," targeted him. The Ku Klux Klan was founded early in Reconstruction. Many of the leaders and rank and file members were Confederate veterans. It comprised one of several secret organizations formed in the face of rapid social change and fallout from the war. The Klan willingly used violent tactics to achieve their ends which were to preserve white supremacy in the South, keep blacks "in their place," and keep Northerners out. Late one night, the KKK entered Walthall's home and beat his wife with a pistol. Walthall himself tried to hide under the floorboards of his home, but was found, shot, and pulled up from the floor and dragged out. The KKK accused Walthall of sleeping with white women and of stealing, then they whipped both him and his wife. Walthall later died of his injuries.

That same night, the KKK also beat, threatened, and whipped nearby residents, including Jasper and Maria Carter, a couple who lived in a house the KKK first entered before reaching Walthall's. Jasper was taken away and whipped severely then allowed to return to his frightened wife who had been threatened with a pistol. Walthall's neighbors had known the KKK was looking for him and had tried to protect him by telling him to leave the area. By assaulting them with such public violence that their treatment would reach other black communities in the area, to the KKK intended to intimidate black communities with a demonstration of the risks of protecting their own.

17.4.4 Social Violence

The goals of the KKK and like-minded individuals were to keep blacks, and to a lesser degree “low” whites, “in their place” and thereby protect the pre-war social order. In the days of Reconstruction, many white Southerners therefore viewed the Klan in a positive light, as a source of order and means of protection against what they deemed as dangerous “trouble-makers” and criminals of all colors.

In many areas of the South, white southerners thought that the Federal authorities put in charge of the Reconstruction, and who were supposed to provide law and order, were unresponsive to the needs of many white citizens, thus resulting in what they saw as lawlessness. In other areas, southerners perceived Federal authorities as being biased in favor of blacks and such “disreputable” whites as carpet baggers, that is, northerners who came to the South to make a fortune during Reconstruction, and scalawags, that is, white southerners who cooperated and allied themselves with carpet baggers, blacks, and those in charge of Reconstruction, in order to profit from the troubles of other white Southerners. Of course, not all northerners who came South were carpetbaggers, nor were all white southerners who tried to improve conditions for blacks scalawags; indeed, many of these people had the very best of humanitarian intentions. They supported the Republican ideals of creating a postwar South that would not be under the control of the old Confederates. The question of equality for blacks was not as fervently embraced but definitely supported by large numbers of the Republicans. Many southern and northern whites in the South and blacks risked their lives for these causes. To the southerners who wanted to restore the antebellum social order, these people were disruptive and dangerous.⁵³

Regulators were volunteers who took it upon themselves to restore law and order, and the Klan was originally seen by some as a group of Regulators. In some areas, where the Klan did little, that reputation continued. In other regions, the Klan acted with such violence that they earned the terrorizing reputation that continues to this day. Some of these acts of violence included lynchings, which were not uncommon. The Klan, Regulators, or groups of unconnected citizens, might lynch someone, often a black male accused of “crimes” against a white female; the practice continued into the twentieth century. Whites as well as blacks might be lynched, but white men accused of similar “crimes” against black women were unlikely to be lynched or even arrested.

During Reconstruction, Federal officials tried to make a fuller place in Southern society for blacks. These officials therefore encouraged blacks to take public jobs and government positions, and to vote. White supremacists

found these actions unacceptable. Even while encouraging blacks to advance themselves and pursue political power, Federal authorities often did little to protect blacks from the Klan or other angry whites. The laws known as Black Codes that were established in the South, in some cases, sought to prevent blacks from exercising their free individual rights to property, to education, and to vote. These codes varied from state to state. In Georgia, the codes did not seem too harsh; some actually protected blacks. However, they did define “persons of color,” and declared interracial marriage as a crime, two points that were common among the codes.⁵⁴ Southern whites who feared blacks being given political power sought to limit their political ability by supporting the passage of these laws. Blacks who were outspoken not only offended the white supremacists but also stood out, making themselves targets for vigilante violence. Jack Dupree of Mississippi was one such man. He became involved in his local Republican Party, stood for black rights, and so was murdered by Klansmen who cut his throat and disemboweled him. His wife, who was forced to witness this murder, was intentionally left alive to proclaim the horrific price Dupree paid for his political activities.⁵⁵

Blacks were not the only victims of violence during the Reconstruction period. White on white violence was also common in some areas, violence that even spawned family feuds such as the famous one between the Hatfields and McCoys. These two families lived in Virginia at the start of the war, only to have their home made part of the new Northern state of West Virginia while they were absent fighting in the war. Their political and socio-economic differences soon led to a long-term violent feud. Typically in the case of feuds, leading members of the families would be on opposite sides politically or socially, or had fought on opposite sides during the war. From there, anything from a verbal dispute to a conflict over property could set off a feud that would begin a cycle of violence and retaliation that could span years.

In other cases, the crimes could be more personal. Two such involved were Dr. George Darden of Warren County, Georgia, and Senator Joseph Adkins of Georgia. In 1869, Darden murdered the local newspaper editor Charles Wallace. He then turned himself over to the authorities in fear for his life, rightly believing that friends of his victim would seek vengeance. His jailer allowed Darden to keep weapons for his defense in case anyone attempted to remove him from the jail. As he had expected, a crowd of men came for Darden and forced him from his cell. They allowed him to write a note to his wife before taking him away and shooting him. They were actuated by a vigilante desire for justice, fearing Darden would not be convicted of murder and punished. His being shot rather than lynched may have been due to Darden’s high standing in his community, since lynching was an ugly death reserved for “outcasts” of white Southern society.

Soon after Darden's murder, Senator Joseph Adkins was also murdered. The white Adkins supported the Radical Republicans and associated with blacks, particularly with black women. He was thought to incite blacks against whites. Considered by white planters and those of their class as a "scalawag," Darden's being a state senator made him someone who had "risen above his station" and therefore unacceptable. His and Darden's murders were reported in the North where there was an assumption that the motive for murder was political. Newspapers of the day make it clear that, while politics played its part, the behavior of the murder victims, consorting with blacks, possibly inciting them, behaving like a so-called low person, all motivated their murderers.

17.4.5 Black Politics

Besides such white politicians as Adkins, black politicians particularly faced danger and violence; the Klan and others murdered at least thirty-five black politicians. Nevertheless, many blacks engaged in political activity. Approximately 2,000 held political office at the national, state, or local level during Reconstruction. The majority of black politicians were in South Carolina and Louisiana. While blacks from all backgrounds, that is, slave and free, prosperous and impoverished, participated in the political process, those who rose to the highest offices often had the benefit of education. One such was Hiram Revels, who became the first black U.S. Senator when elected from Mississippi. Another was Blanche K. Bruce, a senator from Mississippi. Revels was born free; Bruce was born a slave. Both had been received educations atypical for average black Americans of that time, but which were not uncommon among blacks elected to office. In all, sixteen blacks served in the U.S. Congress during Reconstruction and approximately 600 served in the state legislatures.⁵⁶

17.4.6 The Legacy of Reconstruction

While Reconstruction policies and officials may have had unforeseen effects, such as causing rather than preventing violence or pain, they did point to a direction for the South. Blacks continued to face discrimination from not only Southern whites, but also those officials intended to help them. At the same time, other Southern planters and farmers with a more progressive view reached out to help. For every blanket assumption about any group in the South, there were always exceptions where individuals stepped outside the predicted boundaries of behavior for their social class and status and did something different, either good or ill.

Reconstruction was intended to bring the former Confederate states back into the Union as equal members once again. But the uneven efforts at Reconstruction contributed to a perpetual poverty in many Southern states, handicapping them for generations to come. Before the war, the South had been a largely agrarian society; after the war it remained so, with the difference that now most farmers did not own their own land. In the decades following the war, sharecropping would grow and fewer farmers, white as well as black, could afford to own land.

Progress for blacks was slow but still visible. Schools, both public and private, were established across the South. Some faced opposition, even being destroyed, but in the end they achieved a measure of acknowledged success. Augusta Institute, today known as Morehouse Academy, was founded in 1867. Maggie Walker, the first African American and the first woman to be a bank president in the history of the United States, began her journey to success in Reconstruction era schools in Richmond, Virginia.

17.4.7 Before You Move On...

Key Concepts

In 1865, the South was in a state of utter devastation due to the long years of war. Everyone from the most prominent citizens to the least experienced deprivation. In the middle of this universal suffering, the Federal Government implemented Reconstruction, which included an attempt at radical social change. The people of the South, no matter their social, racial, or economic status, had to adapt to defeat in war, economic hardship, and societal changes. Some reacted with violence; others attempted to help change society for the better. Still, poverty and racism continued to plague the South long after the end of Reconstruction.

Test Yourself

1. To whites in the South, all whites were the same.
 - a. True
 - b. False
2. Jefferson Davis was convicted of treason.
 - a. True
 - b. False

3. Sharecroppers were tenant farmers who paid their rent with shares of their crops.
 - a. True
 - b. False

4. Cotton formed a strong economic basis for the South during Reconstruction.
 - a. True
 - b. False

[Click here to see answers](#)

17.5 RETREAT FROM RECONSTRUCTION: THE GRANT YEARS

When Ulysses S. Grant ascended to the presidency in 1869, the nation's commitment to Reconstruction had started to fade. With only three states, Virginia, Mississippi, and Texas, unreconstructed and still under military supervision, northerners and southerners concluded that, once Congress seated representatives from those states, the federal role in rebuilding the South would end. At the same time, conservative southerners worked to wrest control from the Republican governments established after the war. Moderates or conservatives redeemed the state governments and began to chip away at the rights granted to the freedpeople during Congressional Reconstruction. Their efforts repeatedly prompted national leaders to return to the issue of reconstruction. The Grant administration struggled to find a coherent policy for dealing with developments in the South, as well as with the other problems the nation faced in the 1870s.

17.5.1 Grant Comes to Power

During the Johnson administration, Ulysses S. Grant continued in his wartime role as general-in-chief. As such, he oversaw the military commanders stationed in the southern states. Initially, Grant worked with Andrew Johnson to implement the Congressional mandates; however, the general increasingly found himself at odds with the president. By 1866, he concluded any attempts to impede the smooth transition from slavery to freedom would undermine the Union victories, something he could not abide. As Republicans prepared for the presidential election of 1868, Grant emerged as their mostly likely candidate. Not only did he endorse

the Radicals' plans for the South and publicly break with the president, but also he seemed universally respected by the American people because of his wartime service. Grant had some misgivings about running for president, especially in terms of the effect it might have on his reputation and his family's long-term financial security. At the same time, he felt obligated to accept the nomination in order to save the Union victories from professional politicians. When Grant formally accepted the nomination, he closed his acceptance letter with a sentiment many Americans found appealing: "Let us have peace."⁵⁷

While the Republicans easily settled on Grant, the Democrats faced a more difficult choice in selecting a nominee in 1868. Andrew Johnson hoped the party would choose him; however, his political baggage ruled out that possibility. At the convention, a consensus to back Horatio Seymour, the former governor of New York, emerged on the twenty-second ballot. Like Grant, Seymour had misgivings about running. However, his friends convinced him to accept the nomination. The Democrats, especially the vice presidential nominee, Francis C. Blair, then launched an attack against Congressional Reconstruction, which played on southern whites' fear of black rule. Blair, for example, claimed that southern whites had been "trodden under foot by an inferior and barbarous race." Meanwhile, the Republicans focused their campaign on Grant's plea for peace. They argued that the Democrats' calls to end Republican rule would bring more, not less, violence to the South.⁵⁸

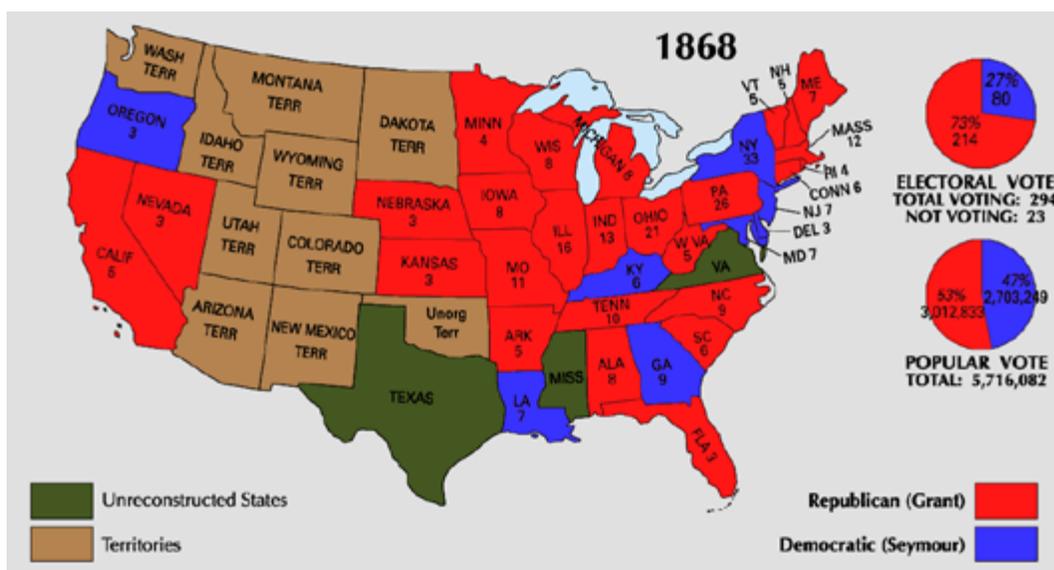


Figure 17.5 Presidential Election Map, 1868 | In 1868, Republicans easily chose Ulysses S. Grant as their candidate; the Democrats settled on Horatio Seymour. Grant defeated Seymour because of his military reputation and his call for peace when accepting the nomination.

Author: National Atlas of the United States
Source: Wikimedia Commons

As voters prepared to cast ballots in the fall, events in the South underscored the Republican campaign message. Throughout the region, the Ku Klux Klan as well as other like-minded organizations threatened and attacked Republican voters in hopes of keeping them away from the polls. According to James McPherson, “the Klan had evolved from a harmless fraternal order into a hooded terrorist organization dedicated to the preservation of white supremacy.” The state militias and the federal troops in the South could do little to stop the violent rampage in 1868. In Georgia, for example, Klan threats and beatings kept Republican voters from the polls. In state elections earlier in the year, the Republicans outpolled the Democrats by about 7,000 votes. However, in the presidential election, the Democrats outpolled the Republicans by about 45,000 votes. Throughout the South, the violence cut Republican majorities. At the same time, though, many northerners concluded the southerners hoped to use terrorism to reverse the results of the war. Thus, Grant defeated Seymour in both the popular (53 percent) and Electoral College (73 percent) votes.⁵⁹

The nation seemed quite relieved after Grant won the election, and they waited expectantly for some sign of his plans. However, the president-elect said very little about his advisers or initiatives before inauguration day; in fact, he spent most of the time in Washington attending to his duties as general-in-chief.⁶⁰ In his inaugural address, Grant reiterated his campaign theme, but he noted the peace must be “approached calmly, without prejudice, hate, or sectional pride, remembering that the greatest good to the greatest number is the object to be attained.” Thus, he vowed to work for the security of all citizens and to execute faithfully all laws. He also called on the states to ratify the Fifteenth Amendment, protecting the voting rights of all citizens. Moreover, he pledged to pay the nation’s debt in gold and to limit government spending. His remarks struck a chord with the American people; as one southern editor noted, Grant expressed a “winning spirit toward the whole country.”⁶¹ The challenge for Grant throughout his presidency was to live up to the nation’s expectations.

17.5.2 Problems in the First Term

During his first term, Ulysses S. Grant faced several foreign and domestic policy challenges. On the foreign policy side, he managed to resolve problems with Great Britain lingering from the *C.S.S. Alabama* claims. During the Civil War, British shipbuilders made several cruisers for the Confederacy including the *Alabama*. For numerous years, the American government sought to recover the losses caused by those ships. In the Treaty of Washington (1871), the British agreed to pay an indemnity to the Americans for the damages done by the *Alabama* and other British-made Confederate

ships. However, Grant failed to secure the annexation of Santo Domingo when the opportunity presented itself. In spite of his lobbying effort, his poor relationship with Charles Sumner, the chairman of the Foreign Relations Committee, led the Senate to reject the treaty. On the domestic side, Grant outlined a policy for the “proper treatment of the original inhabitants” of the land. The president hoped to encourage humane treatment of Indians in the West, leading to their citizenship. However, hostility between Euro-Americans and Indians more often than not led to violence, making his policy less than successful.⁶² However, the biggest challenges Grant faced as president stemmed from the effort to reconstruct the southern states and the emergence of Liberal Republicanism.



Figure 17.6 Ulysses S. Grant | The American people held high expectations for former Civil War hero turned president, Ulysses S. Grant. He promised to end to the strife caused by the war and by reconstruction but also to protect the rights of all citizens. However, he struggled to achieve his goals and live up to people's expectations.

Author: Mathew Brady
Source: Library of Congress

Restoring the Unreconstructed States

Although Congressional Reconstruction brought most of the southern states back into the Union before 1868, Ulysses S. Grant still had to address the southern problem. Virginia, Mississippi, and Texas remained unreconstructed when he took office, and Republicans at the national level remained undecided about what to do about problems in Georgia regarding the seating of new black legislators. Reconstruction posed a challenge for Grant because of the goals he hoped to accomplish. Grant sought to protect the political and civil rights of blacks, but he also wanted to maintain a Republican presence in the South. Protecting blacks inherently would drive many whites away from the Republican Party; convincing whites to remain with the Republican Party would require abandoning the blacks to the mercy of the state governments. Moreover, to preserve the national Republican Party at a time when fighting slavery and rebellion no longer gave members a common cause likely would mean refocusing the party's interests away from the South. Finally, policies adopted during Presidential and Congressional Reconstruction limited Grant's options for dealing with problems in the southern states.⁶³

Virginia, Mississippi, and Texas failed to ratify their state constitutions and reenter the Union before 1869 because of the so-called proscriptive clauses, which prevented former Confederates from participating in the government. Grant hoped to make Virginia a test case for his spirit of peace. Moderates there approached the president with a possible solution to end the impasse over the proposed constitution: whites would accept black suffrage only if they could reject the proscriptive clauses. Grant agreed to allow Virginians to vote on the proscriptive clauses separately from the rest of the constitution. He then recommended the solution to Congress for not only Virginia, but Mississippi and Texas as well. Congress approved the recommendation, but also required the states to ratify the Fifteenth Amendment before readmission. Voters in all three states ratified their state constitutions as well as the Fifteenth Amendment, without the proscriptive clauses, and Congress seated their representatives in 1870. Conservatives and moderates applauded the policy because it seemed as though Reconstruction was finally ending; radicals, on the other hand, criticized the president for selling out the freedpeople and the party. Through his moderate policy, Grant managed to preserve Republican rule in all three states, but only temporarily. By the mid-1870s, the Democrats had regained power, “redeeming” their states from Republican rule.⁶⁴

While Grant followed a moderate policy in the unreconstructed states, he treated the situation in Georgia differently because of events that happened in 1868. In the state elections held in April, the Republicans won a majority of seats in the legislature. However, once the legislature convened, conservative whites voted to expel the twenty-eight black members. The Johnson administration did nothing about the problem, even though twenty-four of the whites who voted for the expulsion should not have been elected to the legislature because, as ex-Confederates, the Fourteenth Amendment barred them from government service. In response, Republicans in Georgia banded together with Democrats who opposed black suffrage to prevent ratification of the Fifteenth Amendment. They hoped such a turn of events would force Congress to protect black rights and the Republican Party in Georgia. Congress refused to seat Georgia’s new representatives but did nothing else about the situation.⁶⁵

Grant postponed any action until December 1869, when he asked Congress to return Georgia to military rule until the governor could remedy the problems with the legislature; Congress agreed. Most members believed the state brought the action on itself when the legislature took no action to reverse their decision about seating black members, even though a state court ruled blacks had the right to serve in the government. Congress further mandated that Georgia ratify the Fifteenth Amendment, a move Grant supported because he believed granting blacks full political rights

would allow them to protect themselves in the future. Furthermore, the president saw his tougher stand in Georgia as a counterweight to his more lenient policy in the unreconstructed states. In 1870, the Republicans, with the military's support, ousted the conservative ex-Confederates, seated the black legislators, ratified the Fifteenth Amendment, and returned the state to the Union. However, the Republican gains in Georgia did not last long. In 1871, the Democrats won control of the state legislature and the governor's office and slowly chipped away at the gains the freedpeople made. Although asked to help, Grant did nothing.⁶⁶

Table 17.1 Reconstruction and Redemption

State	Military District	Commander	Readmission	Redemption
Alabama	3	Pope	1868	1874
Arkansas	4	Ord	1868	1874
Florida	3	Pope	1868	1877
Georgia	3	Pope	1870	1871
Louisiana	5	Sheridan	1868	1877
Mississippi	4	Ord	1870	1876
North Carolina	2	Sickles	1868	1870
South Carolina	2	Sickles	1868	1876
Tennessee	N/A	N/A	1866	1869
Texas	5	Sheridan	1870	1873
Virginia	1	Schofield	1870	1869

Dealing with Klan Violence

While the Grant administration worked to reconstruct the final southern states, the process of ending Republican rule, what southern Democrats called redemption, had already begun. Throughout the South, Republican governments struggled to hold onto their power in the face of the divisions within the party, the growth of conservative sentiment, and the use of political terrorism. The Democratic Party in concert with the Ku Klux Klan hoped to restore white supremacy in economic, social, and political life. Georgian



Figure 17.7 The Ku Klux Klan in Mississippi | This image first appeared in Harper's Weekly in January 1872. It accompanied a story about the Justice Department's attempts to crack down on Klan intimidation and violence in the South.

Author: Unknown
Source: Library of Congress

the federal government. They worried about federal authority over Klan violence since murder, arson, and assault traditionally fell under the jurisdiction of the states. However, state governments could or would not stop the reign of terror against the signs of black power and advancement. In Mississippi, one case involving Klan violence fell apart when all five witnesses for the prosecution ended up dead before the trial. Thus, Congress, with Grant's support, passed several measures, collectively known as the Enforcement Acts, based on the terms of the Fourteenth and Fifteenth Amendments.⁶⁸

The First Enforcement Act, approved on May 31, 1870, made it a federal crime to interfere with the right to vote, made it a felony to deny an individual's political or civil rights, and allowed the president to use federal troops to keep order at the polls. Then Congress created the Department of Justice, supervised by the Attorney General who to that point only served as the president's legal adviser to uphold the federal laws in the South. While Grant hoped the threat of the measure would curb the violence, many southerners seemed unconcerned about the new law. Therefore, Grant sent troops to North Carolina in late 1870; however, he would not declare martial law, so the troops did nothing to stop the violence. The president insisted that the governor, William W. Holden, mobilize local resources first. In essence, says historian Brooks Simpson, in North Carolina "the Republicans could not win unless they suppressed the violence, and the Democrats could not

Abram Colby, when testifying before a Congressional Committee on Klan violence, noted how, when he refused a bribe to vote for the Democrats, the Klan pulled him out of his house in the middle of the night and whipped him repeatedly. Though hooded, Colby recognized the voices of his assailants: a local lawyer, a local doctor, and several farmers.⁶⁷

Republican leaders in the South struggled to deal with such violence. If they did nothing, then the Democrats would triumph. If they tried to fight back with the state militia, composed mostly of blacks, then they might start a race war. At the same time, national Republican leaders seemed reluctant to involve

win unless their campaign of intimidation triumphed.” Neither prospect looked good for the future of Reconstruction.⁶⁹

Under the direction of Amos T. Ackerman, a Georgian appointed as Attorney General in late 1870, the Justice Department worked to prosecute individuals for violating the First Enforcement Act, but that did not bring much peace to North Carolina or the other southern states. Thus, Grant petitioned Congress for stronger laws to protect voters from intimidation and violence. The Second Enforcement Act, approved on February 28, 1871, created a federal mechanism to supervise all elections. The Third Enforcement Act, approved on April 20, 1871, strengthened the felony and conspiracy provisions for suffrage cases; moreover, it gave the president the authority to suspend the writ of habeas corpus and use the army to uphold the law. Shortly after he signed the last measure, popularly known as the Ku Klux Klan Act, Grant issued a proclamation asking white southerners to comply with the law.⁷⁰

When that failed to happen, the Justice Department, assisted by the army, worked to arrest, indict, and prosecute Klansmen. The president only suspended habeas corpus in nine South Carolina counties in October 1871. Some of the federal government’s prosecutions ended in convictions, but it dropped a majority of cases to clear the federal court dockets. As James McPherson notes, “the government’s main purpose was to destroy the Klan and to restore law and order in the South, rather than secure mass convictions.” To that end, they achieved a short-term victory in that “the 1872 election was the fairest and most democratic presidential election in the South until 1968.”⁷¹ Grant’s judicious use of the Enforcement Acts, however, did become one of the issues of the presidential election campaign in 1872. Moreover, the administration’s policy did not forestall the process of redemption.

Growing Criticism from the Liberal Republicans

Patronage for years served as a means for political parties to develop loyalty and raise money. People in government jobs felt fidelity to the party that put them there, and they usually gave a percentage of their salary to the party, a policy known as assessment. In 1865, reformers first introduced legislation to create a civil service commission that would determine how to identify the most qualified individuals for government service. When Grant took office, he appeared to share the reformers’ concern about the effect the spoils system had on the quality of the nation’s government. Grant certainly found himself beleaguered by the number of people seeking jobs after his election, and he expressed concern about the issue to those close to him. Moreover, Grant showed an air of independence when he selected his cabinet. He chose men he thought he could work well with, not those who

had the most political clout. While Republicans in the Senate, who had to confirm his nominees, expressed dismay, the press seemed to appreciate Grant's decision to take politics out of the equation. Some of his choices turned out better than did others. Hamilton Fish, the secretary of state, served as an able steward of American foreign policy and worked well with the president. However, William Belknap, the secretary of war, mired the administration in scandal when it came out he accepted a bribe in exchange for a government contract.⁷²

On the issue of civil service reform, Grant's early decisions about his own appointments caused the reformers to expect him to embrace change. Furthermore, the heads of the Treasury Department, the Interior Department, and the Justice Department began a system of extensive vetting for new hires and competitive exams for promotions. In his annual message to Congress in 1870, Grant recommended pursuing reform that would address "not the tenure, but the manner of making all appointments." Congress responded by creating a commission to study the issue and recommend changes in 1871. Grant appointed George Curtis, a noted reformer, to head the commission. After completing its review, the commission recommended examinations for all positions and an end to the practice of salary assessments. The president began to apply the changes in 1872.⁷³

Two factors prevented Congress from adopting a permanent civil service system in the 1870s. First, Grant disliked patronage, but he also realized it served a political purpose. Unlike many reformers, the president did not equate patronage with corruption. In his support for reform, therefore, he never expected patronage to go away entirely. Grant even chose relatives and friends, including his father, for lower-level appointments to give them the prestige of holding a government position. Second, some Republicans in Congress turned against supporting civil reform when Grant became president. Calls for civil service reform in the mid-1860s partly came from concern about Andrew Johnson's appointments, and Republicans hoped to use reform to curb Johnson's power. With solid Republican control of the legislative and executive branches after 1869, reform seemed more harmful than helpful to the interests of the party.⁷⁴ In the end, Grant's mixed reputation for appointments and failure to fight for civil service reform after Congress lost interest disheartened many reformers.

Alongside questions about civil service reform, some Republicans began to question the Grant administration's approach to Reconstruction. Reformers, who adopted the name "Liberal Republican" in 1872, doubted there was much more the federal government could do to bring peace to the South. To them, the ratification of the Fifteenth Amendment suggested an end to federal involvement. Nevertheless, Grant, with the support of Radical

Republicans, continued to intervene in the South. Liberal Republicans believed the time had come to let the southern states decide their own future so that the nation could focus on issues like civil service and tariff reform. Furthermore, they believed only a policy of full amnesty for former Confederates would end the violence and strengthen the Republican Party. In 1870, the Liberals and the Democrats joined forces in Missouri to defeat a Radical Republican administration. In 1872, the Liberal Republicans, composed of a variety of interest groups opposed to Grant's leadership, hoped to build on that momentum in the presidential election.⁷⁵

Winning Re-Election in 1872

Liberal Republicans initially hoped to deny Grant the Republican nomination; however, when they realized that likely would not happen, leaders of the movement called for an independent nominating convention. The diversity of the delegates who gathered in Cincinnati in May 1872 demonstrated the dramatic changes within the Republican Party in the years after the Civil War. Some attendees seemed truly committed to reform; others sought to regain the political power they lost to Grant's supporters in the party. Thus, only two issues really brought the coalition together: their antipathy toward Ulysses S. Grant and their desire to adopt

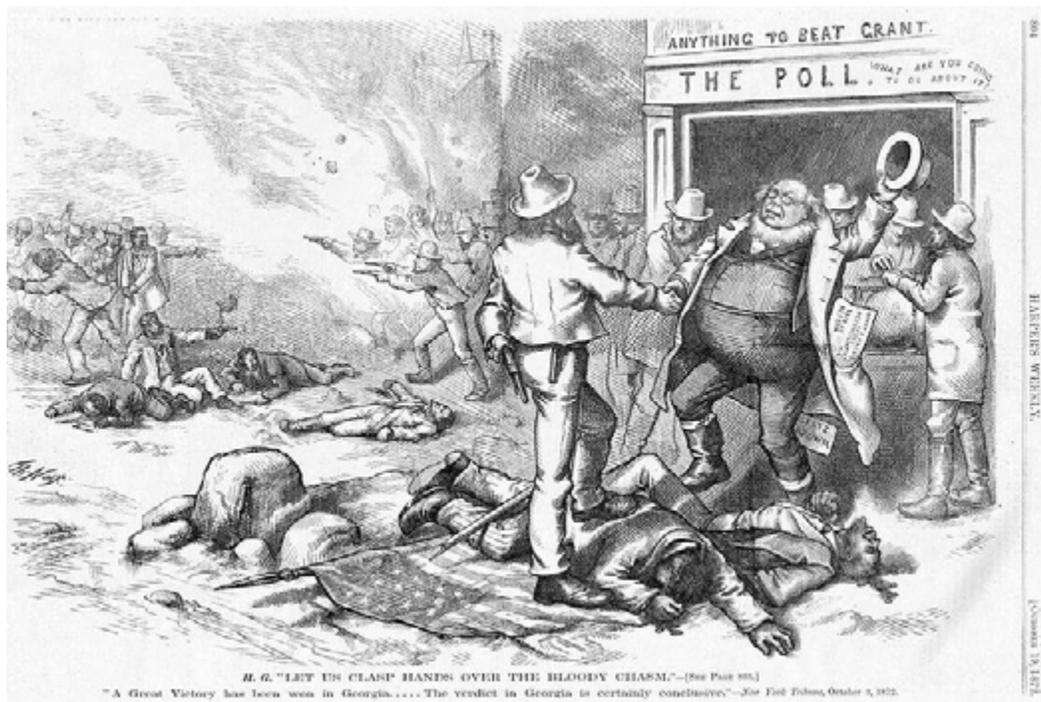


Figure 17.8 Republican Propaganda, 1872 | Noted political cartoonist, Thomas Nast, frequently attacked Horace Greeley, the Liberal Republican and Democratic nominee. In this drawing, Greeley shakes hands with a Georgia Democrat standing over the bodies of his victims, supporters of the Republican Party.

Author: Thomas Nast
Source: Wikimedia Commons

a new southern policy. Then again, those issues might just make the Liberal Republican nominee appealing to Democrats who also wanted to unseat Grant. In a series of backroom deals, the convention chose Horace Greeley, the publisher of the *New York Tribune*, as their presidential candidate. Greeley had name recognition across the country, and he had long supported amnesty and reconciliation. Adopting the motto “Anything to beat Grant,” the Democrats also nominated Greeley for president, even though Greeley had spent much of his public career attacking them. For many Democrats, a fusion with Liberal Republicans would help end the nation’s obsession with Reconstruction and, in turn, allow the party to rebuild its image after the Civil War. The Democrats, however, never unified themselves completely behind Greeley.⁷⁶

Grant never really doubted his ability to win reelection, so he chose not to campaign. He did not want his lack of public speaking skills to undermine his candidacy. To counter the appeal of the Liberal Republican-Democrat coalition in 1872, the Republican Party worked diligently in the months before the election to support Grant’s candidacy. As Eric Foner says, “Faced with this unexpected challenge, Republicans...moved to steal their opponents’ thunder.” Republicans in Congress reduced the tariff, then they passed an amnesty measure for Confederates barred from voting under the Fourteenth Amendment that had failed to win support in both 1870 and 1871. The party also effectively used political cartoons drawn by Thomas Nast that depicted Greeley shaking hands with the ghost of John Wilkes Booth over Abraham Lincoln’s grave and with a conservative southerner standing over the victims of political terrorism.⁷⁷

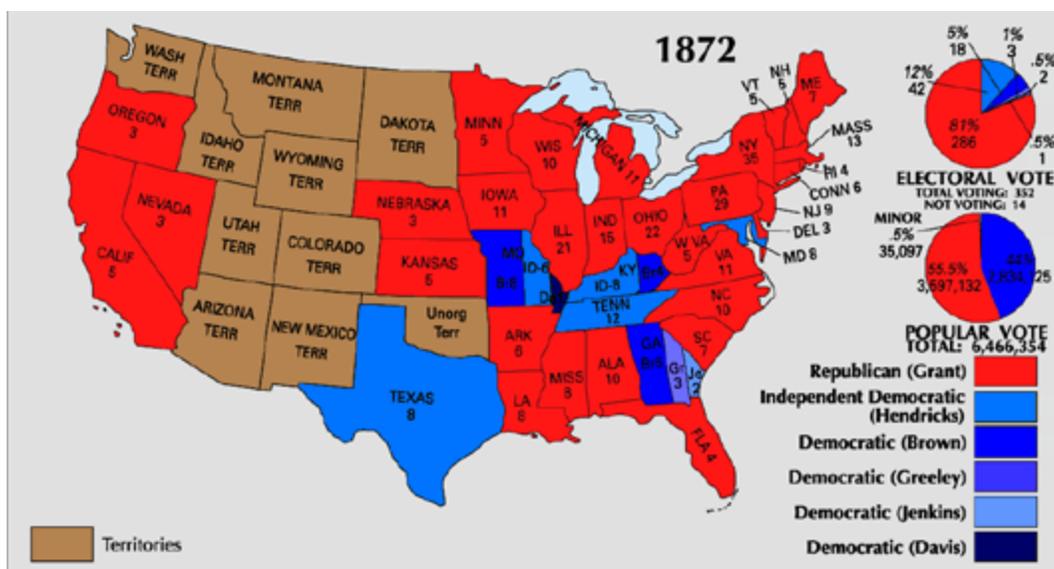


Figure 17.9 Presidential Election Map, 1872 | In 1872, Ulysses S. Grant easily secured victory over Greeley. The results showed voters liked Grant and they continued to trust him to preserve the achievements of the Civil War and Reconstruction.

Author: National Atlas of the United States
Source: Wikimedia Commons

Grant easily won both the popular and Electoral College votes; in fact, he won every state he predicted he would take before the balloting began. His victory reflected the fact that public opinion on the ability of southern whites to manage Reconstruction lagged behind the Liberal Republican view. For Grant, the election was somewhat of a personal vindication, given the criticism he constantly faced in his first term. The results showed that voters liked Grant and continued to trust him to preserve the achievements of the Civil War and Reconstruction. Though his reelection seemed to demonstrate public affection, according to political scientist Jean Edward Smith, it “marked the highpoint of Grant’s presidency.”⁷⁸

17.5.3 Problems in the Second Term

In his second inaugural address, Ulysses S. Grant pledged to promote political equality through government action and encouraged social opportunity for all Americans, noting his “efforts in the future will be directed to the restoration of good feeling between the different sections of our common country.” He also hoped to focus on the nation’s economic health by restoring the “currency to a fixed value as compared with the world’s standard of values—gold.” Along the same lines, he wanted to promote the extension of the railroads and an increase in manufacturing to improve the nation’s balance of trade.⁷⁹ The president desired to put the questions of reconstruction to rest and help rebuild the Republican Party around economic development. Grant achieved these goals to some extent, but not as he expected. Reconstruction ultimately ended in 1877, but the rights of blacks mattered very little to most whites. The Republican Party embraced economic development, in spite of a depression that the president seemed unable to handle.

Coping with the Panic of 1873

When Grant first came to office, he hoped to address the nation’s economic problems. Financing the war and reconstruction left the federal government with a \$2.8 billion debt and about \$356 million worth of unbacked greenbacks in circulation. Republicans felt it important to pay the debt in full because failure to pay the debt would make it nearly impossible for the government to secure additional credit. Therefore, Grant proposed and Congress passed the Public Credit Act of 1869, which promised to pay all bondholders in specie. Meanwhile, George S. Boutwell, the secretary of treasury, worked to make his department more efficient in collecting government revenue. Boutwell, though, inadvertently caused a crisis when he began to sell the government’s gold surplus in an attempt to reduce the debt. Speculators Jay Gould and Jim Fisk attempted to corner the gold market or manipulate the price in a way to make a healthy profit by using Abel Corbin, the president’s

brother-in-law, as an intermediary. Their maneuverings led to “Black Friday,” September 24, 1869, where the price of gold and stocks declined and brokerage houses failed.⁸⁰

However, it was a short-term setback. Over the next few years, the nation’s economy grew, especially because of the expansion of the railroads, and the Grant administration reduced the debt. The booming economy in the early 1870s caused many businesses and investors to take risks, which led to a depression in 1873. The financial crisis stemmed from the general overexpansion of industry, but more specifically from the rapid growth of the railroads. Efforts to recover from the Civil War at home and the Franco-Prussian War abroad did not help either. In the mid-1860s, the country entered a railroad building boom, most notably in the southern and western states. The demand for money to finance new business ventures, while also paying old debts in the United States and Europe, prompted bankers to lend money irresponsibly and brokers to market worthless securities. Furthermore, railroad developers saturated the market; there simply were not enough customers to keep the railroads operating at a profit. By September 1873, the failure of Jay Cooke & Co., which was attempting to finance the Northern Pacific Railroad, spurred the Panic of 1873.⁸¹

After the panic began, Congressmen, especially from the Western states, called on Grant to inflate the currency by releasing retired greenbacks into circulation. Wary that that solution would cause rampant inflation, he traveled to New York City to seek the advice of leading businessmen and bankers. The businessmen supported currency inflation to relieve the crisis; the bankers did not. Grant sided with the bankers and pursued a tight money policy. Rather than release the retired greenbacks, the government as a temporary solution began to purchase bonds. In time, New York banks began to issue certificates usable as cash. Grant’s response ended the immediate crunch for cash without decreasing the value of the dollar. From a strictly financial perspective, his policy ended the panic, but a depression set in around the country. In the next few years, over 18,000 businesses failed, unemployment reached 14 percent, and banks foreclosed on a large number of farms. Poverty spread across the country; unemployed workers went on strike and disgruntled farmers fused political alliances to attack business interests. The country at times seemed on the verge of a class war.⁸²

Facing pressure from their constituents, Congress still sought to address the financial crisis through currency inflation, even though Grant made his preference clear for a tight money policy. In March 1874, Congress passed a measure to add about \$100 million to the amount of money in circulation: half in greenbacks and half in specie-backed currency. Most people expected the president would not dare veto it. However, Grant had his doubts and he vetoed the inflation bill.⁸³ The financial community praised the veto;

surprisingly, once he made the decision, the American people endorsed it as well. Congress then worked on a bill to support the president's push for specie-backed currency. The resulting Specie Resumption Act of 1875 proposed to redeem greenbacks in circulation for gold beginning on January 1, 1879. Grant happily signed the measure, which did not end the financial crisis so much as reorient the Republican Party toward conservative financial principles. In the meantime, Benjamin H. Bristow, appointed as the secretary of treasury during the crisis, worked to put the nation on the slow road to economic recovery by refinancing the federal government's debt by issuing new government bonds. Full recovery finally came 1878, leaving many Americans, especially in the North, frustrated that Reconstruction seemed to take greater precedence than financial recovery.⁸⁴

Facing the Scandals

Even before Grant had to deal with the Panic of 1873, he faced the fallout of a variety of scandals linked to his administration; as the financial crisis set in, further revelations seemed to weaken his ability to act on important issues. After the gold crisis in 1869, people speculated about possible improprieties among Grant's advisers and even the president himself. While no evidence surfaced to tie Grant to any of the scandals involving his underlings, devotion to his staff prevented him from doing more to stop the behavior once he found out about the problems.⁸⁵ Grant's difficulties began in September 1872 when the *New York Sun* published a story about the *Crédit Mobilier* affair where several members of Congress took bribes to ignore the company's shady financial practices during the construction of the Union Pacific. Revelations about the Back Pay Grab, the Whiskey Ring, and the Indian Trading scandals soon followed. While the Grant administration had nothing to do with *Crédit Mobilier*, the same was not true of the other scandals.

At the end of its session in March 1873, the Forty-Second Congress inadvertently planted the seeds of a scandal when it voted to include a pay raise for the president, vice president, Supreme Court justices, cabinet officers, and members of Congress as part of the government's general appropriations bill. Few people quibbled about raising salaries for the executive and judicial branches, and the legislative increases were not inherently controversial since salaries for members had not gone up since 1852. However, members voted to make the pay increase retroactive, essentially giving each member a bonus of \$5,000. Grant signed the appropriations bill, because if he failed to do so government agencies would not have any operating funds until the next session of Congress met. The public outcry, against both Democrats and Republicans, came quickly. When the Forty-Third Congress met, they immediately repealed the salary increases for Congress, but public trust in the government further declined.⁸⁶

When Benjamin H. Bristow took over as secretary of the treasury in June 1874, he sought to implement civil service reforms within the department. Furthermore, he wanted to increase collections, especially from the liquor industry that for years evaded their taxes by bribing treasury agents. The problem seemed most acute in St. Louis, where Bristow focused the Whiskey Ring investigation. In the process, he turned his attention on General Orville Babcock, the president's confidential secretary, who was friends with General John A. McDonald, the revenue supervisor in St. Louis. Bristow maintained that two cryptic telegrams showed Babcock's collusion in the attempt to defraud the government. To clear his name, Babcock requested a military court of inquiry look into the matter. Grant appointed the board after checking with his cabinet. However, the board never made a ruling because prosecutors in St. Louis refused to turn over any paper evidence; the case therefore went to civil court. Grant, convinced that the secretary of the treasury targeted his aide unfairly, gave testimony in 1876 for the trial in his Babcock's favor, and the jury later acquitted him. However, Babcock could no longer serve the president as his confidential secretary, and so Grant shifted him to another government position.⁸⁷

Finally, William Belknap, the secretary of war, embroiled Grant in another scandal relating to the Indian trade. The problem began in 1869, not long after Belknap took office. Apparently, his wife Carrie, constantly short of money because she liked to live lavishly, discovered that the War Department contracted with private individuals to run military trading posts. Mrs. Belknap asked her husband to award the contract for Fort Sill to a friend, Caleb P. Marsh, who would share the profits of the lucrative Indian trade with the family. However, John S. Evans, who held the Fort Sill contract, did not want to give it up. Therefore, Marsh and Evans worked out a deal. Evans kept the contract and paid Marsh \$12,000 per year, half of which he planned to give to the Belknaps. By 1876, William Belknap collected about \$20,000 as part of the arrangement. Early that year, a House committee began to look into the military contracts and discovered Belknap's malfeasance. Lyman Bass, the head of the House committee, told Bristow the House planned to launch impeachment proceedings against Belknap. On Bristow's recommendation, Grant made an appointment with Bass for later that day. As he was departing the executive mansion to have his portrait painted, he learned from a steward that Belknap wanted to see him. The secretary of war tendered his resignation effective immediately, and Grant accepted it. Even though Belknap resigned, the House still impeached him; the Senate acquitted him because he was no longer in office, not because members thought him innocent of the charges. When Grant accepted Belknap's resignation, many critics thought he wanted to cover up the whole affair.⁸⁸

Revisiting Reconstruction

Reconstruction still posed a problem for Ulysses S. Grant in his second term because the problems he faced in the first term, finding a balance between securing black rights and shoring up Republican governments, still existed in the second term. Many southern and northern whites did not want to treat blacks as their equals, and southern Republicans never coalesced into a unified party. Each southern state posed unique challenges for the Grant administration as conservative interests attempted to end Republican rule in the 1870s, and the president seemed undecided whether the federal government should still be involved in the South. Historian William Gillette concluded that “Grant came to the presidency pledging peace, but at the end of his second term, his southern policy had neither brought true peace for the nation, nor secured power for his party, nor increased popularity for his administration.”⁸⁹ Grant’s policy ultimately failed in the end because the president and the people lacked a commitment to Reconstruction.

Support for Reconstruction began to dwindle in 1873 because of the rise of violence in Louisiana. The previous year, the Republican Party split between the regular Republicans and the Liberal Republicans and ran two sets of candidates in the state elections. With the results inconclusive, both groups convened a legislature and inaugurated a governor, meaning the state had two governments. A federal court finally sided with the regular Republicans, and Grant sent federal troops to enforce the decision. Regrettably, the regular Republicans were not particularly popular with most whites or with the Grant administration, for that matter. Those opposed to Governor William P. Kellogg joined White Leagues, paramilitary units that scoured the countryside to terrorize Republican leaders and their supporters. The worst of the violence occurred on April 13, 1873 in Colfax during a clash between the local White League and the black militia. Three whites and over one hundred blacks died. Leaguers killed half of the black victims after they surrendered. The federal government subsequently charged seventy-two whites for their involvement in the Colfax Massacre, but juries convicted only three.⁹⁰

Though the federal government took a tough stand after the Colfax Massacre, the violence did not stop; in fact, it seemed to get only worse as the 1874 elections approached. Democrats made racist appeals to white voters in an attempt to oust the Republican Party, and they backed their statements with violence. In August, White Leaguers assassinated six officials near Shreveport. In September, they marched on New Orleans to oust the Kellogg administration. In the skirmish between the White League and state forces, over thirty-one people died and nearly eighty people suffered wounds. The White League only gave up control of city hall, the state house, and the arsenal when federal troops dispatched by the president

arrived. When the elections finally happened, the Democrats appeared to take control of the legislature. However, the certifying board threw out the returns in many parishes because of the intimidation. When the Democrats maneuvered to seat their representatives anyway, the governor asked the federal troops for assistance. The field commander then marched into the state house and forcibly removed the Democrats. Critics of the Grant administration's southern policy abhorred the action because, if the military could act in Louisiana, then it could also act in Michigan or anywhere else.⁹¹

The ongoing problems in the South, coupled with the Panic of 1873, caused voters to turn against the Republican Party in the midterm elections of 1874. A 110-vote Republican majority in the House turned into a sixty-vote Democratic majority after the election; the Democrats also gained ten seats in the Senate. Democratic victories made it clear that Congress would no longer support additional enforcement measures because the American people clearly indicated they wanted the government to turn its attention to more pressing issues like economic recovery. The election results caused Republican Party leaders to look for ways to repair the damage. The most obvious answer seemed to stop propping up southern governments. Before they firmly committed to that policy, in his annual message to Congress in December 1874, Grant reminded members and the American people that if they accepted blacks as citizens then much of the violence would stop. Partially to respond to Grant's rejoinder and partially to pay tribute to longtime antislavery advocate Charles Sumner who recently died, Congress approved the Civil Rights Act of 1875 to prevent racial discrimination in all public venues except schools. Many Democrats, however, only supported the measure because they expected the federal courts to declare it unconstitutional. Beyond that, the federal government's commitment to reconstruction waned in 1875. When Mississippi Democrats launched a campaign of violence to take back the state, Grant's advisers convinced him not to send troops to assist the Republican governor.⁹²

While the Supreme Court did not reverse the Civil Rights Act of 1875 until 1883, it did declare the Enforcement Acts unconstitutional in 1876.



Figure 17.10 "The Union as it Was" | In this political cartoon, Thomas Nast reacts to the efforts by the White Leagues to redeem Louisiana from Republican rule. Grant responded to the situation with force, but it only hurt the prospects of the Republican Party in Louisiana and nationally in 1874.

Author: Thomas Nast
Source: Wikimedia Commons

Grant hoped to protect the government's ability to enforce the Fourteenth and Fifteenth Amendments through his Supreme Court nominations. In the end, three of the four men Grant nominated to serve on the Supreme Court voted against the government's attempts to defend the freedpeople in two important decisions. *U.S. v. Reese* related to a Kentucky tax collector's attempt to prevent blacks from voting in local and state elections by not collecting their poll tax. The Court invalidated the First Enforcement Act when it ruled that the Fifteenth Amendment did not apply to local or state elections, only to national elections. *U.S. v. Cruikshank* stemmed from the government's attempt to prosecute the perpetrators of the Colfax Massacre. This time, the Court ruled that the Fourteenth and Fifteenth Amendment applied only to state actions, not individual actions, and thus the federal government had no right to prosecute individuals for ordinary crimes like assault and murder. The two decisions closed the door to further federal intervention should anyone at the national level have cared to do so, and few did at that point.⁹³

17.5.4 The South Redeemed

Frustration with reconstruction set the stage for the presidential election of 1876, and most people realized that the results of that contest would determine the fate of Republican rule in the South. After 1875, only Florida, Louisiana, and South Carolina still had Republican governments, and leaders in all three states needed federal support to maintain their power. Grant spoke fervently about the need to curb political terrorism and protect black rights, but he still lacked a policy to achieve both goals. So, in early 1876, Grant tried to divorce the Republican Party's future from the Civil War and Reconstruction by focusing the public's attention on the possibilities of public education and the importance of the separation of church and state. By then, most Republicans discounted the president's usefulness to help the party recover from the debacle in 1874 because of the numerous scandals swirling around his administration. They were actually happy when Grant squashed the rumors that he might run again.⁹⁴

The Democrats hoped to build on their victories in 1874 by further capitalizing on American frustration with the Grant administration's scandals and reconstruction policies. Therefore, they focused the campaign on the issue of reform. First, they chose Samuel J. Tilden as their presidential nominee. Tilden, the governor of New York, built his reputation in party circles by promoting civil service reform. Second, the party's platform focused on ending the depression and the political corruption in government. The platform suggested only reform could save the Union "from a corrupt centralism" which led to fraud in the central government, misrule in the

South, and continued economic misery. The Democrats proposed “to establish a sound currency, restore the public credit and maintain the national honor.” Moreover, in the centennial election, they made their support and the American people’s support for reform-minded legislation a patriotic venture.⁹⁵

The Republican Party had numerous people to choose from in 1876. Former Speaker of the House, James G. Blaine, looked like the favorite going into the convention. However, allegations of impropriety for selling some railroad stock to the Union Pacific well above market value made him a poor choice in an election focused on government scandals. Benjamin H. Bristow, Grant’s secretary of treasury, won support from reformers in the party for his role in taking down the Whiskey Ring, but some wondered whether he had the disposition to be president. Finally, Rutherford B. Hayes, the governor of Ohio, emerged as the most likely favorite son candidate to do well at the convention. Blaine led in the early balloting, but as the convention dragged on, delegates turned to Hayes as a compromise candidate because he came from the crucial state of Ohio, had a reputation for reform, and favored a moderate policy toward Reconstruction. The party’s platform pledged “the permanent pacification” of the southern states as well as “the complete protection of all its citizens in the free enjoyment of all their rights.” The

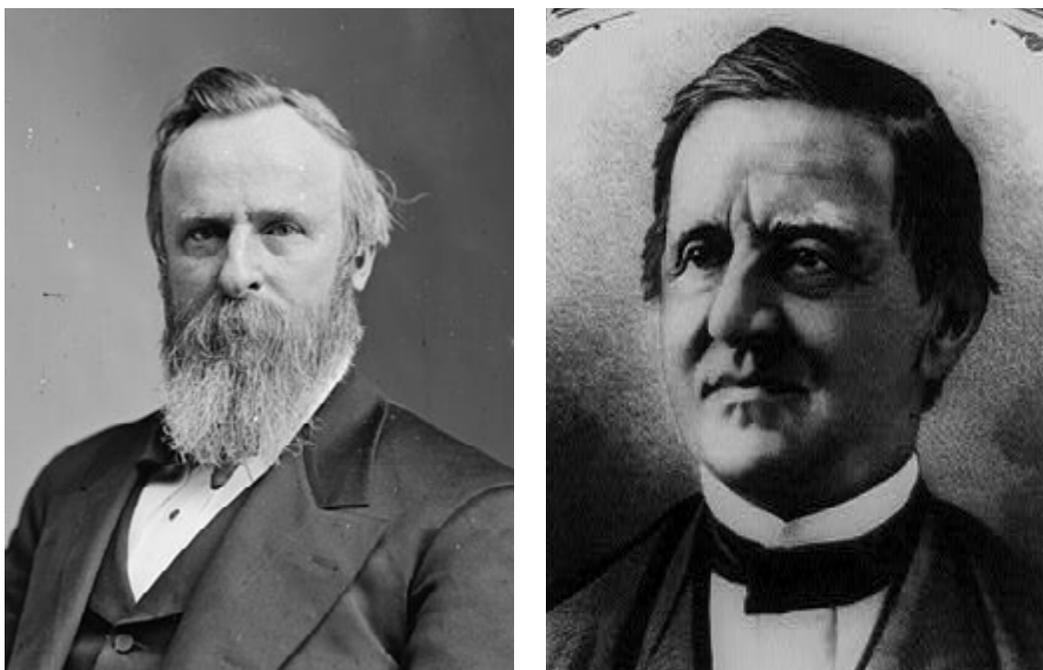


Figure 17.11 The Candidates in 1876 | Frustration with reconstruction set the stage for the presidential election of 1876. The Republicans chose Rutherford B. Hayes (left), while the Democrats chose Samuel J. Tilden (right). Initially both campaigns focused on issues other than reconstruction; however, violence in South Carolina prompted the Republicans to wave the bloody shirt.

Authors: Mathew Brady, Unknown
Source: Library of Congress (both)

remainder of the statement focused on political corruption, public education, land grants, tariff revision, immigration restriction, and other issues.⁹⁶

The Republicans, more so than the Democrats, struggled to find a cohesive voice during the campaign because their platform seemed at times contradictory. Moreover, Hayes did little to attempt to explain how he would do anything different from Grant when it came to preserving peace and political rights in the South, especially as South Carolina descended into violence in the months before the election. At first, Grant seemed to let South Carolina go the way of Mississippi, but then he changed his mind after the Hamburg Massacre. On July 4, 1876, the black militia in Hamburg held a parade; local authorities arrested them for blocking traffic. At the trial only a few days later, violence broke out outside the courthouse. Outgunned, the black forces surrendered; that night white forces murdered five of them. Grant sent troops in an attempt to prevent more such incidences. The violence, according to Brooks Simpson, proved a blessing in disguise for the Republicans during the campaign. The massacre showed how some white southerners had not really repented allowing the party to wave “the bloody shirt” or reminding voters of the rebellious nature of the southern states. But, to a certain extent, the tactic fell on deaf ears; northerners still were more concerned about the economy.⁹⁷

Polling for the presidential election took place throughout the fall, and as the November deadline approached, Tilden appeared to be ahead of Hayes in the popular and Electoral College votes. The Democrats seemed

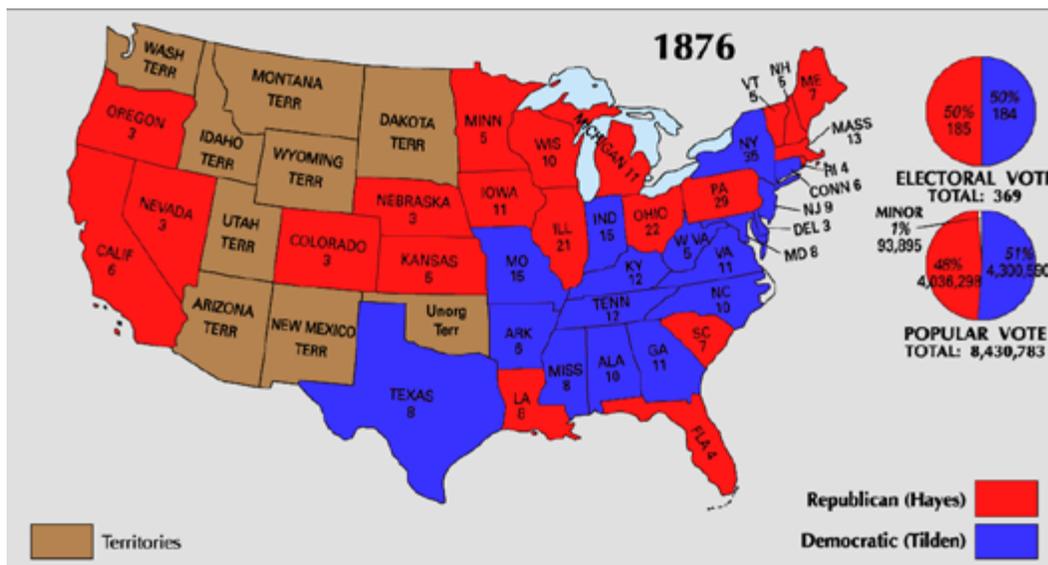


Figure 17.12 Presidential Election Map, 1876 | Samuel J. Tilden won the popular vote suggesting the willingness of the American people to abandon reconstruction. However, the Electoral College returns for Florida, Louisiana, and South Carolina were disputed. Eventually, an impartial electoral commission created by Congress led to Hayes to win the Electoral College. With the Compromise of 1877, Hayes informally agreed to remove federal troops from the South if southern legislators would not filibuster the commission's decision.

Author: National Atlas of the United States
Source: Wikimedia Commons

poised to take the South, and so they only needed to take New York, and Indiana, New York, New Jersey, and Connecticut, or some combination thereof to win. Tilden won the popular vote with 51 percent to 48 percent for Hayes. However, the Electoral College returns were not so clear because both the Democrats and the Republicans claimed Florida, Louisiana, and South Carolina. Given that the sitting Republican governments ultimately determined the accuracy of the voting, all three states declared for Hayes. Democrats charged that Republicans stole the election; Republicans responded that the Democrats had already done so by using violence to keep Republican voters away from the polls. At that point, it became clear that Congress needed to find a solution for dealing with the contested Electoral College returns, and the Constitution only said that Congress should count the returns. It did not specify how to count contested votes. Given that the Republican Senate and the Democratic House did not agree on this point, they could not determine who won the election.⁹⁸

Congress desperately needed to make a decision on the contest votes because rumors spread wildly in the months before the scheduled inauguration that the country was on the verge of another civil war. Finally, Congress decided to create an electoral commission composed of five members from the Senate, five members from the House, and five members from the Supreme Court to determine which returns from Florida, Louisiana, and South Carolina to count. Seven of the members would be Democrats; seven would be Republicans; and one member would be an independent to break the expected tie. Both parties agreed to the composition of the committee and that, unless both chambers voted to overrule the commission, their decision would be final. Democrats expected the independent member to be Supreme Court Justice David Davis, whom they felt would side with them. However, Davis declined to serve because the legislature of Illinois selected him as one of their U.S. senators. That meant the final member from the Supreme Court would be a Republican Joseph Bradley.⁹⁹

When the commission met in February, they went through the states in alphabetical order, making Florida the first contested state to come before the members. The Democrats protested that the Republicans illegally declared the state for Hayes; meanwhile, the Republicans countered that the only justification for not accepting the official returns was to review all the local returns. With the inauguration fast approaching, the commission voted eight to seven, with Bradley casting the tie-breaking vote, to accept the returns certified by the Republican governor. They subsequently voted the same way for Louisiana and South Carolina. The Senate quickly accepted the commission's decision. House Democrats thought they could use a filibuster to prevent Hayes from assuming the presidency. If they could hold off a decision until March 4, then, per the Constitution, it would

fall to the House to select the president. To ward off this possibility, the Republican Party worked behind the scenes to appease southerners in what became known as the Compromise of 1877. Informally, Hayes agreed to land grants for a southern transcontinental line, federal funding for internal improvements, and the removal of federal troops from Louisiana and South Carolina. Realizing they would likely receive more concessions from Hayes than from Tilden, enough Southern Democrats tilted to Hayes, thus ending the possibility of a filibuster. After Rutherford B. Hayes took office, he attempted to follow through with the promises he made to Southern Democrats. Reconstruction officially ended, and the federal government ceased its efforts to maintain the rights of black citizens.¹⁰⁰

17.5.5 Before You Move On...

Key Concepts

In 1869, famed Civil War general Ulysses S. Grant became the president of the United States. The American people took to heart his call for peace during the campaign and looked forward to a lessening of sectional tensions in the coming years. However, the Grant administration struggled to define a coherent southern policy to ensure that peace. The president hoped to promote black rights and retain Republican rule. Those two goals, given the racism of many southern whites, seemed an impossible objective. During Grant's first term, the last of the southern states, Virginia, Mississippi, and Texas, reentered the Union. Even before that happened, however, other southern states began the process of redemption, whereby they ousted Republican governments, often by using violence. Grant's failure to bring peace or secure civil service reform caused the Republican Party to split before the election of 1872. Liberal Republicans banded with Democrats to support Horace Greely for president. Grant won the reelection but found his second term more difficult than the first. The depression caused by the Panic of 1873, the concerns about political corruption brought on by a series of scandals tied to the president, and the continued problems in the South resulting from the efforts to redeem Louisiana and Mississippi left the Republican Party vulnerable going into the presidential election of 1876. Republican Rutherford B. Hayes ultimately defeated Democrat Samuel J. Tilden in a heavily contested election, which was decided by a special election commission. The Compromise of 1877 sealed the fate of Reconstruction as the nation looked forward to dealing with new political and economic issues.

Test Yourself

1. The Grant administration supported the adoption of the Enforcement Acts to curb Klan violence against black voters in the South.
 - a. True
 - b. False

2. Southern redeemers hoped to preserve Republican rule in the South.
 - a. True
 - b. False

3. Which of the following partially explain Ulysses S. Grant's failure to develop a successful southern policy?
 - a. He allowed corruption to develop in his administration.
 - b. He proposed to withdrawal federal troops from the South.
 - c. He opposed Congressional Reconstruction.
 - d. None of the above.

4. Who won the presidential election of 1876?
 - a. Ulysses S. Grant
 - b. Horace Greeley
 - c. Samuel J. Tilden
 - d. Rutherford B. Hayes

[Click here to see answers](#)

17.6 Conclusion

During Reconstruction, defined as the period from 1865 when the Confederate troops surrendered to 1877 when the last federal troops withdrew from the South, the United States sought to restore the southern states to the Union and to define the rights of the freedmen in that Union. Conflicting ideas about these issues made the process a difficult one, to say the least. Throughout the period, national leaders struggled to find a policy that would result in political and social harmony. After 1865, Andrew Johnson and Congressional Republicans debated over which branch of government would determine Reconstruction policy. Johnson favored a quick reunion that benefitted the non-slaveholders at the expense of the former slaveholders and the former slaves. Republicans hoped to devise a policy that would punish the former slaveholders and encourage the yeomen and the freedmen to work together to support Republican rule. Congressional Republicans appeared to win the debate, but it certainly was not a lasting victory.

Many white southerners were not ready to accept the equality of the races; conservatives played on the fear of “Negro rule” to weaken the Republican governments in the late 1860s and early 1870s. As conservative southerners began to reassert their authority, the American people elected Ulysses S. Grant as president in 1868 because he promised peace. Northerners tired of the focus on the South, especially after the nation entered a depression in 1873. Meanwhile, southerners wanted to reduce the amount of federal control over political and social issues in their states. Grant never found a policy that could meet the needs of northerners and southerners, further souring people on Reconstruction. Thus in 1876, both presidential candidates, Republican Rutherford B. Hayes and Democrat Samuel J. Tilden, tailored their campaign message to suggest their victory would lead to the end of Reconstruction. While Tilden won the popular vote, a special election commission awarded the Electoral College to Hayes. Southern Democrats in Congress, who had redeemed their states from Republican rule in the 1870s, chose not to block the result because Hayes informally pledged to remove federal troops and to increase federal aid for internal improvements for the South. The Compromise of 1877 effectively ended Reconstruction; however, it failed to protect the rights gained by the former slaves after the war.

17.7 CRITICAL THINKING EXERCISES

- Why did the Lincoln administration's policies on reconstruction fail? What did the problems encountered in the southern states teach national leaders as they prepared for postwar reconstruction, or what should have those problems taught national leaders?
- Why do you think that the Thirteenth Amendment, which abolished slavery in the United States, was necessary when the Emancipation Proclamation and Civil Rights Act addressed the same issue? And why was the Fifteenth Amendment necessary when the right to vote had already been mentioned in the Fourteenth Amendment?
- Sherman's plan for the Sea Islands was a bold move that failed due to political opposition. Do you believe Sherman was right to create the Sea Island homesteads, or Johnson was right to order the properties returned to their original owners?
- What, if anything, could the federal government have done to make white southerners believe that Regulators were not necessary?
- What, in your opinion, should the federal government have done for the newly freed slaves to help ensure their successful transition to life as free people?
- Many historians have been critical of Ulysses S. Grant's leadership. Do you agree or disagree with their view? Be sure to consider what challenges and limitations Grant faced as president in making your assessment.

17.8 KEY TERMS

- Amnesty Proclamation
- Black Codes
- Black Suffrage
- Carpet Baggers
- Charles Sumner
- Civil Rights Act of 1866
- Civil Rights Act of 1875
- Civil Service Reform
- Colfax Massacre
- Compromise of 1877
- Congressional Election of 1866
- Consumption
- Davis Bend
- Frederick Douglass
- Due Process
- Election of 1868
- Election of 1872
- Election of 1876
- Enforcement Acts
- Feud
- Fifteenth Amendment
- First Congressional Reconstruction Act, 1867
- Fourteenth Amendment
- Freedman's Bureau bill
- Ulysses S. Grant
- Horace Greeley
- Rutherford B. Hayes
- Impeachment of Andrew Johnson
- Jim Crow
- Andrew Johnson
- Joint Committee on Reconstruction
- Justice Department
- Ku Klux Klan (KKK)
- Liberal Republicans
- Lynching
- Memphis Race Riot
- New Orleans Race Riot
- Panic of 1873
- Presidential veto
- Radical Reconstruction
- Radical Republicans
- Regulators
- Scalawags
- Sea Islands
- Special Field Order No. 15
- Specie Resumption Act of 1875
- Thaddeus Stevens
- Edwin Stanton
- Alexander Stephens
- Ten Percent Plan
- Tenure of Office Act of 1867
- Thirteenth Amendment
- Samuel J. Tilden
- Tuberculosis
- *U.S. v. Cruikshank* (1876)
- *U.S. v. Reese* (1876)
- Benjamin Wade
- Wade-Davis bill
- Whiskey Ring

17.9 CHRONOLOGY

The following chronology is a list of important dates and events associated with this chapter.

Date	Event
Spring 1862	Union officials began the process of reconstruction on South Carolina's Sea Islands
November 1863	Union officials began the Davis Bend experiment based on the principles of free labor
December 1863	Lincoln issued the "Proclamation of Amnesty and Reconstruction" or the Ten Percent Plan
March 1864	Unionists in Arkansas adopted a new constitution under the Ten Percent Plan
April 1864	Unionists in Virginia adopted a new constitution under the Ten Percent Plan
July 1864	Unionists in Louisiana adopted a new constitution under the Ten Percent Plan; Congress approved the Wade-Davis bill; Lincoln vetoed the measure
January 1865	Sherman met with former slaves in Savannah to discuss the meaning of freedom and then issued Special Field Order No. 15
March 1865	Congress approved and Lincoln signed the Freedmen's Bureau bill
April 1865	Lee surrendered to Grant; Civil War ended Lincoln assassinated; Vice President Andrew Johnson replaced him as President
May 1865	President Johnson issued the Amnesty Proclamation
Summer 1865	Black Codes established in most Southern States
December 1865	Congress created Joint Committee of Fifteen on Reconstruction; Thirteenth Amendment abolished slavery in the United States; Ku Klux Klan formed in Tennessee
February 1866	Powers of Freedmen's Bureau expanded by Congress
April 1866	Civil Rights Act of 1866 passed over Johnson's veto
May 1866	Race Riot occurred in Memphis, Tennessee; Race Riot occurred in New Orleans, Louisiana

CHAPTER SEVENTEEN: RECONSTRUCTION

Date	Event
June 1866	Fourteenth Amendment to the Constitution approved by Congress
February 1867	House of Representatives voted to impeach President Andrew Johnson
March 1867	First Congressional Reconstruction Act passed over Johnson's veto; Tenure of Office Act passed by Congress
May 1867	Senate voted to acquit President Johnson
July 1867	Addenda to the Reconstruction Act passed by Congress over Johnson's veto
Summer 1868	Ku Klux Klan violence increased in the South as the presidential election neared
July 1868	Fourteenth Amendment ratified by the states
November 1868	Ulysses S. Grant defeated Horatio Seymour in the presidential race
February 1869	Fifteenth Amendment passed by Congress
December 1869	Grant encouraged Congress to readmit Virginia, Mississippi, and Texas, the last of the unreconstructed states; Grant asked Congress to return Georgia to military rule because conservatives in the state legislature refused to seat the black representatives
May 1870	Congress passed the First Enforcement Act
December 1870	Grant asked Congress to consider civil service reform and Congress created a commission to look into the matter in early 1871
February 1871	Second Enforcement Act passed by Congress
April 1871	Third Enforcement Act (the Ku Klux Klan Act) passed by Congress
October 1871	Grant suspended habeas corpus for nine counties in South Carolina and sent federal troops to maintain order
May 1872	Liberal Republicans nominated Horace Greeley for president; the Democrats later endorsed their selection

CHAPTER SEVENTEEN: RECONSTRUCTION

Date	Event
September 1872	<i>New York Sun</i> exposed the Crédit Mobilier affair
November 1872	Ulysses S. Grant defeated Horace Greeley in the presidential race
April 1873	Colfax Massacre occurred
September 1873	Jay Cooke & Co. failed setting off the Panic of 1873
March 1873	Congress voted to increase government salaries touching off the Back Pay Grab scandal
March 1874	Congress approved the inflation bill to infuse money into the American economy, but Grant vetoed the measure
June 1874	Benjamin Bristow took over as the secretary of treasury and began to investigate the Whiskey Ring
September 1874	The White League in Louisiana attempted to overthrow the Republican governor; Grant dispatched federal troops to end the violence
November 1874	Democrats regained control of the House of Representatives
January 1875	Congress passed the Specie Resumption Act
March 1875	Congress passed the Civil Rights Act
September 1875	Mississippi requested federal assistance to fight Klan violence, and the Grant administration refused
March 1876	Grant accepted William Belknap's resignation before the House impeached him for accepting bribes; Supreme Court issued its decision in <i>U.S. v. Reese</i> and <i>U.S. v. Cruikshank</i>
June 1876	Republicans nominated Ohio Governor Rutherford B. Hayes for president; Democrats nominated New York Governor Samuel J. Tilden for president
July 1876	Violence broke out in South Carolina after the Hamburg Massacre; Grant sent troops to respond to the situation
November 1876	Tilden won popular vote in the presidential election, but the Republicans and the Democrats debated over the Electoral College votes of Florida, Louisiana, and South Carolina

Date	Event
February 1877	Congress agreed to create an electoral commission to review the Electoral College returns; the commission awarded the states to Hayes
March 1877	Hayes took the oath of office, and Reconstruction effectively ended

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ANSWER KEY FOR CHAPTER SEVENTEEN: RECONSTRUCTION

Check your answers to the questions in the Before You Move On Sections for this chapter. You can click on the questions to take you back to the chapter section.

Correct answers are **BOLDED**

Section 17.2.6 - p794

- Which of the following statements best describes Abraham Lincoln's "Proclamation on Amnesty and Reconstruction"?
 - The policy was consistent in the Union-occupied territories.
 - The policy was designed to promote the rights of the freedmen, not to help end the war.
 - C. THE POLICY WAS FAIRLY LENIENT TOWARD THE SOUTHERN STATES.**
 - The policy was widely supported by the Radical Republicans in Congress.
- The Border States quickly accepted Lincoln's proposals for gradual compensated emancipation and willingly implemented the Thirteenth Amendment.
 - True
 - B. FALSE**
- Which of the following measures did Republicans in Congress promote in 1864 to counter Lincoln's Ten-Percent Plan?
 - The Military Reconstruction Bill
 - The Louisiana Bill
 - The Civil Rights Bill
 - D. THE WADE-DAVIS BILL**
- Congress envisioned the Freedmen's Bureau created in March of 1865 as a permanent solution to dealing with the problems of African Americans after the Civil War.
 - True
 - B. FALSE**

Section 17.3.6 - p804

- The Black Codes passed in most southern states in 1865-1866 were based on the Slave Codes common in the period before emancipation.
 - A. TRUE**
 - False
- The purpose of the Tenure of Office Act was to:
 - A. FORCE ANDREW JOHNSON INTO A POSITION THAT COULD LEAD TO HIS IMPEACHMENT.**
 - Allow the presidency greater freedom in appointing officials to his Cabinet.
 - Limit the number of terms members of the Supreme Court could serve.
 - Keep previous confederate officials from holding office in southern states.
- According to the First Reconstruction Act passed in 1867, the South was divided into military districts.
 - A. TRUE**
 - False
- The Fifteenth Amendment specifies that no citizen of the United States will be:
 - Deprived of the right of due process.
 - Forced into servitude.
 - C. DEPRIVED OF THE RIGHT TO VOTE.**
 - Kept from the occupation of his/her choice.

Section 17.4.7 - p813

1. To whites in the South, all whites were the same.
 - a. True
 - B. FALSE**
2. Jefferson Davis was convicted of treason.
 - a. True
 - B. FALSE**
3. Sharecroppers were tenant farmers who paid their rent with shares of their crops.
 - A. TRUE**
 - b. False
4. Cotton formed a strong economic basis for the South during Reconstruction.
 - a. True
 - B. FALSE**

Section 17.5.5 - p836

1. The Grant administration supported the adoption of the Enforcement Acts to curb Klan violence against black voters in the South.
 - A. TRUE**
 - b. False
2. Southern redeemers hoped to preserve Republican rule in the South.
 - a. True
 - B. FALSE**
3. Which of the following partially explain Ulysses S. Grant's failure to develop a successful southern policy?
 - A. HE ALLOWED CORRUPTION TO DEVELOP IN HIS ADMINISTRATION.**
 - b. He proposed to withdrawal federal troops from the South.
 - c. He opposed Congressional Reconstruction.
 - d. None of the above.
4. Who won the presidential election of 1876?
 - a. Ulysses S. Grant
 - b. Horace Greeley
 - c. Samuel J. Tilden
 - D. RUTHERFORD B. HAYES**