

Distribution Agreement

In presenting this thesis or dissertation as a partial fulfillment of the requirements for an advanced degree from Emory University, I hereby grant to Emory University and its agents the non-exclusive license to archive, make accessible, and display my thesis or dissertation in whole or in part in all forms of media, now or hereafter known, including display on the world wide web. I understand that I may select some access restrictions as part of the online submission of this thesis or dissertation. I retain all ownership rights to the copyright of the thesis or dissertation. I also retain the right to use in future works (such as articles or books) all or part of this thesis or dissertation.

Signature:

Louis Fagnan

Date

“The Principles of Republicanism”: Black and Tan Republicans in South Carolina, 1895-1950

By

Louis Fagnan

Doctor of Philosophy

History

Joseph Crespino
Advisor

Susan Youngblood Ashmore
Committee Member

Allen E. Tullos
Committee Member

Accepted:

Lisa A. Tedesco, Ph.D.
Dean of the James T. Laney School of Graduate Studies

Date

“The Principles of Republicanism”: Black and Tan Republicans in South Carolina, 1895-1950

By

Louis Fagnan

B.A., McGill University, 2006

M.A., McGill University, 2007

M.A., Emory University, 2014

Advisor: Joseph Crespino, Ph.D.

An abstract of

A dissertation submitted to the Faculty of the

James T. Laney School of Graduate Studies of Emory University

in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

in History

2018

Abstract

“The Principles of Republicanism”: Black and Tan Republicans in South Carolina, 1895-1950

By Louis Fagnan

This dissertation examines the long-neglected white and black politicians who joined forces in South Carolina’s Black and Tan Republican Party from 1895 until roughly 1950. Mining and cross-referencing hundreds of digitized newspapers previously unavailable to scholars, it highlights the diversity of motives that brought them into the organization, as well as what united them: a firm belief in the unconstitutionality and injustice of disfranchisement. Within the extremely violent and repressive political environment of the Jim Crow South Carolina, Black and Tan Republicans used the party to challenge disfranchisement and as a means to preserve a fragile tradition of black political empowerment. As such, even though the party failed electorally, it served as one of the most significant and formative institutional sites of bi-racial political activism in the Jim Crow South. In it, Black and Tan Republicans shaped the discourse, the institutions, and some of the key strategies used by African American activists of the 1940s and beyond.

This revisionist study of Republicanism has implications for scholarship on African Americans’ political rights activism in the Jim Crow era and the major partisan realignment that took place between the 1930s and the 1990s. First, in recovering the political activism that took place in the South Carolina Black and Tan Republican party in the first two decades of the 20th century – when the party brought more election contests before Congress than all other states of the Deep South combined – it contributes to recent scholarship challenging the idea that this time period was best described as the “age of accommodationism.” Secondly, analyzing the fall of South Carolina’s Black and Tan Republican party complicates the dominant narrative on the realignment. It shows that the movement of African Americans from the Republican Party to the Democratic Party was not sudden, but the results of a number of local and national long-term developments that unevenly affected African Americans of different regions and social classes. Therefore, it highlights that the partisan realignment was as much the result of presidential politics trickling down to the local level as it was the outcome of state-level developments shaping national politics.

“The Principles of Republicanism”: Black and Tan Republicans in South Carolina, 1895-1950

By

Louis Fagnan

B.A., McGill University, 2006

M.A., McGill University, 2007

M.A., Emory University, 2014

Advisor: Joseph Crespino, Ph.D.

A dissertation submitted to the Faculty of the
James T. Laney School of Graduate Studies of Emory University
in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

in History

2018

Acknowledgements

This dissertation is the culmination of nearly fifteen years of academic work. From the very beginning of my undergraduate career at McGill University in Montreal, Quebec, it was clear to me that I wanted to be a scholar; however, I was not sure in which field. It was remarkable Professors like Valentine Boss, Elizabeth Elbourne, and James Delbourgo that made me choose history. It was through Leonard J. Moore classes that I developed my passion for American history. More than an engaging and dedicated teacher of history, Professor Moore was an extraordinary mentor. Without his guidance, this project would not have been undertaken.

I was equally fortunate at Emory University, where I greatly benefited from the intellectual rigor and generosity of the faculty of the Department of History, especially Johnathan Prude, James Melton, James Roark, Patrick Allitt, Leroy Davis, Leslie Harris, Daniel LaChance, and Eric Goldstein. These scholars not only made me a better historian, but they also offered me constant guidance throughout my graduate studies. I am also extremely thankful to my fellow graduate students. Through seminars, workshops, and numerous conversations, Scott Libson, Colin Reynolds, Michael Camp, Danielle Wiggins, Jonathan Coulis, Glen Goodman, Emma Meyer, Ashleigh Dean, Benjamin Nobbs-Thiessen, Christopher Brown, Rebekah Ramsay, Shatam Ray, and Ariel Svarch all greatly enriched this dissertation. In addition to broadening my intellectual horizons and offering me constructive comments and invaluable advice, they also provided me with much needed support and encouragement, as well as essential relief from academic work. The staff of the history department also deserve special mention. Becky Herring, Marcy Alexander, and Katie Wilson went beyond helping me navigate the administrative side of graduate school. Regardless of the state of mind in which I entered their offices, I always left with a smile and the conviction that I would bring my project to completion.

At Emory, however, I owe my greatest debt to my advisor Joseph Crespino. It was in his academic seminars that this project began to take shape. A model of how to combine academic excellence with collegiality and kindness, Professor Crespino has played virtually every role imaginable in the completion of this undertaking. He has served as a teacher, mentor, critic, editor, reviewer, advocate, and supporter. His continuous assistance, even as this project veered further and further from its initial formulation, has improved this dissertation immeasurably. I am also grateful to the two other members of my committee, Allen Tullos and Susan Youngblood Ashmore. Professor Ashmore's generous and insightful comments at both the early and later stages of this project have been invaluable to shaping and refining this dissertation. Professor Tullos taught me how to approach history spatially and introduced me to a number of digital tools that have made the research for this dissertation possible.

I am also thankful for the generous financial support of the Laney Graduate School at Emory University. Graduate fellowships enabled me to focus exclusively on my coursework and research. I am also grateful to the Frances S. Summersell Center for the Study of the South and the University of Alabama Libraries, who provided me with research funds, and the Stuart A. Rose Manuscript, Archives, and Rare Book Library at Emory, who awarded me a dissertation fellowship. Thanks to the training and guidance provided by my supervisor Laura Starratt, this fellowship turned into part-time employment, which helped me fund the last years of my graduate studies. My archival research in Alabama and South Carolina was aided by a number of archivists and librarians including Dwayne Cox, John Varner, and Greg Schmidt at Auburn University, and Herbert Hartsook at the University of South Carolina. I would also like to thank Thomas W. Tolbert for sharing his family history with me and for serving as a remarkable guide during my visit in Ninety Six and Greenwood County.

Finally, I owe an enormous debt to my immediate and extended family. Their unconditional support and continuous encouragement have enabled me to push through the inevitable emotional struggles one faces during such an endeavor. I am unable to find the proper words to fully express my love and gratitude to my wife, Erica, for her exceptional contribution to my graduate studies and to this dissertation. She supported me as a wife, scholar, librarian, and a colleague every step of the way. She showed her unwavering dedication to this project through the countless hours and many sleepless nights that she spent helping me conceive, research, review, and edit this project. I am also thankful to my mother-in-law Carol for her painstaking efforts. She not only edited countless versions of this dissertation, but also formatted virtually every footnote. It is to my parents, Andrée and Denis, however, that I owe my greatest debt of gratitude. Gifted intellectuals, it was they who first taught me to read, think, and write critically. It was with them, that I developed my love of researching, learning, discussing, and debating. Their unconditional love, and unrelenting support for my intellectual endeavors, even when these endeavors led me to move far away from them, cannot be overstated. The extent of my parents' commitment to my graduate studies can perhaps best be appreciated by the fact that they both served as archival research assistants. My father spent two weeks conducting research with me at the Special Collections & Archives Department of Auburn University and my mother did the same at the University of South Carolina. While language barriers prevented my mother from being the editor that she was during my studies in Montreal, she never ceased being my most ruthless critic and most passionate supporter. It is to her loving memory that I dedicate this dissertation.

Table of Contents

Introduction.....	1
Chapter 1 Making South Carolina “Solid”: The Tolbert Family, White Republicanism, and White Supremacy in South Carolina, 1876-1900.....	19
Chapter 2 “The Only Game in Town”: Political Rights Activism and the Rise of the South Carolina Republican Party’s Militant Wing, 1900-1907.....	92
Chapter 3 Taking the Party Somewhere Else: Militant Republicans and the Transformation of African American Activism in South Carolina, 1907-1920.....	165
Chapter 4 Finding Room Between a Rock and a Hard Place: Black and Tan Republicans, 1920-1932.....	230
Chapter 5 The Making of a Scandal in “Carpetbagdad”: South Carolina Black and Tan Republicans and the Problem of Political Corruption, 1920-1927.....	305
Chapter 6 Playing With Fire: Nathaniel J. Frederick’s Revolt and the End of Black and Tan Republicanism in South Carolina, 1926-1932.....	347
Epilogue A Time of Transition, 1932-1958.....	412
Bibliography.....	439

Introduction

Project Overview

From 1895 until roughly 1950, the Black and Tan Republican Party in South Carolina served as one of the most significant and formative institutional sites of bi-racial political activism in the Jim Crow South. The party kept alive an extremely fragile tradition of black political participation in a region where white politicians sometimes waged war, literally, to force African Americans out of political life. Also, it was within the Black and Tan Republican Party in South Carolina that African Americans made one of the most significant challenges to the accommodationist approach to black advancement embraced by most state and national black leaders. In making, or trying to make, the party a conduit for challenging Jim Crow, Black and Tan Republicans shaped the discourse, the institutions, and some of the key strategies used by African American activists of the 1940s and beyond. Though their victories were few in terms of state and national politics, they represent a vital chapter in the history of African American politics and the modern civil rights movement.

Victory often eluded them, in large part, because their task was so difficult. This study situates Black and Tan Republicans in the incredibly violent and repressive context of the Jim Crow Deep South. It focuses on under-studied actors working primarily at the state level. Through collective biography, it highlights the diversity of motives that brought both black and white South Carolinians to join the state and county party organizations. While all Black and Tan Republicans agreed on the unconstitutionality and injustice of disfranchisement, they disagreed on how to confront it. In particular, it highlights the recurring tensions between the two main impulses within the party: accommodationism and activism, conservatism and radicalism. In other words, it demonstrates how South Carolina Republicans during the Jim Crow era wrestled with one

fundamental question: should the state party's priority be the preservation or the expansion of African Americans' political rights? The multiple and sometimes contradictory ways in which they answered this question constitutes the crux of this dissertation.

South Carolina is a propitious place to study Black and Tan Republicanism not because the experience of the party there was typical of other Deep South states, but because it was so distinctive. Black and Tan Republicanism in South Carolina outlasted that of most Upper South states, where Lily-White Republican factions had taken over the state party machinery by the first two decades of the 20th century. It was also the only Black and Tan Republican Party that, ironically enough, was led by a white man for most of its existence. The party itself, however, included fewer whites than most, and did not contend with as strong a Lily-White movement as in other states of the Deep South. In South Carolina, perhaps more so than any other state of the region, the Republican Party rapidly became, and stayed, "the negro party."¹ African Americans were far more numerous than whites in South Carolina in the second half of the 19th century, and thus had the numbers to dominate the state Republican Party. Equally important, South Carolina did not have a strong white unionist movement that fed post-Civil War white Republicanism. In fact, contrary to most other states, nearly all post-war white Republicans, even those who initially sided with the union, had fought for the Confederacy.² In addition, South Carolinians did not have a strong Populist movement or any fusionist tickets that could have weakened whites' ties to the

¹ George Brown Tindall, *South Carolina Negroes, 1877-1900* (Columbia, SC: University of South Carolina Press, 1952); Idus A. Newby, *Black Carolinians: A History of Blacks in South Carolina from 1895 to 1968* (Columbia, SC: University of South Carolina Press, 1973); Hyman Rubin, *South Carolina Scalawags* (Columbia, SC: University of South Carolina Press, 2006); John F. Marszalek, *A Black Congressman in the Age of Jim Crow: South Carolina's George Washington Murray* (Gainesville, FL: University Press of Florida, 2006).

² Rubin, *South Carolina Scalawags*, xix.

Democratic Party.³ As such, perhaps even more so than in the rest of the Deep South, race firmly dictated party allegiance in South Carolina. Because of their unyielding commitment to the one-party system and the Democratic Party, white South Carolinians never mounted a serious effort to “whiten” the Republican Party until the late 1920s. At a time when most African Americans were disfranchised, the party’s dismal failure at attracting whites condemned the state party to even greater electoral irrelevance than other state parties of the Deep South. But it also made it one of the most stable Black and Tan Republican organizations in the South.

Historiographical Contributions

Considering South Carolina’s Black and Tan Republican Party as an important bi-racial space of political activism in the Jim Crow era marks a departure from the dominant historiographical consensus. The scholars most important in defining this dominant view have been the political scientists V. O. Key, Alexander Heard, and Hanes Walton.⁴ Their work not only dictated how most other academics have subsequently approached the topic but are often still the most cited authorities on Black and Tan Republicanism.⁵

³ For a good narrative linking Populism, fusionism, and Republicanism among whites, see: Samuel L. Webb, *Two-Party Politics in the One-Party South: Alabama’s Hill Country, 1874-1920* (Tuscaloosa, AL: University of Alabama Press, 1997).

⁴ Valdimer Orlando Key, *Southern Politics in State and Nation* (New York, NY: A. A. Knopf, 1949); Alexander Heard, *A Two-Party South?* (Chapel Hill, NC: University of North Carolina Press, 1952); Hanes Walton, *Black Republicans: The Politics of the Black and Tans* (Metuchen, NJ: Scarecrow Press, 1975).

⁵ Nearly all scholars rely on these three works to describe pre-New Deal Era Republicans. Among the most recent are: Bruce H. Kalk, *The Origins of the Southern Strategy: Two-Party Competition in South Carolina, 1950-1972* (Lanham, MD: Lexington Books, 2001); Timothy Nels Thurber, *Republicans and Race: The GOP’s Frayed Relationship with African Americans, 1945-1974* (Lawrence, KS: University Press of Kansas, 2013); Leah Wright Rigueur, *The Loneliness of the Black Republican: Pragmatic Politics and the Pursuit of Power* (Princeton, NJ: Princeton University Press, 2015); Corey Fields, *Black Elephants in the Room: The Unexpected Politics of African American Republicans* (Oakland, CA: University of California Press, 2016); Joshua D. Farrington, *Black Republicans and the Transformation of the GOP* (Philadelphia, PA: University of Pennsylvania Press, 2016).

Key and Heard were primarily interested in understanding what kept the South from having a two-party system, or, as V. O. Key famously put it, what made the Republican Party in the South waver “between esoteric cult on the order of a lodge and a conspiracy for plunder in accord with the accepted customs of our politics.” While they recognized the systemic forces that constrained Republicans, they still faulted southern Republicans for failing to surmount them, and for focusing almost exclusively on national conventions and the distribution of patronage. To Key and Heard, the crux of the Republican problem in the South was the nature of the state party leadership. “The most signal characteristics of the party’s southern ‘leadership,’” argued Heard, “has been a lack of interest in winning elections. [...] Republican officials in the South have not wanted to build a party worthy of the name.”⁶ State party leaders of the first third of the 20th century, these scholars have argued, were first and foremost “patronage farmers.”⁷ They were “self-seeking,” “short-sighted,” “corrupt,” and “incompetent” leaders who not only discouraged any electoral efforts, but who willfully kept the party small and weak, which made it all the easier for them to fend off challengers and leave “fewer faithful to reward.”⁸ When in control of federal patronage, these leaders and their minions purportedly busied themselves selling federal offices, often personally pocketing the profits.

Yet patronage was not the only means by which these cash-hungry leaders sought to enrich themselves, at least according to the standard narrative. They also sold the votes of their delegations in national conventions, bidding their support to the Republican presidential candidate who made them the best offer.⁹ In Key’s view, South Carolina’s Black and Tan Republican Party

⁶ Heard, *A Two-Party South?*, 97.

⁷ Key, *Southern Politics in State and Nation*, 292.

⁸ Key, 292; Heard, *A Two-Party South?*, 97, 201.

⁹ Key, *Southern Politics in State and Nation*, 294.

leader Joseph W. Tolbert was perhaps the worst culprit of all; according to Key, his only noteworthy achievement in his 40 year-long political career was to make his state organization “a national joke.”¹⁰ Heard agreed with Key’s conclusion that the “long-standing reputation” of “nonrespectability” of these leaders was “well-deserved.”¹¹

In what remains the only book-length study on Black and Tan Republicanism, Hanes Walton, a pioneering and prolific scholar of black politics, comes to similar conclusions, albeit from a different perspective.¹² Like Key and Heard, Walton was primarily interested in electoral politics. As a result, of the 11 pages he spent on South Carolina, only one deals with the period between 1900 and 1944.¹³ But rather than analyzing what made the one-party system possible in the South, Walton was interested in determining what impact Black and Tan Republicans had on the African American community as a whole. He concludes that Black Tan Republicanism had “been of little utility or concern” to African Americans, except for those who wanted to be “convention delegates, party functionaries, or patronage farmers.”¹⁴ Walton based his interpretation on the fact that he saw these Republican leaders as enabling and empowering a national party leadership that did very little for African Americans beyond symbolic gestures. To Walton, white national party leaders only permitted Black and Tan delegations to be seated at

¹⁰ Key, 288.

¹¹ Key, 293.

¹² Walton, *Black Republicans*.

¹³ Walton’s description of South Carolina’s Black and Tan Republicans in the Jim Crow era is marred with errors and unsupported assertions. For example, Walton states, without any supporting evidence, that Black Republicans in South Carolina never amounted to more than 500 between 1900 and 1944. Walton also refers to Joseph W. Tolbert as “Fighting Joe” and “Tireless Joe” rather than “Tieless Joe,” as the Black and Tan leader was nicknamed by his contemporaries. Because Walton produced the only book on the topic, his errors have been perpetuated in other works. See for example: Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865* (Lexington, KY: University Press of Kentucky, 2006).

¹⁴ Walton, *Black Republicans*, 164.

national conventions out of pure cynicism. It was a much easier way to appeal to northern black voters in comparison to actually passing national legislation that would be helpful to southern African Americans. Walton saw only two reasons why these southern black Republicans were willing to be party to such deception. Some were so “confused,” “unaware,” or lacking in “political sophistication” that they failed to comprehend how they were being manipulated by white Republican leaders.¹⁵ Others were willingly supportive of a status quo that they knew was harmful to African Americans. According to Walton, these “self-seeking” Republicans thus sacrificed the interests of their own race for the prestige and increased social standing of being a delegate at national conventions, and for the meaningless power and pecuniary rewards that controlling federal patronage provided.

These studies all suffer from the same flaws. First and foremost, they ignore the voices of Black and Tan Republicans themselves. They fail to utilize interviews of party leaders, or of the lower class or older African Americans who supported Joseph Tolbert. Among them were numerous African Americans “doorkeeper[s], elevator m[en], porter[s]” in federal offices around the state who, as Charleston Lily-White Republican Sigfrid L. Blomgren disgruntledly noted, regarded Tolbert with “tremendous respect.”¹⁶ Instead, they base their works on the views of contemporary critics of Black and Tans, the great majority of whom were white southerners—either Democratic opponents or members of the rival Lily-White Republican faction—who were intent on driving out of southern politics altogether the very few African Americans who still remained.¹⁷ Rather than probing or contextualizing these criticisms, these scholars simply accepted

¹⁵ Walton, 139.

¹⁶ Letter from S. L. Blomgren to Marcus Bloom, December 15, 1922, John D. E. Meyer Papers, South Carolina Historical Society, Charleston, South Carolina.

¹⁷ The main sources of Key, Heard and Walton were interviews conducted with black and white Republicans in the 1940s. During that decade, there were important factional battles raging in nearly all southern Republican parties. At

them as their own. As such, their studies have provided intellectual credence to views that were originally popularized by Democrats and Lily-White Republicans of the 1920s.

This dissertation takes its cues from social historians of African American history who never lose sight of the nearly impossible situation in which politically aspirational African Americans found themselves during the “nadir” of American race relations.¹⁸ As Paul Lewinson argued as early as 1932, considering the context of the Jim Crow South and the expectation of the national party leaders, “construing [Black and Tan Republicans’] job as one of getting out the vote is [...] misguided, and unfair.”¹⁹ The extensive subsequent literature on the hardship and severe limitations that Jim Crow imposed on Africans Americans and their political allies has further reinforced the idea that the Republican party in the Deep South could not have possibly functioned as a regular political party.²⁰ From this perspective, it is hardly surprising that Black and Tan

that time, the case of South Carolina was representative of these factional conflicts. On one side was the new guard, led by former white Democrats predominantly of the urban managerial class who resented the New Deal, and some prominent African American leaders like Modjeska Simkins or Cassandra Maxwell. On the other side was the old guard, composed of a handful of lifelong white Republicans like Tolbert and many older African Americans like I. S. Leevy. Heard and Key almost exclusively interviewed individuals who belonged to the new guard. Unsurprisingly, nearly all of these leaders, black and white, indicted the older party leadership they sought to replace. In order to do so, they used the Reconstruction-era stereotypes of Republican corruption and incompetence, stereotypes that had been aggressively revived in the 1920s. See Chapter 5 and 6 for more on how and why these stereotypes were revived.

¹⁸ Paul Lewinson, *Race, Class and Party: A History of Negro Suffrage and White Politics in the South* (New York, NY: Oxford University Press, 1932); Neil R. McMillen, *Dark Journey: Black Mississippians in the Age of Jim Crow* (Urbana, IL: University of Illinois Press, 1990).

¹⁹ Lewinson, *Race, Class and Party*, 129.

²⁰ For some of the best works on African Americans in the Jim Crow era that include discussions on South Carolina, see: Newby, *Black Carolinians*; McMillen, *Dark Journey*; William Fitzhugh Brundage, *Under Sentence of Death: Lynching in the South* (Chapel Hill, NC: University of North Carolina Press, 1997); Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill, NC: University of North Carolina Press, 2003); Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York, NY: Oxford University Press, 2004); Lau, *Democracy Rising*; W. Lewis Burke, “Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War,” *South Carolina Law Review* 57 (2006): 859–88; Nikki L. M. Brown and Barry M. Stentiford, eds., *The Jim Crow Encyclopedia: Greenwood Milestones in African American History* (Westport, CT: Greenwood Publishing Group, 2008); Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York, NY: Basic Books, 2009); Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York, NY: Knopf, 1998); R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South*,

Republicans were weak electorally, or that the leaders of these state parties spent most of their energies getting elected to national conventions and brokering federal patronage. This was the result of broader constraints and forces ultimately beyond their control.

What bears scrutiny is why the few African Americans who were able to obtain the franchise in Jim Crow South Carolina remained so loyal to the party. One reason was that, contrary to Key, Heard, and Walton's depiction of patronage as inconsequential, the practice was an extremely serious matter whose implications went far beyond the office holders themselves.²¹ Patronage could serve as rare means of socio-economic advancement for significant numbers of African Americans. In addition, refereeing patronage disputes provided them with a kind of political power that was rare, if not unique, in the Jim Crow era. As Neil McMillen has argued, the Republican party enabled southern African Americans to nurture a fragile black political tradition, and provided some black Republicans with "places of leadership and status among their own people, channels of communications with the larger Afro-American community, and useful ties with prominent white leaders and public officials."²²

1890-1908 (Baton Rouge, LA: Louisiana State University Press, 2010); Terence Finnegan, *A Deed So Accursed: Lynching in Mississippi and South Carolina, 1881-1940* (Charlottesville, VA: University of Virginia Press, 2013); W. Lewis Burke, *All for Civil Rights: African American Lawyers in South Carolina, 1868-1968* (Athens, GA: University of Georgia Press, 2017).

²¹ Willard B. Gatewood, "William D. Crum: A Negro in Politics," *The Journal of Negro History* 53, no. 4 (1968): 301-20; Willard B. Gatewood, "Theodore Roosevelt and Southern Republicans: The Case of South Carolina, 1901-1904," *The South Carolina Historical Magazine* 70, no. 4 (1969): 251-66; David J. Ginzl, "Herbert Hoover and Republican Patronage Politics in the South, 1928-1932." (Syracuse University, 1977); David J. Ginzl, "Patronage, Rape, and Politics: Georgia Republicans During the Hoover Administration," *The Georgia Historical Quarterly* 64, no. 3 (1980): 280-93; Paul D. Casdorph, *Republicans, Negroes, and Progressives in the South, 1912-1916* (Tuscaloosa, AL: University of Alabama Press, 1981); David J. Ginzl, "The Politics of Patronage: Florida Republicans During the Hoover Administration," *The Florida Historical Quarterly* 61, no. 1 (1982): 1-19; Donald J. Lisio, *Hoover, Blacks, & Lily-Whites: A Study of Southern Strategies* (Chapel Hill, NC: University of North Carolina Press, 1985); Gregory Mixon, "The Making of a Black Political Boss: Henry A. Rucker, 1897-1904," *The Georgia Historical Quarterly* 89, no. 4 (2005): 485-504; Eric S. Yellin, *Racism in the Nation's Service: Government Workers and the Color Line in Woodrow Wilson's America* (Chapel Hill, NC: University of North Carolina Press, 2013).

²² Robert Jefferson Norrell, *Up from History: The Life of Booker T. Washington* (Cambridge, MA: Harvard University Press, 2009).

Also central to understanding Black and Tan Republicanism is to know why some whites in South Carolina, like Joseph W. Tolbert or Frederick Redfern, decided to associate with factions composed predominantly of African Americans. This dissertation builds on the work of scholars like Samuel Webb who have taken white Republicanism seriously and have traced the various ideological stands that led southerners to take such a controversial position.²³ Webb shows that while access to patronage was part of the rewards of Republicanism for whites, it was rarely, if ever, the primary reason for their political alignment. Accepting the simplistic yet enduring depiction of white Black and Tan leaders like Joseph W. Tolbert as merely self-interested political hacks exploiting easily corruptible African Americans not only parrots a white supremacist argument, it also overlooks the constant perils and consequences of a such stance. The violence that the Tolberts suffered in the Phoenix riot of 1898 and the social ostracism they faced for their entire lives was a high price to pay to secure government employment that they could have pursued violence-free and with more ease through the Democratic Party.

To recover the history of Black and Tan Republicans is also to recover the history of pioneering African American politicians in the Deep South—men such as Aaron P. Prioleau, Dr. J. H. Goodwin, or Nathaniel J. Frederick. In the first two decades of the 20th century, Prioleau became the Deep South's most famous perennial Republican congressional candidate. By systematically challenging election results before Congress for nearly twenty years, Prioleau put Jim Crow on the defensive and forced the nation to reckon biennially with the blatant electoral fraud that plagued southern elections. Dr. Goodwin, a physician and civic leader in Columbia, was one of the most powerful black politicians in the party. Representative of the older and generally more conservative Republicans in the party, Goodwin was a leader of the state delegation in every

²³ Webb, *Two-Party Politics in the One-Party South*.

Republican National Convention between 1912 and 1928. Serving as vice-chairman and party treasurer, he had tremendous influence over party affairs and the distribution of federal offices. Nathaniel Frederick, one of South Carolina's leading black attorneys and an important NAACP leader, was more representative of the aggressive militancy of the younger and well-educated African Americans of the 1920s. Late in that decade, he tried to unseat Joseph W. Tolbert, the party's chairman and national committeeman, in an ambitious effort to reform the party into a militant organization dedicated to the expansion of black political rights. The clash between Frederick and Tolbert demonstrate that factional disputes among Republicans were not simply about grubby matters of patronage or mere representation at Republican National Conventions. Some were about strategic or ideological tensions. While some Republicans were content to stay within the confines of what the national party expected from them, others wanted to and did go far beyond it. The party contended with both conservative and radical impulses, with a desire to both preserve and expand blacks' political rights.

In recovering the political militancy of South Carolina's Black and Tan Republicans, this study expands on recent scholarship that challenges the notion that the first decade of the 20th century was an "age of accomodationism" that was devoid of black political activism. Robert Norrell's revisionist biography of Booker T. Washington is a good example.²⁴ While publicly advocating for self-help and racial uplift, for educational and economic rather than political progress, Washington was also secretly working toward political advancement. In fact, like South Carolina Republicans, he helped pioneer the legal strategy that would later define the NAACP. Similarly, Shawn Leigh Alexander and Susan Carle show how the activism and agitation of Booker T. Washington and organizations such as the Afro-American League and the Afro-American

²⁴ Norrell, *Up from History*.

Council at the turn of the 20th century influenced the manner in which the NAACP would later operate.²⁵

Finally, this study also contributes to our understanding of the important political realignment that took place in the South from the early 1930s to the 1990s, when most African Americans came to support the Democratic Party and a majority of whites moved to the Republican Party. By highlighting the long process through which southern African Americans came to feel alienated from the Republican Party, it concurs with Glenda Gilmore's assertion that this realignment did not happen suddenly, but rather was the result of long-term developments.²⁶ This dissertation also follows the lead of a number of scholars who have demonstrated the critical importance of state-level politics in this realignment.²⁷ It shows that African Americans stayed in the state Republican Party long after some of them began supporting the national Democratic Party in presidential elections. This was not due merely to the memory of Abraham Lincoln or Frederick Douglass or a historical distrust of Democrats. It was also based on strategic concerns, for as late as the 1940s, the state Republican Party was still the only party that African Americans could join, and still one of the best conduits for black mobilization.

²⁵ Shawn Leigh Alexander, *An Army of Lions: The Civil Rights Struggle Before the NAACP* (Philadelphia, PA: University of Pennsylvania Press, 2011); Susan D. Carle, *Defining the Struggle: National Racial Justice Organizing, 1880-1915* (New York, NY: Oxford University Press, 2013).

²⁶ Jane Elizabeth Dailey, Glenda Elizabeth Gilmore, and Bryant Simon, eds., *Jumpin' Jim Crow: Southern Politics from Civil War to Civil Rights* (Princeton, NJ: Princeton University Press, 2000), 219–21.

²⁷ Rick Perlstein, *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus* (New York, NY: Hill & Wang, 2001); Matthew D Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution* (Princeton, NJ: Princeton University Press, 2007); Kevin Michael Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2007).

Source Description

Scholarship on the South Carolina Black and Tan Republican Party has been lacking in large part because sources have been so scarce. There are no party papers for this time period. Very few members of the party kept papers that have been available to researchers. The few collections that remain are usually very small. The voices of some state Republican leaders can be gleaned from the papers of their most famous correspondents, such as national Republican leaders or nationally prominent African Americans. The vast majority of these letters, however, relate to matters of patronage or national conventions, and do not provide much information about the other activities of the party.

This dissertation draws from congressional and government documents, and from the records of organizations such as the NAACP. The most important sources for this dissertation, however, come from over 100 newspapers, a great number of which were African American newspapers. While the majority of these newspapers have been previously available on microfilm, the digitization of these sources has transformed the manner in which they can be used. No longer confined to searching by dates, these papers can be easily mined for particular individuals and important events such as conventions and elections. It has made possible the documentation of little known yet influential Republicans such as Aaron P. Prioleau. In addition, the recent digitization of African American newspapers, such as the *Palmetto Leader* has brought alive the voices of African American activists and politicians that before now had been lost to history. The sheer number of digitized newspapers allows for a level of cross referencing for accuracy that would previously have been impossible. One simple but important example involves the Tolbert family. Numerous scholars have often confused Joseph A. Tolbert, a Republican who served as federal attorney in the 1920s, with his uncle Joseph. W. Tolbert, who was chairman and national

committeeman of the party at the time. These are differences that matter in any account of Black and Tan Republicanism, and thanks to new access to digital sources this dissertation corrects a number of factual errors.²⁸

Chapter Description

Chapter 1 explores the transformation of the Republican Party in late nineteenth and early twentieth century South Carolina. The establishment of the one-party system condemned the South Carolina Republican Party to electoral impotence. The Tolberts, a prominent white family from Abbeville County South Carolina, emerged as key Republican leaders from the end of Reconstruction to the infamous 1898 Phoenix Riot. African Americans and their white Republican allies faced extreme repression. It is a reminder that there was nothing natural or foreordained in the rise of the one-party system in the South. Instead, keeping the South “solid” required constant vigilance, and incessant social, economic, and political terrorism.

In addition, this chapter examines the motives that led some whites to stay in the party after Reconstruction. The Tolberts’ Republicanism was rooted primarily in their belief in freedom and democracy. Their fight for black suffrage grew out of their commitment to the party and was not rooted in a life-long belief in racial equality. They associated with Republicans who happened to be black, not the other way around. But while they never advocated “social equality,” they rejected the notion that black suffrage would ever threaten whites or lead to “negro domination.” Turning

²⁸ See for example: Lau, *Democracy Rising*; Finnegan, *A Deed So Accursed*. Alternatively, black Republican Jacob Moorer is sometimes described as an NAACP-selected and well-respected black lawyer in the Pink Franklin case of 1910, while in fact, the NAACP was trying to oust him because they deemed him not respectable enough and too incompetent to handle the case. See: Gloria J. Browne-Marshall, *The Voting Rights War: The NAACP and the Ongoing Struggle for Justice* (Lanham, MD: Rowman & Littlefield, 2017). Also, Thomas E. Miller was not the Republican leader in the 1910s and 1920s that Janet Hudson portrayed him to be. In fact, by then, the former Republican congressman had become one of the most vocal critic of the state organization. Janet Hudson, *Entangled by White Supremacy: Reform in World War I-Era South Carolina* (Lexington, KY: University Press of Kentucky, 2009).

white supremacist ideology on its head, they saw the inherent superiority of the white race as a sufficient safeguard against such threats. They thus refused to sacrifice true democracy, the benefits of a two-party system, and their own freedom of speech and thought on the altar of this imaginary threat. Contrary to most black Republicans, these white Republicans saw the one-party system as more of a partisan than a racial coup.

The second and third chapters discuss the party's activities in the first two decades of the twentieth century. Given that running candidates was hopeless and a waste of resources, most state party leaders turned their energy to patronage. For the few upper-class African Americans in the party who could aspire to high-ranking positions, federal employment provided a path to economic stability in an extremely difficult time. For African Americans in general, patronage was also important, for it served as a symbolic barometer of their status in a white-dominated society. In parallel to these efforts, a group of black Republicans launched what was South Carolina's most important effort against disfranchisement of the time. These African Americans, while certainly better off than most black South Carolinians, did not have the social standing necessary to obtain decent federal employment through the party. Instead, they saw the South Carolina Republican Party as the best, if not the only, path through which they could reclaim their political rights. They did so by running for congressional offices, and systematically challenging their results before Congress. In this period, these South Carolina Republicans contested more elections before Congress than all other states of the Deep South combined.

Chapter 2 explains why African American political rights activists adopted this strategy and how they deployed it. Chapter 3 discusses the major obstacles that forced Republicans to abandon these tactics. In 1910, black Republican attorney Jacob Moorer found a way to bring before the U.S. Supreme Court the argument that he had developed while defending Republican

candidates in their contests of the first decade of the twentieth century. But the Court refused to consider it, arguing that it was matter of congressional authority. In response, Republicans prepared their most ambitious contest for the election of 1910. At this very time, however, political developments made Congress an even less hospitable place for such contests than it had been earlier. Republican Party leaders, in hopes of attracting white voters in the South, were rapidly withdrawing their support for the kind of legislation on which South Carolina Republicans election contest were partly built. But the most devastating turn of events for Black Republicans occurred when Democrats captured Congress for the first time since 1894. They would hold a majority for the entire decade. In such a hostile environment, Republicans quickly realized that they stood no chance, and grudgingly abandoned such a strategy. Despite their failure, these Republicans helped advance the idea that political rights were critical to meaningful racial progress. Just as the Republican Party ceased to be a promising avenue for political rights activism, other avenues opened up, such as the NAACP. In large part, this was the result of World War I, which sparked black activism in the South and the nation. Republican activists were at the root of many of these new organizations. In 1917, they helped found the first branch of the NAACP in South Carolina and played an important role in making black suffrage a top priority for the new organization. While some militant Black Republicans left the party, most joined these new organizations while also remaining active Republicans. However, they reconfigured their expectations for the state party.

As chapter 4 shows, the state Republican organization in the 1920s came to play the role that its conservative, patronage oriented-wing had envisioned in the first two decades of the 20th century. While whites could still aspire to the best federal offices, African Americans could only obtain menial positions in federal buildings. By wielding power over federal appointments,

however, African Americans could elevate racially progressive whites in critical positions such as U.S. marshal. In a decade marked by racial tensions and diminished economic opportunities for many African Americans, these were no small matters. This chapter also analyzes the conservative stance of Black Republicans in the 1920s. Their position was rooted in fears that within the current political context, aggressive activism would most likely backfire and lead to the eradication of black participation in Southern politics. Instead, they saw their primary role as keeping the party under African American control until the political landscape become more conducive to militant endeavors. Finally, the chapter demonstrates that the party was the largest and most democratic bi-racial organization in the state. Using the example of white Republican Joseph A. Tolbert, an attorney who assisted the NAACP-led registration drive in Greenville in the late 1930s, this chapter shows that the bi-racial exchanges and cooperation that took place in the party not only sensitized whites to the problem of disfranchisement, but it also incentivized them to take action against it.

Chapter 5 and 6 chart the demise of the Black and Tan Republican organization in South Carolina. Chapter 5 analyzes how and why, in the first part of the 1920s, Southern Republicanism became a national issue. Prior to that decade, most Americans saw Republican misfortunes in the South as the logical result of systemic racism and disfranchisement. However, over the course of the first seven years of the 1920s, Democrats, Lily-White Republicans, and national African American leaders, all pursuing their own agenda, revived old Reconstruction stereotypes of corruption and incompetence to attack the Republican Party leadership in states such as South Carolina. This constant torrent of accusations, combined with the shock of the Teapot Dome Scandal, led a majority of Americans to believe that southern Republican corruption, particularly in South Carolina, threatened the very fabric of the nation. This, in turn, lead them to conclude that

the weakness of the Republican Party in states such as South Carolina must be one of leadership, and thus could be solved.

Chapter 6 describes the attempt of the African American lawyer and activist Nathaniel J. Frederick to transform the Republican Party in the late 1920s into a militant organization dedicated to the expansion of black political and civil rights. It shows how state African American leaders like Frederick, just like the national leaders discussed in chapter 5, were feeling increasingly alienated by both the reticence of national party leaders to defend black interests and by the conservatism of the state party. But contrary to their northern counterparts, activists like Frederick had little institutional means to foster political activism outside of the Republican Party. At the time, the local NAACP chapters that remained active were extremely weak and disorganized. This was largely the result of a violent white backlash to World War I black militancy and the death of Butler Nance in 1923, the NAACP's most important founding leader in South Carolina. In contrast, the Republican Party, while weak, had more members, more financial means, and had an organizational structure that reached far beyond that of the crumbling NAACP. Thus, Frederick, like Republican election contestants of the early 20th century, saw the Republican Party as the best conduit for his militancy.

In his attempt to oust the current party leadership, Frederick repeated the accusations leveled against the Black and Tan leadership earlier in the decade. Because of his status as a leading black Republican from South Carolina, Frederick lent tremendous credibility to such charges. This contributed to two outcomes. First, young African American activists refused to associate with the Black and Tan Party and pursued other avenues of activism instead. Secondly, it strengthened President Hoover's resolve to replace the state leadership in South Carolina. While Tolbert's organization would survive the loss of its credentials at the 1932 Republican national convention,

it never recovered its former strength. As described in the epilogue, Black and Tan Republicanism resurfaced in the 1940s, albeit in a milder form, before fading for good in the 1950s.

Chapter 1
Making South Carolina “Solid”: The Tolbert Family, White Republicanism, and White Supremacy in South Carolina, 1876-1900

On Thursday November 10, 1898, in a penitentiary cell in Columbia, SC, Joseph W. Tolbert was at his father’s bedside. The night before, Joseph and his father John Robert had escaped Abbeville County, where “white cappers” had made attempts on their lives. While Joseph was unharmed, John had been shot several times, and was now covered in bandages. Considering the situation, Dr. Taylor, John’s classmate at the South Carolina College, was allowed in the penitentiary. After dressing the wounds and evaluating the condition of John Robert, he reported to the authorities that John needed some good rest, but that his life was not in danger. Meanwhile, Joseph’s brother, Robert Red, was in Washington, D.C. Robert had also taken advantage of the cover of the night to flee and cautiously made his way to the nation’s capital. There he hoped to convince the President to use federal resources to restore order in Abbeville County.

While forced into exile, the Tolberts were nevertheless lucky to have escaped alive. At least ten African Americans were lynched by a white mob in Abbeville County by the time the Tolberts fled. This racial violence had erupted on Election Day, Tuesday, November 8, 1898, at the polling station of Phoenix, South Carolina, in the Third Congressional District. There, Republicans had decided to run a candidate, Robert Red Tolbert, in an effort to challenge South Carolina’s 1896 constitution and the disfranchisement of African Americans. Perceiving this electoral challenge as a direct attack on white supremacy, the white community of Abbeville repressed this threat with a murderous campaign of terror. Taking place two years after the enactment of the new South Carolina constitution, the Phoenix riot marked the symbolic birth of a “solid” South Carolina.

This chapter describes the decline of the state Republican Party in South Carolina and the rise of the one-party system. It tells this story by following the Tolberts, an influential white Republican family from South Carolina, from the end of Reconstruction to the Phoenix riot of 1898. It demonstrates that there was nothing natural or inevitable in the emergence of the one-party system in South Carolina. As the Tolbert's story reminds us, making South Carolina "solid" for the Democrats required constant political and social terrorism, against both African Americans and their white Republican political allies. Placing a white Republican family at the center of the narrative also illustrates that the white South was not a monolith in post-Reconstruction America. And it offers a window to analyze what prompted some whites to associate with the Republican Party, and to risk their lives in the defense of black suffrage

In the Tolberts' case, their Republicanism was primarily rooted in a life-long commitment to democracy and freedom, not in racial justice and equality. In fact, they shared many of the racial prejudices of white Democrats, and were firm believers that whites were inherently superior to African Americans. But they firmly opposed white Democrats' notion that black suffrage was a fundamental threat to white supremacy and would inevitably lead to "Negro domination." To them, the imposition of the one-party system was unnecessary for whites' inherent superiority and was in itself sufficient to dodge such threats. They saw the establishment of a one-party system as first and foremost a partisan coup dressed in racial garb. As such, they supported black suffrage, and even risked their lives for it, because it was the best means to ensure the electoral viability of their party and that of a two-party system in the state. In other words, they initially came to help African Americans because they were fellow Republicans. Ultimately, the Tolberts stayed in the Republican Party after Reconstruction because they refused to sacrifice democracy, the benefits of a two-party system, or their freedom of speech and thought on the altar of an imaginary threat.

This is why when Robert Red denounced to a reporter the violence that he, a white man, faced because of his own political beliefs, he exclaimed: “Good God Almighty! And this is what they called white supremacy!”¹ For the Tolberts and many other white Republicans, white supremacy rang hollow if it meant surrendering supremacy over one’s own political beliefs and free will.

Meet the Tolberts

The Tolbert family was in many ways a typical white family from upcountry South Carolina. The patriarch, John Robert Tolbert (1834-1918) and his wife Elizabeth Pope Payne (1839-1872) were devout Christians, and raised their children, Thomas Payne (1859-1940), Robert Red (1860-1937), and Joseph Warren (1865-1946), within the Presbyterian religion.² Like the majority of their fellow white South Carolinians, the Tolberts could also trace their lineage to the British Isles. The Tolberts were among the first families to settle in Abbeville County. John Robert’s grandfather, Robert Tolbert (1765-1843), had immigrated to South Carolina from Northern Ireland in the late 18th century and settled in the Abbeville district.³ Over the course of the 19th century, he and his son Robert Red Tolbert (1808-1866) acquired a number of tracts of land around Ninety Six and Greenwood. John inherited this land, and even added to it.⁴ Like most

¹ “Talk with Red Tolbert,” *Yorkville Enquirer*, November 16, 1898.

² The Tolberts have been involved with several other religious denominations. John’s mother was a practicing Baptist, both John and his wife Elizabeth are buried in the Rehoboth United Methodist Church cemetery, a church to which the family contributed both money and land, and Joseph W. Tolbert married a family with a long Lutheran history.

³ Joseph Warren Tolbert, *The Story of Old Star Fort at Ninety Six, Greenwood Co., South Carolina* (Greenwood County, SC: J.W. Tolbert, 1921).

⁴ In fact, even though it is not used for agriculture anymore, most of the land stayed in the family well into the 2000s.

other white families, the Tolberts' economic ventures were related to agriculture, mainly cotton growing.

The Tolberts, however, were wealthier than most white families of Upcountry South Carolina. Prior to the war, John owned at least 30 slaves.⁵ The family owned several thousand acres of land in Abbeville and Edgefield and were among the affluent planters. John's sons Thomas, Robert, and Joseph would even add considerably to these acres, believing that it was better to have sorry land than sorry neighbors.⁶ The Tolberts were also very well educated for their time. John graduated from South Carolina College (today the University of South Carolina) in 1855 and was widely recognized as an erudite capable of "dramatic eloquence" in "pure . . . English."⁷ Perhaps because of the controversy in which his alma mater was engulfed in the immediate aftermath of Reconstruction, John decided to send Joseph and his brothers to Adger College, a Presbyterian classical college established in 1877 in Walhalla, SC.⁸

⁵ The Tolberts owned at least 30 slaves prior to the Civil War. Federal Census of 1860, Abbeville, South Carolina; Federal Census of 1880, Oconee, South Carolina; Federal Census of 1900, Greenwood, South Carolina; According to the data from the census, the Tolberts ranked within the top 13% in terms of slave ownership, and in the top 5% in terms of farm acreage of land owned.

⁶ Thomas W. Tolbert in discussion with author, April 2016; *Abbeville Press and Banner*, May 7, 1873. Thomas W. Tolbert did not get to know his grandfather Joseph Warren Tolbert personally. He obtained most of this family history through conversations with his aunt (daughter of Joseph W), Julia Elizabeth Tolbert McCall, and with his grand-mother (wife of Joseph W), Julia Elizabeth DeLoach Tolbert.

⁷ *Newberry Herald and News*, August 22, 1899.

⁸ State Board of Agriculture of South Carolina, *South Carolina, Resources and Population, Institutions and Industries* (Charleston, SC: Walker, Evans & Cogswell, 1883). Federal Census of 1880, *Oconee, South Carolina*; Adger College closed in 1887, after most of the buildings burned down. John's choice of school for his son could also have been based on religious motives. Regardless, he likely could not have sent his sons to his alma mater, South Carolina College, for it was closed from 1877 to 1880 due to "re-organization." The school closed after Hampton's elections in 1876, and the previously bi-racial school re-opened in 1880 as an all-white college. While attending Adger College, Joseph and his brothers lived for a few years at their aunt Anna's, a teacher in Walhalla, SC, who made a living by teaching and boarding students, mostly from the extended family. This shows the sort of "extended kinship network" that Orville Burton describes in: Orville Vernon Burton, *In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina* (Chapel Hill, NC: University of North Carolina Press, 1985).

It was the unconventional politics of the Tolberts that made them stand out. The young John Robert and his father Robert Red sided with the Unionists during the secessionist debate in the 1850s. The Tolberts were, of course, not the only whites to take such a position.⁹ Many whites in South Carolina, especially in the upcountry, opposed secession. A small number of them would later fight on Lincoln's side during the war. This unconventional stance led to the family's expulsion from the Damascus Baptist Church.¹⁰ Nevertheless, this strong attachment to the Union was a great source of pride for the Tolberts. In fact, John Robert made sure that posterity would remember their stance. At Robert Red's death in June 1866, he had his father's tombstone engraved with the phrase "A true patriot, he was ever true to the Union."¹¹

The Tolberts' unionist stance was even more bold and defiant considering the county they inhabited. Abbeville was one of South Carolina's secessionist hotbeds, and a county known for violence and racial tensions.¹² On November 22, 1860, in the town of Abbeville, 22 miles west of Ninety Six, a group of county and state leaders spoke to a crowd of roughly 3000 at what is now

⁹ For more on the secessionist-unionist debate in the South, see: Lillian Adele Kibler, *Benjamin F. Perry, South Carolina Unionist* (Durham, NC: Duke University Press, 1946); Steven A Channing, *Crisis of Fear: Secession in South Carolina* (New York, NY: Simon and Schuster, 1970); Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York, NY: Harper & Row, 1988); Manisha Sinha, *The Counterrevolution of Slavery: Politics and Ideology in Antebellum South Carolina* (Chapel Hill, NC: University of North Carolina Press, 2000); James Alex Baggett, *The Scalawags: Southern Dissenters in the Civil War and Reconstruction* (Baton Rouge, LA: Louisiana State University Press, 2004); Hyman Rubin, *South Carolina Scalawags* (Columbia, SC: University of South Carolina Press, 2006).

¹⁰ H. Leon Prather Sr, "The Origins of the Phoenix Racial Massacre of 1898," in *Developing Dixie: Modernization in a Traditional Society*, ed. Winfred B. Moore, Joseph F. Tripp, and Lyon G. Tyler (Westport, CT: Greenwood Press, 1988), 60.

¹¹ Robert Red Tolbert's grave can be found in the small graveyard behind Rehoboth Church in Greenwood, South Carolina.

¹² The Tolberts lived in the portion of Abbeville County that became Greenwood County in 1897. Greenwood County was carved from parts of two counties, Edgefield and Abbeville.

known as Secession Hill.¹³ While some of the leaders advised for a coordinated action with other states, the meeting ended up adopting immediate secession resolutions, a full month before the Palmetto State did.¹⁴ Perhaps fittingly, it is within 30 miles of John Robert's farm, at Armistead Burt House, that Confederate President Jefferson Davis reluctantly agreed to dissolve the Confederacy. A week after making the decision in Abbeville, Davis was captured by Union forces. The War had symbolically started and ended in Abbeville, South Carolina.

Like many other Unionists in South Carolina, however, the Tolberts' sense of duty to their community and state led Robert Red's four sons to fight for the Confederacy. John Robert answered Wade Hampton III's call and joined "Hampton's Legion."¹⁵ Hampton was an apt leader for the Tolberts. First, the Tolberts and the Hamptons knew each other, as they both owned neighboring tracts of land in the mountainous city of Cashier, NC, where both families liked to escape the summer heat. One of the houses in which the Tolberts spent countless summers is preserved today and known as the Zachary-Taylor House.¹⁶ Additionally, while not as outspoken for the Union as the Tolberts, Hampton had also expressed misgivings about the idea of secession. Conservative politically, Hampton thought that while legal, seceding from the union was too brash and radical. It would not only break the American experiment in self-government, but also would surely create political turmoil, unrest and possibly war. He believed that the tensions with the

¹³ Charles Edward Cauthen, *South Carolina Goes to War, 1860-1865*, Southern Classics Series (Chapel Hill, NC: University of North Carolina Press, 1950), 61–62; Frank H. Gille and Nancy Capace, eds., *Encyclopedia of South Carolina*, vol. I (St. Clair Shores, MI: Somerset Publishers, Inc., 2000), 153–54.

¹⁴ *Abbeville Press*, November 23, 1860.

¹⁵ *Abbeville Press and Banner*, October 25, 1876; James Terry White, *The National Cyclopaedia of American Biography* (Clifton, NJ: J.T. White, 1904), 562. Some sources claim he reached the level of captain.

¹⁶ Thomas W. Tolbert in discussion with author, April 2016; For more on the Tolberts' house in Cashier, NC, see "Zachary-Tolbert House," National Park Service, <http://www.blueridgeheritage.com/attractions-destinations/zachary-tolbert-house> (accessed March 10, 2018).

federal government over the question of slavery could only be solved politically, through conciliation, compromise, and moderation.¹⁷ Contrary to most southerners, the war ended relatively well for Robert Red and the Tolbert family. While death in combat destroyed countless southern families, John Robert and his brothers returned home alive and unharmed. And while the Union Army devastated much of the southern landscape, the land and properties owned by the Tolberts were for the most part untouched.

John Tolbert continued the family tradition of unorthodox politics. In the tumultuous years following the end of the Civil War, he decided to cast his lot with the Republican Party.¹⁸ Like many other whites who had opposed secession, the Tolberts blamed the antebellum low country Democratic elites for the war and the devastation that it caused.¹⁹ As Carl Degler suggests, perhaps the Tolberts were more interested in punishing secessionists than in promoting black opportunities.²⁰ Yet, in Reconstruction South Carolina, one could not go without the other. As Hyman S. Rubin argues, this distrust of the previous secessionist political elite led white Republicans to call for a new political course. They wanted to move away from the extremist and reactionary politics of the antebellum South.²¹ They wanted to replace the oligarchic politics of the antebellum with a more democratic, progressive, and moderate approach.

¹⁷ Robert Kilgo Ackerman, *Wade Hampton III* (Columbia, SC: University of South Carolina Press, 2007); Rod Andrew, *Wade Hampton: Confederate Warrior to Southern Redeemer* (Chapel Hill, NC: University of North Carolina Press, 2009); Edward G. Longacre, *Gentleman and Soldier: A Biography of Wade Hampton III* (Lincoln, NE: University of Nebraska Press, 2009).

¹⁸ South Carolina in 1876: Testimony as to the Denial of the Elective Franchise in South Carolina at the Elections of 1875 and 1876, Taken Under the Resolution of the Senate of December 5, 1876, Volume II (Washington, DC: Government Printing Office, 1877), 86-93.

¹⁹ "Rads on the Stump," *Abbeville Press and Banner*, October 25, 1876.

²⁰ Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (Lebanon, NH: University Press of New England, 1974), 231.

²¹ Rubin, *South Carolina Scalawags*.

For white Republicans like the Tolberts, this required moving away from inflammatory racial rhetoric, and embracing the idea that the two races could cooperate peacefully in politics. It did not necessarily imply accepting African Americans as equals and rejecting the idea of white supremacy. John Robert's son Thomas, for example, called on native whites to join the party because he thought that there was not "enough virtue and intelligence among the blacks to conduct the government in such a way as will promote peace and prosperity."²² But these efforts largely failed, because the majority of whites "wouldn't go with us."²³ Thus, they had the "manhood" to recognize that they could only "express their [political] convictions" by working "shoulder to shoulder" with African Americans, and recognizing and respecting African Americans' new status as citizens and voters.²⁴ Because this alliance was rooted in political convenience rather than in a firm belief in African Americans' political and social equality, white Republicans like the Tolberts were never fully trusted by African Americans. In fact, racial tensions persistently flared up in the party, well into the 20th century.

For John Tolbert, joining the Republican Party was also a way of demonstrating his independence and freedom of thought, and his belief in free speech. As he defiantly told a reporter inquiring about his Republicanism, "I think for myself, young man, and I generally do pretty much what I d__d please."²⁵ Tolbert was not afraid of going against the grain when he believed in a cause, and resented the close-mindedness, ignorance, and intolerance of his fellow white South Carolinians. When heckled by a group of white Democrats in 1880, an unfazed John exclaimed:

²² Letter from Thomas N. Tolbert to Robert Kingston Scott, January 12, 1871, Governor Robert K. Scott Papers, South Carolina Department of Archives and History, Columbia, South Carolina.

²³ "Rads on the Stump," *Abbeville Press and Banner*, October 25, 1876.

²⁴ *Ibid.*

²⁵ *Newberry Herald and News*, August 22, 1899.

“My hide is as thick as a rhinoceros.”²⁶ Even though southern whites prized conformity in terms of political affiliation, the fact that the Tolberts were “defiant in every lineament” and their commitment to stay true to their principles regardless of the cost resonated with a conception of manhood that many southern whites shared.²⁷ As John told a crowd during his campaign speech of 1876, “Democrats hated Republicans because they had the manhood to express their convictions.”²⁸ As a result, as hated as John was and later his three sons would become, they were occasionally described with admiration for their unwavering commitment to a cause, or as a reporter put it, their “superhuman will power.”²⁹

In the two decades following the Civil War, John Robert became a leader in the county and state Republican Party. He capitalized on the fact that he was well known in the community. He was involved in various improvement projects around Ninety Six, invested in a private company chartered for railroad expansion in South Carolina, and served as chairman of the board of county commissioners in Abbeville.³⁰ John was elected to the South Carolina legislature as a Republican in 1872, and attended either as an observer or as a delegate nearly all Republican state and national conventions between 1872 and the 1890s.³¹ He also ran as Republican gubernatorial candidate

²⁶ *Abbeville Press and Banner*, September 1, 1880.

²⁷ *Columbia State*, November 11, 1898.

²⁸ *Abbeville Press and Banner*, October 25, 1876.

²⁹ “Slew Eight in South Carolina,” *Columbia State*, November 11, 1898. See also: *Newberry Herald and News*, August 22, 1899.

³⁰ *Abbeville Press and Banner*, November 16, 1871; *Abbeville Press and Banner*, May 29, 1872; *Anderson Intelligencer*, August 21, 1873; *Anderson Intelligencer*, October 29, 1874; *Columbia Daily Phoenix*, October 30, 1874; *Acts and Joint Resolutions of the General Assembly of the State of South Carolina Passed at the Special Session of 1873 and Regular Session of 1874* (Columbia, SC: Republican Printing Company, 1874), 636–38.

³¹ *Charleston Daily News*, October 21, 1872; White, *The National Cyclopaedia of American Biography*, 562.

Daniel H. Chamberlain's state superintendent of education in 1876.³² He subsequently ran for the U.S. Congress in South Carolina's Third District in 1890, 1892, and lost in the primary in 1894.³³

John made sure his political values, along with his Republicanism, were passed on to his sons Thomas, Robert Red, and Joseph. He routinely brought his sons to political meetings, and occasionally required their help for campaigning or organization duties. At national conventions, John would make sure to introduce his sons to party leaders. Thus, Thomas, Robert Red and Joseph did not choose the Republican Party as much as they were born into it. John made clear to them that allegiance to the GOP in the Tolbert family was more than just politics, it was a matter of honor and filial duty.

The Tolbert brothers learned about the perks of being a leader like their father in the South Carolina Republican Party. Besides the notoriety, the trips to national conventions, the courting from Republican presidential hopefuls, and access to the center of power in Washington, there were also other tangible benefits. When a Republican occupied the White House, Republicanism could also yield important federal offices, from postmaster to district attorney, and from U.S. marshal to collector of revenue. While African Americans obtained some important positions, the vast majority of these positions went to white Republicans, like John Tolbert. Patronage and federal offices were not, as Democrats often derided, the primary objectives of whites who joined the Republican Party. It was, however, a significant incentive to rise in the ranks, as federal offices provided Republicans with both financial rewards and increased social prestige. After a failed attempt at securing the position of U.S. marshal in South Carolina in 1889, John Robert's nearly

³² Tolbert initially won his election by a very thin margin but was ousted from office in early 1877 by the Democratic supporters of Wade Hampton. *Yorkville Enquirer*, November 23, 1876; *Weekly Union Times*, April 20, 1877.

³³ *Yorkville Enquirer*, October 1, 1890; *Newberry Herald and News*, October 3, 1894.

30 years of involvement and leadership in the GOP helped him obtain the coveted position of collector of customs at the Port of Charleston in June 1898.³⁴ And thanks to John's position in the party, the Tolbert brothers, as well as a handful of other family members, were appointed postmasters in the 1880s and 1890s.³⁵

Yet, being a Republican leader in South Carolina was rather hazardous. In an era where voting was a public matter, political affiliations had profound social and economic implications. They defined one's circle of friends, business dealings, and sometimes even marriage prospects.³⁶ It was an integral component of one's public identity. John Robert Tolbert reported that because of his Republicanism, people "who used to be friendly with me in church, and in business, and in the office" and "men that I was brought up with and went to school with" would nip any conversation in the bud by quipping "I won't speak to a Republican."³⁷ For most white southerners, Republicans were "political agitators" attempting to force "negro rule," and "social equality" down the throat of an already prostrate white South. For many white southerners, Republicans were a menace to white supremacy. White southern Republicans, or as they were called then, "scalawags," were described as "the leper of the community" because they were "possessed of the itch of office and the salt rheum of Radicalism."³⁸ Scalawags were seen by their fellow white

³⁴ *Abbeville Press and Banner*, April 3, 1889; *Edgefield Advertiser*, June 15, 1898.

³⁵ Robert Red Tolbert was appointed first in 1884, then replaced the following year after the Democrats regained the White House. He was then re-appointed in 1889, when Republican Benjamin Harrison ascended to the presidency. Joseph W. and his brother Thomas also served as postmasters in the 1890s. *Abbeville Press and Banner*, July 30, 1884; *Abbeville Press and Banner*, September 9, 1885; *Abbeville Press and Banner*, April 17, 1889; *Abbeville Press and Banner*, June 26, 1889; *Newberry Herald and News*, March 1, 1893.

³⁶ Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York, NY: Oxford University Press, 2007).

³⁷ South Carolina in 1876: Testimony as to the Denial of the Elective Franchise in South Carolina at the Elections of 1875 and 1876, Taken Under the Resolution of the Senate of December 5, 1876, Volume II (Washington, DC: Government Printing Office, 1877), 91.

³⁸ *Montgomery Daily Advertiser* (AL), August 7, 1868.

southerners as political opportunists who turned against their own race in their quest for offices and power. The Tolberts were no exception, and as the *Abbeville Press and Banner* put it, their “extremely partisan” Republicanism made them “our [white southern men] enemy.”³⁹

Criticism in the press was far from the most daunting problem facing Republicans like the Tolberts. The constant threat of violence and intimidation from paramilitary organizations associated with the Democrats such as the Ku Klux Klan, the Red Shirts, and the White League was a far more pressing concern. Unreconstructed white Democrats were willing to use violence to curtail what they perceived as “negro domination.” They committed a variety of crimes, from lynching and bombing, to ballot stuffing and poll obstruction, to economic threats and arson. Benefitting from the subtle and not so subtle support of Democratic leaders and the state judicial system, the overwhelming majority of acts of terrorism against Republicans went unpunished. In such a tense political climate, elections were often marred by violence. In 1868, a riot erupted at the Tolberts’ local polling station in Phoenix, SC, after Democrats attacked and intimidated supporters of Republican presidential candidate Ulysses Grant.⁴⁰ The riot was so violent that the legislature decided to close the poll in Phoenix until further notice. It only re-opened 30 years later, in 1898.

While the bulk of white Democrats’ violence and economic intimidation was geared toward black Republicans, white Republicans were targeted as well. The Tolberts had their houses and farms burned in suspicious ways on numerous occasions. One of these suspicious fires occurred shortly after John Robert Tolbert’s election to the legislature in 1872. While the Tolberts

³⁹ Abbeville Press and Banner. September 9, 1885; Abbeville Press and Banner, April 17, 1889.

⁴⁰ Columbia State, December 17, 1898; James Allen Hoyt, *The Phoenix Riot* (Columbia, SC: Kosmos Club, 1935), 17; Tom Henderson Wells, “The Phoenix Election Riot,” *Phylon* 31, no. 1 (1970): 58.

were attending the funeral of John Tolbert's wife Elizabeth, the entire house burned down, including \$2000 in cash.⁴¹ This would be only the first of many such incidents.⁴² In fact, the fear of arson came to be too much to bear for Thomas, who would later resort to building an unburnable house entirely made of rocks.⁴³ The Tolberts had outdone themselves. The house was completed in 1921 and although in ruins, still stands today. However, arsonists had little economic impact on the Tolberts. Contrary to many white Republicans who ended up joining the Democrats in the aftermath of Reconstruction, the Tolberts were wealthy enough to surmount these types of incidents without much difficulty. Moreover, the Tolberts were also notorious for their tall and strong physiques, and their willingness to defend themselves.⁴⁴

A Party in Disarray

In the 1880s and 1890s, Thomas, Robert and Joseph gradually ascended to positions of leadership in the county, district, and eventually state party organization. Their rise to power could appear surprising considering that in their county and congressional district, the party was composed almost exclusively of African Americans.⁴⁵ As opposed to Beaufort, Charleston, and

⁴¹ *Abbeville Press and Banner*, November 27, 1872; *Columbia Daily Phoenix*, November 28, 1872; *Edgefield Advertiser*, November 28, 1872; *Charleston Daily News*, November 29, 1872; *Abbeville Press and Banner*, December 4, 1872.

⁴² See for example: *Newberry Herald and News*, January 16, 1900; *Edgefield Advertiser*, January 17, 1900; *Walhalla Keowee Courier*, December 6, 1922.

⁴³ For more information about the Rock House, see: John Robert Young, "The Man Who Built the Rock House," *Greenwood Times: Web Magazine and City Guide*, 2012, <http://greenwoodtimes.com/content/rock-house-part-2?page=0,0> (accessed July 16, 2017).

⁴⁴ John was at least six feet tall, and his sons were also strongly built. Joseph was probably the tallest, at nearly six feet five inches.

⁴⁵ Only two whites were at the county convention of 1880. Subsequently, the number of whites increased slightly, although nearly all of them were part of the extended Tolbert family. *Abbeville Press and Banner*, September 1, 1880; *Yorkville Enquirer*, September 2, 1880; *Newberry Herald*, September 15, 1880.

other low country counties, Abbeville and most of upcountry South Carolina did not have a sizable African American population. Prominent Republican African-American leaders like Robert Smalls, William D. Crumb, and George Washington Murray were nowhere to be found in Abbeville. Instead, African American local leaders tended to be poor preachers who identified more with the masses than with the elite. This fact partly explained why the Tolberts, who were the employers of several African Americans in the area, could dominate their local party meetings despite often being the only whites in attendance.

However, the party the Tolbert brothers inherited was in profound disarray. When John Robert joined the party in the late 1860s, many white Democratic leaders were disfranchised because of their actions during the war, and Republicans controlled the state government in all five states of the Deep South. Republicans were also very successful at the congressional, county, and local levels.⁴⁶ However the successes of the GOP were short-lived. By the late 1880s, the party was no longer fielding a state ticket. It only had a handful of elected officials at the state level, and never more than one congressman in office. At the presidential level, the results were also profoundly disquieting. Whereas nearly 92 thousand South Carolinians voted for the Republican presidential candidate in 1876, only roughly 13 thousand did so in 1892. In other words, by the mid-1890s, the party was racing toward complete electoral irrelevance.

The Republican downfall started with the tumultuous and violent election of 1876. Political violence was certainly not new to South Carolina. It had sparked during nearly all electoral contests since the Civil War. However, federal troops had usually been successful in curtailing most of it so as to ensure Republicans a fair chance at winning. The problem for Republicans, however, is that despite controlling state government, they were never able to establish a military or police

⁴⁶ For an exemplary overview of Reconstruction, see: Foner, *Reconstruction*.

force in the state that could rival the Democrats paramilitary organizations. As military occupation became increasingly unpopular with the northern electorate in the mid-1870s, the federal government was by then wavering over its prolonged and costly military commitment in the South. For example, President Grant had refused to intervene in Mississippi when Democrats enacted their Mississippi Plan and “redeemed” their state in 1875. South Carolina Democrats took note of this development and prepared their own plan to oust Republicans from the state offices. Counting on the inaction of the federal government, they used violence, intimidation, and outright fraud, to claim victory by the smallest margin.⁴⁷ However, Republicans immediately challenged the results. In the meantime, Washington, D.C., was also plunged into a controversy as both Democrats and Republicans claimed victory in the presidential contest. While the national party entered long and difficult discussions over the presidential impasse in South Carolina, both sides claimed victory and established their own government. As a contemporary reported to the *Atlantic Monthly*, “[t]he violent passions of the campaign not only did not cool but became inflamed by the establishment of rival state governments.”⁴⁸ The confrontation between the “hostile races” created a “reign of terror.”⁴⁹

In the end, presidential politics and brute force made the balance tilt the Democratic way. After months of debates and discussion, a compromise was struck: Republican Rutherford Hayes would accede to the presidency in exchange for ending Reconstruction, and, more precisely, removing federal troops from the South. On April 10th at noon, the last federal troops left the

⁴⁷ The extent of the fraud committed during the election makes it impossible to truly determine the results. For example, the returns in Edgefield showed that 9,374 votes were cast, even if there were little more than 7,100 eligible voters. See: John Roy Lynch, *The Facts of Reconstruction* (Chicago, IL: Neale Publishing Company, 1913); Foner, *Reconstruction*; Rubin, *South Carolina Scalawags*, 189.

⁴⁸ “The Result in South Carolina,” *The Atlantic* XLI, no. 243 (January 1878): 1–11.

⁴⁹ *Ibid.*

former Confederate States. On that day, Republican Governor Chamberlain understood that the fate of his party was sealed. He announced that the “action of the President” made him realize that he could no longer ask Republicans to “risk all dangers and endure all hardship” for “the relief will never come.” Without federal help, the “insurrectionary forces [were] too powerful to be resisted.” Before announcing his resignation, he praised the courageous Republicans who exercised their political rights despite being “denied of employment, driven from [their] homes, robbed of the earnings of years of honest industry, hunted like wild beasts.”⁵⁰ Within a few months, a handful of other Republican elected officials, including John Tolbert, followed Chamberlain’s lead and resigned.⁵¹ As a result, by November 1877, Democrats controlled the Governor’s mansion, and both chambers of the state legislature. Thanks to brutal violence, intimidation, and outright fraud, South Carolina “Redeemers” had finally succeeded in quashing Republican rule.

Once in power, white Democrats continued to rely on intimidation and violence to prevent African-Americans from voting. In the words of a contemporary, Democrats ensured that “Negroes [were] made to understand that to cast a Republican ticket means discharge, proscription, and starvation.”⁵² Democrats used their economic influence over blacks as “employer over laborer,” and as “creditor over debtor” to manipulate recalcitrant black Republicans.⁵³ While the Tolberts remained true to their party, the violence, intimidation and public shaming was too much to bear for many other “scalawags.” James Lusk, a white Republican from Mississippi who joined

⁵⁰ Walter Allen, *Governor Chamberlain’s Administration in South Carolina: A Chapter of Reconstruction in the Southern States* (New York, NY: G.P. Putnam’s Sons, 1888), 480.

⁵¹ George Brown Tindall, *South Carolina Negroes, 1877-1900* (Columbia, SC: University of South Carolina Press, 1952).

⁵² “The Result in South Carolina,” 6.

⁵³ Ayers, *The Promise of the New South*, 40.

the Democrats in the mid-1870s, made this very clear when he explained to his Republican friend Sam Henry, an African American in charge of the local Republican club, why he felt that he had no option but to leave the GOP. “No white man can live in the South in the future and act with any other than the Democratic Party unless he is willing and prepared to live a life of social isolation and remaining political oblivion,” Lusk said.⁵⁴ He was unwilling to have his party affiliation stand in the way of his sons’ job prospects and restrict the marital options of his daughters. “The die is cast,” Luck said, “I must yield to the inevitable and surrender my convictions upon the altar of my family’s good.”⁵⁵ As a result, whites would form an even smaller portion of the Republicans than they had in previous years.⁵⁶

Even after “redeeming” their states, Democrats’ continued to rely on fraud and terrorism to keep Republicans from voting. However, the spectacle of violence at elections soon worried leaders of the Democratic Party. They realized that if the problem was not addressed, it could invite renewed federal interventions in southern elections. Additionally, the potential power that African Americans could derive from the factionalization within the Democratic Party was also a major concern to many white Democrats. Indeed, as long as African Americans could vote, politicians seeking office were likely to appeal to them if doing so could help them reach an electoral majority.

As a result, in the 1880s, the legislature in South Carolina, as in most other states of the Deep South, enacted a wave of new electoral laws.⁵⁷ The idea was to disfranchise most African

⁵⁴ Lynch, *The Facts of Reconstruction*, 121–23.

⁵⁵ *Ibid.*

⁵⁶ Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861-1877* (Chapel Hill, NC: University of North Carolina Press, 1965), 413; Rubin, *South Carolina Scalawags*.

⁵⁷ For more on the history of disfranchisement, see: J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven, CN: Yale University Press, 1974); Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill, NC: University of North Carolina Press, 2003); Glenn Feldman, *The Disfranchisement Myth: Poor Whites and Suffrage*

Americans legally, without recourse to violence. The vast majority of these new laws – poll tax, property requirements, literacy tests, tighter registration measures, lengthy residency requirements, secret ballot laws – were seemingly colorblind, and thus, constitutional. These laws were presented as a means to elevate the level of politics in the state in order to “purify” the franchise by allowing only the “intelligent and responsible” voters of proven “good character” to vote.⁵⁸ This objective appealed to a large segment of the elite across the nation, who shared the concern that poorly educated voters could jeopardize the politics of the nation. Despite this lofty elitist rhetoric, however, the manner in which the laws were applied left little doubt as to their primary objective.

Registrars and election managers were in effect granted enormous discretionary powers, which they could use to disfranchise Republicans and African Americans. A southern U.S. senator explained that this discretionary power was used exactly as it was intended, that is to “discriminate to the very extremity of permissible action under the limitation of the federal Constitution, with a view to the elimination of every negro voter who can be gotten rid of, legally, without materially impairing the numerical strength of the white electorate.”⁵⁹ Ample evidence shows that the system worked exactly as the senator had hoped: Election officials used their privilege extensively both

Restriction in Alabama (Athens, GA: University of Georgia Press, 2004); W. Lewis Burke, “Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War,” *South Carolina Law Review* 57 (2006): 859–88; Rosemunde Goode Smith, “Dying to Vote: The Negroes’ Struggle to Secure the Right to Vote in Upcountry South Carolina 1868-1898” (Morgan State University, 2008); Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York, NY: Basic Books, 2009); R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge, LA: Louisiana State University Press, 2010).

⁵⁸ “‘Killing’ the Negro Vote,” *New York Times* (NY), February 7, 1880.

⁵⁹ Carter Glass, U.S. senator from Virginia, as quote in Keyssar, *The Right to Vote*, 112.

to prevent African Americans from voting and to enable otherwise unqualified whites to cast their ballots.⁶⁰

Southern Republicans and Independents who opposed these new suffrage restrictions could count on the support of some important national allies. The northern press, while agreeing about the need to “purify” the franchise, expressed dismay at the manner in which they were enforced. The *New York Times* conceded that when “fairly and impartially applied” educational tests were “consistent with the Constitution” and a “natural method by which a community can protect itself against serious abuses and dangers.”⁶¹ But considering that Southerners were openly stating that their main purpose was to “kill the negro vote,” the laws were nothing more than a “pretense of decency and impartiality.” The *New York Times*, speaking for most northern newspapers, concluded that it required “contemptible hypocrisy” to believe that they would ever be administered fairly.⁶² Additionally, many national Republican leaders joined in the protest for partisan reasons. They believed that illegitimate methods explained the newfound Democratic strength at the national level. After more than a decade of Republican dominance, presidential and congressional elections became extremely competitive in the late 1870s and 1880s. Both parties exchanged control of both congressional chambers as well as the presidency. The Republican platform of 1888 alleged “the present Administration and the Democratic majority in Congress

⁶⁰ “South Carolina Voters: Both Sides of the Stories of Fraud,” *New York Times* (NY), November 25, 1884; Tindall, *South Carolina Negroes, 1877-1900*, 70. A Republican from Hampton County in South Carolina, for example, reported that his neighbors, loyal Democrats, received their registration certificates by mail instead of having to report to the polling place, as the law required. Registrars also gave much harder tests to African Americans than to whites, and regularly helped whites to answer correctly. In some areas where blacks were the majority, election managers sometimes simply did not show up at the polls on election days, thereby preventing anyone from casting their ballots.

⁶¹ “‘Killing’ the Negro Vote,” *New York Times* (NY), February 7, 1880.

⁶² *Ibid.*

owe their existence to the suppression of the ballot by a criminal nullification of the Constitution and laws of the United States.”⁶³ As a result, the platform called for “effective legislation to secure the integrity and purity of elections.”⁶⁴

Republicans regained the Presidency and both chambers of Congress in 1888. Henry Cabot Lodge, U.S. Representative from Massachusetts, took the opportunity to try to remedy the situation. He drafted and introduced in Congress a federal election bill. While aimed primarily at the South, the language of the proposed law was conspicuously non-partisan and non-sectional. It provided that a federal official could be appointed by circuit courts in each judicial district to supervise elections. Once prompted to action by petitions from citizens asking for federal supervision of elections, these supervisors had extremely broad powers. As Wisconsin Senator John C. Spooner explained, the objective was to have the federal government “present at every election, and at every polling place, to see precisely what is done by State officials.”⁶⁵ These supervisors could appoint three local supervisors, with at least one from each party, and were allowed to scrutinize nearly every step taken by state election officials. And more importantly, the legislation allowed for a Federal Board of Elections working in parallel with the State Board of Canvassers. If both boards returned the same results, the election was confirmed. But if they differed, the federal board took precedence. The state board could then decide to challenge the results before a federal court. Finally, the legislation also affirmed that when in conflict, federal

⁶³ Wooley, John, and Gerhard Peters. “Republican Party Platform of 1888,” from the American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=29627> (accessed July 16, 2017).

⁶⁴ Ibid.

⁶⁵ John C. Spooner, quoted in Wang Xi, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860-1910* (Athens, GA: University of Georgia Press, 1997), 238.

electoral laws were supreme over state electoral laws. In effect, the legislation would have granted the judicial arm of the federal government full authority over all congressional elections.⁶⁶

The bill revived sectional conflict in Congress to levels unknown since Reconstruction.⁶⁷ Southern white Democrats dubbed the legislation the “Force Bill,” calling it a “crime against the Republic,” a “dictatorial” act of “partisan despotism” meant to “incite race troubles” by a party that will only stop when there will be “Federal bayonets at the polls, pointed at Democratic voters.”⁶⁸ They saw it as an unconstitutional attempt by the federal government to usurp states’ rights, exactly like the Reconstruction Acts. Even though the bill was not as strong as Lodge had wanted and still contained loopholes that southerners could exploit, white Democrats understood that it still posed a serious threat to the way politics was conducted in the South. Federal inquiries would surely expose the fraudulent electoral methods used by southern Democrats. It could also encourage Independents to challenge Democrats electorally. As Historian Edward Ayers explains, southern Democrats fought this bill so vigorously because it “threatened to strip away the illusion of unanimity and harmony southern Democrats tried so hard to create at home and in the state capitals.”⁶⁹

The Tolberts joined Republican leaders like Robert Smalls and George Washington Murray in pushing for the enactment of the Lodge Bill in response to the numerous legislative attempts at

⁶⁶ For a detailed description of the Lodge Bill see: Xi, 236–40.

⁶⁷ Ayers, *The Promise of the New South*, 50.

⁶⁸ “Flower’s Calculations,” *Weekly Union Times*, August 22, 1890; “A Crime Against the Republic,” *Atlanta Constitution* (GA), July 31, 1890; “To Beat the Lodge Bill,” *Atlanta Constitution* (GA), June 21, 1890; “No Threat from Atlanta: Sturdy Protest Against the Force Bill,” *Boston Daily Globe* (MA), July 25, 1890; “A Protest from the Negro: The Lodge Force Bill Calculated to Incite Race Troubles,” *New York Times* (NY), August 17, 1890.

⁶⁹ Ayers, *The Promise of the New South*, 51.

disfranchising African Americans.⁷⁰ John R. Tolbert was particularly vehement in his attacks against the new franchise laws. *The Abbeville Press Banner* denounced his “venom.”⁷¹ Tolbert told his largely black audiences that as long as African Americans had their franchise limited, they would never be citizens in the “highest sense.” The Lodge Bill was the only true hope to overturn the fraudulent registration laws, he said.⁷² Tolbert urged his audience to stop paying their taxes in protest and to use the funds to challenge the laws in court. Tolbert’s radical stance surprised even some black Republicans, who did not expect him to go that far.⁷³

Despite valiant efforts by Republicans in South Carolina, Congress never passed the Lodge Bill. Ironically, division within the national Republican Party, not opposition by Democrats, led to its demise.⁷⁴ The failure of the bill was ominous for southern Republicans. It was the last time Congress proposed a major piece of legislation to solve electoral fraud and disfranchisement in the South until the mid-20th century. The victory emboldened southern white Democrats to pursue disfranchisement in a more systematic and organized manner. Democratic leaders across the Deep South soon pushed for new constitutions or constitutional amendments that would include severe restriction on the franchise in the name of “purifying” politics.

In South Carolina, the faction associated with former governor and then U.S. Senator Ben Tillman began to agitate for a new constitution in the early 1890s. For its supporters, the new constitution had one objective: preserving white supremacy at all costs. In order to achieve this

⁷⁰ John F. Marszalek, *A Black Congressman in the Age of Jim Crow: South Carolina’s George Washington Murray* (Gainesville, FL: University Press of Florida, 2006), 12–20.

⁷¹ *Abbeville Press and Banner*, July 13, 1892.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ Keyssar, *The Right to Vote*, 86–88.

end, the Tillmanites pushed for a constitution that would both ensure the dominance of the Democratic Party and would disfranchise African Americans. A two-party system, many southerners had already realized, would inevitably lead to the political courting of African Americans. In states like South Carolina, this fear was particularly acute considering that African Americans formed the majority of the population. Most Southern whites remained terrified by the prospect of “negro rule.” Surrendering the two-party system seemed to them a small price to pay for guaranteeing white supremacy.

Even within a one-party system, recent history had proven to white southerners that African American voters could still play a critical role in deciding elections. The bitter clash between conservatives and Tillmanites in the Democratic Party in the 1880s and early 1890 showed that as long as African Americans could vote, electorally endangered politicians or factions would appeal to them. African Americans had nearly cost Benjamin “Pitchfork” Tillman his gubernatorial election in 1892. In order to defeat the populist agrarian coalition of Tillman, the Conservative wing of the Democratic Party courted African Americans in that election. This meant that African Americans could have the balance of power in important elections.⁷⁵

It was particularly alarming for the Tillmanites, who positioned themselves as populist reformers opposed to the conservatives in the state. Tillman’s followers thus made the Faustian bargain of enforcing strict conformity and unity in racial matters in exchange for political power. As Stephan Kantrowitz argues, “Tillman’s white supremacy was first and foremost a political program.”⁷⁶ Any form of black political participation or progress was seen as a threat to the welfare

⁷⁵ For a good example of this kind of argument, see: D. D. Wallace, “The South Carolina Constitutional Convention of 1895,” *The Sewanee Review* 4, no. 3 (May 1, 1896): 348–60; Benjamin R. Tillman’s speech, quoted in *Congressional Record*, 56th Cong., 1st Sess., March 23, 1900, 3223–3224.

⁷⁶ For more on Tillman’s populist reforms, see: Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill, NC: University of North Carolina Press, 2000).

of the state and white supremacy. Racial politics was a zero-sum game. Progress for blacks could only be achieved at the expense of whites. While Tillman enacted a series of reforms, in the long run, this extreme brand of white supremacy did more to keep African Americans at the bottom of the scale than it did to elevate the poor whites who constituted the bulk of Tillman's support. Janet Hudson, among others, shows how progressive reforms were constantly thwarted by their incompatibility with this uncompromising white supremacist program.⁷⁷

In a referendum in 1894, which conservative Democrats claimed was marred by fraud, South Carolinians narrowly approved the Tillmanites' plan for a constitutional convention to be held in September 1895.⁷⁸ Conservatives found unlikely allies at the convention in South Carolina Republicans. The Tolberts and the Republicans mustered support against the Tillmanites' plan to disfranchise African Americans. A meeting was held in Columbia in February 1895 to devise a course of action. Party Chairman Ellery M. Brayton urged Republicans "to prevent the threatened disaster" by joining in "good faith" with Conservative Democrats to defeat the Tillmanites.⁷⁹ This strategy was met with little enthusiasm and even suspicion in Republican ranks. Behind their veil of respectability, Democratic conservatives like Wade Hampton had widely condoned, if not encouraged, violence against Republicans, notably during the 1876 election. Still, Republicans had little other option but to embrace this pragmatic strategy. They concluded the meeting by passing a resolution urging a large registration effort to select convention delegates opposing "the

⁷⁷ Janet Hudson, *Entangled by White Supremacy: Reform in World War I-Era South Carolina* (Lexington, KY: University Press of Kentucky, 2009).

⁷⁸ Tindall, *South Carolina Negroes, 1877-1900*.

⁷⁹ Sumter *Watchman and Southron*, February 13, 1895; *Abbeville Press and Banner*, February 13, 1895.

domineering and tyrannical” Tillman ring.⁸⁰ The party affiliation of these delegates was conspicuously absent from the resolution.

The platform adopted at the meeting conveyed the very narrow ground on which Republicans made their appeal. “We solemnly declare that we are not acting for the restoration of Republican rule in the State or for the destruction or impairment of white supremacy,” it read.⁸¹ “We are asking simply that Republicans and negroes be spared the right to exist as citizens.”⁸² Republicans reminded them that disfranchising African Americans was a bad idea, for it would entail two potential evils for “all classes of white people.”⁸³ If the laws were enforced equally to all, it would disfranchise “thousands of whites.”⁸⁴ Otherwise, it would grant “absolute power” to a handful of election officials, and open the door to massive electoral fraud.⁸⁵ The Republicans hoped that this platform would help them find common cause with the conservative faction of the Democratic Party. It was also intended to convince South Carolinians that they simply wanted to act as the opposition party in the state, keeping Democrats in check for the benefit of all South Carolinians.

African American Republican leaders like George W. Murray and Robert Smalls, as well as a number of preachers and ministers, canvassed the state for several months to spread the Republican message.⁸⁶ Conservative Democrats like Wade Hampton also denounced the effort of

⁸⁰ Sumter *Watchman and Southron*, February 13, 1895; *Abbeville Press and Banner*, February 13, 1895.

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ Tindall, *South Carolina Negroes, 1877-1900*.

the Tillmanites. In May 1895, Hampton wrote a letter to South Carolinians asking them to stay out of the primaries designed to select delegates for the constitutional convention. He stated that he had “no fear of negro domination,” and since negroes have “acted of late with moderation and liberality,” he was “willing to trust them” with “the rights guaranteed to them by the constitution of the United States and that of our own State.”⁸⁷ Nevertheless, these efforts ultimately proved unsuccessful.

On July 30th South Carolinians selected an overwhelming majority of Tillmanite delegates for the constitutional convention. In Abbeville, Joseph, Robert, Thomas, John, and John’s brother Elias lost races to represent their county at the convention.⁸⁸ It did not help that rather than calling their ticket “Republican,” the county press printed their name under the heading “Negro ticket,” despite the fact four of the five delegates were white.⁸⁹ A more serious form of harassment came when one of the Tolberts’ farms was burned by arsonists a week before the convention.⁹⁰ Unsurprisingly, of the 160 delegates, 70% were supporters of Tillman, 25% were conservative Democrats, and only 4% were Republicans. The six Republican delegates were the only African Americans at the convention. One of them was from Georgetown, and the other five from Beaufort.⁹¹ Among them were Robert Smalls, nicknamed by the press the “Gullah Statesman,” and W. J. Whipper, the only two delegates who had attended both the 1868 and 1895 constitutional conventions.⁹² Despite the passionate pleas of Republicans, the convention ended up adopting a

⁸⁷ *Union Times*, May 31, 1895.

⁸⁸ *Abbeville Press and Banner*, August 21, 1895.

⁸⁹ *Abbeville Press and Banner*, August 21, 1895; *Abbeville Press and Banner*, August 28, 1895.

⁹⁰ *Abbeville Press and Banner*, July 24, 1895.

⁹¹ *Abbeville Press and Banner*, August 28, 1895.

⁹² *Ibid.*

new constitution that enabled the disfranchisement of nearly all African Americans in the state. As Tillman would bluntly say in the U.S. Senate a few years later: “We stuffed ballot boxes. We shot them. We are not ashamed of it. . . . [W]e got tired ourselves. So we called a constitutional convention, and we eliminated . . . all of the colored people whom we could under the fifteenth and fourteenth amendments.”⁹³ Various clauses were adopted to achieve this end, ranging from a property clause (voter needed at least \$300 worth of property), a literacy test, a poll tax, and the disfranchisement of anyone convicted of what were thought of primarily as “black crimes” (bigamy, burglary, arson, robbery).

By 1896, the Tolberts and nearly all Republicans across the Deep South were in distress. They had been abandoned by the federal government and by an indifferent nation. New constitutions and various schemes had disfranchised their African-American electoral base and annihilated any chance of electoral victory. Confronted with these problems, Republicans turned against each other and, once again, were consumed by factionalism. In all states of the Deep South, parties split into two major factions. In some states, such as Alabama for example, the divide was racial. In these states, white Republicans believed that the party could only survive by cutting ties with African Americans and reinventing itself as a white-only party. In other states, the split occurred over issues of power, patronage, and leadership.⁹⁴ By 1896 the South Carolina Republican Party was, like their sister organization in other states of the Deep South, divided in two factions, each operating independently from the other.

⁹³ Benjamin R. Tillman as quoted in *Congressional Record*, 56th Cong., 1st sess. February 26, 1900, 2347.

⁹⁴ Tindall, *South Carolina Negroes, 1877-1900*; Richard B. Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896-1933* (Charlottesville, VA: University Press of Virginia, 1973); Samuel L. Webb, *Two-Party Politics in the One-Party South: Alabama's Hill Country, 1874-1920* (Tuscaloosa, AL: University of Alabama Press, 1997); Rubin, *South Carolina Scalawags*; Marszalek, *A Black Congressman in the Age of Jim Crow*.

As John Marszalek shows, the split between these two-groups was not geographical, racial, or ideological.⁹⁵ Both factions had members from various regions in the state. Both supported the policies of the national Republican Party and whole-heartedly embraced its platform. Both groups supported the participation of African Americans in politics, vehemently criticized the electoral practices in South Carolina, and militated against lynching. Both groups built their power by appealing to African Americans, and both had within their ranks seasoned black leaders.⁹⁶ In fact, the only difference between the groups was the age and political experience of the leaders. The Regulars tended to have been active in the GOP since the beginning and could be seen as linked to Republican electoral failures and the “days of good stealing.” In contrast, the Reformed faction tended to be younger and newer to the GOP.⁹⁷ While not a generational divide, it was a fight between the new and the old guard. It was a fight about who should lead, and who should be rewarded. But more importantly, it was a battle over the image of the party. The Reformed faction proposed new leadership to symbolically divorce the party from the Reconstruction era in an effort to attract more whites.

Ellery Brayton, a white Harvard-educated lawyer and Lawson D. Melton, an eminent Columbia-based lawyer, led the Reformed Republicans. The Tolberts and E. A. Webster, a white Vermont native who owned a newspaper and worked as teacher and lawyer in Orangeburg, headed the Regular faction.⁹⁸ Both factions ran candidates in the 1896 election, thus dividing the already

⁹⁵ Marszalek, *A Black Congressman in the Age of Jim Crow*, 35–38.

⁹⁶ Robert Small, Edmund H. Deas, and Thomas Miller sided with the Regulars. But George Murray, the last Republican from South Carolina to be elected to Congress until Albert Watson in 1965, sided with the Reformed.

⁹⁷ *Manning Times*, March 17, 1897.

⁹⁸ “Faction Fight Is On,” *Union Times*, September 25, 1896. The press often dubbed the faction Lily-White and Black and Tan instead of Reformed and Regular. I am, however, using the name the factions were using to represent themselves (and the names that appeared on the ballots). I think it is more accurate, especially as the factions were not divided strictly along racial lines as in other states.

dwindling Republican vote.⁹⁹ In the heavily African-American populated First Congressional District, the Reformed Republicans ran African American George Washington Murray, the incumbent Republican congressman. The Regulars made the bizarre decision of running a relatively unknown white Jewish mail clerk, Cecil Cohen. Neither fared well, but in this race as in most others, Reformed Republican candidates did better than their Regular counterparts. The temper ran so high within the Republican factions that some Reformed Republicans celebrated this as a “victory,” conspicuously forgetting who the real enemy was. Republican politics had almost completely turned inward.

A Glimmer of Hope

For Republicans like the Tolberts, the future looked grim in 1898. The only positive development was that the two competing factions showed signs of a rapprochement. While slightly less popular at the polls than the Reformed faction, Tolbert’s Regular faction had managed to get the ear of President McKinley. As a result, the Regular faction was in control of patronage in the state. In a gracious gesture, Tolbert and E. A. Webster helped Lawson D. Melton, leader of the Reformed faction, secure the position of U.S. marshal for South Carolina.¹⁰⁰ Then, a few months later, the Regulars, now led by newly-elected Chairman Robert Red Tolbert, set up a committee to enable the fusion of both factions and to restore unity in the party.¹⁰¹ By the fall of 1898, the party was weak, but united.

⁹⁹ *Abbeville Press and Banner*, October 21, 1896; *Union Times*, October 23, 1896.

¹⁰⁰ *Yorkville Enquirer*, March 12, 1898.

¹⁰¹ *Manning Times*, September 28, 1898.

On top of pursuing reconciliation, the Tolberts wanted the party to focus all of its energy on congressional races. District conventions were called to appoint candidates in each of the seven congressional districts. Robert Red Tolbert easily won the Republican nomination for the congressional election in the Third District. His brother Joseph was elected chairman of both the congressional district and Robert's campaign.¹⁰² However, the fact that no state convention was called to nominate a state ticket for the upcoming state election was a testimony of the poor condition of the party.¹⁰³ From there on, the South Carolina Republican Party became exclusively concerned with presidential and congressional politics.

Robert Tolbert had two major objectives for this campaign. First, Tolbert saw the election as the last chance the party had to remain electorally viable. He knew that a Republican had no chance of winning the election under the current electoral laws. But Tolbert believed that he could use the election to challenge the new constitution and prove to Congress that South Carolina's electoral laws were discriminatory and unconstitutional. Second, Tolbert wanted to secure his position as Republican leader in the eyes of the McKinley administration. With the party relatively united, Tolbert saw the 1898 election as a "fine opportunity for making this reunion felt," and enhancing his image as a strong leader who could hold this fractious party together.¹⁰⁴ Additionally, Tolbert believed that a good campaign and a strong showing would prove that the Republican

¹⁰² *House Committee on Elections No. 3, Contested Election Case R. R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1899), 14.

¹⁰³ John W. Bolts ran for the legislature in Georgetown on a fusion ticket and was the only Republican elected in the 1898 election. He was re-elected in 1900 for the last time. It then took 61 years for another Republican, Charles E. Boineau, to be elected to the South Carolina Legislature.

¹⁰⁴ R. R. Tolbert, "The Election Tragedy at Phoenix," *Boston Independent* (MA), November 24, 1898.

Party in South Carolina “was something more than a name.”¹⁰⁵ In turn, this could boost recruitment, increase his standing within Republican circles, and help him secure a federal office.

The Tolbert brothers, with the help of the chairman of the Republican Congressional Campaign Committee, Joseph Weeks Babcock, devised a plan for the election.¹⁰⁶ They anticipated that African Americans would be denied the right to either register or vote. They prepared three kinds of affidavits for African-Americans who were denied the franchise. One was meant for those who could read and write, one for those who could read but not write, and one for the illiterate. On Election Day, a representative of the Tolberts would sit by the polling station to offer and collect the affidavits. In the likely event of a defeat, Robert Red Tolbert would use these affidavits as proof of the unconstitutional electoral laws of South Carolina to demand a congressional investigation of the election. This could both secure his election as congressman and potentially offer legal ground to challenge the new South Carolina Constitution in federal courts.

The three Tolberts and their cousin Robert Henderson held several meetings with African Americans in the summer and fall of 1898 to publicize their plan for the upcoming election. In these meetings, the Tolberts promised their full support and protection to those who would try to vote. They invited members of their audience to go to the polls in groups and to contact them if they met resistance. They argued that this election was a turning point: either African Americans and Republicans would accept the status quo and abandon electoral politics for good, or they would try one last time to attract national attention to the issue with the hopes of restoring the promises

¹⁰⁵ R. R. Tolbert, “The Election Tragedy at Phoenix,” Boston *Independent* (MA), November 24, 1898.

¹⁰⁶ R. R. Tolbert, “The Election Tragedy at Phoenix,” Boston *Independent* (MA), November 24, 1898; Wells, “The Phoenix Election Riot,” 58.

of the 15th Amendment in South Carolina.¹⁰⁷ In the tense racial climate of South Carolina, the Tolberts usually held these meetings late at night in black churches or on their own land.¹⁰⁸

Many of these speeches took place in the Rehoboth Methodist Church. The Tolberts provided the land and most of the funding for the church built in the 1860s.¹⁰⁹ The Tolberts were cautious because they knew that many whites agreed with the Greenwood correspondent of the *State* that the family was “the dread of the Phoenix community.” They were regularly accused of being too “intimate” with African Americans – that is, offering legal protection and political patronage – which in turn made African Americans “very insolent.” One example of this was profusely cited in the press at the time of the election. Dave Harris, a young African American, was arrested in the spring of 1898 for allegedly burning the cotton gin of a neighbor. A group of white men, described as Democrats, kidnapped Harris from the sheriff’s holding cell and whipped him so badly that Davis died from his injuries. After hearing of the beating from some of his African American tenants, the Tolberts contacted the authorities to request that the group of men be arrested and tried for assault and battery. After seeing their appeal summarily dismissed twice by the authorities, the Tolberts continued to agitate for a trial. Their third request was finally approved in the summer of 1898. By the time of the election, the group of white men was awaiting trial at the court of general session.¹¹⁰

¹⁰⁷ R. R. Tolbert, “The Election Tragedy at Phoenix,” Boston (MA) *Independent*, November 24 1898; Wells, “The Phoenix Election Riot.”

¹⁰⁸ “Several More Were Slain: Situation at Phoenix Now More Critical than Ever,” *Columbia State*, November 10, 1898.

¹⁰⁹ A monument at the church states that Robert Tolbert, grandfather of Joseph W. Tolbert, deeded the property for the current church site to Rehoboth Methodist Church in 1860. *Greenwood Index-Journal*, October 9, 1944.

¹¹⁰ “Several More Were Slain: Situation at Phoenix Now More Critical than Ever,” *Columbia State*, November 10, 1898; *Greenwood Index-Journal*, November 24, 1898; *Columbia State*, May 26, 1898.

Despite the veil of secrecy, the community and the press heard of the Tolberts' plan before election time. The vast majority of political observers dismissed the enterprise as a “most delusive hope.”¹¹¹ They argued that the “plain and proven truth” is that the Republican Party “had forever abandoned the negro to the control of the white men of the South,” and the public opinion is “heartily sick of the complaints that come from this section.” The *State* agreed with this view. It added that the Tolberts’ “hope of interference by northern Republicans” in South Carolina was “very misty.”¹¹²

J. Milton Gaines, a Democratic state senator and chairman of the Greenwood County Democratic Party may have agreed with the *State* but decided not to take any chances. Just before the election, he visited Robert Henderson, a cousin of the Tolbert brothers. Gaines told Henderson that he and the Tolberts better watch themselves if they decided to go ahead with the election plan, for “it would be better to kill two or three white men now and settle the thing, than to let the niggers vote and have to kill a whole lot of people later.”¹¹³ In other words, Gaines suggested that he was prepared to kill the Tolberts if they decided to go ahead with their plan. Undisturbed and undeterred by these threats, the Tolberts went on with their plan.

While they knew the odds were against them, the Tolberts were aware that this sort of scheme had worked for South Carolina Republicans in the past.¹¹⁴ George Washington Murray, the

¹¹¹ *Fairfield News and Herald*, October 19, 1898; “The State’s Survey,” *Columbia State*, October 14, 1898.

¹¹² *Columbia State*, October 14, 1898.

¹¹³ R. R. Tolbert, “The Election Tragedy at Phoenix,” *Boston Independent* (MA), November 24, 1898; “Driven from Their Homes,” *Baltimore Sun* (MD), November 15, 1898.

¹¹⁴ Robert Smalls defeated George Tillman by contesting the election in Congress in 1882. George Washington Murray was the last to have successfully used this strategy in South Carolina. See: Marszalek, *A Black Congressman in the Age of Jim Crow*; Matthew N. Green, “Race, Party, and Contested Elections to the U.S. House of Representatives,” *Polity* 39, no. 2 (2007): 155–78.

last Republican to be elected to Congress until 1964, had successfully employed this strategy in 1894. Born a slave on a cotton plantation in Sumter County in 1853, Murray seized the opportunities offered by Reconstruction. In 1871, he applied to a Sumter school to further his education. However, as one of the few literate African Americans in the area, Murray was appointed as a teacher rather than a student. He split his time between teaching and farming until the mid-1870s. He then enrolled at the University of South Carolina in 1874 and thrived at the integrated state university.¹¹⁵ Murray's industrious farming led him to accumulate an extraordinary amount of wealth for an African American at the time. In fact, his property - 49 acres of tilled land and 15 acres of woodland producing over \$650 a year – qualified him as a well-to-do farmer by white or black standards.¹¹⁶ With his finances well in order, Murray decided to pursue a political career. He was elected delegate from Sumter County to the state Republican convention in 1880. By the early 1890s, Murray had become both a Republican and an African American leader.

Murray was first elected to Congress in 1892 as the Republican representative of the heavily African American 7th District of South Carolina. Yet, even in this favorable district, Murray struggled to win the majority of the black vote. A rather dark-skinned African American, he was the victim of prejudice widely shared in African American communities. People with lighter skin were usually understood to be of a superior caste than those with dark skins. As a result, at one campaign event, some people in attendance complained that Murray was not a “big fat man like [Robert] Smalls,” but was “a cornfield nigger.”¹¹⁷ Nevertheless, Murray managed to

¹¹⁵ He was prevented from graduating with his class, however, since Wade Hampton's “Redeemers” forced black students out of the college in 1877.

¹¹⁶ Marszalek, *A Black Congressman in the Age of Jim Crow*, 9.

¹¹⁷ Marszalek, 44.

get most of the African American votes, and appeared to have won the election.¹¹⁸ Returns showed that Murray had won in most counties, but a large number of the ballots cast for him were rejected by election officials who claimed that Murray's ballot was one eighth of an inch too big.¹¹⁹ An investigation by the Board of Canvassers followed. To the surprise of most in the Palmetto state, the board ruled in favor of Murray. Political machination and factional infighting, not a desire to uphold a standard of fairness, was at the root of this surprising decision. The board, firmly under the thumb of Tillman, did not so much decide in favor of Murray as against Murray's opponent, William Elliott. A member of the Conservative wing, Elliot was part of the faction battling the Tillmanites for the control of the Democratic Party. Murray thus won the election because Tillman perceived him and the GOP as less of a threat than Conservative William Elliott.

In his 1894 re-election bid, although this time in the First District, Murray pioneered the strategy that the Tolberts would use in 1898. Murray had learned from his previous elections and decided to prepare for a contested election in advance. He provided his poll watchers with two types of affidavits: one for those who swore they had voted for him, and one for those who were denied the right to vote. This proved to be a farsighted decision, for the election was again marred by irregularities. Once again, it ended up in front of the Board of Canvassers. This time, however, the Board decided against Murray on a technicality. But Murray was prepared, and immediately announced his intention to bring his case to the attention of Congress. He was not alone, for two

¹¹⁸ In a context where a decreasing number of African Americans could vote, the electoral impact of discord within the African American community was far larger. As a result, the intensity of the campaigns often ran high. Some African Americans and many contemporary white observers blamed the division within the African American community to explain a black candidate's loss. However, few mentioned that divisions within the African American community would be mostly irrelevant if all electoral laws applied equally to blacks and whites.

¹¹⁹ Evidence suggests that election officials had substituted Murray's original ballot for the ones that were deemed too big. Indeed, the same company had printed Murray's ballots and his opponents' ballots. Thus, either all ballots were illegal, or they were all legal.

other Republicans from South Carolina did so as well.¹²⁰ But Murray was better prepared than the two others. He had his affidavits, and he used a subtler strategy. Rather than challenging the registration laws or the South Carolina Constitution as a whole, he claimed that the laws in place were fine but were not respected.¹²¹ After a year of deliberation, Congress finally announced that Murray had won. The Tolberts took note of these developments and borrowed from both approaches. They used Murray's affidavit tactics but adopted the ambitious aim of Johnston and Wilson. The Tolberts were convinced that the only way to save the party was to request a congressional investigation that hopefully could trigger a larger lawsuit to invalidate the state Constitution.

The Phoenix Riot

In the early morning on November 8, 1898, the Tolberts put their plan into action.¹²² They decided to focus most of their energy on the polling station in Phoenix, SC, which was re-opening for this election after having been closed in 1868 due to violence. Despite the area's large African American population, only a handful had successfully voted since the Democrats "redeemed" the

¹²⁰ J. E. Wilson challenged the victory of Democratic candidate John McLaurin, and Republican Thomas B. Johnston did the same against J. Williams Stokes. In the first case, McLaurin was declared the winner because Wilson failed to show that he had enough supporters who were denied the right to vote. In the Stokes v. Johnston contest, Congress declared the seat vacant and called for a new election. House Committee on Elections No. 3, Contested Election, Thomas B. Johnston v. J. William Stokes, South Carolina, 54th Cong., 1st sess., April 13, 1896, H. Rep. 1229; House Committee on Elections No. 3, Contested Election, Joshua E. Wilson v. John McLaurin, South Carolina, 54th Cong., 1st sess., May 1, 1896, H. Rep. 1566.

¹²¹ Sumter *Watchman and Southron*, December 2, 1896; House Committee on Elections No. 3, Contested Election, George W. Murray v. William Elliott, South Carolina, 54th Cong., 1st sess., May 1, 1896, H. Rep. 1567.

¹²² This account of the Phoenix riot is based on: "The Election Tragedy at Phoenix," Boston *Independent* (MA), November 24 1898; Hoyt, *The Phoenix Riot*; Wells, "The Phoenix Election Riot"; Prather Sr, "The Origins of the Phoenix Racial Massacre of 1898"; William Fitzhugh Brundage, *Under Sentence of Death: Lynching in the South* (Chapel Hill, NC: University of North Carolina Press, 1997); Daniel Levinson Wilk, "The Phoenix Riot and the Memories of Greenwood County," *Southern Cultures* 8, no. 4 (2002): 29–55; Benjamin Elijah Mays, *Born to Rebel: An Autobiography* (Athens, GA: University of Georgia Press, 2003); Terence Finnegan, *A Deed So Accursed: Lynching in Mississippi and South Carolina, 1881-1940* (Charlottesville, VA: University of Virginia Press, 2013).

state in 1876. The Tolberts thus believed that they could have an important impact there. If African Americans were allowed to vote, Robert could have a legitimate chance at winning. If they were not, the Tolberts could potentially collect a large number of affidavits to convince Congress that the election had been fraudulent.

Robert Henderson was supposed to collect affidavits at the Phoenix Polling station. But Henderson's mother died on the eve of the election, and Thomas Tolbert, the quieter and most mild-mannered of the Tolbert brothers, volunteered to take his place.¹²³ Early morning on Election Day, he set up his station on the second floor of the Watson and Lake's General Store, the precinct polling station and the center of community activity in Phoenix. The owner of the store had previously agreed to Tolbert's presence, and loaned him a chair and a box that served as a table. Thomas was "guarded" by African American Joe Circuit, whose size and well-known physical strength were thought to act as dissuasion for any Democrats wanting to tamper with the operation.¹²⁴ Half an hour after the opening of the polling station, a group of Democrats led by J. Milton Gaines came to the store and requested that Thomas leave the room in which the voting took place. Desiring to avoid trouble in a menacing locale, Thomas complied and set up outside, on the front porch of the store. This was a rather curious request from Gaines. Indeed, Tolbert's task was much easier on the outside porch, where African Americans could sign the affidavits away from the intimidating presence of a roomful of white Democrats. And as a matter of fact, as soon as Tolbert relocated, African Americans came to his booth in much larger numbers.¹²⁵

¹²³ Wells, "The Phoenix Election Riot," 61.

¹²⁴ *Lexington Dispatch*, November 16, 1898.

¹²⁵ *Ibid.*

An hour after Tolbert had relocated his booth on the front porch, another group of white Democrats approached him. The leaders of the group, Robert Cheatham and J. I. “Bose” Ethridge, were visibly outraged by the Tolberts’ operation. Surrounding Tolbert with their men, they asked Tolbert to leave the polling station immediately. Tolbert categorically refused. He mentioned that he meant no harm and had already compromised by accepting to set up his booth outside of the polling station. Outraged by such insolence on behalf of African Americans, Ethridge initially took out his frustration on the affidavit box and kicked it into the dirt. The affidavits scattered on the ground. Ethridge used a piece of wood from the broken affidavit box to hit Tolbert on the head. Tolbert retaliated, and a melee ensued.

In the midst of the battle, gunshots were heard, and Ethridge was struck in the forehead by a bullet. Nobody knew who fired first, nor who shot Ethridge. Considering the chaos of the moment, it is likely that Ethridge was accidentally shot by one of his men. The sound of the gunshots and the loud clamor when Ethridge fell dead attracted the attention of the white Democrats in the polling station. Within seconds, furious white Democrats joined in the fight and showered Thomas Tolbert, Joe Circuit and the other African Americans by their side with buck shots. Outgunned and outmanned, most of the African Americans ran for their lives. Fortunately, most were only grazed by bullets and escaped without much injury. Tolbert was not that lucky. He was hit several times in the neck, on his left arm, and on his left hip. Bloody, injured, yet still standing, Tolbert is said to have defiantly turned to his aggressors and cried: “You may have shot me nearly to death, but you have not changed my politics one iota.”¹²⁶ Tolbert fled from the scene, and eventually hitched a ride from a man with a buggy to his Uncle Elias’s home. As George B. Tindall noted, despite the various clauses meant to disfranchise African Americans, the “chief

¹²⁶ R. R. Tolbert, “The Election Tragedy at Phoenix,” *Boston Independent* (MA), November 24, 1898.

instruments of disfranchisement were still what they had been before the [constitutional] convention – intimidation, violence and fraud.”¹²⁷

While Thomas Tolbert, Joe Circuit, and the other Republicans were attempting to find safe ground, the white Democrats from the polling station were alerting friends and family that Ethridge had been killed. Within hours, mobs of incensed white men began patrolling the area, looking for the Tolberts and Joe Circuit, who they believed were responsible for Ethridge’s death. Rumors that Thomas was at Elias’s home spread quickly, and by the end of the afternoon, a mob showed up to “finish” Thomas. They forced their way into the house and made their way to the room where a bloody Thomas, immobilized by his injuries, was resting in bed. After much discussion between Thomas and the small group of men, the leader of the mob, Will Stallworth, decided “not to shoot a man down.”¹²⁸ The sparing of Thomas’s life was not a sign of reconciliation. On their way out, the group of men complained that the Tolberts “have talked of nothing but of Dave Harris’ death” lately, and asked Tolbert to deliver a message to his friends: Republicans would no longer be tolerated in the county and they should not employ African Americans on their land. In an area where poverty was common, many poor white farmers resented the Tolberts because they employed almost exclusively African Americans.¹²⁹

As the men were leaving Elias’ home, the sixty-three-year-old John Robert Tolbert was coming back from the Bradley voting station a few miles away. While he was parking his buggy in the yard, and carrying his brother Elias's infant, his hat was shot off his head. Without warning,

¹²⁷ Tindall, *South Carolina Negroes, 1877-1900*, 89.

¹²⁸ Ann Tolbert to Hattie Lake, November 21, 1898, quoted in Wells, “The Phoenix Election Riot,” 62. Ann was in Phoenix for the Funeral of Mary Henderson, the mother of Robert who had died on the eve of the election.

¹²⁹ Prather Sr, “The Origins of the Phoenix Racial Massacre of 1898”; Wilk, “The Phoenix Riot and the Memories of Greenwood County.”

the group of men fired rounds of birdshot on John and the infant, hitting the two of them numerous times.¹³⁰ As a few African Americans approached the scene, wondering about the provenance of the gunshots, the group of men fled. Whereas most observers today would have seen a group of curious or concerned onlookers, the group of white men instead saw “murderous hordes of armed negroes” who could be part of a secret militia trained by the Tolberts.¹³¹

John Tolbert’s life was thus spared by one of the most foolish yet persistent elements of white paranoia in the South: the irrational fear that African Americans would jump on any occasion to engage in a racial war and indiscriminately kill whites. Many whites, North and South, saw African Americans as inferior beings. African Americans were seen as inherently impulsive “savages,” and particularly prone to wild and senseless acts of violence. More than a century of work by scholars and scientists of all fields who labored arduously to “demonstrate” the superiority of the white race and the inferiority of African Americans reinforced these views.¹³² In addition, the fact that African Americans were treated as second-class citizens also made a violent uprising seem logical even to those with less racist views. Thus, even in the North, many assumed that African Americans could easily turn into a murderous mob. Reporting on events in Greenwood, the *New York Times* erroneously printed that “[t]he trouble was precipitated on election day when 200 or 300 negroes at the polls opened a fusillade against the store in which the voting was going on.”¹³³ Yet, the fact that African Americans were too terrified by white violence to even contemplate such ideas, and the fact that it had virtually never happened, did not assuage the fear

¹³⁰ *Yorkville Enquirer*, November 12, 1898.

¹³¹ Letter from Ann Tolbert To Mary Burns, November 18, 1898, quoted in Wells, “The Phoenix Election Riot,” 64.

¹³² Robert W. Sussman, *The Myth of Race: The Troubling Persistence of an Unscientific Idea* (Cambridge, MA: Harvard University Press, 2014).

¹³³ “Riot in South Carolina”, *New York Times* (NY), November 11, 1898.

of a massive black rebellion. Instead, rarely on the offensive, African Americans tended to act violently only in matters of self-defense. For as a James Hoyt, a young reporter covering the riot recalled, “If Negroes were to be killed, it was no place for the sheriff [to be].”¹³⁴ The irony that this irrational fear led many whites to commit horrific crimes against African Americans escaped the vast majority of white southerners.¹³⁵ The Phoenix riot is but one of the many tragic examples of this.

By dusk, the Tolberts were hoping for a truce after a rather eventful day. At first, there was ground for optimism. The white mobs crisscrossing the county in search of the Tolberts or their presumed African American acolytes went home. The fear of surprise attacks by Africans Americans taking advantage of the dark led all but the boldest members of the mobs to retreat to protect their families. But the Tolberts’ hopes were in vain. The failure of the mob to find the main culprit, Joe Circuit, led many to call for reinforcements in neighboring counties. Thanks to the arrival in the area of the most recent technological advancement, the telephone, vengeful whites were able to easily boost their ranks by appealing to friends and relatives in neighboring towns and counties.

The significantly enlarged mobs resumed their activities the next morning. This time, however, the mobs were angrier and far less discriminating. Anyone who was presumed to have been at the Watson’s General store on election day was deemed guilty, regardless of whether or not he had taken any part in the killing of J. I. “Bose” Ethridge. The tension was palpable around African American neighborhoods in Greenwood. The anticipation of violence was such that “no

¹³⁴ Hoyt, *The Phoenix Riot*, 6.

¹³⁵ James Hoyt, while not particularly apologetic, would mention in a 1930s speech about the riot that “The Negroes were more frightened than the whites, and had no desire or intent to fight. . . . But we had no means of knowing this.” Hoyt, 9.

children were playing in the yards, no men nor women were working the fields. Every house . . . was without a sign of life; doors were shut tight, windows were down. . . . They all believed that it was not safe for a black face to be seen.”¹³⁶ African Americans were right to be cautious.

In the late morning, a group of over 200 white men captured eleven African Americans around the Rehoboth churchyard.¹³⁷ The white men tied ropes around the necks of their captives, and then proceeded to determine who of the eleven were present at the scene of the election riot the day before. One of the captured African Americans, Wade Hampton McKenney, had been injured the previous day and thus deemed guilty of partaking in the killing of Ethridge.¹³⁸ After tying him to a log, the white men summarily executed him, emptying several rounds of bullets in the process. The killing was so violent that some members of the mob protested. A fierce dispute broke out in the mob as a handful of white men released a captive, horrified by the graphic way in which McKenney had been murdered. Seven captives took advantage of the confusion to escape. Three of them were severely wounded as they ran for their lives. Two of them would survive. George Logan was not so lucky. He reached the house of his friend Joe Goode despite being shot several times in the arm and in the back, only to die the following day. Jesse Williams, Drayton Watts and Columbus Jackson could not escape, for they had been tied to a tree. They received the same treatment as McKenney. The white men left the four bodies to rot in the churchyard.

¹³⁶ Hoyt, 6.

¹³⁷ “Riot in a Hotbed of Republicanism,” *Columbia State*, November 9, 1898; “Several More Were Slain” *Columbia State*, November 10, 1898; “Slew Eight in South Carolina,” *Columbia State*, November 11, 1898; Hoyt, *The Phoenix Riot*.

¹³⁸ Ironically, Wade Hampton McKenney was most probably a Democrat. His father, an illiterate African American, had taken many steps to show his support to the white community of Greenwood, including naming his son after the Democratic hero of the 1876 election and state governor, Wade Hampton III. Wilk, “The Phoenix Riot and the Memories of Greenwood County,” 41.

The lynching continued on Tuesday. Two African Americans, Ben Collins and Jeff Darling, were both slain by the mob. Essex Harrison was also apprehended by a mob near Rehoboth Church. Just as the group of white men were about to execute the trembling Harrison, August Kohn, journalist for the *Charleston News and Courier*, arrived on the scene. He asked the mob to wait, not to reason with them, but to pursue his “journalistic” inquiry. Once he “ascertained from the victim himself his correct name,” he simply stepped aside and recorded the lurid detail of the execution: “The rifle rang forth, shot after shot went into him, and Essex Harrison fell headlong on the pile of already dead Negroes.”¹³⁹ While leaving the Rehoboth churchyard, a leader of the mob shouted, “Let’s kill the Tolberts”, to which the other men approvingly responded, “Get The Tolberts!”¹⁴⁰ But the mob was disappointed. Unable to capture Joe Circuit or the Tolberts, white men took their anger on a number of African Americans utterly unconnected to the event of election day, such as Eliza Goode, who was shot in her own home, in front of her own children.¹⁴¹

In the meantime, Robert Red, his brother Joseph, and their father John understood that peace would not be restored quickly. Upon learning that a group of 500 men was converging toward their current location at Robert’s home in Verdery, they devised an escape plan.¹⁴² Robert drove his wife and children to a nearby relative in Due West. Upon his return, he gathered and armed his 20 African Americans tenants. The tenants, Joseph, and Robert fortified the house in preparation for the upcoming siege. However, the anticipated attack never materialized. Robert took advantage of this window of opportunity to flee. He visited his family in Due West and

¹³⁹ Hoyt, *The Phoenix Riot*, 12.

¹⁴⁰ Hoyt, 10.

¹⁴¹ Sumter *Watchman and Southron*, November 16, 1898.

¹⁴² R. R. Tolbert, “The Election Tragedy at Phoenix,” *Boston Independent* (MA), November 24, 1898.

announced his intentions. After putting his papers in order in case he died fleeing, Robert left Greenwood on Thursday night and cautiously made his way to Washington, D.C. There, he would appeal for help to the President, Republican William McKinley, and meet Republican leaders to prepare the election contest.

For his part, John decided to escape to Charleston, where he acted as collector of customs.¹⁴³ Two main reasons guided John's decision. First, once in Charleston, John would be well protected. Committing a crime against a federal employee in the midst of his function was a federal offense and entailed a trial in a federal court.¹⁴⁴ Federal courts were far more likely to see an attack against a Tolbert as a punishable crime than a state court would. John also knew he would have to transit through Columbia, where he could appeal to the governor. Since John's body was "a mass of wounds from the crown of his head to below his hips," Joseph volunteered to help him on the journey to Charleston.¹⁴⁵

They left in the middle of the night to take advantage of the dark. Since there were no major stations nearby, they lit a fire on the track to attract the attention of the train driver. Joseph and Robert then jumped on the train, and by way of Chester, reached Columbia on Thursday night. Just after checking into a hotel, Joseph stormed out to find a doctor for his father. Word quickly spread around the capital that Joseph and John were in town. Fearing a lynching, Wyatt Aiken and Governor William H. Eberle took the initiative of arresting the Tolberts on charge of inciting a riot. The Tolberts were sent to jail, where they could spend the night safely. The following

¹⁴³ "Slew Eight in South Carolina" *Columbia State*, November 11, 1898; R. R. Tolbert, "The Election Tragedy at Phoenix," *Boston Independent* (MA), November 24, 1898; *Newberry Herald and News*, November 15, 1898; *Anderson Intelligencer*, November 16, 1898; *Fairfield News and Herald*, November 16, 1898; *Yorkville Enquirer*, November 19, 1898.

¹⁴⁴ "McKinley May Direct Federal Interference in South Carolina," *Atlanta Constitution* (GA), November 12, 1898.

¹⁴⁵ *Fairfield News and Herald*, November 16, 1898.

morning, the charges were quickly dismissed, and Joseph and John were free to go to Charleston. Joseph asked the governor for protection not just for himself and his father, but for the entire family back in Greenwood. The Governor ensured that John would be safely escorted to his post in Charleston but advised Joseph not to return home. The Governor was either unwilling or incapable of promising to restore order in Greenwood.

While most of the Tolberts had fled and refused to take any responsibility for the riot, Elias Tolbert, the brother of John R. and uncle of Thomas, Joseph and Robert, had no intention of running away. Distressed and exhausted by the constant threats and devastated by the fact this his son nearly died, Elias decided to take a more conciliatory road. Although, in the words of a journalist, he had never been “offensively active in politics” like other members of the family, his last name was enough to put him in the bad graces of his neighbors.¹⁴⁶ One week after the riot erupted, he released a contrite statement to the local press to ensure his neighbors that he now shared their core beliefs. First, he countered the common assumption that white Republicans were soulless opportunists only looking for patronage. He explained that his family’s association with the Republican Party was out of a sense of “high Christian duty” and “pure conscientious motives,” and not for the “emoluments of office.”¹⁴⁷ In light of the riot in Phoenix, he acknowledged that his political affiliation was a mistake. He reassured the public that he now understood that “the two races cannot act together in the formation of a government,” and that “the country should have white supremacy.”¹⁴⁸ While he promised to work for a government “made by white people”, Elias did not completely abandon his ideals. Indeed, he promised to “stand shoulder to shoulder with

¹⁴⁶ Hoyt, *The Phoenix Riot*, 4.

¹⁴⁷ Sumter *Watchman and Southron*, November 16, 1898.

¹⁴⁸ *Ibid.*

the white people to do all in my power to have a government that will protect every one alike.”¹⁴⁹ While Elias may have simply stated what he thought his audience wanted to hear, the result was the same: he never again played a public role in Republican politics. Once again, intimidation, violence, and peer pressure silenced a white Republican.

By the weekend following the election, with the absence of any strong gesture from the state or federal government, the pressure was building on local leaders to call for an end to the lawlessness.¹⁵⁰ The press, relaying the view of many state leaders, demanded that Greenwood take steps to end “the wholesale butchery” and the “killing of negroes through other than legal methods.”¹⁵¹ While there was occasional mention of the brutality of the murders, the main concern was not the well-being of African Americans. Rather, state leaders were afraid of the reputation of the Palmetto State in the nation, and the effect that a bad reputation could have on economic growth.¹⁵² Additionally, large white landowners in Greenwood needed African American laborers. Incidents such as this dramatically reduce the available pool as many left the area and the state. Indeed, several hundred African Americans left Greenwood County after the riot, often enticed by recruiting agents promising them employment and a peaceful life.¹⁵³ Some were so traumatized by the violence that they left the South altogether. Incapable of voting with a ballot, they

¹⁴⁹ Sumter *Watchman and Southron*, November 16, 1898.

¹⁵⁰ *Newberry Herald and News*, November 15, 1898; *Yorkville Enquirer*, November 12, 1898.

¹⁵¹ *Newberry Herald and News*, November 15, 1898. It is indicative of the racist mindset prevalent at the time that August Kohn, who reported for the *Charleston News and Courier*, suggested in his appeal for peace that there were “legal methods” to “kill negroes.” Hoyt, *The Phoenix Riot*, 14.

¹⁵² Prather Sr, “The Origins of the Phoenix Racial Massacre of 1898”; Wilk, “The Phoenix Riot and the Memories of Greenwood County.”

¹⁵³ “Permitted a Negro to Go to the Prison: An Act That Shows the Situation,” *Columbia State*, November 13, 1898; “Echoes of the Phoenix Trouble: Cards from Citizens of Greenwood and McCormick,” *Columbia State*, January 6, 1899; Hoyt, *The Phoenix Riot*; Wilk, “The Phoenix Riot and the Memories of Greenwood County.”

anticipated what 6 million African Americans would do in the early to mid-20th century during the Great Migration and voted with their feet.

A few local leaders took the initiative of calling a mass meeting at Watson's General Store in Phoenix on Saturday, November 12. Among them were local Democratic Leader J. M. Gaines and W. H. Stallworth. Stallworth was part of the group who had hunted and nearly killed Thomas Tolbert on election day. They wanted first to end the "bloody transgression" and "lynch law" in order to restore order in the area. They also wanted to give their version of the story and be "understood before the world" in the hope of restoring their public image in the state and nation.¹⁵⁴ The meeting adopted a number of resolutions to that effect. These resolutions appeared in newspapers in both South Carolina and across the country.¹⁵⁵

The resolutions are representative of how most white southerners, and the southern press, understood the causes and meaning of the Phoenix riot. The main objective of the resolutions was to explain how citizens of such "high moral character" came to commit such horrific and violent deeds. It captures the profound racial delusion under which the Jim Crow South operated. The resolutions opened with an expression of "deep regrets at the loss of life and bloodshed," and lamented the fact that the riot happened in a section known for its "peaceful law-abiding disposition" and the "friendly relations . . . between the races."¹⁵⁶ Of course, the reality was quite

¹⁵⁴ "Whites Meet," Sumter *Watchman and Southron*, November 16, 1898.

¹⁵⁵ "Lawlessness Up State," Charleston *Evening Post*, November 15, 1898; *Trenton Evening Times* (NJ), November 15, 1898; *Daily Columbus Enquirer* (GA), November 15, 1898; "Passed Resolutions," *Columbia State*, November 16, 1898; "Seeking to End Race War," *New York Herald* (NY), November 16, 1898; "Passed Resolutions," *Augusta Chronicle* (GA), November 16, 1898; "Greenwood Citizens Adopt Resolutions," *St. Louis Republic* (MO), November 16, 1898; *Newberry Herald and News*, November 18, 1898; Sumter *Watchman and Southron*, November 23, 1898; *Manning Times*, November 23, 1898; *Fairfield News and Herald*, November 23, 1898; "Land of Liberty' Mr. Tolbert's Story of His Experiences in the South," *Minneapolis Journal* (MN), November 26, 1898.

¹⁵⁶ "Whites Meet," Sumter *Watchman and Southron*, November 16, 1898.

different. This section of South Carolina was in fact particularly prone to violence and lawlessness.¹⁵⁷

The leaders of the meeting, self-described as the “property-owning” and “best” citizens of the area, argued that neither poor whites nor African Americans bore the brunt of the blame. In their tortuous logic, steeped in a deeply racialized and class-conscious understanding of society, both poor whites and African Americans were, to an importantly differing extent, inferior beings. Contrary to the “property-owning” class, neither African Americans nor poor whites were fully rational beings, and like children, they could not fully control their emotions and passions. Accordingly, they could be easily excited and provoked by more intelligent beings into committing actions that result in violence. Thus, for the local leaders, the key to understanding an event such as the Phoenix riot was to identify the impetus that led a mob of poor whites to commit such atrocities. Logically, if neither poor whites nor African Americans truly have agency, then the guilty party must be some “evil” intentioned “property-owning” white citizen.

Not surprisingly, the blame was entirely placed on the Tolberts. The authors of the resolutions affirmed with “firm conviction” that the “deplorable troubles” were “attributable solely to the evil influences exerted by John R. Tolbert, Robert Rhet [sic] Tolbert, Joseph W. Tolbert, Thos P. Tolbert, and Robert H. Henderson.”¹⁵⁸ Despite all evidence pointing to the contrary, the resolutions stated that all eye-witnesses agreed that “Thomas Tolbert and certain negroes” launched the first attack and initiated the melee at the polling station. The authors of the resolutions then expressed regrets that “deluded negroes have had to suffer the misdeeds committed as a result

¹⁵⁷ Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York, NY: Oxford University Press, 1975); Burton, *In My Father's House Are Many Mansions*; Mays, *Born to Rebel*; Allen Ballard, *One More Day's Journey: The Story of a Family and a People* (Bloomington, IN: iUniverse, 2011).

¹⁵⁸ “Whites Meet,” *Sumter Watchman and Southron*, November 16, 1898.

of the influence of white men whose greed and selfishness has led them to act the part of enemies to both white and colored people.”¹⁵⁹ They concluded with a warning to the Tolberts that their presence in Greenwood County “imperil the lives and property” of all residents. The only honorable action left to the Tolberts was to “remove themselves and their evil influence elsewhere.”¹⁶⁰

In order to ensure no more “manifestation of barbarism,” one resolution was adopted “urging all good citizens, white and colored” to return to their homes and make “every effort to avoid further violence and bloodshed.”¹⁶¹ In addition, a committee of safety was created to maintain peace in the county. The committee showed that local leaders were deeply concerned by the sudden departures of many African Americans and the resulting shortage of workers. They promised the “colored citizen of this community” that they would protect them against “reckless assaults . . . by white persons” as long as they were “in the discharge of their duties,” or in other words, peacefully working for the plantation owners of the area and abstaining from politics.¹⁶² On the very day that Governor Eberle released his Thanksgiving proclamation, the committee on safety also promised to raise funds to repay the residents of Greenwood who had given food or shelter to the “whitecappers” during the riot.

Reporter James Hoyt saw in the “excellent English” of the resolutions that the “authors were men of intelligence and education, as well as sobriety and courage.”¹⁶³ The local press heartily

¹⁵⁹ “Whites Meet,” *Sumter Watchman and Southron*, November 16, 1898.

¹⁶⁰ *Ibid.*

¹⁶¹ “Whites Meet,” *Sumter Watchman and Southron*, November 16, 1898; Hoyt, *The Phoenix Riot*, 16.

¹⁶² “Whites Meet,” *Sumter Watchman and Southron*, November 16, 1898.

¹⁶³ Hoyt, *The Phoenix Riot*, 13.

agreed with Hoyt and saluted the “home-loving property-owning citizens” who took it upon themselves to restore order in Greenwood county.¹⁶⁴ Leland Smith, the *State* correspondent in Greenwood, also approved. He could hardly hide his contempt for the Tolberts, and happily wrote that in light of the resolutions, it was now a matter of “certainty” that the Tolberts would never again “control and manipulate the negroes of this section.” Claiming that the Tolberts “have been the beneficiaries of the forbearance of the people for forty years,” he could not understand how this “tempest of sorrows [was] the reward they give.”¹⁶⁵ Defiantly, he added an open threat to the exiled family, writing that their return to the county “means death to them,” most probably by “lynch law.” And Smith concluded by echoing the resolutions and calling for an “effort” to “take the real estate off [the Tolberts] hands at fair prices,” so that the land “heretofore worked by negroes” could be “settled by white people.”¹⁶⁶

The resolutions were hailed by the local authorities. Responding to the pressure, the county judge of Greenwood appointed a grand jury to investigate the riot. There was no real investigation, however. It was meant, as it was often done in the South after racial violence, to give the impression that local authorities condemned racial violence. Like the authors of the resolutions, the grand jury placed the blame squarely on the Tolberts and their African American supporters.¹⁶⁷ The grand jury stated that it was “satisfied beyond question that the prime cause of the entire trouble was the incendiary speeches made by the Tolberts,” which “incited the Negroes to violence

¹⁶⁴ Nearly all contemporary accounts of the riot note that mostly poor whites and African American were engaged in acts of violence, but not the “property-owning” class. This view was also shared by the Tolberts. In reality, however, members of all social classes partook in the riot.

¹⁶⁵ Leland M. Smith, “Written in the Forenoon,” *Sumter Watchman and Southron*, November 16, 1898.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Walhalla Keowee Courier*, November 24, 1898.

and lawlessness.”¹⁶⁸ The grand jury did not call for the apprehension or indictment of whites who lynched at least twelve African Americans, despite the fact that their identities were well-known to the jury and community.¹⁶⁹ The report suggests that those who killed Wade Hampton Mckenney and so many other African Americans were therefore acting somehow in self-defense or were thoroughly provoked, and should not be tried for their actions. In any case, the grand jury report simply confirmed what the resolutions had made clear: the Tolberts were not welcome in Greenwood, and better stay in exile.

While the people of Greenwood were attempting to restore order, Robert Tolbert was in Washington, D.C., with a small delegation of Republican leaders from South Carolina that included African American Republican leader Robert Smalls, Edmund H. Deas, and National Committeeman E. A. Webster.¹⁷⁰ They wanted the President to launch an investigation into the riot, punish the guilty party, and afford military protection to the Republicans who needed it. They were also preparing the ground for contesting the election in Congress. Failing to obtain an audience in person, they managed to obtain a phone meeting with President McKinley. While the president is said to have “listened attentively” to Tolbert’s “recital” of the “minute details of the troubles” in Greenwood, he gave no indication of what action he may take.¹⁷¹ Instead, Tolbert was referred to former Governor of New Jersey and then Attorney General John Griggs. After a meeting with Griggs, during which Tolbert essentially repeated the story he had told McKinley,

¹⁶⁸ *Yorkville Enquirer*, November 19, 1898; *Lancaster Ledger*, November 19, 1898.

¹⁶⁹ Hoyt, *The Phoenix Riot*.

¹⁷⁰ “McKinley May Direct Federal Interference in South Carolina” *Atlanta Constitution* (GA), November 12, 1898; “Phoenix Race War,” *Nashville American* (TN), November 12, 1898; “An Elephant on His Hands,” *Baltimore Sun* (MD), November 16, 1898; Hoyt, 21.

¹⁷¹ “The Carolina Rage Riots,” *New York Times* (NY), November 12, 1898.

Tolbert had no confirmation that any action would be taken. Instead, Griggs simply mentioned that he would meet with the President at his earliest convenience to decide what course the administration would take.

The Republican delegation attempted to put some pressure on the administration by rallying public support to their cause through several interviews with newspapers.¹⁷² These interviews were meant to ensure that the Phoenix riot and the plight of the South Carolina Republicans stayed in the news. At the time, many Americans were following another, larger, race riot. While the widely anticipated violence in Wilmington, North Carolina, did not materialize on election day as most observers expected, a violent insurrection erupted two days afterwards.¹⁷³ These interviews were also meant as a response to the resolutions that were adopted in Phoenix.

Robert R. Tolbert gave his most in-depth interview to the *Independent*, a progressive northern weekly magazine. Besides seeking public sympathy by detailing the hardship his family had endured, Tolbert countered nearly all assertions included in the Phoenix resolutions. First, Tolbert sought to restore his family's reputation and establish his credibility. They were not the irresponsible and opportunistic agitators that Greenwood citizens described. Instead, they were "well-to-do cotton planters" owning thousands of acres of productive farm land. His father and uncles were Confederate veterans. In other words, they were trustworthy and respectable citizens whom the readers could trust.

¹⁷² See for examples: "Driven from Their Homes," *Baltimore Sun* (MD), November 15, 1898; The Carolina Rage Riots, *New York Times* (NY), November 12, 1898; R. R. Tolbert, "The Election Tragedy at Phoenix," *Boston Independent* (MA), November 24, 1898.

¹⁷³ For a thorough account of the Wilmington riot, see: David S Cecelski and Timothy B Tyson, eds., *Democracy Betrayed the Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill, NC: University of North Carolina Press, 1998).

Secondly, he rejected the idea that he and his family were to blame for the riots. His only “crime” was to belong to the Republican Party and to “uphold the right of all citizens, white or black, under the constitution to cast a free vote and to have it counted.”¹⁷⁴ Instead, the culprits were white Democrats. Far from the notorious “law-abiding citizens” they claimed to be, white Democrats had a long history of racial and political violence. The riots that erupted during the 1876 election were but one chapter of this history. Then, and now, Tolbert continued, the white man was the “aggressor” and the “black man the aggrieved.”¹⁷⁵ However, Tolbert argued that it was lower-class whites, the “irresponsible renters,” sharecroppers, and tenant farmers that bear the brunt of the blame. Alluding to the tangled economic and racial dimensions of the conflict, Tolbert argued that besides their Republicanism, it was the family’s “preference for negroes who work hard and pay their way, and try to do right, over the shiftless white trash who are the curse of the Southern community” that incensed many poor whites in his community.¹⁷⁶

With this interview, Tolbert sought to achieve two objectives. First, he tried to appeal to northern African Americans and white progressives, two critical groups of voters for the national Republican Party. He cast himself as a political champion and generous employer of African Americans. And by dismissing his opponents as “white trash,” he evoked the stereotypes of the uneducated, racist, and violent white “rednecks” that widely circulated in the elite circles of the North. In this way, Tolbert hoped to find allies to support his cause in the nation’s capital.

¹⁷⁴ R. R. Tolbert, “The Election Tragedy at Phoenix,” Boston *Independent* (MA), November 24, 1898.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid. The charges that the Tolberts favored black over white tenants appeared in several newspaper articles and letters to the editor. For a good example, see: “Echoes of the Phoenix Trouble. Cards from Citizens of Greenwood and McCormick,” Columbia *State*, January 6, 1899. Of particular interest in this example is the fact that the writer is particularly incensed that James W. Tolbert allegedly went as far as renting a room to a black family in his own house, thereby violating cultural norms. In southern whites’ scale of race-related sins, such interracial co-habitation was only above interracial sex.

Secondly, Tolbert conspicuously spared the leadership of the state Democratic Party. In doing so, Tolbert hoped that he could count on the support of state authorities once he returned home.

Despite their efforts, the South Carolina Republican delegation failed to gather much support, either from the nation at large or the McKinley administration. Epitomizing the dwindling support that both the federal government and the national Republican Party provided to Republicans in the Deep South since the end of Reconstruction, Attorney General Griggs refused to send troops to restore peace or protect the Tolberts. Presumably, the McKinley administration refused to act out of fear of re-igniting the sectional wounds that were beginning to heal, thanks to the Spanish American War. The Southern press hailed the absence of federal intervention. Alluding to the stereotype that Republicans were simply patronage-seeking mercenaries, the press circulated the rumors that Griggs told Tolbert as he understood it, the problem of Republicans in the South was not fraud or violence, but “that there [were] not enough federal offices in South Carolina to go around.”¹⁷⁷

The only action taken by the administration was the prosecution of a group of nine men who had run James W. Tolbert out of McCormick, a small town 20 miles away from Phoenix.¹⁷⁸ James W. Tolbert and his wife had obtained post office jobs from their cousins, Robert and Joseph Tolbert. Since James W. was assistant postmaster, the McKinley administration believed it could act. Interfering with the duties of a federal employee was a federal offense. However, the case was thin from the start.¹⁷⁹ Even though Tolbert was run out of town, his wife, the postmistress, was

¹⁷⁷ “Griggs Grasped Situation: The Trouble Was That There Were Not Enough Offices for the Tolberts,” *Columbia State*, November 21, 1898. This alleged conversation was not reported in non-southern newspapers and may have been completely fabricated by the white southern press.

¹⁷⁸ “The South Carolina Riots,” *New York Times* (NY), November 17, 1898; “Men at M’Cormick in a Grave Muddle: The Grand Jury Returns True Bills Against Them,” *Columbia State*, December 1, 1898.

¹⁷⁹ “Federal Action Not to Be Feared,” *Columbia State*, November 13, 1898.

allowed to continue her work without interference. More importantly, the trial would be in front of a white jury in a South Carolina federal court. There was little chance that the jury would be sympathetic to Tolbert's case. The accused parties knew this very well. According to one news account, on their way back from Columbia, SC, where they were formally indicted, the nine men "were in the best of spirit," and freely spoke of their arrest "as though it was only a joke."¹⁸⁰

The trial took place in the spring of 1899 and was indeed a farce. Abial Lathrop, the district attorney, who was a friend of the Tolberts and a fellow Republican, failed to obtain any incriminating testimonies except from the Tolberts. Other witnesses refused to testify, either because they were part of the lynch mob or they feared retribution. The defendants' attorney challenged the seating of any known Republicans or African Americans on the jury. The judge obliged in all cases. Thus, the jury was entirely composed of white Democrats. The defense argued that nobody had conspired against the Tolberts in McCormick. The accused claimed to have offered their protection to Tolbert for 36 hours after the riot.¹⁸¹ The jury deliberated for only 19 minutes before acquitting the nine men.¹⁸² The local press heartily agreed with the decision, accusing Tolbert of seeking to "fill his pocket with filthy lucre."¹⁸³ James W. Tolbert "looked far more like a culprit than any of the defendants on trial," concluded the *People's Journal*.¹⁸⁴

The short trip to Washington thus proved fruitless to the South Carolina Republican delegation. McKinley had refused to launch a federal investigation into the riot or to offer

¹⁸⁰ *Newberry Herald and News*, December 6, 1898.

¹⁸¹ *Abbeville Press and Banner*, May 3, 1899; *Pickens People's Journal*, May 4, 1899.

¹⁸² *Newberry Herald and News*, May 2, 1899.

¹⁸³ *Abbeville Press and Banner*, May 3, 1899; *Pickens People's Journal*, May 4, 1899.

¹⁸⁴ *Pickens People's Journal*, May 4, 1899.

protection to the Tolberts and Republicans in Greenwood. Additionally, Tolbert learned in Washington that that the South Carolina Board of Canvassers had declared Ashbury C. Latimer the winner of the election, despite the obvious electoral irregularities. But all was not lost. Tolbert still intended to challenge the election results before Congress. Despite filing for his contest a little late, his trip to Washington left him confident that this administrative issue would not prevent his case from being heard.¹⁸⁵ The Tolberts knew the lawsuit on behalf of James Tolbert would certainly fail but were nevertheless grateful for it. It kept their story in the headlines, and the inevitable result might help sway the public opinion in their favor. In turn, public opinion could put pressure on the members of the House Election Committee to overturn the election in favor of Tolbert.

In the meantime, the Tolberts had other concerns. They were still fugitives seeking a way to return home. John and Joseph's appeal for the governor's help proved fruitless. Governor Eberle, promised the Tolberts "all the protection in [his] power," but did not think it would be "prudent" for them to return "until the excitement subsides."¹⁸⁶ The anger against the Tolberts had not subsided. The interview in which Tolbert disparaged the white people of his county had not helped their cause. For several months, the local press reminded their readers of the dismissive terms Tolbert had used to describe them while in Washington.¹⁸⁷ Another aggravating factor was

¹⁸⁵ Any candidate was entitled to challenge the result of an election before Congress. In order to do so, the candidate had to turn in the necessary paperwork (notice of contest and grounds of contest) to the clerk of the House of Representatives within 30 days of the announcement of the official election results by the state board of canvassers. After this, the contestants and contestee had 90 days to prepare their briefs and collect testimonies. Then, if necessary, the House Committee on Elections set a time for the hearings, during which the candidate and their respective attorneys appeared. Finally, the Committee released its final decision. This final decision usually came 12 to 20 months after the election. During the entire time of the contest, only the contestee could cast votes in the House of Representatives. However, the contestant was entitled to sit on the floor of the house, partake in debates, and ask questions just like any other congressman. For more on the rules of election contests, see: *Laws and Committee Rules Governing Contested Election Cases in the House of Representatives* (Washington DC, Government Printing Office, 1923).

¹⁸⁶ "Part of James Tolbert's Plan," *Columbia State*, November 17, 1898.

¹⁸⁷ See for example: *Abbeville Press and Banner*, February 8, 1899.

the pending lawsuit against those who had run James W. Tolbert out of town. By one estimate, McCormick's citizens' anger toward the Tolberts had “increased ten-fold” since James escaped to Washington, D.C.¹⁸⁸ For example, the Ladies Democratic Club of McCormick passed a resolution endorsing the actions of men who had run the Tolberts out of town.¹⁸⁹ The club intended to burn an effigy of the Tolberts, but the rain thwarted their plan.¹⁹⁰

Over a month after the riot, the fate of the Tolberts still hung in the balance. Only a full apology, like that of Elias Tolbert, seemed likely to calm Greenwood's residents. In January 1899, candidate-elect Ashbury Latimer told reporters that he believed the Tolberts would be permitted to return home only after publicly recognizing “the universal verdict that white people must rule.”¹⁹¹ Ann Tolbert, the sister of John who had hosted the Tolbert brothers while they attended Adger College, implored President William McKinley to help the Tolberts sell their land at a reasonable price: “Exiles we have been long enough, buy our land, and let us find a home for Christmas.”¹⁹²

Mr. Tolbert Goes to Washington

During the winter of 1898-1899, the morale was low among the scattered Tolbert family. Joseph and Thomas were staying with their father John in Charleston, and James and Robert stayed

¹⁸⁸ “‘Conspirators’ Are Bound over to Court: They Deny That They Are Liable for Prosecution,” *Columbia State*, December 2, 1898.

¹⁸⁹ *Newberry Herald and News*, December 6, 1898.

¹⁹⁰ *Ibid.*

¹⁹¹ *Anderson Intelligencer*, January 11, 1899.

¹⁹² Letter from N. A. Tolbert to President William McKinley, December 6, 1898, in Record Group 60, General Records of the Department of Justice, 898-17743, National Archives, College Park, Maryland.

near Washington, D.C.¹⁹³ Joseph was particularly dispirited, and anxious over losing his crops. For all their wealth, the Tolberts' forced exile took a serious economic toll.¹⁹⁴ The winter months were critical for selling, delivering, and preparing for the next season, all tasks requiring important administrative overseeing. The Tolberts' claim that they lost over \$8,000 may have been inflated, but whatever the real amount, it would have been substantial.¹⁹⁵

Feeling desperate, Robert, Joseph, and James snuck back home for a few days in January and February and took care of their most pressing business matters. Robert even attempted to smooth things over with Greenwood residents. A flu-ridden and pale looking Robert Tolbert told an Abbeville reporter that he had been misquoted by the *Independent's* interviewer. He denied using the term "white trash," and assured the reporter that some of his best friends were white men of modest means in Greenwood.¹⁹⁶ James, also eager to return home, wrote a "pitiful" letter to the *State*.¹⁹⁷ Like Robert, he stressed that he had committed no other crime than being a Republican. He provided letters of reference from McCormick citizens, and described in detail the hardship he had suffered.

These efforts seem to soften some white South Carolinians. An editorial in the *Greenville News* admitted that on "the face of it the Tolberts have all the rights on their side, and all the wrong is on the other side."¹⁹⁸ The people of Greenwood and Abbeville have been "made ridiculous" by

¹⁹³ "Joe Tolbert Despondent: He Fears That He Will Lose His Crop by Continued Absence," *Columbia State*, December 17, 1898.

¹⁹⁴ *Ibid.*

¹⁹⁵ *Abbeville Press and Banner*, February 1, 1899.

¹⁹⁶ *Ibid.*

¹⁹⁷ "Tale of Troubles Told by Tolbert: He Is Anxious to Return to His Home at McCormick," *Columbia State*, February 27, 1899; *Abbeville Press and Banner*, March 1, 1899.

¹⁹⁸ *Abbeville Press and Banner*, February 8, 1899.

allowing themselves to follow “irresponsible ruffians,” it said.¹⁹⁹“If we had a State government which amounted to a row of pins,” the *Greenville News* continued, the Tolberts would be “protected and defended” in their right to live where they want and vote the way they want.²⁰⁰ Yet, the vast majority of the citizens of Greenwood and Abbeville Counties, remained unmoved. In fact, the only reason the *Greenville News* editorial was reprinted in the *Abbeville Press and Banner* was to produce a nearly full-page rebuke of it. This article made clear that as long as the Tolberts took no responsibility for the riot and refused to apologize for unleashing “negro assassins” onto the “peaceable white citizen” with their “incendiary speeches,” there would be no peace.²⁰¹ Upon hearing that Robert Tolbert was in the county, a group of Greenwood citizens released another statement in which they “respectfully requested that they [the Tolberts] make permanent abodes outside of this county.”²⁰² One man even tracked down the six citizens whose letter of recommendation for James W. Tolbert had previously appeared in the *State*. They explained that the only reason they wrote a letter was because Tolbert had told them he would use it “in getting a situation in Charleston.”²⁰³

The Tolberts spent the winter and part of spring preparing to challenge the election in Congress. In mid-February, Robert had former Republican candidate and notary Cecil Cohen go to Greenwood to take testimonies.²⁰⁴ Joseph stayed in a Greenwood hotel to assist with the process

¹⁹⁹ *Abbeville Press and Banner*, February 8, 1899.

²⁰⁰ *Ibid.*

²⁰¹ *Ibid.*

²⁰² *Ibid.*

²⁰³ “Smith’s Reply to Tolbert’s Story. The Intendant of McCormick Writes a Letter,” *Columbia State*, March 6, 1899.

²⁰⁴ “Tolbert Refused to Take Testimony. Alleged That Threats Were Made Against Witnesses,” *Columbia State*, February 18, 1899.

of taking testimonies.²⁰⁵ His room was heavily guarded by a posse of friends. Upon hearing rumors that attempts would be made on the Tolbert's life or on those of the witnesses, Robert's lawyer decided to postpone the taking of testimonies until further notice.²⁰⁶ Joseph returned to Charleston without even passing by his house.²⁰⁷ By mid-April, after relocating to the safer space of Charleston and Columbia, Robert Tolbert had finally managed to get a few testimonies, notably from Robert Smalls and his brothers Thomas and Joseph Tolbert. However, Robert failed to secure a single testimony from African Americans who were actually in Abbeville or Greenwood counties when the riot occurred.

In late February, when rumors surfaced that Joseph Tolbert had returned to the county, a group of seventy-five to one hundred armed men on horseback mobilized under the command of local Democratic Party leader, J. M. Gaines. The assembled mob, which included a number of men who had been drinking enough to "make asses of themselves," canvassed the area in search of the Tolberts.²⁰⁸ As they came to the realization that Tolbert was not in town, they spread the word that if local citizens wanted "peace and good order," they had to keep the Tolberts out.²⁰⁹ On the following day, Joseph attempted to secretly return home. He was intercepted by a small group of "citizens" upon his arrival at the Greenwood train station. Relaying the order of the Gaines' led

²⁰⁵ "Tolbert Refused to Take Testimony. Alleged That Threats Were Made Against Witnesses," *Columbia State*, February 18, 1899

²⁰⁶ *House Committee on Elections No. 3, Contested Election Case R. R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1899), 10.

²⁰⁷ "Tolbert Refused to Take Testimony: Alleged That Threats Were Made Against Witnesses," *Columbia State*, February 18, 1899.

²⁰⁸ *Anderson Intelligencer*, March 1, 1899.

²⁰⁹ *Ibid.*

mob, they “advised” him to “stay on the train” and immediately return to Columbia.²¹⁰ Tolbert took the advice, and left town on the same train.

In early March, Robert R. Tolbert was back in Washington to lobby for his case. In his pitch to the congressmen, Tolbert explained that he saw only two options: either they support his cause and take a strong stance to ensure that South Carolina respects the 14th and 15th amendment, or they cut South Carolina’s congressional representation to a number more representative of the “actual voting population.”²¹¹ Tolbert preferred the first option. But cutting South Carolina representation, he believed, would “open the eyes of the people” to the need of ensuring voting rights for all, blacks and whites.²¹² Unfortunately, neither was likely to happen given that President McKinley had already made clear his aversion to reviving sectional tensions. Tolbert’s argument echoed what many Northern Republicans had been saying for over a decade and played well in the northern press.²¹³ Back home, it only heightened resentment. Newspapers in South Carolina warned readers that “the Phoenix agitator wants the reduce our congressional representation.”²¹⁴

Tolbert generated enough national attention that South Carolina Governor Ellerbe grew worried of the bad publicity. In early March, he issued a proclamation asking the “peace officers of Abbeville and Greenwood counties” to protect the “wronged and persecuted citizens” from “evilly disposed persons” as long as “they pursue their lawful business.”²¹⁵ The carefully crafted

²¹⁰ “The Tolberts Must Not Tarry in Greenwood,” *Anderson Intelligencer*, March 1, 1899; *Walhalla Keowee Courier*, March 9, 1899.

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ “Mr. Tolbert Appeal,” Boston (MA) *Independent*, May 11, 1899; “Danger Signal up for R. Red Tolbert. Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

²¹⁴ *Yorkville Enquirer*, March 4, 1899.

²¹⁵ *Lexington Dispatch*, March 22, 1899.

proclamation never mentioned the Tolberts by name. More importantly, Ellerbe took no measure to ensure that this proclamation was properly followed. The governor, like most of the other “allies” of the Tolberts, was unwilling to go further than words.²¹⁶

The Tolberts decided to take advantage of the proclamation to return home. Yet, a week after their return, a post office located in a building owned by Joseph W. Tolbert was burned to the ground. Despite the fact that it was “evidently the work of an incendiary,” the authorities did not pursue the matter.²¹⁷ The arson notwithstanding, the Tolberts would later claim that the governor’s proclamation proved a godsend. Officers of the peace took it seriously, they believed, and “showed every disposition” to protect them.²¹⁸ The reality was slightly different. More pragmatic matters convinced the people of Greenwood to stay calm. Greenwood leaders wanted to ensure that no “demonstrations” occurred prior and during James Tolbert’s trial, for fear that it would prejudice the defense of the accused.²¹⁹ As such, it is likely that the officers of the peace in Greenwood were “disposed” to protecting the Tolberts because they knew that nothing would happen anyway.

In early May, the dismissal of James W. Tolbert’s case thwarted the chances the Tolberts had of returning home without making public apologies. Indeed, Greenwood residents were not only angry at this “brazen” lawsuit against many of Greenwood’s “best citizens,” but they also received the confirmation of what they already probably suspected: they could act with impunity,

²¹⁶ “Danger Signal up for R. Red Tolbert. Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

²¹⁷ *Pickens People’s Journal*, May 18, 1899; *Lexington Dispatch*, May 24, 1899.

²¹⁸ *Abbeville Press and Banner*, August 16, 1899.

²¹⁹ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

as long as they kept the violence under control. Just when it became evident to him that his cousin James would lose the trial, a “wan and thin and worn” Robert gave an interview, this time to A. M. Carpenter of the *Greenwood Index*, to “get right before the people of [his] home.”²²⁰

This “simply pitiful” appeal, reprinted in most newspapers across South Carolina, and even as far as Oregon, was “read and discussed by everybody.”²²¹ His home and interests were in Greenwood, Tolbert said, and thus he had nothing to gain by willingly bringing about “a state of lawlessness.”²²² He pleaded that he had been misquoted in the *Independent*, and never used the words “white trash,” nor did he describe anyone as “irresponsible.” Denying that he “had a strong predilection for the Negroes,” Tolbert stated “I am not, and never have been, in favor of negroes holding office.”²²³ “I am not a believer in social equality,” he added, “I am a believer in white supremacy in the broadest and strongest sense of the term, and if I see that it is in danger I will go as far as any man to defend it.”²²⁴ Tolbert, contrary to most of Greenwood residents, did not see the Republican Party or African American suffrage as a threat to white supremacy. Robert also denied holding “night meetings with negroes” or “preaching incendiary doctrine to them.” He distanced himself from his cousin James, whose trial made him the most hated Tolbert.²²⁵

However pitiful Robert’s statement may have been, he managed to preserve some sense dignity. For example, he firmly rebuked the idea that he incited the riot. He said that it was plainly

²²⁰ “Tolbert’s Appeal to Old Neighbors: Wishes to Return to His Home and Family,” *Columbia State*, May 6, 1899.

²²¹ “Tolbert’s Appeal to Old Neighbors: Wishes to Return to His Home and Family,” *Columbia State*, May 6, 1899; “Mr. Tolbert’s Appeal,” *Boston Independent (MA)*, May 11, 1899.

²²² “Tolbert’s Appeal to Old Neighbors: Wishes to Return to His Home and Family,” *Columbia State*, May 6, 1899.

²²³ *Ibid.*

²²⁴ *Ibid.*

²²⁵ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

immoral for whites to “commit crime against a weaker and defenseless race.” And he turned one of the most powerful myths of the white South on its head, exposing a tension in the common conception of white supremacy. Tolbert could not conceive of the “remotest danger of negro domination,” because whites, even if numerically inferior in the state, were racially superior to African Americans in all aspects. As a result, they should always come on top politically and socially, without the need to rely on trickery or deceit. White supremacy, Tolbert argued, was in itself the best protection against “negro rule.” This is why Tolbert also told the reporter that he was in “favor of any man exercising the right of suffrage [unless] he is [not] qualified to do so,” and that he did not “believe in disfranchising on account of . . . color.”²²⁶ Indeed, the Tolberts were far more classist than racist.

Among Greenwood residents, there was a “general disposition to ignore” Tolbert’s promise and maintain the status quo. They expected more than a vague promise to no longer upset the community standard of racial propriety. They wanted the Tolberts to publicly take all the blame for the riot and promise to refrain from “interfering” with African Americans. But the constant attention on Greenwood brought by this the endless drama had not only exhausted the Tolberts, but also many county and state leaders. These leaders led a public relations effort on behalf of the Tolberts.²²⁷ Desiring above all a return to normalcy, they implored Greenwood citizens to show the Tolberts “leniency” by forgetting their “past offenses.” Nearly seven months after the riot, the people of Greenwood “accepted Tolbert’s statement and promises in good faith,” and finally allowed the Tolberts to return home and go about their business “without molestation.”²²⁸

²²⁶ “Tolbert’s Appeal to Old Neighbors: Wishes to Return to His Home and Family,” *Columbia State*, May 6, 1899.

²²⁷ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

²²⁸ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899; *Abbeville Press and Banner*, June 14, 1899.

Yet, the Tolberts were contrarians to the last. Despite promising to refrain from “stirring trouble,” Tolbert had no intention of dropping the election contest. In August, Robert and Joseph went back to Washington to lobby Congress. Tolbert told reporters that he was realistic about his perspective of unseating Latimer, given the McKinley administration's reluctance in supporting black suffrage.²²⁹ What’s more, while Tolbert claimed to have accumulated over 175 affidavits, he had destroyed the vast majority in order for his family to escape alive from Greenwood.²³⁰ Testimony from these potential voters could have replaced the alleged lost affidavits, but Tolbert was not in a position to offer protection to potential witnesses. Threat of violence ensured that virtually no African Americans dared to recount their experiences to a notary.

In his brief, Tolbert argued that the new constitution of South Carolina violated the U.S. Constitution by granting unfettered power to election officials. Forty-five hundred voters were prevented from voting for him, Tolbert contended. This was no error, but rather a “preconceived” way to ensure “the disfranchisement of the colored voters.” He cited the testimonies and evidence provided by Robert Smalls in support of his claim. South Carolina’s constitution was nothing less than a “conspiracy . . . for the express purpose of overcoming the Republican majority in the State of South Carolina,” Tolbert concluded.²³¹

Ashbury Latimer denied these “vague” and “sweeping allegations.”²³² He argued that the “purpose of the constitution was to grant the privilege of voting to the more intelligent and

²²⁹ Nine congressional elections were contested in 1899, four of which were in the South. Chester Harvey Rowell, *A Historical and Legal Digest of All the Contested Election Cases in the House of Representatives of the United States from the First to the Fifty-Sixth Congress, 1789-1901* (Washington, DC: U.S. Government Printing Office, 1901).

²³⁰ “Tolbert Denies That He Made an Apology,” *Atlanta Constitution* (GA), August 5, 1899.

²³¹ *House Committee on Elections No. 3, Contested Election Case R.R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1899), 4, 10-13.

²³² *House Committee on Elections No. 3, Contested Election Case R.R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1899), 5.

property-owning classes, thus elevating the character of public service.”²³³ However, the bulk of Latimer’s defense focused on a technicality. He contended the case should be dismissed because Tolbert’s “notice of contest . . . was served two days too late.”²³⁴ This technicality provided an easy way out for congressional Republicans who wanted to appear sympathetic to the plight of southern Republicans but were conscious of the McKinley administration’s interest in healing sectional tensions. The House ruled in favor of Latimer. Once again, southern Republicans were abandoned by the federal government.

The “Grand Finale”

The loss of the election contest was not the end of the Tolbert woes.²³⁵ Almost as if he deliberately sought to provoke more trouble in Greenwood, Tolbert attacked the honor and reputation of one of the most respected journalists of Greenwood, A. M. Carpenter. This journalist had previously invested his time, pen, and influence to pacify Greenwood citizens and ensure the Tolberts’ safe return to the county. While in Washington, Robert had told reporters that he never made any apologies or concessions to Greenwood residents to ensure his family’s safe return. In fact, he denied meeting with the *Greenwood Index*, thereby accusing Carpenter of having fabricated the interview.²³⁶ Robert believed that his chances of success in Washington would be

²³³ *House Committee on Elections No. 3, Contested Election Case R.R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1899), 5.

²³⁴ *Ibid.*

²³⁵ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899; *Newberry Herald and News*, August 15, 1899; *Yorkville Enquirer*, August 16, 1899.

²³⁶ “Tolbert Denies that He Made an Apology,” *Atlanta Constitution* (GA), August 5, 1899.

greater if he appeared strong, uncompromising, and steadfast. Or perhaps it was just Robert acting once more as a provocateur. Regardless, it did.

A. M. Carpenter provided his side of the story in a long article reprinted in newspapers across the state.²³⁷ Carpenter said that Tolbert had been recently seen at a “negro meeting.”²³⁸ He also claimed to have overheard an African American stating to a friend that “[Tolbert] had just bluffed the whole business and is having his way about everything. They can’t do a thing with him.”²³⁹ According to Carpenter, the African American man “laughed as if he thought it was a great joke.”²⁴⁰ It “would not be bravery for [Tolbert] to come back here,” Carpenter concluded, “it would be the recklessness of a fool.” A letter supporting Carpenter’s claims penned by Wyatt Aiken, an influential white Democrat who would serve as congressman of the district from 1903 until 1917, was juxtaposed to the article.²⁴¹

Tolbert responded in a letter to the *Abbeville Press and Banner*.²⁴² The Governor’s proclamation, rather than the interview he had given to Carpenter, had ensured his safe return home. Tolbert said he never denied having an interview with Carpenter but had simply complained to Washington reporters that Carpenter “misunderstood or misquoted” him. Carpenter had erroneously made it sound as if Tolbert had renounced the principles of the Republican Party and turned against his own cousin, he maintained. Instead, the interview should have simply conveyed

²³⁷ “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

²³⁸ *Ibid.*

²³⁹ *Ibid.*

²⁴⁰ *Ibid.*

²⁴¹ “Tolbert Warned Not to Come Back,” *Atlanta Constitution* (GA), August 14, 1899; “Danger Signal up for R. Red Tolbert: Greenwood Will Be Unhealthy for Him to Visit,” *Columbia State*, August 11, 1899.

²⁴² *Abbeville Press and Banner*, August 16, 1899.

that Tolbert expressed regret for the “shocking occurrences” in Phoenix, and that he promised to do “all [he] could to preserve peace and good order in the community.” As for his presumed attendance at a “negro meeting,” Tolbert replied that he did not attend a meeting but went to the black church to discuss “private business.” Suffice to say, Robert failed miserably to convince Greenwood of his goodwill.

An interview with John R. Tolbert threw even more fuel on the fire. John was on his way for “a little fun” on Paris Mountain when the *Greenville News* reportedly accosted him in the lobby of the chic Mansion House in Greenville.²⁴³ John was apparently unaware of the recent development in Greenwood. Once the reporter brought him up to speed, John could not refrain from disparaging the “damned agrarianism of the hoosiers in Phoenix.”²⁴⁴ There was no lost love between the Tolberts and the poor whites deemed responsible for the violence in Greenwood. And a comment like this certainly reminded the readers of Robert’s comments about the “white trash” in Greenwood. John contemptuously dismissed the inscription, “Died in defense of his country” on the monument to the memory of J. I. “Bose” Etheridge, the white Democrat whose death triggered the riot in Phoenix. Tolbert burst into laughter at the idea that Ethridge was some kind of hero. Etheridge was responsible for the riot, John allegedly said, and as such, would be best described as a traitor to his country. In a “burst of dramatic eloquence and pure, pious English” John concluded that “there’s got to be a grand finale to all this nonsense in Phoenix.” Pressed by the reporter to clarify his thought, Tolbert refused.

Democratic kingpin Benjamin Tillman had heard enough. On the same day that Robert’s letter and John’s interview appeared in the Greenwood newspapers, Senator Tillman delivered a

²⁴³ *Newberry Herald and News*, August 22, 1899.

²⁴⁴ *Ibid.* Before the term “hoosier” came to mean a resident of Indiana, it meant an awkward, uneducated and unsophisticated person, and was thus close in meaning to “white trash.”

speech to a crowd of over 500 in Greenwood.²⁴⁵ Tillman made sure that his audience understood that his remonstrance was not about the riot in November. “If I had been here I would have gone with you,” said the senator, for “I have never yet failed to uphold the banner of white supremacy against the devil, the world, and the Radicals.”²⁴⁶ Tillman recognized that violence and intimidation were both important to “make the negroes let our politics and women alone.” But he exhorted the people to stop “bothering the poor Negroes who have nothing to do with the Tolberts.” Rather, the “thoughtless” act of violence against African Americans “give ammunition” to the “center of devilry” in the North and could lead to one of the worst fears of Democratic leaders in the South: the “interposition of federal authority.” In addition, African Americans were leaving the area in great number, depriving the planters of labor, and driving off capital investments in the Palmetto State. He told his audience that if they truly wanted to “uproot the snake and kill it,” they should “go and kill the Tolberts.”²⁴⁷ The applause was thunderous.

Journalist A. M. Carpenter and State Senator Crestwell Archimedes Calhoun Waller, a very rich and influential businessman of Greenwood, called a meeting to try to stop the “recent whitecapping outrages.”²⁴⁸ Many residents of Greenwood were troubled by the surge of lawless activities in the Palmetto state and in much of the South. They needed cheap black laborers to remain afloat financially. Both the sheriff and the prosecuting attorney pledged to arrest and prosecute anyone guilty of such crime.²⁴⁹ Among the other guest speakers was Bob Cheatham, a

²⁴⁵ *Yorkville Enquirer*, August 19, 1899.

²⁴⁶ *Ibid.*

²⁴⁷ “Tillman Denounces White Cappers in Strong Terms,” *Atlanta Constitution* (GA), Aug 17, 1899.

²⁴⁸ *Ibid.* Waller was rich enough to pay for a confederate memorial for his brother Robert in 1903. He also claimed to be a direct descendent of William the Conqueror. See: W. Scott Poole, *Never Surrender: Confederate Memory and Conservatism in the South Carolina Upcountry* (Athens, GA: University of Georgia Press, 2004).

²⁴⁹ “Tillman Denounces White Cappers in Strong Terms,” *Atlanta Constitution* (GA), Aug 17, 1899.

close ally of J. I. “Bose” Etheridge. Cheatham, who was at the Phoenix polling station when Etheridge was killed, made an impassioned plea to “rid the county of the Tolberts” so that both whites and blacks can “live together peacefully.”²⁵⁰ He promised to “lead the crowd to rid the county of even the name or leave my wife a widow.”²⁵¹ Despite some applause for Cheatham, the *Atlanta Constitution* correspondent noted that “it was evident the majority [of the people at the meeting] was against [Cheatham],” not because they suddenly had a newfound affection for the Tolberts, but simply because they were more concerned about the adverse social and economic effect of the current wave of violence. Consequently, while the widespread hatred for the Tolberts would endure for decades, the authorities and the vast majority of the leaders of the county did not want to encourage more unrest.

Thanks to an open letter sent to all major newspapers of the state, the main focus of Greenwood residents moved from the Tolberts to the question of whether or not South Carolina’s problems could be cured by a program of “exportation of negroes.”²⁵² The idea came from Confederate hero and former Democratic U.S. Senator, General M. C. Butler. He argued that the Tolberts should be left alone, for the problem of “whitecapping” and racial violence had far deeper roots. Butler believed that because “poor whites” could not compete with “cheap negro labor,” racial violence was inevitable. For Butler, the two races could just not live side by side peacefully. The only solution likely to end racial violence was to create a federally funded program of “exportation of negroes” similar to what was done “for the Indians.”²⁵³ His very controversial idea,

²⁵⁰ “Tillman Denounces White Cappers in Strong Terms,” *Atlanta Constitution* (GA), Aug 17, 1899.

²⁵¹ Ibid.

²⁵² *Yorkville Enquirer*, September 2, 1899.

²⁵³ Ibid.

which called for an initial federal investment of \$100,000,000 to be duplicated “as often as needed,” monopolized South Carolina’s newspapers’ front pages for weeks. Making sure that they stayed away from the spotlight, the Tolberts took advantage of this moment to slowly return to their homes. Despite the return to relative normalcy, the events in Phoenix would follow the Tolberts for the rest of their lives. In fact, it made the Tolbert name so infamous that as late as the 1950s, the grandson of Joseph W. Tolbert was regularly derided as a “nigger lover” in the streets of Ninety Six, South Carolina.²⁵⁴

For his part, James was never allowed to resettle in McCormick, where he owned several acres of land in and around the city as well as real estate. He decided to live with various family members outside of McCormick. He regularly went back to McCormick to attend his business, but soon grew tired of the back and forth travels. In early 1901, he announced to his neighbors his intention of once again making McCormick his permanent residence. McCormick residents were still not prepared to let James return, and devised a devious plan to get rid of Tolbert for good.²⁵⁵ The plan was to capture Tolbert, to “tie him like a calf in a crate,” and to ship him to relatives in Anderson county. They contacted the railroad operators of the area to organize the transport. One week after returning to McCormick, as he was repairing one of his houses, a group of about ten men walked to Tolbert. He was told to leave town immediately, or they would execute their plan. Tolbert ran, and while chased by the group of men, opened fire, injuring one of the assailants. Retaliation followed, and Tolbert was shot in the arm and in the lung, but successfully escaped to family members in Greenwood. James survived, but would never call McCormick home again.

²⁵⁴ Thomas W. Tolbert in discussion with author, April 2016.

²⁵⁵ “Accurate Account Is Hard to Obtain: Jim Tolbert Removed from McCormick to Greenwood,” *Columbia State*, February 23, 1901; “James W. Tolbert Shot at McCormick: Returned to Town from Which He Had Been Expelled,” *Columbia State*, February 22, 1901; “Had Planned to Ship Tolbert as Freight: How McCormick Citizens Intended to Send Him Away,” *Columbia State*, March 1, 1901.

Conclusion

By the turn of the century, the Tolberts' failure to overturn the constitution and the refusal of the federal government to intervene meant that the South Carolina Republican Party was effectively doomed. South Carolina, like the other states of the Deep South, had transitioned to a one-party system. In the name of an extreme form of white supremacy, Democrats used violence, intimidation, and fraud to disfranchise nearly all African Americans as well as their white Republican allies, to accomplish what amounts to a partisan coup.²⁵⁶ By refusing to intervene despite obvious fraud and violence, the federal government tacitly approved the creation of this one party-system. With little fear of federal interference, and with nearly all African Americans and many whites disfranchised, the Democratic Party now had unfettered access to all levers of power. Democrats could make laws to their own advantage and ensure that they were the sole interpreters of them. As Thomas J. Semmes, a prominent Democratic lawyer from Louisiana explained: "The State is the Democratic Party. The interests of the party are the interests of the state."²⁵⁷

Under this undemocratic one-party system, and without help from outside, the Republicans were no match to the all-powerful Democrats. For the next four decades, South Carolina Republicans could not even entertain the idea of competing in electoral politics. In this hopeless situation, and without a unifying enemy they could fight, most Republicans turned inward. They began to fight against each other for the only remaining prizes: tickets to national Republican conventions and control over federal patronage. Yet, a number of African American Republicans

²⁵⁶ Kousser, *The Shaping of Southern Politics*; Robert Mickey, *Paths Out of Dixie: The Democratization of Authoritarian Enclaves in America's Deep South, 1944-1972* (Princeton, NJ: Princeton University Press, 2015).

²⁵⁷ Thomas J. Semmes, quoted in Mickey, *Paths Out of Dixie*, 44.

refused to abandon the fight to reclaim their political rights. They would use the Republican Party as the conduit to challenge disfranchisement.

Chapter 2
**“The Only Game in Town”: Political Rights Activism and the Rise of the South Carolina
 Republican Party’s Militant Wing, 1900-1907**

When for God and fight we battle, numbers cannot make a mark,
 For while countless millions perished, eight were saved in Noah's ark.
 'Twas the faithful few, my readers, who were found on holy ground,
 That were saved, while all remaining in the raging flood were drowned.

Tell me not of shame or failure in a just and righteous cause,
 For the right at length will triumph in the face of wicked laws,
 Heaven still extends protection to the weakened and oppressed,
 Who will cry to God for succor and relief when sore distressed.

Yea, the angel still encampeth round about when Christians fear,
 To deliver them from evil and their souls to fill with cheer.
 With the faith of ancient Hebrews should the Negro of today,
 Ask the Maker for the ballot, and with courage wend his way.

- Lizelia Augusta Jenkins Moorner, *The Negro Ballot*, 1907

African American poet and civil rights activist Lizelia Augusta Jenkins Moorner wrote *The Negro Ballot* during the period that many historians have termed the “nadir of African American history.”¹ Segregation condemned African Americans in the South to second-class facilities. Intimidation and violence combined with new state constitutions such as the South Carolina constitution of 1895 practically disfranchised the race. To reduce the threat of racial violence, most African American leaders steered the community’s efforts away from directly fighting against disfranchisement. Instead, they adopted Booker T. Washington’s pragmatic accommodationism and aimed to establish amicable relations with influential whites. Political activism or collective action were not encouraged. Rather, African Americans were encouraged to focus their energy on uplifting their individual selves through practical education and economic activities. Although

¹ Lizelia Augusta Jenkins Moorner, “The Negro Ballot,” in *Prejudice Unveiled: And Other Poems* (Boston, MA: Roxburgh Publishing Company, 1907).

some organizations, such as the National Afro-American Council and the National Negro Suffrage League, continued to agitate for voting rights, these groups were generally weak and short-lived. More importantly, they failed to gain a meaningful foothold in the Deep South.²

This was an inhospitable time for a political party composed primarily of African Americans. These conditions made it impossible for southern Republicans to play a meaningful role in Southern elections. Historian Harris M. Bailey, for instance, argues that “[b]y the turn of the century, the South Carolina Republican Party had retreated from the political playing field. There would be occasional campaign sorties, but they were hollow gestures.”³ Representing the historiographical consensus, Bailey describes South Carolina Republicans of the first half of the twentieth century as jostling for power to obtain federal patronage for themselves and their allies and the privilege of representing their state at party’s national conventions. By the 1900s, Bailey concludes that the Democratic Party was “the only game in town.”⁴

This characterization of South Carolina Republicans as completely abandoning electoral politics is incorrect. Most state party leaders spent their energies on matters of patronage and shied away from direct participation in electoral contests. However, a small but vocal militant wing of the party emerged and continued to fight disfranchisement through political participation. Faced with few other alternatives, these African American political rights activists used the South Carolina Republican Party as a conduit to reclaim their political rights. An unwavering belief that

² Benjamin R. Justesen, *Broken Brotherhood: The Rise and Fall of the National Afro-American Council* (Carbondale, IL: Southern Illinois University Press, 2008); Shawn Leigh Alexander, *An Army of Lions: The Civil Rights Struggle Before the NAACP* (Philadelphia, PA: University of Pennsylvania Press, 2011); Susan D. Carle, *Defining the Struggle: National Racial Justice Organizing, 1880-1915* (New York, NY: Oxford University Press, 2013).

³ Harris M. Bailey Jr., “The Only Game in Town: The South Carolina Republican Party in the Post-Reconstruction Era,” *Proceedings of the South Carolina Historical Association*, 1992, 85.

⁴ Bailey Jr., 76–86.

without the political power that the franchise provided, African Americans would be forever condemned to second-class citizenship animated these political rights activists. Far from “hollow gestures,” this group of African American Republicans mounted several congressional campaigns whose far-reaching implications caught the nation’s attention. For these black Republicans, this was no age of accommodation.

This group of little-known African American activists turned the state Republican Party into South Carolina’s most significant political rights organization of the first decade of the twentieth century. Undeterred by “shame or failure,” between 1900 and 1907 these Republicans pursued their “righteous cause,” systematically contesting congressional elections before Congress. Over the course of the decade, these militant Republicans brought more election challenges before Congress than all other states of the Deep South combined. Two main reasons explain why they adopted this strategy. First, in 1900 African Americans were elevated for the first time to most positions of power in the state party. This emboldened some African American Republicans to demand more vigorous action and provided a platform for militant party members like Aaron Prioleau and Jacob Moorer. Secondly, legislative initiatives of Republican congressmen suggested that they might be sympathetic to this effort. In turn, an increasingly large segment of the party’s rank and file called for agitation for political rights. Over time, this militant wing became a force to be reckoned with in the state Republican Party of South Carolina. Hence, for most of the decade, the Republican Party was the “only game in town” for black South Carolinians wanting to reclaim their political rights.

A Party at the Crossroads: The 1900 State Convention

Since its founding, racial tensions had always plagued the Republican Party of South Carolina. African Americans often accused white Republicans of not taking a strong enough stance on racial equality and simply looking out for their own personal interests. While these accusations were generally unjust, the structure of the party suggests that African Americans had reasons to be suspicious. Indeed, from the Civil War to the end of the 19th century, whites usually controlled the state party apparatus and received the most prestigious federal appointments, even if the party was predominantly comprised of African Americans.⁵ By the turn of the century, however, when the party had reached its weakest point electorally, this began to change. Many whites jumped ship—the most dispirited among them left the party altogether, while others attempted to create a Lily-White Republican Party. In South Carolina, unlike most other southern states, the Lily-White Republican faction never gained much traction, until the late 1920s. Exasperated by the relentless accusations of corruption against the regular Black and Tan faction, President Herbert Hoover would provide critical resources to help the formation of such a faction in the Palmetto State.

Hence, the 1900 Republican state convention, held in the hall of the House of Representatives in Columbia, South Carolina, marked a turning point in the composition of the party leadership. African Americans constituted a greater majority of delegates than ever before and relied on this majority to elect African Americans to the most prestigious positions within the state party's executive committee.⁶ African American Edmund H. Deas, the “Duke of Darlington,”

⁵ George Brown Tindall, *South Carolina Negroes, 1877-1900* (Columbia, SC: University of South Carolina Press, 1952); Hanes Walton, *Black Republicans: The Politics of the Black and Tans* (Metuchen, NJ: Scarecrow Press, 1975); Richard B. Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896-1933* (Charlottesville, VA: University Press of Virginia, 1973); John F. Marszalek, *A Black Congressman in the Age of Jim Crow: South Carolina's George Washington Murray* (Gainesville, FL: University Press of Florida, 2006).

⁶ Of the roughly 125 delegates, only 20 were white. This was in part due to many whites boycotting the convention in the hope of forming a Republican Lily-White party. See: “Negroes Rule the Republican Party: They Name a Colored Man for State Chairman,” *Columbia State*, October 4, 1900; *Walhalla Keowee Courier*, October 10, 1900.

was elected to replace white Republican Robert Red Tolbert as party chairman, and the party selected famed veteran African American politician Robert Smalls as vice president. Deas thus became the first African American state chairman in the party's history.⁷ J. H. Fordham, a party leader from Orangeburg and veteran Republican from the Reconstruction Era, gave an emotional speech that captured how momentous this election was for African Americans.⁸ True to his reputation as the "Demosthenes of South Carolina," Fordham first paid the usual homage to President Lincoln, before launching into a retelling of the struggles of African Americans since the end of Reconstruction. For him, these efforts finally culminated with this historic moment, the nomination of "one of [their] own race" to the party's highest position. With Deas in power, Fordham argued, the party would never "lower the banner of Republicanism in the face of the Populistic Democracy of South Carolina."⁹

Deas was determined to not let the party and its African American membership go down without a fight. Deas joined the party in his late teens, and rose rapidly, becoming chairman of his congressional district in 1878. Contrary to many party leaders, however, Deas did not owe his power to his connections with influential national figures nor to his access to the presidential administration. Rather, he cultivated a wide base of African American supporters in the party. Deas was usually more responsive to the party rank and file than most previous leaders. He owed

⁷ "Negroes Rule the Republican Party: They Name a Colored Man for State Chairman," *Columbia State*, October 4, 1900.

⁸ John Hammond Fordham was born in Charleston in 1856. He attended the Avery Institute and was admitted to the South Carolina State Bar in 1874. Fordham served as coroner in Orangeburg and obtained federal patronage. He worked as postal clerk in Railroad Mail Service, and later as deputy collector of internal revenue. Fordham was elected as a delegate to the Republican National convention in 1892, 1896, 1900 and 1916. See: "Jacob's Cigar To Be Returned," *Charleston Evening Post*, June 2, 1899; "Communications," *The Journal of Negro History* 7, no. 4 (1922): 420–24.

⁹ "Negroes Rule the Republican Party: They Name a Colored Man for State Chairman," *Columbia State*, October 4, 1900.

his popularity in large part to his aggressive, uncompromising, and passionate defense of African American interests. Contrary to other more moderate party leaders, Deas was far more prone to “emotional outburst” against lynching, disfranchisement and other racial injustices. Refusing to tone down his message in front of white audiences, he was perceived as too abrasive by Booker T. Washington and President Theodore Roosevelt.¹⁰ To the great pleasure of his supporters, however, Deas never wavered on his support of political rights. During his tenure as chairman, he repeatedly pressured the governor to grant Republicans some representation on state election boards. He also served in many civil rights organizations, including as vice-president of the National Afro-American Council.¹¹ However, Deas had class bias. He believed that such advocacy was most effective if done under the leadership of members of the educated black elite like himself.

After selecting Deas, Robert Smalls, and a few other African Americans to positions of leadership, the party adopted a platform reflecting the political anger of the newly empowered African American majority in the hall. After the traditional opening, celebrating the “honest and patriotic” presidential ticket of a party “formed for the correction of great moral and political abuses,” the platform moved to attack Democrats on the hypocrisy of their anti-imperialistic position. Indeed, while the Democrats claimed that “no people should be governed without their consent,” African Americans in South Carolina “have constitutions and laws thrust upon them by a [white] minority” to deprive them of “the right to say under what laws and by whom they shall

¹⁰ Letter from Edward Elder Cooper to Booker T. Washington, December 17, 1901; Letter from Emmett Scott to Booker T. Washington, July 17, 1902; Letter from Theodore Roosevelt to Booker T. Washington, July 29, 1902, in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 6, 1901-1902* (Urbana, IL: University of Illinois Press, 1977), 353–55, 495, 499.

¹¹ Letter from Edmund H. Deas to Booker T. Washington, May 24, 1902 in Harlan, Smock, and Kraft, 473; *St. Paul Appeal* (MN), July 05, 1902; *St. Paul Appeal* (MN), July 19, 1902; “Republicans Make a Request,” *Manning Times*, November 2, 1904.

be governed.”¹² The platform continued to advocate for voting rights. It “condemn[ed] the Democratic Party for its illegal and unjust election laws,” for its “blind partisanship in the selection of commissioners and managers of election,” which led to the disfranchising of 100,000 voters. “We point out to the world,” the platform concluded, “that this is imperialism gone mad.”¹³

While nearly unanimous about the problem plaguing southern elections, Republicans were far more divided on what the party should do about it. On one side were those who wanted the party to aggressively attack disfranchisement not simply through the party platform, but also by running for offices, even at the risk of triggering racial and political violence. On the other side were those who called for a more conciliatory and pragmatic stance. They believed that the risks of contesting elections were far higher than the potential rewards and believed that the party could reap important benefits for African Americans by focusing on patronage and influencing the national party until the racial and political climate improved. Many Republicans were on the fence, making the divide between the two sides rather porous. These tensions about the party’s future course of action came to the forefront at the 1900 convention when the party debated whether or not to run a state ticket.¹⁴

The recently elected vice-president Robert Smalls quickly emerged as the most vocal Republican leader on the need to nominate a full state ticket. Smalls, one of the main organizers of the first Republican meetings in the state, told his audience he could not fathom the idea of letting the party abandon the fight for African American political rights. Smalls informed those

¹² “Negroes Rule the Republican Party: They Name a Colored Man for State Chairman,” *Columbia State*, October 4, 1900.

¹³ *Manning Times*, March 28, 1900; *Walhalla Keowee Courier*, October 10, 1900.

¹⁴ The state ticket included candidates for all non-federal statewide offices such as governor, secretary of state, superintendent of education, and attorney general. The candidates for these races were selected during the state convention. However, the candidates for the U.S. House of Representatives were selected in Republican district conventions.

gathered that they owed this to the state of South Carolina, a state to which “he came against his will,” yet came to “love more than anything.” This last remark triggered thunderous applause in the hall. Yet, Smalls had no illusions regarding the chances of this ticket, considering that South Carolina “had on the statute books the most infamous law[s]” and the “administration of it was worse than the law.” Smalls believed that it “was best to show the people of the North and East that [African Americans] were being counted out.” Moreover, failing to put forth a ticket would enable race-baiting politicians like Benjamin Tillman to say that “the people were satisfied with the law.” Smalls therefore urged the party to “put [candidates] up and let them knock them down if they would,” since the “Democratic Party don’t respect a quiescent Republican.” Referring to policy proposals floated by Republican congressmen from the North, Smalls argued that by continuing to force the Democrats to use fraud to win the election, “the day would soon come when South Carolina would have one instead of seven congressmen.”¹⁵ In this way, white South Carolinians, and in fact white southerners, could either choose to reform their electoral system or see their representation in Congress, and power, dramatically reduced.

New state chairman Edmund Deas heartily disagreed with Smalls on this question. Fielding a full state ticket was “absolute foolishness,” he said, and recommended they abandon electoral politics at the state level. Many of the party leaders agreed with Deas, believing that getting the state party involved in electoral races was both futile and a waste of the party’s time and limited resources. For these leaders, many of whom were sympathetic to the cause of political rights, this fight could be best fought from outside the party. They instead called for Republicans to exclusively focus on two main tasks: influencing the direction of the national party toward a

¹⁵ “Negroes Rule the Republican Party: They Name a Colored Man for State Chairman,” *Columbia State*, October 4, 1900; *Manning Times*, March 28, 1900; *Walhalla Keowee Courier*, October 10, 1900.

defense of civil rights in national conventions, and helping African Americans, both symbolically and practically, through the distribution of patronage.¹⁶ In large part, Deas and company carried the day. For most of the decade, state leaders like Deas labored, schemed, and organized to obtain coveted federal jobs and reward their supporters with either lesser federal offices or employment as assistants, facilities workers, or clerks in federal buildings across the state.

For the first five years of the decade, for instance, African American state party leaders would engage in a contentious, but ultimately successful, campaigns on behalf of Dr. William D. Crum, a prominent African American doctor in Charleston.¹⁷ After extensive lobbying from leading African Americans both in South Carolina and across the nation, President Roosevelt appointed Crum to the prestigious position of collector of customs at the Port of Charleston in 1902. To the accusation of Southern whites that this appointment was “reckless and irresponsible,” Roosevelt replied that he “cannot consent to take the position that the door of hope . . . is to be shut upon all men, no matter how worthy, purely on the grounds of color.”¹⁸ The issue immediately turned into a massive standoff between Southern whites, the President, and his African American supporters. Always at the forefront of racial prejudice, Senator Benjamin Tillman emerged as the champion of the white community and repeatedly blocked the nomination in the Senate. Thanks to the relentless pressure of several African American leaders, including Deas, Booker T. Washington, and Whitefield McKinley, Roosevelt stuck with Crum despite the anticipated, yet virulent backlash. In January 1905, the Senate finally confirmed Crum’s appointment. African

¹⁶ For more on the politics of patronage, see chapter 4.

¹⁷ For a detailed account, see: Willard B. Gatewood, “William D. Crum: A Negro in Politics,” *The Journal of Negro History* 53, no. 4 (1968): 301–20; Willard B. Gatewood, “Theodore Roosevelt and Southern Republicans: The Case of South Carolina, 1901-1904,” *The South Carolina Historical Magazine* 70, no. 4 (1969): 251–66.

¹⁸ Gatewood, “Theodore Roosevelt and Southern Republicans,” 262.

Americans across the nation celebrated this momentous victory on a matter that Booker T. Washington called of “transcendent importance to the entire race.”¹⁹ Even so, that hard-won battle was largely symbolic, and as of yet, five years off.

At the historic state convention of 1900, the state leader’s pragmatic views appeared far too pessimistic for the party’s rank and file. This call for a complete retreat from electoral politics did not sit well with many delegates who had been galvanized by the election of African Americans at the head of the party. Now in full control of the party’s immediate future, they were unwilling to simply give up on electoral politics. Deas quickly understood this and proposed a compromise. Smalls would head a committee to either name a full ticket or report on the reason as to why this would not be in the best interest of the party. The convention delegates agreed and quickly elected a committee chaired by Smalls and composed of one representative from each congressional district and one delegate at large. Just before the end of the convention, the committee submitted their report. A deflated Smalls explained that the committee unanimously agreed that “it would be impracticable and inadvisable at this time to make nominations for state officers in view of the fact that unjust . . . laws practically disfranchised nine-tenths of the Republican voters of this State.” The South Carolina Republican Party would come to the same conclusion for decades. For the next 34 years, around state election time, South Carolinians could see headlines offering variations on the theme that “South Carolina Alone Has One State Ticket.”²⁰

However, the decision to not run a state ticket did not mean that Republicans leaders like Deas were willing to give up electoral politics entirely. Deas and a number of other leaders

¹⁹ Gatewood, “William D. Crum,” 301.

²⁰ “South Carolina Alone has One State Ticket,” *Columbia State*, October 29, 1906. Joseph Augustus Tolbert, son of Robert Red Tolbert, became the first 20th century Republican from South Carolina to head a full state ticket in 1938. See chapter 4 for a brief discussion of this race.

supported the idea to run candidates in congressional elections. In fact, all district organizations, some of which were controlled by state party leaders like Deas, who advocated against running in state elections, decided to offer Republican candidates for Congress in 1900.²¹ Two main reasons explained this savvy and strategic stance. First, Deas knew that while states administered both federal and state elections, Congress had the authority to intervene in federal elections if convinced of irregularities. The House of Representatives could reverse the result of elections, as it had done in two cases involving South Carolinians, in 1888 and 1894.²² No such recourse existed at the state level, where Democrats could both make and interpret the rules with impunity. The demographics of some congressional districts in South Carolina heavily favored Republican candidates. African Americans, the most reliable Republican voters, were a significant majority in three districts.²³ If mobilized, perhaps these African Americans could be encouraged to brave the dangers and go to the polls. If not, the low turnout could be used as proof of disfranchisement, and thus help convince Congress to overturn the election results.

Secondly, strategic considerations led many state leaders to resist publicly opposing the idea, even if they personally believed that running in federal elections was as hopeless and dangerous as in state elections. As the rank and file were demanding action, opposing the nomination of Republicans for congressional offices could infuriate party members, and hence

²¹ While the decision to run or not in congressional races was technically the prerogative of district organizations, state party leaders generally wielded enough power and influence to determine the outcome of these meetings. Hence, it was very rare that the candidates chosen for congressional election, if any, did not either have the tacit or open support of state party leaders.

²² Two Republicans from South Carolina won their elections in this way, Thomas E. Miller in 1888 and George Washington Murray in 1894.

²³ In the First and Second Congressional Districts, African Americans represented respectively 66% and 67% of the total population and 61% and 62% of all eligible voters. The margins were considerably narrower in the Seventh Congressional District, with African Americans composing 54% of the eligible electorate. In contrast, whites were a considerable majority in the Third and Fourth Congressional Districts, representing respectively 57% and 65% of the eligible voters. Finally, the Fifth and Sixth Districts were nearly evenly split, as African Americans represented respective 51% and 49% of the eligible electorate.

cause the downfall of some these state party leaders. While sometimes working against the candidates in secret, these party leaders publicly adopted a neutral position for most of the decade. They would periodically make campaign appearances on behalf of candidates, but rarely went beyond lending vocal support. They did not provide much, if any, financial or logistical help to these electoral campaigns. In so doing, they could spend most of their time on patronage and national convention matters, while dodging criticisms that they were undermining the efforts of the more radical base of the party.²⁴

As a result, for most of the decade, congressional district organizations could nominate congressional candidates without fear that state party leaders would negatively interfere with their efforts. Even better, congressional candidates generally received more than simply tacit support from a handful of state leaders like Deas. For example, in the 1900 convention, party leaders supported a resolution “heartily” endorsing the nomination of an old-line Republican, Reverend W. W. Beckett, as the Republican candidate for the First Congressional District. With the backing of party leaders, delegates demanded that all Republicans in the first district give him “their loyal and sincere support in his struggle for justice, liberty, and . . . Republicanism.”²⁵ Thus, with an ally like Deas in control of the party, and with minimal fear that party leaders would throw roadblocks, the South Carolina Republican district organizations provided fertile ground for political activists wishing to use the party as a conduit to challenge disfranchisement.

²⁴ Some party leaders like Edmund H. Deas, L. H. Blalock, and J. Duncan Adams ran for Congress themselves. However, they did not do so with the hope of winning the election or challenging the result in Congress in an attempt at pushing for electoral reforms. Instead, it was a strategy to bolster their strength and reputation in the party, both at the state and national level. In addition to the perks of having your name in the newspapers, state Republicans and national party leaders generally perceived the act of running for Congress as a display of party loyalty and commitment, and a form of “sacrifice” for the sake of the party. Most of these state leader candidates did nothing more than campaign to get nominated, after which they rarely campaigned at all.

²⁵ “Negroes Rule the Republican Party: They Name a Colored Man for State Chairman,” *Columbia State*, October 4, 1900.

A Final Regular Attempt: W. W. Beckett's 1900 Congressional Campaign

In 1900, Republicans spent their energy on supporting the candidate that was consensually seen as the most promising: W. W. Beckett, who ran in the heavily African American populated First Congressional District. Beckett was indeed a very promising candidate for the party. He was born a slave from on the Beckett plantation on Edisto Island in 1857. His mother was a white woman, and his father was a leader of the A.M.E. Church in the state. He began his schooling in 1866 in the Charleston public schools, where he was taught by missionaries. Before attending Steel High School, Beckett spent a few years at the prestigious Avery Normal Institute.²⁶ A gifted student, he continued his studies at Clark University before graduating with a Bachelor of Divinity from Gammon Theological Seminary in Atlanta in the early 1890s. He earned his Doctor of Divinity degree from Allen University, and did some post-graduate work in the late 1900s at Columbia University, where he eventually earned a Ph.D.

Beckett was a highly respected religious, educational, and political leader in South Carolina and beyond. In 1878, just after obtaining his license to preach and marrying Mary E. Glenn, he helped found the Greater St. Luke A.M.E. Church in Charleston. This church catered to a group of African Americans who had migrated to the city from the nearby Sea Islands and did not feel at ease in their existing churches.²⁷ Beckett proved a remarkable fundraiser for both A.M.E. churches and schools in South Carolina. He was particularly successful as a financial agent in the 1890s for Allen University. He would later serve as president of the university from 1912 to 1916. After his congressional race, Beckett would rise in the A.M.E Church. He was elected Bishop in 1916, and

²⁶ For more on the Avery Normal Institute, see: Edmund L. Drago, *Charleston's Avery Center: From Education and Civil Rights to Preserving the African American Experience* (Athens, GA: University of Georgia Press, 2006).

²⁷ Bernard E. Powers, *Black Charlestonians: A Social History, 1822-1885* (Fayetteville, AR: University of Arkansas Press, 1994).; "A Brief Biography of William Wesley Beckett, an African Methodist Episcopal Bishop," 1936, WPA Federal Writers' Project Papers, South Caroliniana Library, Columbia, SC.

assigned to the West Africa bishopric, which included all South Africa, and spent a year in Africa during World War I. Upon the death of Bishop Chappelle, the great grand-father of comedian Dave Chappelle, Beckett was assigned both South Carolina and Mississippi bishoprics.²⁸

Like many other religious leaders of the time, Beckett was also politically involved. He joined the Republican Party in the late 1870s, attending occasional meetings and often delivering the opening prayer. He was elected to the state legislature in 1882 as the Republican representative from Berkeley County. During his roughly two years in the legislature, Beckett helped increase the funding for Claflin College in Orangeburg, South Carolina. Beckett's services to the GOP were rewarded when he was appointed Inspector of the Port of Charleston in 1892. Several years later, Beckett was among the most important leaders of a large group of African American ministers who vigorously campaigned against the ratification of the 1895 constitution.²⁹ By 1900, he was a well-known political leader in the state, and not only had a good reputation among African Americans but could also count on some white allies because of the ties he forged during his fundraising activities.

In 1900, Beckett led a vigorous campaign against Democratic incumbent William Elliott. He canvassed the district extensively to convince African Americans to register despite growing obstacles. His campaign counted on the help and support of other Republican leaders. Robert

²⁸ Arthur Bunyan Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, vol. 3 (Atlanta, GA: A. B. Caldwell Publishing Co., 1919), 632–36; “Bishop Beckett Had an Envious Career,” *Pittsburgh Courier* (PA), January 16, 1926.

²⁹ “Secured Nearly Four Hundred,” *Columbia State*, June 13 1891; “Negro Preachers Combine They Form a Close and Thorough Organization,” *Columbia State*, February 15, 1895; “Rev W. W. Beckett Made New President: His Election Meets the Hearty Approval of Ministers,” *Pittsburgh Courier* (PA), July 19, 1912; Richard R. Wright Jr. and John Russell Hawkins, eds., *Centennial Encyclopedia of the African Methodist Episcopal Church* (Philadelphia, PA: Book Concern of the A. M. E. Church, 1916), 16, 38, 284, 287, 293, 320, 381; “Beckett to Fill Diocese Vacancy,” *Columbia State*, July 6 1925; “Brooklyn Bishop to Address Negroes,” *Columbia State*, August 23, 1925; “Bishop Beckett Died Yesterday,” *Columbia State*, January 2 1926; “A Brief Biography of William Wesley Beckett, an African Methodist Episcopal Bishop,” 1936, WPA Federal Writers' Project Papers, South Caroliniana Library, Columbia, SC.

Smalls, who had made the impassionate plea for the party to keep running for offices at the October state convention, was particularly active on behalf of Beckett, producing campaign literature and giving speeches across the district.³⁰ This sustained Republican effort in the first district scared Democratic Party leaders. Willie Jones, the chairman of the South Carolina Democratic Party, issued an appeal to the voters a week prior to the election. Condemning the “present apathy” among voters, Chairman Jones warned that it could “result in great harm” to the Democratic candidates for Congress.³¹

Despite Beckett’s best efforts, his opponent, Democratic candidate William Elliott, won re-election. While Elliot’s victory was not as conclusive as the victories of his Democratic colleagues in other districts, he still won with a significant margin.³² Elliott earned 3,666 votes (73%) to Beckett’s 1378 (27%). Most Republicans refused to accept the results of the election, and Beckett decided to challenge them. Rather than adopting the most obvious strategy – challenging the constitutionality of the 1895 constitution or claiming that Republicans, and particularly African Americans, were denied the right to vote – Beckett decided to challenge on technical grounds. Beckett’s brief, produced by African American Charleston lawyer John D. Edwards, charged that the ballots used by Democratic candidate William Elliott were of improper size and color, and did not clearly state which office Elliot was running for.³³ South Carolina was part of seven states who had not adopted the secret ballot (Australian ballot). Thus, the candidates and their respective parties were responsible to both print and distribute ballots. This law, like many other election

³⁰ *Bamberg Herald*, November 1, 1900; *Bamberg Herald*, November 22, 1900.

³¹ *Kingstree County Record*, November 1, 1900.

³² Alexander D. Dantzler, who ran in the Seventh Congressional District, was the second best Republican candidate behind Beckett, and only received 7% of the vote.

³³ *Charleston Evening Post*, November 14, 1900; *Anderson Intelligencer*, November 21, 1900.

laws, was meant to provide extensive arbitrary power to election officials. Since the rules surrounding the proper appearance of a ballot were both plentiful and open to interpretation, it was practically certain that, with a little creativity, one could find irregular ballots in any given election.

Hence, Beckett's grounds for challenge was not, as the white press claimed, "purely fanciful." In fact, it was rather clever as it sought to turn the Democrats' own weapons against themselves, and South Carolina authorities had repeatedly denied Republicans' claims that election officials were acting illegally, or that the constitution deprived African Americans of their right to vote. However, there were several legal precedents for Beckett in the state where the results of an election were changed after "illegal ballots" were discarded. William Elliott himself used this very argument in 1892 after losing the election to Republican Thomas E. Miller. Elliott was retroactively declared the winner by the state Board of Canvassers because Miller's ballots were printed on "dirty white paper" and not "plain white paper," the space between "Thomas" and "E" in "Thomas E. Miller" was too large, and because the ballots had not been "properly folded."³⁴ But Miller contested the election before Congress, who decided to reverse the Board of Canvassers' decision and declare Thomas E. Miller the winner. As such, Beckett's contest could either succeed or provide further evidence of the Board of Canvassers' duplicity. This evidence could then allow for a potential challenge of the election in Congress. To the great relief of the white press, the state Board of Canvassers, composed entirely of white Democrats, determined that Elliott's ballots clearly stated that he ran for Congress in the first district, and that they were "two and a half inches wide by five inches long, clear end even cut, without ornament, designation,

³⁴ *Anderson Intelligencer*, December 4, 1890; *Walhalla Keowee Courier*, December 4, 1890; House Committee on Elections, *Contested election, Thomas E. Miller vs. William Elliott, South Carolina*, 52nd Cong., 2nd sess., February 25, 1893, H. Rep. 2569.

mutilation, symbol, or mark of any kind whatever.”³⁵ Beckett chose not to contest before Congress, and Elliott was promptly confirmed as the duly-elected representative of South Carolina’s First Congressional District.

Beckett’s loss proved an important turning point for the state Republican Party. For the next decade, Republicans would never again run a campaign with the hope of winning it without congressional intervention. If a leading religious, political, and educational leader who was also respected by many leading white Democrats in the state could not win the majority of the vote in an overwhelmingly African American district under the current rules, then nobody could. Future Republican candidates would revert to the route used by Robert Red Tolbert: run the campaign solely as a means of challenging the election in Congress, and hopefully forcing a reform of the electoral system of South Carolina. Instead of focusing on campaigning like Beckett had done, they invested their efforts in preparing the ground for their contests before Congress. This meant that candidates had to find capable lawyers who could help gather testimonies and evidence as well as argue in imaginative ways in front of Congress, secure the support of Republican allies in Washington, and demand that the sympathetic constituents of the congressmen who sat on the House Committee on Elections put pressure on their elected officials on their behalf.

The “Unworthy” Candidates: Aaron P. Prioleau and Alexander Dantzler

In 1902, two Republicans who ran in congressional elections adopted this course of action. Both were hardly typical Republican candidates, as they had little political experience and did not benefit from the kind of reputation that previous candidates enjoyed. The first one, Alexander Dantzler, ran in the Seventh Congressional District. Born a slave in 1846 in the Cordova area of

³⁵ Sumter *Watchman and Southron*, November 21, 1900.

Orangeburg County, Dantzler lived in this same county for his entire life.³⁶ It is unclear if he benefitted from any formal education, but it is certain that he never reached the same level of education as other Republican candidates such as Beckett, Robert Smalls or Thomas E. Miller. If not part of the black elite educationally, Dantzler was nonetheless among the wealthy black South Carolinians. Like most South Carolinians, Dantzler earned his living as a farmer, but he owned his own land and home. He was a well-known advocate of agricultural education, and participated in various organizations to that effect.³⁷ He also owned real estate in the city of Orangeburg, including a building at the corner of Windsor and Russell that is still standing today, where his son Lemuel operated a pharmacy.³⁸ Shortly after his 1902 campaign, Dantzler opened the first black-owned bank in Orangeburg, the Zion Savings Bank.³⁹ While a well-established member of the African American business community, Dantzler was, politically speaking, a novice. Though an active Republican since at least the 1880s, Dantzler had never served in any official function in the Republican Party prior to running for Congress at the age of 54 in 1900.

The second candidate, Aaron P. Prioleau, ran in the First Congressional District. More than 20 years younger than Dantzler, Prioleau was born in Eutawville in Berkeley County, South Carolina, in 1868. He appeared to have received some education, but probably little formal schooling.⁴⁰ Prioleau must have had some connections with influential Republicans early in his

³⁶ Federal Census of 1880, Orangeburg, South Carolina; Federal Census of 1900, Orangeburg, South Carolina; Federal Census 1910, Orangeburg, South Carolina.

³⁷ "Education Rally," *Orangeburg Times and Democrat*, August 5, 1911.

³⁸ "Board Examinations," *The Pharmaceutical Era* XLVIII, no. 1 (January 1914): 33–34.

³⁹ "Lost Money and Job," *Orangeburg Times and Democrat*, January 7, 1909; *Orangeburg Times and Democrat*, March 15, 1921.

⁴⁰ Prioleau could read and write. He wrote pamphlets and gave several speeches. The occasional grammatical and spelling mistakes in his writing, however, suggest that he did not attend college and may have learned on his own. The white press did not miss the opportunity to disparage him and repeatedly mock his writing skills. One reporter, for example, wrote, "Prioleau would never get office on the texts of his orthography and grammar, but his inability

life, for he was appointed railway mail clerk by President Benjamin Harrison in the late 1880s. For a 20-year-old African man, this was a lucrative appointment, as his yearly salary fluctuated between \$800 and \$900.⁴¹ He was one of the very few African Americans to hold such a job.⁴² Prioleau kept this position until the early 1900s. He also acquired farmland along the way, as well as some real estate around Eutawville.⁴³ While not as economically well-off as Dantzler, Prioleau had more political experience than Dantzler. He joined the Republican Party in his early twenties, serving as Berkeley delegate to every state convention from the early 1890s onward.⁴⁴

Class hampered the chances of Prioleau and Dantzler from the start. Most party leaders deemed Prioleau and Dantzler's social standing, or lack thereof, inadequate to represent the party, let alone the race, in a congressional race. While better off than most African Americans, neither Prioleau nor Dantzler were part of the African American social elite. They lacked formal education and had little to no cordial relationships with powerful whites. And perhaps more importantly, they were also both dark skinned African Americans. Even if the Jim Crow laws suggested that there were only two main racial groupings in the South, black and whites, the reality was far more complicated. In fact, prevalent racial theory of the time saw color as a continuum along a hue

to write a sentence, properly conveying his thought does not deter him from biennially making the contest for Mr. Legaré's seat in Congress." "Prioleau Files Usual Contest," *Columbia State*, November 22, 1910

⁴¹ *Official Register of the United States, Containing a list of the Officers and Employees in the Civil, Military, and Naval Service, Together With a List of Vessels Belonging to the United States, Volume II, Post Office and Department and The Postal Service*, (Washington, DC: U.S. Government Printing Office, 1899), 879.

⁴² *Manning Times*, July 16, 1902.

⁴³ Federal Census of 1910; *Washington Bee* (DC), April 23, 1904.

⁴⁴ "A Ghastly Assemblage," *Columbia State*, September 30, 1892; *Charleston Weekly News and Courier*, April 22, 1896.

scale.⁴⁵ The darker one's skin, the more "African blood" one was deemed to have, the lower one's "racial stock." Conversely, the fairer one's complexion, the more "Anglo-Saxon" blood one was believed to have, and the best was his or her "racial stock." Thus, most whites believed that dark skinned African Americans were racially inferior to fair skinned African Americans, and thus even less worthy of positions of power. These prejudices transpired in the way white southerners described black Republicans. Contrary to former elite candidates such as Beckett, Robert Smalls, or Thomas E. Miller, Prioleau and Dantzler were constantly disparaged in the white press as "ignorant," "illiterate" "coal black," "old darkey," and "uncle Tom" of "the old plantation type."⁴⁶

Scholar Audrey Elisa Kerr shows that discrimination based on one's hue, while not always rooted in the science of race, also deeply permeated African American communities.⁴⁷ As Virginia-native and dark skinned African American Nannie Helen Burroughs lamented in her 1904 essay in the *Voice of Negro*, "[m]any Negroes have colorphobia as badly as the white folks have Negrophobia."⁴⁸ This idea that light skin was a sign of superiority also contributed to the fact that fairer-skinned African Americans tended to occupy most of the highest positions in leading African American organizations. For example, 26 of the 31 African American presidents of

⁴⁵ Idus A. Newby, *Jim Crow's Defense: Anti-Negro Thought in America, 1900-1930* (Baton Rouge, LA: Louisiana State University Press, 1965). For contemporary example, see: Paul Popenoe and Roswell Hill Johnson, *Applied Eugenics* (New York, NY: The Macmillan Company, 1918), 280-97.

⁴⁶ "Dantzler the Old Darkey From Orangeburg Is Contesting Dr. Stokes' Election," *Columbia State*, March 1, 1901; *Sumter Watchman and Southron*, October 29, 1902; *Richmond Times Dispatch* (VA), December 15, 1903; "Seat is Contested," *Dallas Morning News* (TX), December 15, 1903; "Could Contest Southern Seats," *Boston Herald* (MA), December 15, 1903.

⁴⁷ Willard B. Gatewood, *Aristocrats of Color: The Black Elite, 1880-1920* (Fayetteville, AR: University of Arkansas Press, 2000); Audrey Elisa Kerr, *The Paper Bag Principle: Class, Colorism, and Rumor and the Case of Black Washington* (Knoxville, TN: University of Tennessee Press, 2006). The title of Kerr's book refers to a test believed to have been in use in many African Americans organizations. A paper bag was put next to the face of an African American to determine if his or her skin tone was pale enough for admission in the organization.

⁴⁸ Nannie Helen Burroughs quoted in Laurie A. Wilkie, *The Archaeology of Mothering: An African-American Midwife's Tale* (New York, NY: Routledge, 2012), 111.

universities or colleges in 1914 were “mulattos.”⁴⁹ The same was true in the South Carolina Republican Party. Crum, Deas, former congressman Thomas Miller, Thomas Grant, and the vast majority of African American leaders had light skin. Those who did not, like Prioleau or Dantzler, often faced discrimination within their own community. Former congressman George Washington Murray, perhaps the most famous dark-skinned Republican in the state, was occasionally slurred as “cornfield negro” by African Americans during his electoral campaigns.⁵⁰ Even in a Republican Congress, Murray faced discrimination that South Carolina Republicans of a lighter hue had not experienced. No congressman wanted to sit next to him in the special session of 1893. Murray’s two neighbors on the House’s floor were the last two congressmen to pick a seat.⁵¹

It is difficult, if not impossible, to determine if state party leaders disapproved of Prioleau and Dantzler based on education, class, or skin tone prejudice. These issues were often impossible to untangle, as they fed into and reinforced one another.⁵² Furthermore, these issues were often hidden, and rarely openly mentioned. Indeed, party leaders’ refusal to support Prioleau and Dantzler was couched in pragmatism. They hinted that in the current racial context, African Americans with dark skin and little social standing had no chance of attracting the minimal amount of sympathy needed to succeed in an election contest. In fact, Prioleau and Dantzler were likely to delegitimize the participation of African Americans in politics in the eyes of a racist white audience. They based their logic on the fact that since whites tended to judge the whole race or the

⁴⁹ Audrey Elisa Kerr, “The History of Color Prejudice at Howard University,” *The Journal of Blacks in Higher Education*, no. 54 (2006): 82–87.

⁵⁰ Marszalek, *A Black Congressman in the Age of Jim Crow*, 44.

⁵¹ Marszalek, 56.

⁵² The emergence of social classes in African American communities can be traced to slavery. Since slave owners tended to favor slaves with lighter skin (which were often the offspring of whites on the plantation), the descendants of these fairer skinned slaves inherited higher social positions than slaves with darker skins. Thus, by the turn of the twentieth century, lighter skin could both make class or signify class. See: Gatewood, *Aristocrats of Color*.

whole Republican Party based on their least reputable public characters, to put up non-elite candidates like Dantzler and Prioleau would surely reinforce whites' suspicion about the inability of African Americans to partake in politics. Consequently, state party leaders did not provide Dantzler and Prioleau the form of support that they offered Beckett in the 1900 election. As a result, it is likely that many Republicans followed the lead of Dr. William D. Crum and refused to brave the danger and go to the polls to vote for such "unworthy" candidates.⁵³

Additionally, the timing of the Prioleau and Dantzler campaigns angered many leading Republicans in South Carolina and in the nation. By the 1902 campaign, Republican leaders, from Edmund H. Deas to Booker T. Washington, were engaged in the battle to have Congress confirm Dr. William D. Crum. They not only saw the efforts of Dantzler and Prioleau as a distraction, but also as potentially hampering their efforts on behalf of Crum. They believed that these races, and the contests that would inevitably follow, would assuredly heighten racial tensions and attract the ire of leading whites in the state such as Senator Tillman. They were even more fearful of this anticipated resentment considering that neither Prioleau nor Dantzler were seen as leading African Americans in the state. It would be easy, they reasoned, to use these congressional races to awaken the old prejudice that African Americans were unfit for office. In turn, it would embattle white opposition to Crum, and make his confirmation far more difficult. Thus, at the heart of these matters were profound class tensions. This opposition to Prioleau, Dantzler, and their supporters suggest that "the door of hope" that African American leaders worked so strenuously to keep open was not meant to be entered by all African Americans.

⁵³ "Could Contest Southern Seats," *Boston Herald* (MA), December 15, 1903.

An Auspicious Political Climate?: The Crumpacker Resolution

Despite some opposition in their own ranks and the bleak political situation in South Carolina, Prioleau and Dantzler could see some encouraging signs coming from Washington. The aggressively negative portrayal of Dantzler and Prioleau in newspapers not only reflected the disdain of the white press for the two Republican candidates, but also demonstrated its growing fear of election contests in Congress. The political context suggested that even if they were a long shot, the Dantzler and Prioleau strategy could pay off. While Congress had sent many signals in the 1890s that it would not police southern elections—from the failure of the Federal Election Bill to the repeal of many key components of the Enforcement Acts—there were nevertheless some reasons for hope in 1902.⁵⁴ Even if Republican congressmen did not have the zeal nor the will of their Reconstruction-era predecessors, they were not entirely unsympathetic to the plight of southern African Americans. However, it was usually not the desire to promote racial justice that prompted these efforts, but rather partisan concerns couched in the language of fairness to the new demographic reality of the voting population.

The most auspicious sign that Republican congressmen could be sympathetic to Dantzler and Prioleau's election contests came in 1901 through two resolutions introduced in Congress.⁵⁵ First, several Republican congressmen, including Massachusetts Representative William H. Moody, introduced bills to investigate the flagrant disregard of the 15th Amendment in Louisiana

⁵⁴ For more on the repeal of the Enforcements Act and Congress' failure to police southern elections, see: J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven, CN: Yale University Press, 1974); Wang Xi, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860-1910* (Athens, GA: University of Georgia Press, 1997); Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill, NC: University of North Carolina Press, 2003).

⁵⁵ Perman, *Struggle for Mastery*, 224–44.

and in the South in general.⁵⁶ Second, and perhaps even more frightening for southern Democrats, were the increasingly loud calls to reduce the representation of the South in Congress. With the 1900 census completed, the House Committee on the Census proposed a plan to re-apportion the House based on the population changes. The chairman of the committee, Indiana Republican Edgar Dean Crumpacker, was concerned with the unfair advantage provided to Democrats by the disfranchisement of African American in the South.⁵⁷ He had previously called on the Census Bureau and after the census was completed he also called on the committee to investigate “whether any of the States have denied or abridged the right of male inhabitants [to vote].”⁵⁸ If some states did indeed use illegal methods to prevent some citizens to vote, the committee had to propose an apportionment bill that would reduce the electoral representation of these states in proportion to the percentage of voters who were denied the franchise.

This was hardly a fanciful or partisan request as some white Democrats complained. Section 2 of the 14th Amendment specifically stipulated that “when the right to vote at any election . . . is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.”⁵⁹ This call for a reduction of the electoral representation in states disfranchising voters

⁵⁶ *New Orleans Times-Democrat* (LA), December 7, 1901; *Walsenburg World* (CO), December 12, 1901; *Dearborn Independent* (MI), December 19, 1901; *San Francisco Call* (CA), December 26, 1901.

⁵⁷ Letter from Edgar Dean Crumpacker to Booker T. Washington, Nov. 7, 1899 in: Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 5, 1899-1900* (Urbana, IL: University of Illinois Press, 1976), 258–59.

⁵⁸ James M. McPherson, *The Abolitionist Legacy: From Reconstruction to the NAACP* (Princeton, NJ: Princeton University Press, 1995), 354–55; Carle, *Defining the Struggle*, 142.

⁵⁹ U.S. Constitution, Amend. 14, sec. 2.

became known as the Crumpacker Resolution when introduced in Congress early in 1901.⁶⁰ It would be reintroduced to Congress under various forms for the next ten years, yet never enacted.⁶¹

This Republican interest in southern elections frightened Democrats across the South. And once again, they couched their defense in the language of states' rights. They attacked Republicans supporting this bill as “dyed-in-the-wool-south-haters,” and demanded that Democratic congressmen for all sections “fight . . . with the same grim determination of the earlier fights against the force bills.”⁶² For “if Congress is permitted to violate the constitutional rights of the southern states, . . . a precedent is established for the wronging of any state.”⁶³ Louisiana Democratic congressman Joseph Ransdell was among those who heeded this call to arms. Like most white southerners, he believed that the best course of action was to “let the people of the South, white and black, work out their own salvation with as little interference as possible.”⁶⁴ In

⁶⁰ *Washington Times* (DC), January 08, 1901; *San Francisco Cal* (CA), December 26, 1901; *Cleveland Gazette* (OH), March 29, 1902; *Washington Colored American* (DC), March 29, 1902; *Lexington Intelligencer*, April 5, 1902.

⁶¹ At first, an overwhelming majority of African American leaders supported the Crumpacker Resolution. However, many changed their minds. By 1903 the difficulty in determining the actual number of disfranchised voters and the fear that implementing the resolution would concede the constitutionality of disfranchisement led many African Americans to oppose it. Indeed, while African Americans had originally supported it as a tool to pressure the South to change its laws, many came to believe that southern whites would actually see reduced representation as an acceptable compromise for disfranchising African Americans at will. Thus, Timothy Thomas Fortune, a leading economist and editor of the most influential African American newspaper, and Booker T. Washington, tried to persuade president Roosevelt to oppose the Crumpacker Resolution. See: Letter from Booker T. Washington to Thomas Fortune, April 4, 1899; Letter from Edgar Dean Crumpacker to Booker T. Washington, Nov. 7, 1899; Letter from T. T. Fortune to Booker T. Washington, Nov. 20, 1899 in: Harlan and Smock, *The Booker T. Washington Papers, Volume 5, 1899-1900*, 71, 258–59, 269–71. Letter from Booker T. Washington to James H. Hayes, August 28, 1904 in Harlan and Smock, *The Booker T. Washington Papers, Volume 6, 1901-1902*, 170–71. For more on this issue, see: McPherson, *The Abolitionist Legacy*, 354–54; R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge, LA: Louisiana State University Press, 2010), 219–21.

⁶² “It Must Be Defeated,” *Lexington Intelligencer* (MO), April 5, 1902.

⁶³ *Ibid.*

⁶⁴ Letter from Joseph Eugene Ransdell to Booker T. Washington, Nov. 7, 1899 in Harlan and Smock, *The Booker T. Washington Papers, Volume 5, 1899-1900*, 437–38.

not so subtle threats, he told Booker T. Washington that reducing southern representation would lead to “a very unpleasant state of feeling between the whites and negroes of the south who are now getting along so harmoniously and prosperously.”⁶⁵ Indeed, he reminded the wizard of Tuskegee that “Congress may have the physical power to reduce membership, but it cannot compel [Southern states] to change their suffrage laws, and in my judgement, they will not do so voluntarily.”⁶⁶

To counter this threat, Southern Democratic congressmen needed the help of voters. South Carolina Democratic Party Chairman Willie Jones attempted to mobilize Democrats across the state, reminding them that the primaries did not “settle the election.” Jones reminded voters that the “iniquitous Crumpacker resolution” was before Congress, and the potential reduction of representation would be “based upon the official returns of the representatives in the House.”⁶⁷ Based on turnout of recent elections, Jones continued, South Carolina risked being the most severely impacted state. Jones was right on that count. Indeed, in the congressional elections of 1900, California’s sixth district alone recorded more votes than all seven congressional districts of South Carolina, *combined*.⁶⁸ This kind of dismal turnout, Jones warned, would be “very embarrassing to our senators and representatives.”⁶⁹ Moreover, if Democratic congressmen were elected with a large majority, argued Jones, they would not face any “serious trouble in retaining

⁶⁵ Letter from Joseph Eugene Ransdell to Booker T. Washington, March 19, 1899 in Harlan and Smock, *The Booker T. Washington Papers, Volume 6, 1901-1902*, 420–21.

⁶⁶ Letter from Joseph Eugene Ransdell to Booker T. Washington, Nov. 7, 1899 in Harlan and Smock, *The Booker T. Washington Papers, Volume 5, 1899-1900*, 437–38.

⁶⁷ “Importance of Voting,” *Yorkville Enquirer*, November 1, 1902.

⁶⁸ 52,241 votes were recorded in California’s Sixth Congressional District against 49,899 in all of South Carolina’s seven congressional districts.

⁶⁹ “Importance of Voting,” *Yorkville Enquirer*, November 1, 1902.

their seats” if a contest was brought to Congress.⁷⁰ Jones’s appeal was echoed in editorials across the state, especially in Dantzler's congressional district, where voters were told a few days before the election that there was “no business of more importance than the election on Tuesday.”⁷¹ Despite Jones’ efforts, the turnout at the congressional election was once again dismal, and strengthened the case for the Crumpacker Resolution.⁷²

Lawyering Up: Jacob Moorers’s “Crusade” for Political Rights

While South Carolina Democrats did not heed Jones’ call of voting in large numbers, they did turn in enough votes to trounce Republican candidates. In the First Congressional District, Aaron P. Prioleau recorded only 175 votes whereas his Democratic opponent, George S. Legaré, received 3,749. In the Seventh Congressional District, Alexander Dantzler fared even worse, receiving 167 to Democrat Ashbury Lever’s 4,220. But as expected, both contested the election in Congress.⁷³ While most observers in Washington had initially regarded these “ridiculous” contests with “amusement,” they quickly realized that “there was a serious side” to these cases. For Democrats, the press reported, the situation “may be fraught with danger.”⁷⁴ For Republicans who supported the Crumpacker or Moody Resolutions, the contests of Prioleau and Dantzler were perfect “test cases,” since both hailed from districts with an African American majority and

⁷⁰ “Importance of Voting,” *Yorkville Enquirer*, November 1, 1902.

⁷¹ *Sumter Watchman and Southron*, October 29, 1902.

⁷² Whereas 49,899 votes were recorded in 1900, only 32,117 votes were cast in 1902.

⁷³ *Congressional Directory*, 58th Cong., 1st sess., November 5, 1903, S. Doc. 1, 4562.

⁷⁴ *Richmond Times Dispatch* (VA), December 15, 1903.

suspiciously low turnouts.⁷⁵ The African American press agreed, stating that the Prioleau and Dantzler contests offered a “splendid opportunity” to Republicans in Congress to show “the colored people how much they think of them and how willing they are to give them their rights.”⁷⁶ Hence, both sides awaited the “committee’s decision . . . with keen interest.”⁷⁷

Prioleau and Dantzler were not only hopeful because of the seemingly favorable political context in Washington, but also because they counted on an extremely gifted lawyer to argue on their behalf: Jacob Moorer. The husband of acclaimed African American poet Lizelia Augusta Jenkins Moorer, he was born the son of two illiterate slaves amidst the tumult of the American Civil War, sometime between 1862 and 1864.⁷⁸ Moorer worked with his parents as a farmhand until his early twenties. In 1884, he was admitted to Claflin University’s grammar school, and graduated with a Bachelor of Arts in 1892.⁷⁹ Moorer’s degree took him off the farm and opened new professional opportunities. For the rest of his life, Moorer would remain deeply involved with his alma mater, serving among other functions as president of the alumni organization in the mid-1910s.⁸⁰ After graduation, he served as principal of LaGrange Academy in Georgia for four years. During this time, Moorer began studying for a career in law. In 1896, he returned to South Carolina

⁷⁵ Richmond *Times Dispatch* (VA), December 15, 1903; “Seat of South Carolina Congressman in Danger: Cornfield Darky Named Dantzler Contesting Lever’s Seat on the Ground That the South Carolina Suffrage Law Is Not Constitutional,” *Atlanta Constitution* (GA), December 15, 1903.

⁷⁶ Washington *Colored American* (DC), December 19, 1903.

⁷⁷ “Seat of South Carolina Congressman in Danger,” *Atlanta Constitution* (GA), December 15, 1903.

⁷⁸ Different censuses recorded different birthdays. See Federal Census of 1910; Federal Census of 1920; *South Carolina Death Records*. Columbia, SC: South Carolina Department of Archives and History.

⁷⁹ “Commencement at Claflin,” *Charleston News and Courier*, April 28, 1892; William Lewis Burke, *Matthew J. Perry: The Man, His Times, and His Legacy* (Columbia, SC: University of South Carolina Press, 2004), 18–26.

⁸⁰ Columbia *Southern Indicator*, July 25, 1914.

and, in December, successfully passed the bar examination.⁸¹ This made him part of a select group of African Americans. While roughly 80 African Americans had been admitted to the bar in the nineteenth century, the end of Reconstruction narrowed African Americans' opportunities significantly. Hence, during his lifetime, Moorer was one of only 30 active black lawyers in the Palmetto State.⁸²

Moorer joined the South Carolina Republican Party in Orangeburg upon his return from Georgia and ran unsuccessfully for the state legislature in 1896.⁸³ While Moorer was active in the party and attended conventions, he primarily served as attorney to candidates contesting elections.⁸⁴ These were important cases for Moorer for they provided him with much needed work. Indeed, the Jim Crow era was a particularly difficult time for African American lawyers. Most potential clients, black or white, believed, with good reason, that a jury or judge would be prejudiced against an African American lawyer.⁸⁵ Black lawyers were thus rarely able to support themselves with their practices and had to rely on other occupations to make ends meet.⁸⁶ Moorer, for example, served as census enumerator in 1900, and his law partner, John Adams, taught at Allen University, and would later earn his living from both the law and the ministry.⁸⁷ Furthermore,

⁸¹ Burke, *Matthew J. Perry*, 18.

⁸² Burke, 21–26.

⁸³ *Columbia State*, November 2, 1896.

⁸⁴ “On the Edisto,” *Columbia State*, November 2, 1896; “Orangeburg's Official Count,” *Charleston News and Courier*, November 17, 1898; *Sumter Watchman and Southron*, November 28, 1900; *Augusta Chronicle* (GA), November 16, 1901; “Stirring up the Negros,” *Charleston News and Courier*, October 20, 1902; “Orangeburg Republicans Meet,” *Charleston News and Courier*, Saturday, April 25, 1908.

⁸⁵ Both Moorer and his wife Lizelia were painfully aware of the racism of the legal system and the difficulties of navigating such a system for an African American lawyer. In fact, Lizelia denounced the racism of the court in her poem, *Injustice of the Court*.

⁸⁶ This situation forced many black lawyers to work in different fields to earn a living. For more on black lawyers' need to diversify their professional activities, See: Burke, *Matthew J. Perry*, 19–29.

⁸⁷ “Census Enumerators,” *Charleston News and Courier*, May 14, 1900; Burke, 24.

these cases, as opposed to many others that black lawyers would take up, could be financially rewarding. Indeed, Congress allocated up to \$2000 for the legal defense of candidates challenging an election.⁸⁸

Remuneration aside, above all, these election contests, and by extension the South Carolina Republican Party, provided Moorer with a means to challenge disfranchisement. For Moorer, this was the single most important barrier to African American progress. Without the franchise, African Americans would be condemned to second-class citizenship and would always be at the mercy of racist whites. As his wife Lizelia eloquently wrote:

Equal rights are not for Negroes; they shall never have a vote,
To supremacy of white man shall be raised the highest note.
Keep the black man from the ballot and we'll treat him as we please,
With no means for his protection, we will rule with perfect ease.⁸⁹

In this regard, the Moorers were not followers of Booker T. Washington's pragmatic accommodationist approach. While the Moorers were deeply religious people who advocated the need for moral uplift among African Americans, they both believed that African Americans should not compromise with the racial status quo but seek to topple it altogether. Neither did Jacob Moorer believe that all African Americans should focus solely on economic and educational uplift through agricultural education and capital acquisition. Moorer made this clear when he participated in an 1898 debate on whether African Americans should pursue advanced education, even if their opportunities in professions such as doctors, scientists, lawyers, or teachers were very limited.

⁸⁸ The white press attempted to smear African Americans by constantly arguing that the legal defense fund of up to \$2000 was the primary reason to make an election contest. However, it is likely that without this, African Americans in South Carolina would have brought far fewer challenges to Congress for lack of funds. It is important to note, too, that contrary to what the white press usually stated, candidates had to itemize their expenses and were not automatically and without verification allotted the maximum amount of \$2000. Finally, Congress often delayed payment and sometimes denied it. As such, this allocation enabled Republicans to contest elections, but was definitely not the incentive to do so.

⁸⁹ Moorer, "The Negro Ballot."

Moorer sided strongly with the need for African Americans to pursue advanced degrees, regardless of the professional opportunities.⁹⁰ The timing of this debate was particularly significant. It occurred just three years after Booker T. Washington's 1895 Atlanta Compromise Speech, and thus at a time when accommodationism was on the rise, if not already the dominant ideology among the most influential southern African American leaders. In taking this position, Moorer was no doubt aware that he was going against the tide.

A Case of "Far-Reaching Importance:" Moorer and Dantzler Before Congress

While both Prioleau and Dantzler ultimately based their respective contests on the issue of disfranchisement, Dantzler's brief, authored by Moorer, was far more creative, and had far-reaching implications that went beyond South Carolina's 7th district.⁹¹ Moorer did not simply seek to overturn the result of one election, but to use the contest as an attempt to deal a major blow to Jim Crow. The 1895 constitution of South Carolina and subsequent electoral laws were unconstitutional, Moorer argued, because they violated the Reconstruction Act of June 25, 1868. This Act stipulated that one of the "fundamental conditions" for readmitting South Carolina to representation in Congress was:

That the constitution of neither of said States shall ever be so amended or changed as to deprive any citizen or class of citizen of the United States of the right to vote in said State who are entitled to vote by the constitution thereof herein recognized.⁹²

⁹⁰ "Educating the Negro," *Columbia State*, September 7, 1898.

⁹¹ Merrill Moores, ed., *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917* (Washington, DC: Government Printing Office, 1917), 25-27.

⁹² *Reconstruction Acts of June 25, 1868, Statutes at Large* 15: 73.

Moorer pointed out that first, the 1868 constitution did not contain the educational or property qualifications included in the 1895 constitutions. Secondly, he showed that these property and educational requirements had tremendous impact on those who successfully registered to vote. Indeed, many citizens who could freely vote under the 1868 constitution were later deprived of the franchise. Hence, Moorer concluded, the new constitution violated the terms under which South Carolina was re-admitted to the Union and should be declared null and void. Moorer's brief also anticipated the predictable claim of his opponent that the new constitution of 1895 was adopted democratically under the terms of the 1868 constitution. Moorer countered this argument by stating that the new constitution was never adopted by a popular vote in the state and could not be interpreted as representing the will of the electorate as understood under the 1868 constitution.⁹³

Moorer then continued by stating that if the election had been held under the terms of the 1868 constitution, Alexander Dantzler, not his opponent Ashbury Lever, would have been duly elected. Moorer produced a number of affidavits and testimonies of African Americans who were denied the right to register for dubious reasons. While this evidence suggested that fraud and irregularities were rampant in South Carolina's elections, they were insufficient to meet the traditional burden of proof that Congress required to overturn an election. Congress demanded that the contestant establish beyond reasonable doubt that enough voters would have supported him to tilt the election. In the 1880s and 1890s, this was not unreasonable. Despite constant fraud by Democrats, Republican congressional candidates in districts with an African American majority usually received at least 40% of the vote. As a result, they usually had to show that roughly 1,000 of their supporters were illegally prevented from voting.

⁹³ Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 25-27.

However, the enactment of the state constitution of 1895 crippled the Republican Party. By 1902, when disfranchisement had nearly reached its pinnacle in the Palmetto State, they could hardly hope to receive more than 5% of the vote. In order to win their cases, South Carolina Republican candidates contesting elections in the 1900s had to produce evidence suggesting that between 4,000 and 8,000 of the voters would have supported them. Accumulating such evidence was a colossal task, one far beyond the financial and organizational means of any regular southern Republican candidate. Indeed, African Americans who testified or attempted to vote could face many forms of retribution from angry whites that ranged from lynching to losing their employment. The memories of the 1898 Phoenix and Wilmington riots kept many away from the polls and from assisting in election contests. Furthermore, the logistics of gathering evidence also proved a challenge. Testimonies had to be taken in front of notaries, all of whom had been appointed by the Democratic governor. Some either refused to assist Republicans or were conveniently absent at the time they had set to gather these testimonies.⁹⁴ And all of this had to be accomplished in two periods of 40 days, the time legally allocated for the taking of testimony. In maintaining this threshold of proof even after the rise of Jim Crow, Congress made it nearly impossible for South Carolina Republicans to successfully challenge the election on these grounds.

Fortunately, Moorner was well aware of this. Understanding that his proof of electoral fraud would likely be considered insufficient, Moorner knew that Dantzler's would require Congress to make an unlikely leap of faith. So instead, he urged Congress to pursue another option. If Congress could not recognize that Dantzler was elected, he argued, they should at the very least declare that

⁹⁴ House Committee on Elections, *Contested Election Case of Aaron P. Prioleau v. Richard S. Whaley, From the First Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1915), 11-16.

“no valid election was held in South Carolina” and “unseat the contestee [Lever].”⁹⁵ Thus, South Carolina’s Seventh Congressional District seat would be declared vacant. This was a shrewdly radical suggestion, for if Congress agreed to this logic, it would likely create a precedent that would trigger a momentous ripple effect. In effect, Moorers’ argument could be applied to all former Confederate States. As a result, until their constitutions were reformed according to the requirements of the Reconstruction Acts, these states would lose representation in Congress. Thus, Moorers’ case offered congressmen the opportunity to pursue the objectives of the Crumpacker Resolution without having to go through the difficult political process of enacting a bill. Furthermore, it provided them with some political cover. By declaring that neither candidate was entitled to a seat, Congressmen from the House Committee on Elections could legitimately argue that their decision was not partisan, but one based on constitutional principles, on the rule of law.

Moorers’ bold request also accounted for the fear that many leading white liberals and African Americans had privately expressed regarding the Crumpacker Bill. In 1903, Thomas Fortune and Booker T. Washington had in fact quietly convinced President Roosevelt to oppose the bill, which practically signified its death.⁹⁶ They argued it failed to solve the real problem, and would only sanction “the injustice and immorality” of southern states constitutions.⁹⁷ In other words, by metering a punishment for it, the bill would still mean that Congress would “recognize the right of any state to disfranchise a part of its citizenship.”⁹⁸ This way, in the words of white

⁹⁵ Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 25.

⁹⁶ Horace Samuel Merrill and Marion Galbraith Merrill, *The Republican Command, 1897-1913* (Lexington, KY: University Press of Kentucky, 1971), 176–83.

⁹⁷ Letter from T. T. Fortune to Booker T. Washington, November 20, 1899 in Harlan and Smock, *The Booker T. Washington Papers, Volume 5, 1899-1900*, 269–70.

⁹⁸ Letter from T. T. Fortune to Booker T. Washington, February 20, 1900 in Harlan and Smock, 444–45.

liberal Edward Clement, editor of the Boston *Evening Transcript*, “what the South had done would not be undone, it would be confirmed,” and the fight for southern African American re-enfranchisement would be even more difficult.⁹⁹ Furthermore, it could lead to more disfranchisement in border states. However, adverse court decisions in 1903, notably in *Giles v. Harris* and *James v. Bowman* frustrated many African Americans and revived their interest in reducing southern representation.¹⁰⁰ In fact, at the party’s national convention in 1904, the most militant black Republicans managed to bypass Washington and Roosevelt’s opposition, and had the party adopt a plank on its platform calling for southern reduction of representation. Hence, by asking Congress to invalidate the election, Moorer framed his case in a way that could appeal to all African Americans and white liberals wishing to end southern disfranchisement, as well as to Republican congressmen wishing to punish the South and reduce its congressional representation.

You’ll Never Get Out of This Maze: The Federal Government and African Americans’ Political Rights

In late February 1904, nearly eighteen months after the election, the election committee came to a decision.¹⁰¹ Illinois Republican Representative James R. Mann, who chaired the committee tasked with hearing both the Prioleau and Dantzler contests, penned the official verdict.¹⁰² The report quickly dismissed the idea that Dantzler would have won the election had it

⁹⁹ As quoted in McPherson, *The Abolitionist Legacy*, 355.

¹⁰⁰ Merrill and Merrill, *The Republican Command*, 176–83.

¹⁰¹ Sumter *Watchman and Southron*, March 2, 1904. The unanimous decision of the House Committee on Elections was adopted by Congress, without debate, in early March. *Washington Times* (DC), March 18, 1904; *Newberry Herald and News*, March 22, 1904.

¹⁰² The committee included five other Republicans and three Democrats. In addition to Mann, the other Republican members of the committee were: Maine Republican Representative Llewellyn Powers, New York Republican Representative and former Consul General of Montreal, Canada Charles Knapp, West Virginia Republican Representative Joseph H. Gaines, Pennsylvania Republican Representative Arthur L. Bates, and Michigan Republican Representative Olin H. Young. The Democratic members were: Kentucky Democratic Representative

not been for the unfair electoral laws of South Carolina. It stated that considering the election returns, which favored Lever 4,220 to 167, it was “indisputable that if a legal election were held in the district . . . , Lever was fairly elected.”¹⁰³ As Moorer expected, this confirmed that Congress would not take the political climate of the South into account, and would require the same burden of proof to overturn elections based on evidence of voters being illegally denied the franchise that it had in the 1880s and 1890s.¹⁰⁴ However, Moorer was proven correct in anticipating that the House Committee on Elections would be far more receptive to his argument that no legal election had taken place, and thus neither of the two candidates were entitled to the seat in Congress. Indeed, except for the first two paragraphs, the report focused solely on the question of whether a legal election took place.

The committee recognized what Moorer had hoped for, namely that the question “of the constitutionality and validity of the constitution and election laws of South Carolina . . . is one of far-reaching importance.” First, Mann stated that considering the current political climate in South Carolina, if Congress was to decide that no valid election had taken place, this would mean “an entire lack of representation from the district for a considerable period of time.”¹⁰⁵ But the committee recognized that this was not the most concerning issue. Indeed, if that were the only

Ollie M. James, Mississippi Democratic Representative Eaton J. Bowers, and Texas Democratic representative Scott Field.

¹⁰³ Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 25.

¹⁰⁴ In the 1880s and 1890s, South Carolina Republicans who challenged election results that had won at the very least 40% of the vote. However, Prioleau and Dantzler only received about 4% of the vote. Hence, while Congress continued to require the same evidence in the 1900s as it did in the 1880s and 1890s, namely that the challenger can prove that enough voters would have supported him to change the result in his favor, the burden of proof was far greater on Prioleau and Dantzler than it had been on Thomas Elliott in 1888 or George Washington Murray in 1894.

¹⁰⁵ Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 26.

problem, Mann argued, then it would have been “proper for the Committee on Elections, as well as the House itself, to put on record its opinion in the case.”¹⁰⁶ However, the committee recognized that this case had resonance far beyond South Carolina’s Seventh Congressional District. Since the Reconstruction Acts applied to 10 of the 11 former Confederate States, and since “most of these states adopted new constitutions said to be in conflict with the terms and provisions of reconstruction acts,” the committee concluded that “if the House would unseat the contestee on the grounds that no valid election was held or could be held in his district under the present constitution and election laws,” it would require the House to “unseat all of the Members from South Carolina and from most of the other Southern States.”¹⁰⁷ These states would only regain their representation when their “respective constitutions . . . had been changed so as to comply with the reconstruction acts.” In other words, if the committee was to agree to Moorer’s argument, Congress would have to compel South Carolina and other former Confederate States to change their constitutions. Mann and other congressmen understood what that meant: Reconstruction redux.

In the end, James Mann’s committee did not have the stomach for such a course of action. The committee ended up dodging the issue, arguing that “a legislative body is not the ideal body to pass judicially upon the constitutionality of the enactments of other bodies.” It believed that if the committee decided to invalidate the election, it would have “no binding force in South Carolina except in this particular case” or as “a precedent for future actions of the House.”¹⁰⁸ Furthermore, the outrage of the two southern Democrats on the committee led Mann to posit that such a decision

¹⁰⁶ Moores, 26.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

would probably not be “followed or obeyed by the State of South Carolina.”¹⁰⁹ Instead, the committee encouraged Moorer to turn to the “proper forums,” namely the courts. If the Supreme Court decided in Moorer’s favor, the committee argued, the decision “would be binding” and “every State [would] be compelled to immediately bow in submission.”¹¹⁰ Hence, the report concluded that the “majority of the Committee on Elections No 1. doubt the propriety, in any event, of denying these Southern States representation in the House of Representatives pending a final settlement of the whole question in . . . the Supreme Court.”¹¹¹ Lever thus kept his seat in Congress. Jubilant, he declared to the press that the decision was “a victory for self-government” and “rescued [the whole South] from the peril of negro domination.”¹¹² The Southern press was also relieved by the decision, not so much because they had “any doubt as to the action of the committee,” but because Dantzler would no longer be entitled to “make himself obnoxious to the members by daily . . . occupying vacant chairs on the Republican side of the [House].”¹¹³

The committee’s decision, while sensible and prudent on the surface, was in fact duplicitous, and demonstrated both the growing power of Southern Democrats, and the increasing cowardice of Republicans in addressing injustices in the South. First, it improperly suggested that Congress did not have the power to decide this case. In fact, the committee would have been well within its rights to declare that no valid election had taken place. Congress had passed legislation

¹⁰⁹ Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 26.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² “Let the South Alone: Southern Members Jubilant Over Report of Elections,” *Washington Post* (DC), March 19, 1904.

¹¹³ *Newberry Herald and News*, March 22, 1904. By law, contestants could sit in Congress until their case was decided. They could not vote on the measures, but they could attend congressional sessions and freely speak with congressmen.

during Reconstruction which enabled it to police federal elections and enforce the 14th and 15th Amendments. The Supreme Court had reaffirmed the constitutionality of these Enforcement Acts on many occasions.¹¹⁴ However, when Democrats took control of both the White House and Congress in the 1890s, they repealed several provisions of these Enforcement Acts, severely curtailing the power of Congress to police federal elections.¹¹⁵ The repeal of these laws meant that the states were then responsible to enforce the 15th Amendment. Despite ample evidence that the southern states would not enforce it, Republicans did not act. Indeed, when they took back the White House and Congress in 1896, they chose to focus on curbing sectionalism. To that effect, they did not take any serious measures to restore congressional power in matters of federal elections.¹¹⁶ The ascendancy of Theodore Roosevelt to the presidency after McKinley's death in 1901 did not significantly alter this course. Consequently, when Mann declared that Congress was not the proper forum for Dantzler's election contest, he meant that both President Roosevelt and Republicans in Congress were unwilling to use their political capital to fight Southern Democrats and attempt to reverse the abhorrent electoral laws of the South.¹¹⁷ Instead they chose to labor toward reuniting the nation, even at the cost of African American citizenship.¹¹⁸

The decision of the committee to punt this controversial football to the court was even more infuriating considering the Supreme Court's decisions rendered at the very time the House

¹¹⁴ *Staruder v. West Virginia* (1879), *Ex parte Siebold* (1880) and *Ex parte Yarbrough* (1884) were all decisions that upheld the right of Congress to police federal elections and intervene when needed. For more on this subject, see Xi, *The Trial of Democracy*, 180–216.

¹¹⁵ See: Xi, 216–99.

¹¹⁶ *Ibid.*

¹¹⁷ For a convincing account on how Republicans came to abandon their support for African American suffrage in the South, see: Xi, *The Trial of Democracy*.

¹¹⁸ David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA: Belknap Press of Harvard University Press, 2001).

Committee on Elections was deliberating. First, in *James v. Bowman* (1903), the Court declared unconstitutional section five of the 1870 Enforcement Act, which granted Congress the power to punish “any person” who attempted to, or did, “prevent, hinder, control, or intimidate” anyone from “exercising the right of suffrage . . . guaranteed by the fifteenth amendment.”¹¹⁹ It argued that the 15th amendment protected voters only from actions undertaken by the state or federal government, and offered no protection if one’s right to vote is impeded by another individual. Hence, even if discrimination could be proven in court, one would also have to prove that this discrimination was sanctioned by state officials. This decision not only reduced the power of Congress in policing elections, but it also sent a clear signal as to the Court’s unwillingness to protect African American suffrage. It was not, however, the most devastating legal precedent for Moorer, Prioleau, and Dantzler.

The decision in *Giles v. Harris* (1903) was even more indicative of the Supreme Court’s non-interventionist stance in matters regarding southern elections. In this case, the Court considered the allegations of Jackson Giles, an African American man from Alabama who, along with roughly 5,000 others, claimed to have been wrongfully denied the right to register to vote by unscrupulous white election officials.¹²⁰ Giles also argued that the new Alabama constitution violated the 14th and 15th Amendments and should be voided by the courts. Giles’s counsel, famed black lawyer Wilford Smith, was fully aware that the Political Question Doctrine, the notion that

¹¹⁹ *Enforcement Act of May 31, 1870, Statutes at Large*, Sec. 5.

¹²⁰ After the ratification for the new state constitution in 1901, Alabama allowed voters who registered prior to December 20th, 1902, to be permanently registered. Those who registered after 1903 would have to register every election, and hence be subjected to various arbitrarily administered requirements. White Democrats thus made an even more concerted effort than usual to prevent Giles and other African Americans from registering. They succeeded: of the 181,471 eligible African American voters in 1900, only 3000 were registered under the new constitutional provisions. Samuel Brenner, “Airbrushed Out of the Constitutional Canon: The Evolving Understanding of *Giles v. Harris*, 1903-1925,” *Michigan Law Review* 107, no. 5 (2009): 859–60.

the Courts had no jurisdiction over purely political matters, made the Courts unlikely to take up cases involving election contests.¹²¹ Smith thus argued that the case was about protecting the legacy of Reconstruction and honoring the nation's promise to African Americans after the Civil War, and not about electoral politics per se. However, the unorthodox way in which the case made it to the Supreme Court made it likely that it would be resolved on technical grounds rather than on the merits of Giles' allegations.¹²² Nevertheless, there was some ground for optimism considering that the Progressive Era Supreme Court seemed particularly interested in expanding the Court's jurisdiction, and Giles's case offered them a legitimate way to do so.¹²³

Justice Oliver Wendell Holmes Jr. wrote the majority decision for the Court. He completely evaded the critical questions at the heart of the case by invoking two rather dubious "difficulties which . . . cannot be overcome."¹²⁴ The first was due to his erroneous perception that Giles's two main demands were irreconcilable. Holmes stated, correctly, that Giles claimed "that the whole registration scheme of the Alabama Constitution is a fraud upon the Constitution of the United States," and thus asked that it be declared void. He also properly noted that Giles' main request was for the court to demand that Alabama consider him, as well the other thousands African Americans plaintiffs, to be duly registered and allowed to vote. "If, then, we accept the conclusion [that Alabama constitution is unconstitutional]," Holmes rhetorically asked, "how can we make

¹²¹ The Political Question Doctrine traces its roots to a Supreme Court case in the early Republic, *Marbury v. Madison* (1803). For more on this notion, see: Nada Mourtada-Sabbah and Bruce E. Cain, *The Political Question Doctrine and the Supreme Court of the United States* (New York, NY: Lexington Books, 2007).

¹²² Riser, *Defying Disfranchisement*, 210.

¹²³ Riser, 208.

¹²⁴ *Giles v. Harris*, 189 U.S. 475 (1903).

the court a party to the unlawful scheme by accepting it and adding another voter to its fraudulent list?”¹²⁵

It is difficult to understand Holmes’s reasoning here. Indeed, Giles’ counsel explicitly argued that the constitution was not wrong in itself. Instead, what made Alabama’s constitution unconstitutional was the malfeasance of election officials.¹²⁶ He added that the far-reaching arbitrary power of these officials was intended by the framers of the constitution, who did not bother hiding their disfranchising motives.¹²⁷ As such, Giles did not seek the invalidation of the whole constitution, but rather called for its fair and indiscriminate application. Holmes himself alluded to it when he wrote that if “the sections of the Constitution concerning registration were illegal in their inception, it would be a new doctrine in constitutional law that the original invalidity could be cured by an administration which defeated their intent.” Yet, it is hard to understand why Holmes failed or refused to comprehend that registering thousands of African Americans would achieve exactly this objective, namely defeating the intent of the framers.

Holmes’s second difficulty was even more startling. Perceiving the issue as purely political, he believed that Giles asked the court to act in a way that was both beyond its power and its jurisdiction. Holmes stated that if “the conspiracy and the intent [to disfranchise African Americans] exist, a name on a piece of paper will not defeat them.” The only remedy would be “to supervise the voting in that state by officers of the court.” To Holmes, however, this was far beyond

¹²⁵ *Giles v. Harris*, 189 U.S. 475 (1903).

¹²⁶ *Giles v. Harris*, 189 U.S. 488 (1903); Wilford H. Smith, “The Supreme Court of the United States and the Alabama Suffrage Case in Equity,” *The Colored American Magazine* 7, no. 9 (1904): 580–82; James Albert Hamilton, *Negro Suffrage and Congressional Representation* (New York, NY: Winthrop Press, 1910), 38; Brenner, “Airbrushed Out of the Constitutional Canon”; Riser, *Defying Disfranchisement*, 212.

¹²⁷ Robert Volney Riser, “Between Scylla and Charybdis: Alabama’s 1901 Constitutional Convention Assesses the Perils of Disfranchisement” (PhD diss., University of Alabama, 2000).

the reach of the Court. In other words, Holmes assumed that southern whites were already fully united in this disfranchisement conspiracy, and that the court did not have the means to revert what was a *fait accompli*.¹²⁸ This was profoundly false. Indeed, newspaper reports about the constitutional framing alone would have provided enough evidence of white division on the question.¹²⁹ Holmes' beliefs that disfranchisement was inevitable became a self-fulfilling prophesy.

Considering that they had just been told to turn to the Court, Holmes' conclusion was even more dispiriting for Moorner, Dantzler, and Prioleau. The justice, who was not entirely unsympathetic to the plaintiff, declared that the "relief from a great political wrong . . . must be given by [the states] or by the legislative and political departments of the government of the United States."¹³⁰ In other words, since Holmes perceived the problem to be one of politics and not of law, he believed Congress was the proper forum for such complaints. Yet, just months after this Court decision, Congress refused to take a stance on the very question, arguing that the issue was essentially constitutional, and thus for the Court. As the press reported, it yet again decided to "dodge" and "evade" the "voting rights question."¹³¹ Lizelia Moorner's verses expressed just how frustratingly powerless many African Americans felt with this state of affairs:

When appeal is made to Congress for protection of a race,
They will promptly dodge the issue, saying, "This is not the place;

¹²⁸ Brenner, "Airbrushed Out of the Constitutional Canon," 863.

¹²⁹ For examples, see: "Constitution to be Ratified," *Montgomery Advertiser* (AL), September 14, 1901; "Opposition to the New Constitution," *Montgomery Advertiser* (AL), September 19, 1901; "Alabama Democrats Confer: Much Opposition to New Constitution is Brought to Light," *Birmingham Labor Advocate* (AL), September 28, 1901. For more on opposition to the constitution, see: Kousser, *The Shaping of Southern Politics*; Perman, *Struggle for Mastery*.

¹³⁰ *Giles v. Harris*, 189 U.S. 475 (1903).

¹³¹ "Evades Franchise Point: Congressional Committee Refuses to Set a Precedent," *Chicago Daily Tribune* (IL), March 19, 1904; "Dodges Negro Vote Decision: House Committee Says Supreme Court Must Pass on Disfranchising Laws," *New York Times* (NY), March 19, 1904.

In the courts alone there's power to decide it for a fact,"
 "We evade it," says the court-room, "Congress has the power to act."

So when Negroes cry for justice in this commonwealth of ours,
 There is none to give an answer, none to regulate the powers,
 Congress claims no jurisdiction, and the courts declare the same,
 None in all this Christian nation who will face the load of shame.¹³²

Undermined Yet Undeterred

There was a small silver lining to these cases. Both Congress and the Supreme Court did not reject the idea that the new southern constitutions and electoral laws were unconstitutional. Indeed, the fact that the problem may have been incurable by the Court was among the “difficulties” that Holmes cited in his decision to not act. And Mann’s House Committee on Elections, while refusing to unseat Ashbury Lever, provided some ground for new challenges. By refusing to decide on Moorer’s constitutional argument, Congress did not technically create a strong precedent for or against the southern electoral system.¹³³ Moreover, the committee did not declare a winner in this election, but merely proclaimed that “Dantzler was not elected . . . and is not entitled to a seat [in the House].” If the *Giles v. Harris* decision was used in future challenges to remind the House Committee on Elections that the Supreme Court explicitly stated that it was Congress’ role to decide these type of cases, perhaps they would give their opinion on the constitutionality of the electoral laws in the South. The report also hinted that this may be a viable

¹³² Lizelia Augusta Jenkins Moorer, “The Negro Ballot,” in Lizelia Augusta Jenkins Moorer, *Prejudice Unveiled: And Other Poems* (Boston, MA: Roxburgh Publishing Company, 1907).

¹³³ “Evades Franchise Point: Congressional Committee Refuses to Set a Precedent,” *Chicago Daily Tribune* (IL), March 19, 1904.

option, taking the time to mention that some members of the committee accepted Moorer's argument, and had been potentially willing to act.¹³⁴

Finally, because the South Carolina contests rapidly became a *cause célèbre*, Prioleau, Dantzler, and Moorer could hope to get popular or institutional support if they chose to contest other elections. This support materialized rather quickly. Only a few months after the decision against Dantzler, the newly created Richmond, Virginia, based National Negro Suffrage League (NNSL) elaborated upon a plan to help future contests.¹³⁵ This organization was founded by prominent African American lawyer James H. Hayes in 1903. He was one of the few black lawyers in the South who publicly opposed Booker T. Washington's accommodationism. Jackson Giles, who had brought a lawsuit against the electoral laws of Alabama, was another important member of this group. However, because Booker T. Washington opposed its radical objectives and the presence of many "disreputable" elements in the organization, the NNSL failed to gain widespread support in the South. Nevertheless, the NNSL was one of the very few significant organizations of the time focusing on political rights. It organized numerous conferences in 1904 to discuss how best to stop and reverse disfranchisement.¹³⁶ It viewed the actions of the House Committee on

¹³⁴ The report mentioned that "[s]ome of the members of the committee believe the fundamental conditions set forth in the reconstruction acts to be valid, and the constitution and election laws of these States to be in conflict with such conditions, and hence to be invalid." Moores, *A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress, 1901-1917*, 26–27.

¹³⁵ Letter from James H. Hayes to Booker T. Washington, February 3, 1903; Letter from Whitfield McKinlay to Booker T. Washington, December 9, 1903; Letter from Robert Heberton Terrell to Booker T. Washington, December 13, 1903; Pinckney Benton Stewart Pinchback to Booker T. Washington, December 17, 1903 in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 7, 1903-1904* (Urbana, IL: University of Illinois Press, 1977), 30, 364–65, 368–69, 375. For more on the National Negro Suffrage League, see: August Meier, *Negro Thought in America, 1880-1915: Racial Ideologies in the Age of Booker T. Washington* (Ann Arbor, MI: University of Michigan Press, 1963), 171–89; Riser, *Defying Disfranchisement*, 196.

¹³⁶ "Negroes Against Gaines: West Virginia Suffrage League Will Work Against Congressman," *Washington Post* (DC), June 3, 1904; "Negroes Want a Plank," *Chicago Daily Tribune* (IL), June 21, 1904; "Negro Suffrage League: Demands Plank Against Disfranchisement Founded on Race Prejudice," *New York Times* (NY), June 22, 1904; "Republican Contempt Resented by Negroes: Hold Them Too Responsible for Disfranchisement," *New York Times* (NY), August 24, 1904.

Elections regarding South Carolina election contests as a “direct disregard of right, justice, and party principles,” and worse, as a “public agreement to perpetuate negro disfranchisement” and the “political slavery of the South.”¹³⁷ As a result, the organization aimed to make South Carolina’s election contests a national issue.

Alongside pushing the Republican Party to adopt a strong plank opposing disfranchisement in its upcoming conventions, the NNSL targeted the head of the elections committee, James R. Mann. If successful, this would send a clear message to Republican Congressmen. However, since African Americans were only a minority in Mann’s Illinois district, they opted to make a more concerted effort against another member of the election committee who could be more easily defeated. The league thus elected to wage a “bitter fight” against West Virginia Republican Representative Joseph H Gaines in 1904. In the end, the efforts of the NNSL were not enough: both Mann and Gaines were re-elected. However, Gaines had to survive an acrimonious and difficult primary challenge.¹³⁸ In this way, even if the show of strength the NNSL hoped for did not fully materialize, the organization and its supporters did send a message to Republican Congressmen. In fact, Dantzler’s contest had stirred up so many African Americans that even the Democrats attempted to use it to their advantage. In a rather cynical and foolhardy campaign, the National Negro Democratic Union distributed pamphlets calling upon African Americans to

¹³⁷ “Negroes Against Gaines: West Virginia Suffrage League Will Work Against Congressman,” *Washington Post* (DC), June 3, 1904; A. J. Halford, *Official Congressional Directory*, 59th Cong., 1st sess.

¹³⁸ Gaines was challenged in the Republican primary and the contest turned particularly acrimonious. Fearing that the factionalization of the state party may hamper Roosevelt’s chances, the Republican National Committee stepped in to resolve the issue. See: “Gaines Has Party Rival,” *Washington Post* (DC), July 19, 1904; “To End West Virginia Fight: Gaines And Edwards Before Congressional Committee,” *Baltimore Sun* (MD), September 25, 1904. Gaines nevertheless won the general election with a larger majority than in 1902. See results in: A. J. Halford, *Official Congressional Directory*, 59th Cong., 1st sess., December 6, 1905, S. Doc. 4, 4918.

support the 1904 Democratic Presidential ticket to register their protest against Congress' handling of the Dantzler and Prioleau election contests.¹³⁹

The NNSL was not alone in supporting the method chosen by South Carolina Republicans to challenge the constitutional abuses in the South. Even Booker T. Washington believed, at least in private, that systematically contesting election results could be a promising method to topple Jim Crow. In a letter to NNSL's President James B. Hayes, Washington agreed with Hayes that the Crumpacker Resolution should be opposed. Instead, he explained that "we ought to insist upon Congress taking up each individual case and each individual state wherever the Constitution has been violated by a member being sent to that body through fraud. The individual or the state should be made to suffer the consequences. If that was done consistently," Washington concluded, "we would have a different state of affairs."¹⁴⁰ Washington was never fully the accommodationist that his public persona suggested. He often secretly funded more radical efforts. The Giles' case and his correspondence show a larger breadth of ideas than his public actions suggest.¹⁴¹ But if Washington privately sympathized with South Carolina Republican election contests, in the public realm Washington was extremely meticulous in maintaining his image of chief accommodationist, and never defended this idea publicly.¹⁴² It is thus unclear if Washington's words ever reached the

¹³⁹ *New York Tribune* (NY), October 9, 1904.

¹⁴⁰ Letter from Booker T. Washington to James H. Hayes, December 31, 1904 in: Harlan and Smock, *The Booker T. Washington Papers, Volume 7, 1903-1904*, 170–71.

¹⁴¹ For more on Booker T. Washington's contribution to Giles's case, see: Richard H. Pildes, "Democracy, Anti-Democracy, and the Canon," *Constitutional Commentary* 17, no. 2 (2000): 295–319. For a recent biography on Booker T. Washington, see: Robert Jefferson Norrell, *Up from History: The Life of Booker T. Washington* (Cambridge, MA: Harvard University Press, 2009).

¹⁴² In contrast to Prioleau, Moorer, and NNSL's leader James B. Hayes, Washington believed that African Americans were as much disfranchised by unjust laws as by their own failure to follow the rules. See letter from Booker T. Washington to James H. Hayes, December 31, 1904 in: Harlan and Smock, *The Booker T. Washington Papers, Volume 7, 1903-1904*, 170–71.

ears of Prioleau, Moorers or Dantzler. In fact, in these cases, it is likely that Washington, who shared much of their class prejudice, would have adopted a similar stance to many South Carolina party leaders: while the cause and method may be righteous, it was carried by the wrong messengers. Nonetheless, this suggests that South Carolina Republicans probably benefitted from more moral support in private than the public records suggest.

Only days after Congress had announced its decision in the election contests, Moorers, Dantzler, and Prioleau attended the 1904 South Carolina State Republican Convention. The location of the convention highlights the subtle but constant advances of Jim Crow in South Carolina. While the convention was supposed to take place in South Carolina's State House, as often before, the Sergeant-At-Arms, J. S. Wilson, refused to allow the bi-racial group to use state property.¹⁴³ He explained that he could not possibly allow "a lot of negroes spitting tobacco over . . . the \$1,100 carpet."¹⁴⁴ Republicans were furious of this symbolic act of dismissal, and condemned this "unjust and narrow" decision. Conversely, the white press hailed this as a "salutary act" meant to prevent an "unfit motley crew" from damaging and injuring the reputation of this "beautiful hall."¹⁴⁵ From then on, no African American would sit in the State House either as elected official or Republican delegate until the election in 1970 of the grandson of Republican and business leader I. S. Leevy, Democratic representative of Richland I. S. Leevy Johnson.¹⁴⁶

The press coverage of the convention focused on the in-fighting among state party leaders over matters of patronage and election to the national convention. At the convention, significant

¹⁴³ "Republican Convention Today," *Columbia State*, February 24, 1904.

¹⁴⁴ "Can't Use Capitol," *Charleston Evening Post*, February 23, 1904.

¹⁴⁵ *Charleston Evening Post*, February 25, 1904.

¹⁴⁶ Two other African Americans, James Felder and Hubert Fielding, also won seats in the State House in the 1970 election.

charges were made against the white national committeeman and recent Republican convert John G. Capers. He was accused of fraudulent activities while acting as a federal official, and more importantly, to have been implicated in the lynching of three African Americans in Lexington in the mid-1890s.¹⁴⁷ These allegations failed to derail Capers at the convention, but were never put to rest, and would contribute to his downfall in the early 1910s.

The press, however, missed some key developments in the convention that showed that the growing support with the party for the militant stance taken by Prioleau, Moorner and Dantzler. First, Aaron Prioleau's popularity in the party was rising, and he was easily elected to the state delegation for the upcoming Republican National Convention. Secondly, the resolutions adopted testified to both the frustration of many South Carolina Republicans with the results of the previous election contest and of their desire to pursue this route. Two resolutions denounced "the manner in which the [Democratic] Party is enforcing the suffrage laws, which are not only repugnant to the Federal Constitution, but enforced in violation of the laws of South Carolina."¹⁴⁸ Another one implored the Republican congressmen to take action on behalf of the "100,000 disfranchised Republicans" in the state. The rank and file also voiced their hope that a congressional candidate would be nominated in every district, and for continuing to challenge the results before Congress. Finally, George Washington Murray proposed a new rule that would have radically transformed the structure of the party. Instead of the delegates to the national convention, Murray proposed that congressional candidates elect the national committeeman.¹⁴⁹ This position in the party was generally regarded as the most prestigious, as the national committeeman generally acted as the

¹⁴⁷ "Repudiate Leadership of Mr. John G. Capers," *Columbia State*, February 18, 1904; "Brayton Defeated in Fight on Capers," *Columbia State*, February 25, 1904.

¹⁴⁸ *Marlboro Democrat*, March 4, 1904.

¹⁴⁹ "Brayton Defeated in Fight on Capers," *Columbia State*, February 25, 1904.

“referee” on matter of patronage. Thus, Murray’s proposition would have empowered current militant Republicans, and created strong incentives for party leaders to run as candidates. It could have also lead to a change in leadership, as many of the leaders of the time were far better at wheeling and dealing behind closed doors than in partaking in electoral politics. Knowing that this proposal could swiftly eradicate their power, top party officials under the leadership of Capers did not even allow the proposal to be debated.

As South Carolina Republicans began to plan for the upcoming November election, they were encouraged by the action taken at the 1904 Republican National Convention. The national party adopted a plank that suggested that Republicans were willing to take action regarding the political situation in the South.¹⁵⁰ Emboldened, South Carolina Republicans nominated candidates in each district for the 1904 election.¹⁵¹ However, in the critical seventh district, where African Americans constituted an overwhelming majority of potential voters, Republicans decided to nominate more “reputable” candidates than Prioleau and Dantzler.¹⁵² This was due to circulating rumors that Congress would have seated Dantzler had he been from a higher social class and more acceptable to white society. These rumors were largely based on leaked information from the

¹⁵⁰ The full plank reads: “We favor Congressional action as shall determine whether by special discrimination the elective franchise in any State has been unconstitutionally limited, and, if such is the case, we demand that representation in Congress and in the electoral college shall be proportionately reduced as directed by the Constitution of the United States.” See: Milton W. Blumenberg, *Official Proceedings of the Thirteenth Republican National Convention* (Minneapolis, MN: Harrison & Smith Co., 1904), 135; “Congressman Lever Makes an Appeal,” *Columbia State*, November 2, 1904. This plank was not endorsed by Theodore Roosevelt, however, and was not featured in his acceptance speech.

¹⁵¹ “Republicans Met to Name Electors: No State Ticket but Congressional Contests,” *Columbia State*, September 15, 1904.

¹⁵² Letter from C. C. Jacobs to Withefield McKinlay, September 29, 1904, Carter Woodson Papers, Library of Congress. The press also hinted at the fact that Republicans may have failed in their contests because of the disreputable nature of their candidates whose both “attire” and “personality” were “unattractive.” See: *Newberry Herald and News*, March 22, 1904; “Republicans to Nominate Respectable Candidate,” *Charleston Evening Post*, September 26, 1904; “Republicans to Run a White Man,” *Charleston Evening Post*, September 12, 1904.

Roosevelt administration to “leading men in the [state] party” stating that “if a man of character and ability is presented . . . he will be seated if the contest is made.”¹⁵³ Republicans thus heeded the advice and decided “to test the sincerity of the [Roosevelt] administration” by appointing the candidates most amenable to polite white society.¹⁵⁴

Rift in the Party: Prioleau, Capers, and the Nomination Fight in the First District

Yet, in the First Congressional District, this strategy rapidly backfired. It fueled an existing feud among party members and caused a major rift in the district organization. There, Republicans decided to replace Aaron Prioleau with John A. Noland, a white clerk in “one of the best known retail dry goods stores” who had never before run for office.¹⁵⁵ Noland’s claim to fame in political circles, besides being the first “decent white man” nominated in this heavily African American district, was his testimony on behalf of Republican candidate George Washington Murray in an election contest in the 1890s.¹⁵⁶ In so doing, he gained the respect of many leading African Americans in the area. Aside from being acceptable to most African Americans, Noland earned the support of party leaders for two additional reasons. First, he was a white man. This could help the party with white voters who may not like state Republicans but liked Roosevelt’s progressivism. Secondly, while not particularly prominent socially, he had a far better reputation

¹⁵³ Letter from C. C. Jacobs to Withefield McKinlay, September 29, 1904, Carter Woodson Papers, Library of Congress.

¹⁵⁴ Ibid.

¹⁵⁵ “Republicans to Run a White Man,” *Charleston Evening Post*, September 12, 1904; “Noland Has Cornered Thirty-two to Promote Campaign,” *Charleston Evening Post*, October 22, 1904.

¹⁵⁶ “Republicans to Nominate Respectable Candidate,” *Charleston Evening Post*, September 26, 1904; “Nominated for Congress: First South Carolina District Republican Name White Candidate,” *Washington Post* (DC), October 7, 1904.

than the controversial iconoclast Aaron Prioleau. This proved sufficient to party leaders who campaigned on his behalf.¹⁵⁷

Aaron Prioleau was a truly contentious man. He craved the public eye, had a remarkable knack for self-promotion, and always seemed tangled in some controversy. His reputation had been most tarnished by his arrest in the summer of 1902. While a mail clerk operating between Creston and Pregnell's route on the Atlantic Coast Line, Prioleau had been first investigated, and then arrested for tampering with mail destined for Capt. Peter Gaillard.¹⁵⁸ Prioleau's trial had been delayed several times, and had finally been scheduled for December 1904, just after the congressional election. Prioleau claimed to be the victim of a vast conspiracy to prevent him from running for Congress. He asserted that ever since the killing of his "brother" John A. Fludd in April of 1901, white residents of Eutawville had been trying to expel him from town through various means.¹⁵⁹ They had him arrested for concealed weapons and attempted to intimidate him on multiple occasions, both in the city and on the train where Prioleau worked. In fact, Prioleau claimed that the reason he was found in the train's mail room was because he was hiding from a mob who had tried to attack him on the train.¹⁶⁰ Additionally, one white resident, who had been involved in the killing of Fludd, refused to pay his rent for a house and a store he rented from Prioleau, and despite Prioleau's request, refused to leave after the lease had ended.¹⁶¹ Prioleau had

¹⁵⁷ "Noland to Take the Stump," *Charleston Evening Post*, October 12, 1904; "Republican Rally: J. A. Noland and Others Made Speeches," *Columbia State*, October 18, 1904; "Noland Has Cornered Thirty-Two to Promote Campaign," *Charleston Evening Post*, October 22, 1904.

¹⁵⁸ *Manning Times*, July 16, 1902; *Sumter Watchman and Southron*, December 10, 1902; "Nearer Jail than Congress," *Manning Times*, December 10, 1902.

¹⁵⁹ "Aaron Prioleau Begs Protection," *Columbia State*, June 23, 1903; "Fludd v. Assurance Society, 55 S.E. 762 (S.C. 1906)," *The Southeastern Reporter* 55 (1907): 762-64.

¹⁶⁰ *Atlanta Constitution* (GA), March 6, 1906; *Bamberg Herald*, March 8, 1906.

¹⁶¹ *Manning Times*, May 06, 1903; "Aaron Prioleau Begs Protection," *Columbia State*, June 23, 1903; *Columbia State*, December 20, 1904; *Sumter Watchman and Southron*, December 28, 1904.

requested assistance from the governor for this matter, and had also sued the Atlantic Coast Line for injuries he sustained while attacked on the train by Eutawville residents.¹⁶²

Prioleau repeatedly blamed the party's national committeeman and then district attorney John G. Capers for his legal trouble.¹⁶³ As district attorney, Capers was the leading prosecutor in the case against Prioleau. Subtly riffing on the allegations that Capers had been involved in a lynching, Prioleau hinted to reporters that the former Democrat Capers wanted a Lily-White Republican Party. He also claimed that Capers prosecuted him to prevent him, a black man, from running for Congress. Prioleau's attacks on Capers was no small matter. National committeeman for South Carolina since 1900, Capers was one of the most powerful Republicans in the state. He had the ear of the President and controlled federal patronage in South Carolina, which ensured him the support of both federal office seekers and office holders. Hence, the nomination battle in the First Congressional District had as much to do with this personal feud as with the party's attempt at nominating more respectable candidates.

Prioleau had an important and loyal following of supporters, most of whom shared his dislike of Capers. He had been selected as the district nominee at the June district convention, which was dominated by fiercely anti-Capers supporters of Prioleau.¹⁶⁴ He began canvassing for his congressional campaign just after the Republican National Convention.¹⁶⁵ A few months later, however, thanks to Capers' supporters, Prioleau was defeated by Nolan in the September district

¹⁶² Charleston *Evening Post*, May 16, 1903; "Aaron Prioleau Begg Protection," Columbia *State*, June 23, 1903.

¹⁶³ "Hot After Prioleau," Charleston *Evening Post*, October 25, 1904; "Want Capers to Stop Prioleau," Charleston *Evening Post*, October 28, 1904.

¹⁶⁴ "Want Capers to Stop Prioleau," Charleston *Evening Post*, October 28, 1904.

¹⁶⁵ "Republicans to Nominate Respectable Candidate," Charleston *Evening Post*, September 26, 1904; "Prioleau in to Stay," Columbia *State*, October 27, 1904.

convention. Nevertheless, Prioleau maintained that he was the only legitimate Republican candidate in the race since he had been elected before Noland. His numerous followers earnestly supported him, believing that the “Lily-White” John G. Capers had hand-picked Noland over Prioleau to move the party toward “lily-whitism.”¹⁶⁶ South Carolina Secretary of State, always pleased by Republican dissension, did not hesitate to add to the party’s woes by allowing Prioleau to run as Republican. Leaders from both the state and national party organization attempted to convince Prioleau to step out of the race. They had meetings with him, and even published a circular denouncing Prioleau as a “pretender.”¹⁶⁷ However, the reluctance of district leaders to publicly condemn Prioleau’s character or motives testify both to his popularity among anti-establishment Republicans in the district, and of a certain mistrust of Capers and other national leaders’ motives.

In the end, Noland’s nomination and a looming trial were not enough to discourage Prioleau. He not only refused to step out of the race, but literally tailed Noland around the district during the entire campaign. Indeed, both candidates regularly gave speeches at the same events, adding to the confusion as to which one was the legitimate candidate.¹⁶⁸ Neither fared very well however, with Noland obtaining 346 votes and Prioleau 234 compared to the 6,068 votes gained by Democratic candidate George S. Legaré. Both sides accused the other of being the cause of such a poor showing.

¹⁶⁶ “Noland to Take the Stump,” *Charleston Evening Post*, October 12, 1904.

¹⁶⁷ “Hot After Prioleau,” *Charleston Evening Post*, October 25, 1904; “Laboring with Prioleau,” *Charleston Evening Post*, October 26, 1904; “Republicans Trying to Persuade the Negro Candidate to Withdraw,” *Columbia State*, October 29, 1904; “Noland Faction Appeals to National Chairman Babcock,” *Charleston Evening Post*, November 3, 1904.

¹⁶⁸ “Prioleau in to Stay,” *Columbia State*, October 27, 1904; “Charleston Republicans Meet to Endorse Roosevelt and Fairbanks,” *Columbia State*, November 3, 1904; “Noland Faction Appeals to National Chairman Babcock,” *Charleston Evening Post*, November 3, 1904.

The feud between Capers and Prioleau then moved from the convention floor and campaign trail to the federal court. Only a month after the election, Prioleau's trial for mail tampering began. Far from resolving the matter, it only added a new layer of controversy in this perplexing situation. Prioleau first employed former district attorney and fellow Republican Abial Lathrop before hiring a number of other counsels.¹⁶⁹ On the other side was Capers, who was the attorney in charge of prosecuting Prioleau. To make matters even more interesting, John A. Noland was among the pool of available jurors for this case.¹⁷⁰ While Noland was dismissed from the jury, he still attended the trial.¹⁷¹ After deliberating for over three hours, the jury returned a verdict of guilty with recommendation of mercy, and Prioleau was condemned to spend three months in jail and pay a \$50 fine.¹⁷²

While Capers and Noland were still celebrating the verdict, Prioleau was already preparing to both appeal the decision and to file the necessary paperwork to contest the election in Congress.¹⁷³ He was represented by the former Republican senator from Nebraska, John Thurston, who also represented Prioleau in two other election contests. Prioleau lost his appeal in 1906. After exhausting all legal avenues, Prioleau was forced to serve his sentence. He entered jail in

¹⁶⁹ Prioleau employed a number of other lawyers in addition to Lathrop.

¹⁷⁰ "Republicans to Nominate Respectable Candidate," *Charleston Evening Post*, September 26, 1904; "Prioleau Faces Noland," *Charleston Evening Post*, December 6, 1904.

¹⁷¹ "Jury is Drawn to Try Prioleau," *Charleston Evening Post*, December 10, 1904; "Aaron Prioleau Convicted," *Columbia State*, December 13, 1904.

¹⁷² "Aaron Prioleau Convicted," *Columbia State*, December 13, 1904; *Bamberg Herald*, December 15, 1904; "Penitentiary for Prioleau," *Charleston Evening Post*, December 19, 1904; *Sumter Watchman and Southron*, December 28, 1904.

¹⁷³ "Penitentiary for Prioleau," *Charleston Evening Post*, December 19, 1904; "Prioleau Given Liberty Period," *Charleston Evening Post*, December 20, 1904; "Decision in Prioleau Case," *Columbia State*, May 3, 1906; "Prioleau in Jail on Postal Crime," *Charleston Evening Post*, July 12, 1906; "From Politics to Prison," *Columbia State*, July 13, 1906; "Aaron's Prioleau's Term," *Charleston Evening Post*, November 12, 1906; "Wore Handcuffs to His Disgust," *Charleston Evening Post*, November 21, 1906; *Watchman and Southron*, May 22, 1907.

July 1906, and left in November, serving an extra month to cover the \$50 fine he declined to pay. He was almost immediately re-arrested for forgery but was acquitted in the subsequent trial. This last arrest, based on spurious facts, suggested that Prioleau may have been right to claim that he was the victim of a conspiracy for his political activities.

Noland also announced that he would contest the election in Congress.¹⁷⁴ For the first time in South Carolina's history, two Republicans challenged the election of the same Democratic Candidate.¹⁷⁵ Noland's challenge was abruptly aborted, however, when it was found that he had voted in the Democratic primary. Rule 32 of the Democratic Party required voters in the primary to take an oath that they will support the nominee of the party in the general election. By running as a Republican, Noland violated this rule, and rumors started flowing that he could be prosecuted for this violation.¹⁷⁶ More importantly however, it destroyed his credibility as a Republican and ensured that few would dare support him in his contest. Interestingly, the press also speculated that Noland believed the expenses necessary to prepare the contest were too high. In so doing, they contradicted their own assertions that Republicans brought contests simply to pocket the \$2000 allowance.

¹⁷⁴ "Noland Asked Count of Votes," *Charleston Evening Post*, November 15, 1904; "White Candidate and Negro Lawyers Nonplussed," *Augusta Chronicle* (GA), November 16, 1904; A. J. Halford, *Official Congressional Directory*, 59th Cong., 1st sess., December 6, 1905, S. Doc. 4; "Contests in Congress," *Charleston Evening Post*, December 14, 1905.

¹⁷⁵ "Noland Voted in Primary?" *Charleston Evening Post*, January 20, 1905; "Prioleau Alone Makes Contest," *Charleston Evening Post*, February 23, 1905.

¹⁷⁶ "Noland Asked Count of Votes," *Charleston Evening Post*, November 15, 1904; "White Candidate and Negro Lawyers Nonplussed," *Augusta Chronicle* (GA), November 16, 1904; "Contests in Congress," *Charleston Evening Post*, December 14, 1905.

The Politics of Respectability: C. C. Jacob's 1904 Congressional Campaign

In the Seventh Congressional District, the selection of a candidate proved far less contentious. In a close vote, Reverend Charles Cook Jacobs defeated Dantzler for the party nomination. In a gesture of unity, Jacob Moorner, who acted as secretary of the district convention, suggested that the vote in favor of Jacobs be made unanimous. Dantzler and his supporters heartily agreed, and provoked “vociferous cheering” when they promised to fight alongside Jacobs with all their “zeal and energy.”¹⁷⁷ Jacobs accepted the nomination, for as “a man of character and ability,” he believed it was his duty to answer the call of seventh district Republicans in their effort to push back against Jim Crow.¹⁷⁸

Contrary to Prioleau or Dantzler, the Republican establishment saw Jacobs as a very promising candidate. A well-educated man, he reminded many of Reverend W. W. Beckett. Born during the Civil War on a plantation near Sumter, South Carolina, Jacobs did not benefit from formal education in his youth, but still managed to learn how to read and write.¹⁷⁹ This enabled him to attend Claflin University in the late 1880s, where he studied alongside Jacob Moorner.¹⁸⁰ He graduated with a B.A. in the 1890, and soon afterwards obtained a Doctorate of Divinity. Jacobs then quickly ascended the ladder in the Methodist Episcopal Church and became a moral leader in the community. He spent most of his time on his ministerial and administrative work for the

¹⁷⁷ “The Seventh District Republican Convention,” Sumter *Watchman and Southron*, October 5, 1904.

¹⁷⁸ Letter from C. C. Jacobs to Withefield McKinlay, September 29, 1904, Carter Woodson Papers, Library of Congress.

¹⁷⁹ Federal Census of 1900, Sumter, South Carolina.

¹⁸⁰ *Annual Catalog of Claflin College* (Orangeburg, SC: Claflin College, 1890); *Annual Catalog of Claflin College* (Orangeburg, SC: Claflin College, 1907), 5–7; *Annual Catalog of Claflin College* (Orangeburg, SC: Claflin College, 1909), 5–7; “Are We Getting Anywhere?,” *The Christian Educator*, February 1911, 5–7; W. Lewis Burke, “Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War,” *South Carolina Law Review* 57 (2006): 876.

Church. His main responsibility, and greatest success, was as field worker, particularly for the Sunday School Union of the Methodist Episcopal Church.¹⁸¹ In addition to these moral, professional, and educational credentials, Jacobs was also light skinned, and was likely to be perceived by whites as belonging to a higher racial class than African Americans with darker skin such as Prioleau and Dantzler.¹⁸² Additionally, in the eyes of whites, Jacobs was free from the stigma of Reconstruction Era Republican politics. Despite being urged several times to run for Congress, he had never been officially involved in the Republican Party up to then.¹⁸³ Hence, this “scholarly and eloquent leader of the race” benefitted from a good reputation on both sides of the color line.¹⁸⁴ Finally, Jacobs had friends in high places, such as Whitefield McKinlay, a South Carolina native who made a fortune in real estate in Washington, D.C., and was one of the main spokespersons for African Americans with the Roosevelt Administration. McKinlay helped Jacobs coordinate his efforts with the founder and chairman of the Republican Congressional Campaign Committee, Joseph Weeks Babcock.¹⁸⁵ By selecting such “a man of education and character,” Republicans sought to ensure that Democrats could not easily discredit him. Democrats had reverted to such strategy in the recent past, appealing to Congress to dismiss election contestants

¹⁸¹ “Are We Getting Anywhere?,” *The Christian Educator*, February 1911, 5–7.

¹⁸² Jacobs is described as “mulatto” in the 1910 census and in another study. See: Federal Census, 1910, Sumter, South Carolina; Edward Byron Reuter, *The Mulatto in the United States: Including a Study of the Role of Mixed-Blood Races Throughout the World* (Boston, MA: Richard G. Badger, 1918), 278. For a picture of Jacobs, see: “The Freedmen’s Aid Society and the First Day of the General Conference,” *The Christian Educator*, August 1912, 10.

¹⁸³ Letter from C. C. Jacobs to Whitefield McKinlay, September 29, 1904, Carter Woodson Papers, Library of Congress.

¹⁸⁴ “End of the Big Convention,” *Columbia State*, August 29, 1904; “Seeking Congressional Honors,” *Washington Colored American* (DC), October 22, 1904; “Dr. Jacobs For Congress,” *Washington Colored American* (DC), October 22, 1904.

¹⁸⁵ Letter from C. C. Jacobs to Whitefield McKinlay, September 29, 1904, Carter Woodson Papers, Library of Congress.

deemed as having questionable character or no formal education, to “prevent ignorant representation.”¹⁸⁶

Energized by the quality of their candidate, Republicans of the seventh district mounted an impressive effort on behalf of Jacobs. They canvassed extensively and organized numerous mass meetings across the districts. During the campaign, South Carolinians heard numerous speeches from the candidate himself, as well as from party leaders who heartily endorsed him, such as party chairman Edmund H. Deas, Dr. William D. Crum, and even national committeeman John G. Capers.¹⁸⁷ As the *State* reported, Republicans “mean[t] business” and intended to conduct, “like the busy bee,” an “active campaign.”¹⁸⁸ Jacobs vigorous campaigning alarmed his Democratic opponent. Rather than the usual state-wide appeal from the South Carolina Democratic Party chairman, this time, Democrats from the Seventh Congressional District were directly called by their incumbent Democratic congressman Ashbury Lever, because Republicans “threaten the reduction of southern representation in Congress” and wanted to “destroy white supremacy,” Lever argued that this election was “of the most vital importance.”¹⁸⁹ “If memory served me right,” Lever added, “not until now” had the Republican Party “pledged itself” through its platform to reduce southern representation.¹⁹⁰ The Democratic incumbent then concluded his appeal by stating that there was “an additional and perhaps stronger reason why a full vote should be had.” The reason

¹⁸⁶ Bennettsville *Marlboro Democrat*, October 7, 1904; “Seeking Congressional Honors,” *Washington Colored American* (DC), October 22, 1904; “Dr. Jacobs For Congress,” *Washington Colored American* (DC), October 22, 1904.

¹⁸⁷ “The Republican Programme,” *Columbia State*, October 15, 1904.

¹⁸⁸ *Newberry Herald and News*, September 30, 1904; “The Republican Programme,” *Columbia State*, October 15, 1904.

¹⁸⁹ “Congressman Lever Makes an Appeal,” *Columbia State*, November 2, 1904.

¹⁹⁰ *Ibid.*

was that Jacobs, a far more reputable candidate, was “making a more active canvass than was made two years ago.”¹⁹¹ Since Lever was “greatly handicapped by the fact that only a small vote was polled” in his previous contest against Dantzler, an even smaller majority could prove fatal to Lever in the likely event that Jacobs contested the election in front of a “hostile” Congress.¹⁹²

Even if Republicans were more active than in previous years, and Democrats failed to live up to their “solemn duty” of voting in large numbers, the results of the 1904 elections were no less dispiriting than in previous years. Ashbury Lever, just like his fellow congressman Legaré in the first district, won with a comfortable majority.¹⁹³ As expected, Jacobs, assisted by attorney Jacob Moorer, decided to contest the election in Congress.¹⁹⁴

The white press in South Carolina seemed less confident than in previous years of their chance of winning the contests in Congress. On the one hand, the press continued to disparage the Republican contestants as opportunistic grafters without cause who would be turned down by Congress in “less than ten minutes.”¹⁹⁵ Reports of “professional contest lawyers” or “funny lawyers” making “all sorts of absurd” or “funny” claims about South Carolina’s electoral laws to get a “goodly share of the \$2,000” allowance granted to contestants abounded in the white press.¹⁹⁶

¹⁹¹ “Congressman Lever Makes an Appeal,” *Columbia State*, November 2, 1904.

¹⁹² *Ibid.*

¹⁹³ Lever received 8,726 votes against 563 for Jacobs. Once again, the total number of votes paled in comparison with western or northern states, where there were regularly more than 40,000 votes, and occasionally over 60,000 or even 70,000 votes. A. J. Halford, *Official Congressional Directory for the Use of the United States Congress*, 59th Cong., 2nd sess., (Washington, DC: Government Printing Office, 1906), 118.

¹⁹⁴ Remarkably, three of the seven congressional contests came from South Carolina in 1904.

¹⁹⁵ “Three Seats Contested from South Carolina Representatives,” *Columbia State*, December 14, 1905.

¹⁹⁶ “Three Seats Contested from South Carolina Representatives,” *Columbia State*, December 14, 1905; “Rev. Jacob’s Contest Before the Committee,” *Columbia State*, March 7, 1906; *Columbia State*, March 7, 1906; “Prioleau’s Case Absolutely Weak,” *Charleston Evening Post*, Saturday, June 9, 1906.

Reporters sought to undermine Prioleau's legitimacy by always including references to his legal troubles, and spent more time discussing Moorer's clothing than the merit of his argument.¹⁹⁷ The *State*, besides twisting the truth and sprinkling its reporting of the election committee hearings with outright lies, went as far as quoting attorney Jacob Moorer in African American dialect associated with the poorly educated.¹⁹⁸

On the other hand, the sheer volume of articles about these contests suggested that they were no trivial matter. Newspapers sought to use their influence to sway both public opinion and Congress. The most blatant attempt of this came just after the election. Charleston's *Evening Post*, anticipating the contests, spent nearly two front page columns clamoring that "negroes . . . found not the slightest difficulty in casting their ballots" and that "it would have been impossible to conduct an election more correctly" since "the [election] managers treated all alike and administered the law in every detail with precise regularity."¹⁹⁹ As such, the reactions that these contests triggered in the white South far surpassed the actual threat they represented. In this way, South Carolina Republicans exposed the fragility of Jim Crow, for the lies that supported it were so blatant that they could only endure by being constantly reaffirmed as truth. Hence, even if southern whites spoke as if disfranchisement was a *fait accompli*, it was never so. Disfranchisement was never a fact, but a process that constantly required their attention.

¹⁹⁷ See for example: "The Convicted Negro is Not in Jail But in the Nation's Capital," *Columbia State*, March 25, 1906; "Kept on His Coat While Others Were Cool," *Columbia State*, July 16, 1905; "A Negro Lawyer on Race Problem Jacob Moorer of Orangeburg Kept Committee Amused," *Columbia State*, March 6, 1906.

¹⁹⁸ "A Negro Lawyer on Race Problem Jacob Moorer of Orangeburg Kept Committee Amused," *Columbia State*, March 6, 1906. The article was reprinted in many other newspapers including: *Newberry Herald and News*, March 9, 1906.

¹⁹⁹ Charleston *Evening Post*, November 8, 1904.

Broken Promise: Jacobs's Contest in Washington

In the early spring of 1905, Jacob Moorer and Reverend Jacobs spent several months preparing for their contest. Moorer wrote the brief contesting the legality of the election and helped Jacobs gather testimony from potential Republican voters who were denied the franchise.²⁰⁰ In front of the House Committee on Elections, still chaired by Representative James Mann, Moorer made the same argument as two years before: He argued that the constitution of South Carolina violated the Reconstruction Act of 1868 and was therefore unconstitutional.²⁰¹ Moorer also presented several affidavits of Republicans who were illegally prevented from voting to demonstrate the manner in which elections officials acted fraudulently. But the opposite counsel pointed out that based on the list he provided, there were not enough potential voters to overcome Lever's majority. Moorer replied as he had two years earlier. If Congress was not willing to accept them, they could at least declare that no election was held.²⁰²

When Chairman Mann asked Moorer why he did not take the case to the Supreme Court, the Orangeburg attorney knew that his chances of convincing the committee were small. It takes a lot of money to bring a case to the Supreme Court, he pointed out to Mann, and "the class of people that the law affects in general have not much of it."²⁰³ Moorer was then pressed with a series of tendentious questions from some members of the committee who tried to lead him to admit that

²⁰⁰ *Bamberg Herald*, March 16, 1905; "The Jacobs Contest," *Columbia State*, May 18, 1905; *Sumter Watchman and Southron*, October 18, 1905; Burke, "Killing, Cheating, Legislating, and Lying."

²⁰¹ "Rev. Jacob's Contest Before the Committee," *Columbia State*, March 7, 1906; "Three Seats Contested from South Carolina," *Columbia State*, December 14, 1905.

²⁰² "Rev. Jacob's Contest Before the Committee," *Columbia State*, March 7, 1906.

²⁰³ "A Negro Lawyer on Race Problem: Jacob Moorer of Orangeburg Kept Committee Amused," *Columbia State*, March 6, 1906. Moorer is quoted in proper English in this dissertation rather than as in the source. The same will be done for all African Americans throughout this dissertation unless the article is what is being quoted rather than the person quoted in it.

racial discrimination was not an issue in South Carolina politics. Unfazed, Moorner explained that he would prefer to focus on the “discrimination which affects this particular case.” “If you want me to tell you about all cases of discrimination against the colored men,” he continued, “I’m afraid I would not have enough time.”²⁰⁴ The election committee decided against Moorner and declared that Jacobs had lost the election and was not entitled to a seat in Congress. The strategy of running a candidate with a good reputation came to nil. Despite the disappointment of another lost contest, however, Moorner was far from having said his last word on the matter.

Master of Provocation: The “Honorable” Aaron P. Prioleau in Congress

Prioleau took a rather different approach than Moorner to contesting elections. Moorner attempted to win through a clever legalist approach. He was respectful of the process and institutions, remained gracious and calm even when provoked, and believed his best weapons were reason and the law. Moorner gained the respect of many African Americans because he was living proof that their supposedly intellectual inferiority was a lie. His sophisticated arguments, dedication, and persistence despite the avalanche of roadblocks he faced provided hope to many that Jim Crow could be defeated. If Moorner’s method and personality appealed to the hope and reason of African Americans, Prioleau’s provocative and daring approach channeled their profound anger and disgust toward Jim Crow. As the threat of violence prevented mass protest, Moorner’s legalist approach was the only method offering a realistic, if small, chance of re-enfranchising African Americans. But by harassing Democrats and white America with his contests, Prioleau used the only means at his disposal to make the white South pay a small price for disfranchisement. By taking a seat in Congress and insisting on being called “Honorable

²⁰⁴ “A Negro Lawyer on Race Problem: Jacob Moorner of Orangeburg Kept Committee Amused,” *Columbia State*, March 6, 1906.

Prioleau,” Prioleau bypassed southern white authority, and symbolically reclaimed his, and his constituents’ citizenship. Prioleau was in many ways the weapon of the weak, reacting to the lack of avenues for African American protest outside of the small black elite class. Hence, Prioleau and his supporters could be as acerbic in denouncing the indifferent, racist white establishment as the accomodationist black elite class. And contrary to black elites, he never implied that African Americans were disfranchised because of their own failure to follow registration laws.²⁰⁵ Appealing to both hope and anger, Moorner’s intellectualism and Prioleau’s populism were not so much at odds, but rather two complementary parts to a South Carolina Republican assault on disfranchisement.

In his 1906 contest, Prioleau, besides using Moorner’s legal argument, employed the strategy that Robert Tolbert deployed in 1898. He asked several of his supporters to take a position near the polling stations with stacks of affidavits. Republicans who were denied franchise were asked to file these affidavits to testify that they would have voted for Prioleau had they been allowed to vote.²⁰⁶ He also worked extensively to collect testimonies from those who had not been allowed to register or had witnessed irregularities at the polls.²⁰⁷ Several of Prioleau’s witnesses declared under oath that Democratic election officials closed polls early to prevent Republicans from voting, or simply removed their ballots from the boxes.²⁰⁸ A number of African Americans

²⁰⁵ For example, see: letter from Booker T. Washington to James H. Hayes, December 31, 1904 in Harlan and Smock, *The Booker T. Washington Papers, Volume 7, 1903-1904*, 170–71.

²⁰⁶ “Prioleau Alone Makes Contest,” *Charleston Evening Post*, February 23, 1905; *Washington Bee* (DC), March 10, 1906.

²⁰⁷ *Ibid.*

²⁰⁸ “Prioleau's Case Presented,” *Washington Evening Star* (DC), March 5, 1906.

also testified that election officials demanded an illegal payment of ten cents to provide voters with Republican ballots to some polling stations.²⁰⁹

Prioleau also made a point of producing evidence suggesting that the number of people who were illegally denied the franchises would have ensured his victory. In this endeavor, Prioleau had taken notes of previous contests and acted boldly. In all his contests, Moorner never managed to assemble enough proof to show conclusively that, if allowed to vote, enough voters would have supported Dantzler or Jacobs to defeat the Democratic opponents.²¹⁰ Prioleau thus supplemented his testimonies and affidavits with a list of Republican voters showing that 14,429 were rejected illegally. These voters would have more than overcome Legaré's majority.²¹¹ These lists were compiled by his supporters and did not necessarily include an affidavit stating that the voters would have supported Prioleau. In fact, some lists just claimed that a certain number of people were denied the right to vote, without naming them.²¹² While legally dubious in the eyes of the election committee, Prioleau proceeded in this way to protect supporters who feared retribution if their names were made public. Yet, to many observers, including the House Committee on Elections, it looked as if Prioleau responded to the absurd evidential requirement by presenting equally absurd proofs. As such, this flimsy evidence only furthered his image as a provocateur.

²⁰⁹ "Prioleau's Contest," Charleston *Evening Post*, April 28, 1905.

²¹⁰ Moorner presumably proceeded in this way because his main objective was not to win the seat for his client, but to have Congress declare that no election took place. As a result, he usually accumulated enough proof to show foul play, but focused on his constitutional argument rather than on trying to show that his client had received more votes than the Democratic candidate.

²¹¹ House Committee on Elections, *Contested election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 59th Cong., 1st sess., June 5, 1906, H. Rep. 4779.

²¹² *Ibid.*

Prioleau's opponent, George S. Legaré, prepared a brief stating that the election took place according to the rule of law, and without any kind of fraudulent irregularities. With unbounded arrogance and complete disregard of the facts, he claimed that the reason for Prioleau's low number of votes was simple: "it was due to their supporters not exercising the suffrage."²¹³ Legaré stopped just short of quoting Charleston's *Evening Post*, which presented the South Carolina's electoral laws as eminently patriotic since they prevented "the worthless blacks from controlling the body politic," and thus served as a bulwark to "preserve the civilization of this country."²¹⁴ But Legaré and his counsel argued that these issues were irrelevant. Prioleau had no standing in the contest, they continued, for he had been convicted in a federal court, and was soon to be jailed.²¹⁵ On this point, Legaré counted on the testimony of none other than South Carolina's Republican national committeeman and district attorney, John G. Capers. This testimony further poisoned the already strained relationship between Capers and the militant wing of the South Carolina Republican Party. In fact, it contributed to a split in the party that would come to the fore in early 1908.

Just before heading to Washington for his contest, Prioleau held a mass meeting in Summerville in the early days of May 1905. The meeting was intended both to collect funds and to inform his supporters of developments in his election contest and trial.²¹⁶ The nearly 700 African Americans who assembled heard an impassionate speech of Prioleau, who promised to continue to fight for their right to vote. Before adjourning, Prioleau and his supporters passed resolutions that were sent to newspapers across the state and to Republican Party leaders in Washington. One

²¹³ "Noland voted in Primary?" Charleston *Evening Post*, January 20, 1905.

²¹⁴ Charleston *Evening Post*, March 6, 1906.

²¹⁵ "Noland voted in Primary?" Charleston *Evening Post*, January 20, 1905.

²¹⁶ "Prioleau As Martyr," Charleston *Evening Post*, May 13, 1905.

resolution declared that “Hon A. P. Prioleau” was a man of “integrity, honesty and ability” who was making a “manly,” “honest,” and “tremendous fight” for the vindication of African American rights in Congress.²¹⁷ The meeting also condemned “the unrepugnant, ungrateful, and Democratic action of Mr. John G. Capers” for his testimony on behalf of George Legaré in the election case. This, combined with Capers’ “vigorous prosecution” of Prioleau, was nothing less than “an unjust, prejudiced hatched conspiracy” meant to destroy Prioleau’s political career.²¹⁸ It is unclear how many funds Prioleau raised, if any, at the meeting. But a few influential Republicans such as Robert Smalls and Reverend Beckett, as well as churches and black organizations contributed financially to help him with his trial and contests.²¹⁹

Prioleau had support far beyond South Carolina, including in the nation’s capital. Thanks to his talent of self-promotion, Prioleau’s contests received extensive coverage in the African American newspaper, the *Washington Bee*.²²⁰ It published a large excerpt of Prioleau’s brief on the first page, just next to a column featuring a stinging indictment of Republican leaders’ indifference to African American political rights. The *Bee* argued that Republican congressmen’s refusals to overturn the election results proved that they were “traitors of the Republican Party” and reneged their sworn duty to support the U.S. Constitution. The article was particularly critical of James Robert Mann, the chairman of the House Committee on Elections in charge of Prioleau’s

²¹⁷ “Prioleau As Martyr,” *Charleston Evening Post*, May 13, 1905.

²¹⁸ *Ibid.*

²¹⁹ “Legaré Contest Up to Congress,” *Charleston Evening Post*, May 12, 1905; “Prioleau Skipped Bond,” *Charleston Evening Post*, June 11, 1906.

²²⁰ According to the Library of Congress, the *Washington Bee* was “one of the most influential African American newspapers in the country.” The newspaper was famous for its attacks on the accommodationism and conservative policies of Booker T. Washington. These attacks receded importantly after Washington helped save the *Bee* from financial hardship near the end of the first decade of the 20th century.
<https://chroniclingamerica.loc.gov/lccn/sn84025891/> (accessed March 26, 2018).

contest. The *Bee* chastised Mann for refusing to live by his electoral pledge to support African Americans' right to vote. Instead, this "so-called Republican Congressman has joined forces with other cohorts of vice and crime and has used every knife to the hell hound of racial hatred in order that he might prevent A. P. Prioleau from enjoying his right of a seat in Congress, to which he is clearly entitled."²²¹ Hence, he kept alive the regime of racial oppression that "should have begun its journey to the wave with the last faint sound of the clicking chains of slavery." "We are opposed to Congressman Mann's re-election," angrily wrote the *Washington Bee*, "and will exert every possible influence at our command to defeat him."²²²

Prioleau spent much of the first few months of 1906 taking advantage of the "privilege of custodian for a seat of congress," and made himself "conspicuous daily" in Congress. Prioleau's sit-in strategy was supported by a handful of Republican congressmen in the nation's capital. Joseph Warren Keifer, a representative from Ohio, was among them. He commonly consulted Prioleau on legislation that could affect African American civil and political rights. With the assistance of Indiana Representative Crumpacker, Keifer was working on drafting a new piece of legislation that would punish the South for disfranchisement by reducing its representation in Congress.²²³ Keifer's bill would have affected South Carolina the most, reducing its representation from 7 to 3. It prompted the ire of the *Watchman and Southron*, who claimed that Keifer "would probably like to see those seats occupied by G. W. Murray, Aaron Prioleau and Red Tolbert."²²⁴ However, Prioleau was part of the vast majority of African Americans opposing the reduction of

²²¹ *Washington Bee* (DC), March 10, 1906.

²²² Ibid.

²²³ "Gen Keifer's Reduction Bill," *Washington Evening Star* (DC), January 29, 1906.

²²⁴ Sumter *Watchman and Southron*, February 28, 1906.

southern congressional representation. Like Fortune and Washington, he had come to believe that it would provide a legal foundation for disfranchisement and be an impediment to future legal or congressional challenges.²²⁵ In a private meeting in March, Prioleau explained to Keifer that his objective was to help southern African Americans regain their political rights, not simply punishing the South or the Democrats. Kiefer nevertheless introduced his bill in late February, but like the Crumpacker Resolution before it, was never enacted by Congress. Once again, Republican congressmen seemed more interested in appearing concerned than in actually solving the problem of disfranchisement.

When not in a private meeting with Keifer, “hobnobb[ing] with the leaders most familiarly, or “strolling” the hall of Congress with Representative Grosvenor of Ohio, Prioleau would usually occupy “a prominent seat on the floor of the House.”²²⁶ He regularly used the seat of Pennsylvania Representative John Dalzell, who encouraged Prioleau to do so when he could not attend the sessions himself. Never missing an occasion to taunt white Democrats, Prioleau took “his seat with great pomp and ceremony in the nation’s House of Representatives alongside his Republican brethren.”²²⁷ There, Prioleau was either “the most attentive listener,” or absorbed in the “reading of a book or a document or a newspaper.”²²⁸ He freely handed business cards to congressman and political operatives on which one could read: “Hon. Aaron P. Prioleau, Contestant From The First District, South Carolina” as well as his Washington and South Carolina addresses.²²⁹ Prioleau even

²²⁵ “Aaron Prioleau in Congress,” *Columbia State*, March 25, 1906.

²²⁶ “Will Prioleau be Present When His Name is Called?” *Columbia State*, February 11, 1906; “Prioleau's Pie,” *Charleston Evening Post*, February 20, 1906.

²²⁷ “Aaron Prioleau in Congress,” *Columbia State*, March 25, 1906.

²²⁸ “A Happy Negro,” *Prescott Morning Courier (AZ)*, February 24, 1906; “Aaron Prioleau in Congress,” *Columbia State*, March 25, 1906; *Charleston Evening Post*, April 14, 1904.

²²⁹ *Charleston Evening Post*, April 14, 1904.

took advantage of his time in Congress to mock his Democratic opponent, George S. Legaré. When asked how he was doing by a fellow South Carolinian journalist, Prioleau replied that he was “getting on fine,” before adding that “Mr. Legaré got scared and returned home.”²³⁰ Not only did Prioleau fail to refer to Legaré as the Honorable Legaré, but he also suggested that Legaré feared the contest when in fact the congressman was simply spending a week with his family at home. As the *State* reported, because of the “way he walks and takes his seat among the other great statesmen,” Prioleau looked like a “mighty man in the nation.”²³¹ Indeed, Prioleau’s swagger was such that the white press could not refrain from reporting on it, even if mockingly.

Yet, even as they poked fun at Prioleau, the white South was far less amused by his contests. Even though Prioleau would likely not win, and even though white southern journalists would never admit it in print, the fact remained that Prioleau had accumulated a lot of evidence pointing to the extensive electoral fraud in the South. By contesting elections, and by attracting so much attention in the nation’s capital, Prioleau kept the issue of southern electoral laws in the headlines. More importantly, white Democrats feared that his contests would “add fuel to the smoldering fire” of the two “rabid South haters,” Representatives Crumpacker and Keifer.²³² The white press, perhaps to reassure its readers and itself, responded by constantly discrediting Prioleau’s contests as completely pointless. “Prioleau himself is absurd, his pretensions are more absurd, and his fight to unseat Mr. Legaré is most absurd,” wrote the *State*.²³³ As demeaning as it

²³⁰ “Aaron Prioleau in Congress,” *Columbia State*, March 25, 1906.

²³¹ *Ibid.*

²³² “Contest Fees All They’ll Get,” *Charleston Evening Post*, December 16, 1905.

²³³ *Columbia State*, March 6, 1906.

was, it was a sign that Prioleau succeeded remarkably in the only objective fully within his control: irritating, and at times terrorizing, his white political enemies.

Despite extensively lobbying in Congress, flooding the press with letters explaining his case, cultivating popular support for his cause, and presenting a case that convincingly showed the extent of the corruption in southern elections, Prioleau failed to convince Congress that he was the true winner of the 1904 election. The committee claimed that since most voter lists produced by Prioleau were not “authenticated by any testimony whatever,” they could not be used. Furthermore, some of the testimonies contained “various infirmities” and had to be rejected. The committee thus deducted roughly 9,000 voters from the 14,000 that Prioleau claimed would have voted for him. Since the remaining 5,000 voters added to the 234 votes that Prioleau officially obtained did not add up to the 6,000 votes that Legaré received, the committee decided against Prioleau. As in the Jacobs’ contest, they also refused to consider the constitutional question.

Only a month after the committee turned its report in to the House of Representatives, Prioleau turned himself in to a U.S. marshal in South Carolina. He then spent the next four months in jail, serving his sentence for mail tampering.²³⁴ Prioleau could thus not run for the 1906 election. After a heated debate, the party decided not to nominate a congressional candidate.²³⁵ Remarkably, even imprisoned, Prioleau managed to convince a few of his friends to write in his name. The 28 votes he received were enough for the “chronic Republican candidate” to contest the election once again.²³⁶ Prioleau’s bold action received the support of the *Freeman*, an African American-owned newspaper in Indianapolis, Indiana. “It won’t be the fault of Mr. Aaron P. Prioleau,” wrote the

²³⁴ “Prioleau in Jail on Postal Crime,” *Charleston Evening Post*, July 12, 1906.

²³⁵ “Republicans Have No Nominee,” *Charleston Evening Post*, October 4, 1906.

²³⁶ “Aaron Prioleau Again in Field,” *Charleston Evening Post*, February 25, 1908.

Freeman, “if South Carolina does not furnish a Negro member for the 60th Congress of the United States.”²³⁷ A few months later, the newspaper reiterated its support. In a recurring column entitled “The Freeman Would Like to See,” which included changes the newspaper hoped would be accomplished to advance the interest of African Americans nationwide, the *Freeman* demanded that “Aaron Prioleau, the defrauded South Carolinian, [be] given his seat in Congress.”²³⁸ Prioleau’s case was rather thin this time. But perhaps it was only fitting that an absurd situation triggered an absurd contest. In any case, the election committee spent very little time on the matter. They ruled that it was “ridiculous” for Prioleau to make a contest with only 28 votes and declared that Legaré was entitled to his congressional seat.²³⁹

Conclusion

Jailed, Prioleau was absent from the Republican state convention of August 1906. Nevertheless, the presence, and power, of the militant wing of the party was conspicuous. Party leaders endorsed a number of resolutions meant to pacify this rowdy wing. First, the party’s platform, “proudly” read by its author, National Committeeman John G. Capers, called for the establishment of a registration board to encourage and help Republicans to navigate the difficult process of registering to vote. Aware that this may not be sufficient to “force our rights upon the Democratic supervisors of registrations and managers of elections,” Capers hoped that this could at least “lay a foundation for contests.” Secondly, Deas tried to silence militant Republicans suspicious of his alliance with Capers by giving “a red hot speech.” Portraying the recent Japanese

²³⁷ *Waukesha Freeman* (NY), October 26, 1907.

²³⁸ *Waukesha Freeman* (NY), May 9, 1908.

²³⁹ House Committee on Elections, *Contested election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 60th Cong., 2nd sess., January 5, 1909, H. Rep. 1818.

victory over Russia as a sign of hope for the “colored races, he proclaimed that the time was ripe for “the downtrodden to climb.” Sensing that “a number of young” militant Republicans were “surcharged” for action, he told the convention that he would approve a state ticket if they wanted to pursue that route.²⁴⁰

Party leaders also took some action that suggested that they feared more than they supported the militant wing. They enacted rules to thwart the potential threat they represented to their leadership and patronage operations. Disguised as a means to incentivize Republicans to register, the new rules prevented Republicans who were not registered to vote to occupy any official position in the party. Since many militant Republicans could not register, or feared retribution if they tried, this rule barred a significant number of them from access to positions of leadership. Additionally, a handful of party leaders had even secretly conspired against the election contests of Prioleau, attempting to dissociate themselves from what a growing number of Republican congressmen saw as illegitimate and useless contests. Yet, although the window of opportunity was slowly closing, Moorer, Prioleau, and other leaders of the militant wing were unwilling to give up. Despite the appearance of unity in the party during the last six years, the militant wing and the current leadership were on a collision course. The Republican presidential nomination contest of 1908 made the matter come to a boil. This, combined with the gradual realization that contests were no longer possible, propelled the party toward a decade-long period of transition.

²⁴⁰ “Capers Controls the Organization,” *Columbia State*, August 9, 1906.

Chapter 3

Taking the Party Somewhere Else: Militant Republicans and the Transformation of African American Activism in South Carolina, 1907-1920

Between 1907 and 1920, the South Carolina Republican Party underwent an important transformation. In these years, a number of factors made the party a less viable vehicle for political rights activists, and led Black and Tan Republicans to adopt more conservative aims. By the end of World War I, they stopped contesting elections before Congress and became predominantly focused on the politics of patronage. The turning point was 1910. In April of that year, Jacob Moorer brought before the United States Supreme Court the constitutional argument he had honed in previous election contests. But the Court refused to address it. Hoping that the Court's refusal would lead Congress to take a stance on Moorer's argument, Republicans mounted their most sophisticated contest during the election of 1910. But the results were devastating. For the first time since 1894, the Democrats won control of the House of Representatives. They would hold it for the entire decade. The task of convincing a house committee controlled by Republicans had been daunting enough. With Democrats in control, it was impossible. Also, during the Taft presidency, Republicans became primarily preoccupied with finding a strategy to gain a foothold in the white South, and generally abandoned issues of political rights in the South. As a result, initiatives like the Crumpacker Resolution, which provided part of the foundation for South Carolina Republican election contests, were never again seriously considered. The election of Woodrow Wilson two years later heralded a devastating reversal of racial progress. Militant Republicans, while not necessarily abandoning the party, were forced to consider new avenues for their political rights activism.

The militant wing of the Republican Party, even if short-lived, proved nonetheless significant for the future of both political rights activism and the South Carolina Republican Party.

First, some of the militant party gained notoriety, and increased power, through their contests. They used this power to deal a blow to the old party leadership, and elevate an ambitious and shrewd white politician, Joseph W. Tolbert, as party chairman. Tolbert and militant Republicans would then soundly defeat a Lily-White faction that attempted to take over the party. In so doing, the militant wing of the party helped preserve the South Carolina Republican Party as the only truly bi-racial organization in the state. Secondly, militant Republicans contributed to the important shift in strategy and priorities that took place in African American activism in the 1910s. Their relentless agitation and repeated contests provided an important platform to disseminate the ideas that political rights were critical to meaningful racial progress. Perhaps even more importantly, militant Republicans developed innovative legal arguments that helped inspire the shift toward the legal approach that many new civil rights organizations would embrace. This idea and strategy were central to the most important new organization that gained a foothold in the Palmetto State in the late 1910s, the NAACP. This organization disagreed with the accommodationist approach of previous black leaders, however, while sharing their elitism and classism. Some leading militant Republicans would elect to continue their fight for political rights outside the GOP.

“Making The Fur Fly”: The 1908 State Convention

The tensions between the conservative and militant factions in the South Carolina Republican Party flared up in dramatic fashion in 1907 over the selection of a presidential candidate. The conservative, patronage-oriented wing of the party, led by national committeeman John G. Capers, sided with Roosevelt’s handpicked successor, Secretary of War William Howard Taft. Their choice of supporting the sitting president was based on pragmatism. Knowing that Taft

was the favorite, they aimed at ingratiating themselves with the administration with the hope of securing coveted federal jobs.

The militant wing of the party, on the other hand, believed that both Roosevelt and Taft had betrayed African Americans. While this faction primarily favored Joseph B. Foraker, it never fully agreed on a single candidate, but remained unified in its opposition to Taft and Roosevelt. Their strategy was to keep their options until the national convention, and throw their support to whichever candidate appeared the most likely to defeat Taft for the nomination. Their hope was to show both state and national party leaders that deceiving African Americans would come at a cost. The Aaron Prioleau-led militant wing counted on the support of Joseph W. Tolbert, who co-lead the anti-Taft effort in the state. Tolbert, however, had far different motives. He saw the mounting tensions in the party as an opportunity to oust John G. Capers and Edmund Deas, and gain the upper hand in patronage matters. Since the militant wing of the party was the most powerful opposition to the current leaders, he chose to align with them. His family history, particularly the election contest of his brother in 1898 that led to the Phoenix riot, entrusted him to them.

The militant wing's fierce discontent with Roosevelt dated to the summer of 1905. Prior to this, most South Carolina Republicans supported Roosevelt. They credited the President for occasionally voicing his support on behalf of African Americans and at times spending some political capital, as he did in the long fight leading to the appointment of William D. Crum as collector of customs at the Port of Charleston.¹ But at the very moment when Aaron Prioleau, Jacob Moorner, Alexander Dantlzer, and other Republicans involved in election contests grew frustrated over the lack of support from the White House, Roosevelt made a surprisingly callous decision. After a botched investigation into the reported attack on a white woman and the death by

¹ Among other things, Roosevelt spoke against lynching and invited Booker T. Washington to the White House.

gunshots of a police officer and a bartender in Brownsville, Texas, in August of 1905, the President ordered the dishonorable discharge of 167 African American soldiers. There was no evidence connecting the soldiers to these crimes, and they were denied due process. Additionally, the President waited until after the congressional election of 1906 to announce his actions. Brownsville infuriated African Americans across the nation, even the President's firmest black supporter, Booker T. Washington. It not only tarnished the President's reputation among African Americans, but also that of his handpicked successor and then Secretary of War, William Howard Taft, who sided with Roosevelt on the matter.²

For the militant wing of the Republican Party, Taft's failure to call for an investigation into the Brownsville Affair or publicly criticize the President's cavalier handling of the matter discredited him as a Republican Presidential candidate. These apprehensions about Taft only grew over time. For example, in a 1907 speech in Kentucky, Taft attempted the difficult balancing act of not frightening white southerners while appealing to accommodationist African Americans. As a result, he embraced a Washingtonian approach to racial uplift that spoke little to militant Republicans' concerns about political rights. Taft began by calling the idea of repealing the 15th Amendment "foolish," stating that it did not "require that every negro shall vote," but simply that an African American should not be "excluded from voting because he is a negro."³ But Taft quickly reassured his mostly white audience that he had no intention of using the power of the federal government to force changes upon the South's electoral laws. In so doing, Taft confirmed

² For more on the Brownsville affair, see: Senate Committee on Military Affairs, *Affray at Brownsville, Tex., on the Night of August 13 and 14, 1906*, 60th Cong., 1st sess., 1908; John Downing Weaver, *The Brownsville Raid* (College Station, TX: Texas A&M University Press, 1970); Edmund Morris, *Theodore Rex* (New York, NY: Random House Publishing Group, 2001). Weaver's book led Congress to call for a re-investigation of the matter. In 1972, after an Army investigation found the African American soldiers innocent of any wrongdoings, President Richard Nixon awarded them honorable discharges, albeit without backpay.

³ William Howard Taft, *Present Day Problems: A Collection of Addresses Delivered on Various Occasions* (New York, NY: Dodd, Mead & Company, 1908), 227.

that if president, southern whites could continue to disfranchise African Americans with impunity. Taft also professed his support for the idea that African Americans should build themselves up first economically and educationally before making themselves heard politically. He added that the African Americans' "best friend, the one that can do the most for him and the one in many respects who sympathizes with him most, is the Southern white man."⁴ "And if the negro responds to the opportunities for improvement as Booker Washington points them out," Taft added, "we can be sure that he will grow in the estimation of his white fellow-citizens of the South."⁵

While such a speech helped Taft gain the trust of Booker T. Washington and his legions of black followers, it had a different effect on South Carolina Republicans like Jacob Moorer and Aaron Prioleau. Most African Americans knew that the only way, if any, to "grow in the estimation of white[s]" was not educational or economic achievements, but to accept a subordinate and submissive role, and surrender to white supremacy. For example, it was not Crum's medical prowess that had him respected by white Charlestonians, but his acceptance of racial mores.⁶ And when Crum was nominated to a position of power, it was not his qualification that whites attacked, but his skin color. Taft's speech thus suggested that African Americans had to accept living at the pleasure of southern whites, until this mythical time when whites would judge that African Americans, as a race, had uplifted themselves enough to be take command of their own lives. But for militant Republicans, waiting for this future white acceptance was like waiting for Godot, and hardly a promising path to meaningful change. For them, political rights were not only the source

⁴ Taft, 228.

⁵ Ibid.

⁶ For example, when the daughter of important British abolitionist Wilbur Wilberforce came to visit him, Crum allowed her to ride alone in his carriage while he walked alongside. Willard B. Gatewood, "William D. Crum: A Negro in Politics," *The Journal of Negro History* 53, no. 4 (1968): 304.

from which true and lasting equality could flow, but were also necessary to protect the economic and educational gains that Washington had helped achieve.

Moreover, Taft's indication that African Americans needed the authorization or validation of southern whites was profoundly insulting to militant Republicans. They rejected the concept that blacks were inherently inferior. While Moorer and Prioleau certainly both recognized the poor educational and economic conditions of African Americans, they did not see this as resulting from inherent inferiority, but by the fact that whites had denied blacks the resources to succeed.⁷ In fact, Prioleau's popularity was largely explained by his brazen rejection of racial inferiority. His demand to be addressed as "Honorable" and his use of the prerogative of election contestants to sit in Congress were examples.

Prioleau was quick to attack black leaders who supported Taft. Principles and the rights of all African Americans, Prioleau argued, should not be traded for symbolic opportunities for the few. As early as July 1907, he sent "An Appeal to Negro Editors" to African American newspapers. Declaring that Republicans were on the "eve of a great political battle . . . to choose a standard bearer," he invited them to elect delegates to the national convention who "will present our grievances and represent us upon pure principles."⁸ Taking a jab at many southern Republican leaders who bent their principles and supported Taft in hopes of getting patronage, he added that "[o]ur rights as citizens . . . are more dear to us now than ever, and should not be sacrificed for

⁷ Liizelia Moorer's poetry laments the injustice at the root of African Americans' educational and economic struggles, and rejects the notion that biology had any role in this. Politics and white supremacy, she argued, fostered inequalities by reducing opportunities for African Americans and thus seemingly confirming African Americans' inferiority.

⁸ "An Appeal to Negro Editors," *Washington Bee* (DC), September 17, 1907.

promises of menial positions of any other consideration.”⁹ Pointing to contesting elections as an example, Prioleau urged African Americans to “do something” and “not take it all in talking.”¹⁰

Prioleau’s early attacks did not fall on deaf ears. Taft and Roosevelt’s stock plummeted in the following months among the militant wing of the South Carolina Republican Party, leading many to throw their support to other candidates. Some anti-Taft Republicans preferred Vice President, and Roosevelt foe, Charles W. Fairbanks, others supported progressive New York Governor Charles E. Hughes, while Prioleau initially endorsed the powerful Republican Speaker of the House Joseph G. Cannon. Among these Republican hopefuls, the most favored anti-Taft candidate in South Carolina was Ohio senator Joseph B. Foraker, a conservative Republican who had opposed parts of Roosevelt’s progressive agenda. Sensitive to racial justice ever since his days in the Union Army, Foraker was dismayed by the unfair treatment suffered by the African American soldiers in Brownsville.¹¹ A consummate politician, Foraker used the controversy as a springboard for his Presidential bid.¹² He publicly accused the President of unfairly handling the situation, and filed a minority report in support of the soldiers' innocence. In so doing, Foraker gained the support of many South Carolina Republicans, and laid the groundwork for his Presidential bid.¹³

One of these supporters was Joseph W. Tolbert, who spent the winter and early spring of 1908 quietly mobilizing the anti-Taft forces at various county conventions, seeking to get as many

⁹ “An Appeal to Negro Editors,” *Washington Bee* (DC), September 17, 1907.

¹⁰ *Ibid.*

¹¹ Morris, *Theodore Rex*, 472.

¹² Lewis Gould, *Grand Old Party: A History of the Republicans* (New York, NY: Random House, 2003), 168.

¹³ “Negro Opposition To Mr. Patterson,” *Augusta Chronicle* (GA), October 19, 1908. Foraker knew his chances at winning the nomination were almost non-existent. Foraker possibly intended to trade his delegates to Taft in exchange for Taft's support in Foraker’s upcoming senatorial election.

anti-Taft delegates to the state convention as possible.¹⁴ Tolbert's opposition to Taft was part of his long-term strategy to dislodge Edmund H. Deas and Capers at the head of the party. Already popular among African Americans, Tolbert further endeared himself with black militant Republicans by quickly throwing his support to Foraker. This was meant to undercut the very base of Deas' support, whose alliance with Capers already raised suspicion with the militant wing. This suspicion as to the chairman's true motives were further exacerbated by the fact that Deas waited until after the state convention to publicly declare his anti-Taft stance.¹⁵

In the meantime, as was his habit, Prioleau chose a far more aggressive strategy to bolster the candidacy of Foraker. In early 1908, he organized a Republican meeting at Mishaw Hall in Charleston, without advising the First Congressional District party leadership.¹⁶ He gave an impassioned speech in which he reiterated the importance of choosing delegates for the national convention that would not trade their principles for patronage. Prioleau vehemently attacked the party leaders that questioned his character. These targets included Capers, Deas, First Congressional District chairman C. M. English, and Charleston County chairman T. L. Grant. Prioleau and his supporters so fervently denounced Capers that the Charleston's *News and Courier* reported that if the current national committeeman was to maintain control of the party, he should

¹⁴ "Plan Fight On Capers," *Greenwood Evening Index*, April 9, 1908; "May Go In Army," *Bennettsville Marlboro Democrat*, April 17, 1908; "Republican Meeting," *Lexington Dispatch*, April 22, 1908; "A Stormy Convention," *Newberry Herald and News*, April 24, 1908.

¹⁵ Deas was in a very difficult position as he held a federal job that had been given to him by Capers. While he privately despised Capers, going against the national committeeman would jeopardize his main source of income. For most of his tenure as chairman, Deas was forced into an alliance of convenience with Capers. Deas most probably ended up striking a deal with Capers just prior to the state convention, where he would be free to oppose Taft and call for the national convention delegates to be uninstructed, in exchange for both supporting Capers as national committeeman and letting Capers sway the South Carolina delegation to support Taft once at the Republican National Convention. This way, Capers was almost certain to deliver the overwhelming majority of the delegation to Taft, and Deas' public image among African Americans would be untarnished. "Deas Snubs Taft," *Sumter Watchman and Southron*, May 20, 1908; "Deas Out of Business," *Sumter Watchman and Southron*, July 8, 1908; "Deas Ousted from Chairmanship," *Dillon Herald*, October 6, 1910.

¹⁶ "Republican Malcontent," *Charleston Evening Post*, January 24, 1908.

“ponder a little over the situation.”¹⁷ Before adjourning, Prioleau’s supporters further defied the district leadership by calling a rogue convention with the intention of electing pro-Foraker delegates in their district for the upcoming Republican National Convention in Chicago.¹⁸

Party leaders responded to Prioleau’s rogue convention by pouring upon his head “vials of wrath.”¹⁹ They released a press statement advising Republicans of the First District to avoid this “illegal” convention of “disreputable rebels.”²⁰ While in his Washington, D.C., office, then South Carolina Commissioner of Internal Revenue John Capers was pressed by a journalist to comment on the matter. He initially refused to respond, but after a few minutes, he told the reporter that Prioleau was “a heinous baboon and a miserable representative of his race.”²¹ Capers also added that those who attended the meeting at Mishaw Hall were all “disgruntled and disreputable characters.”²² Worse, when asked about his ability at directing the party to elect a pro-Taft delegation, the Republican national committeeman replied with a “significant smile,” before adding that South Carolina Republicans “don’t like me to say that I can control them.”²³ Capers’ arrogance and demeaning attitude toward Prioleau, especially coming from a white man in an almost entirety black state organization, triggered a revolt within the party.

A number of Republicans who had previously denounced Prioleau and other militant Republicans turned their anger to Capers. Samuel B. Butler, Colleton County chairman, was

¹⁷ “Capt. Capers Scores Prioleau,” *Columbia State*, January 27, 1908.

¹⁸ “Denouncing Prioleau,” *Charleston Evening Post*, March 7, 1908; “Ex-Convict Chosen by Republicans,” *Charleston Evening Post*, October 15, 1908.

¹⁹ “Denouncing Prioleau,” *Charleston Evening Post*, March 7, 1908.

²⁰ “Unauthorized Call for Convention,” *Charleston Evening Post*, February 13, 1908.

²¹ “Capt. Capers Scores Prioleau,” *Columbia State*, January 27, 1908.

²² *Ibid.*

²³ *Ibid.*

among those who reacted strongly to Capers' attack. Butler accused Capers of profiting from his position at the expense of African Americans, and chided fellow black Republicans who "profess to be so smart," but did not have "sense enough to see it."²⁴ Vowing never to be "bossed" by Capers, he told Charleston's *News and Courier* that "He [Capers] is going to find a big lot of niggers kicking over the traces before he gets a chance to sell us out."²⁵

Robert C. Browne, an old-line Republican who had attended the rogue meeting at Mishaw Hall, added fuel to the fire by revealing to the press the double-crosses and intrigues of Capers. Browne's fury at Capers originated at the 1904 Republican National Convention, when he lost his seat as delegate because of the machination of Capers. There, Browne demonstrated just how politics can make for very strange bedfellows. He alleged that Capers and Prioleau had made a secret agreement. Capers would help Prioleau with the mail tampering case in exchange for Prioleau's vote for the position of national committeeman. Capers had in effect told a handful of Republicans that he "did not believe for a moment that Prioleau . . . robbed the mail."²⁶ Capers also worked behind the scenes to have Prioleau, rather than Browne, recognized as the legitimate delegate from the First District by the credentials committee. In exchange for these two favors, Prioleau allegedly cast the decisive ballot that made Capers national committeeman. However, Capers did not hold his end of the agreement, and Prioleau was convicted a few months later. "For political trickery and treachery," Browne told the reporter, "I will readily take off my hat to Capt. Capers."²⁷

²⁴ "Goes For Capers: Colored Brethren Object to Being Called Heinous Baboons," *Fort Mill Times*, February 13, 1908.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

Browne also came to Prioleau's defense, albeit not so much for Prioleau's sake, but as a means of attacking Capers "and his emissaries." He admitted to the reporter that he not only attended Prioleau's meeting in January, but also gave a speech. He added that he regarded those who attended as "morally, socially, politically, and intellectually the equal of those who accused them, and, in some instances superior." A respected mulatto Charleston lawyer and a long-time Republican who had been part of the party leadership since the 1870s, Browne could hardly be called "disreputable."²⁸ Browne claimed that "further developments" would show that Capers had "certainly drawn from his imagination" when claiming that he could control the delegates from this state at the upcoming national convention.²⁹ Prioleau also warned Capers, promising to "let the cat out of the bag" and to "make the fur fly" at the next convention.³⁰ Adding fuel to the fire, Capers was also accused of corruption by an African American newspaper from Columbia, *The Light*, in his effort to corral Taft supporters to the convention.³¹

The state convention of 1908 proved as tense as Prioleau and Browne had warned. First, violence threatened to completely disrupt the Republican gathering. While the convention was in recess, Ed Thompson, a black Republican from Columbia and a Prioleau sympathizer, mounted the stage and took the place of the party chairman. At the time to reconvene, some members in the audience asked for Capers to give a speech. Thompson called for order, and introduced Capers to

²⁸ "An Array of 'Honorable's,'" *Charleston Evening Post*, October 22, 1904; Federal Census of 1910 Charleston, South Carolina; William Lewis Burke, *Matthew J. Perry: The Man, His Times, and His Legacy* (Columbia, SC: University of South Carolina Press, 2004), 22, 42.

²⁹ "Goes For Capers: Colored Brethren Object to Being Called Heinous Baboons," *Fort Mill Times*, February 13, 1908.

³⁰ *Ibid.*

³¹ *Manning Times*, April 1, 1908.

the crowd as “one of the grandest and best Democrats in the State.”³² An altercation immediately followed both on stage and in the audience. On the stage, Capers dodged Thompson’s attacks before punching him in the chest, thereby knocking Thompson down from the platform. Chairman E. H. Deas and other party officials needed over 30 minutes to stop the melee that erupted between the pro and anti-Capers Republicans. The convention did not remain quiet very long, however. When the Capers-controlled Committee on Resolutions and Nominations announced its choice for delegates at large for the national convention, some Republicans erupted in discontent. Prioleau “wildly threw his arm in the air” and rushed on the stage. He shouted that Chairman Deas and Capers were “railroading the convention” by refusing to submit the choice of delegates to a vote, and called for new delegates at large. After hours of confusion, Capers and Deas ultimately prevailed over Prioleau and his most powerful ally in this venture, Joseph W. Tolbert.³³ “Capers Ruled,” headlined the *Manning Times*, and “Deas Helped Him.”³⁴ This association with Capers, and his refusal to come out publicly against Taft, further discredited Deas with militant Republicans. Just after the convention, a distressed Deas tried to distance himself from Capers and Taft by “snubbing” Taft when he stopped by Florence, South Carolina, on his return trip from Panama.³⁵

By the time of the Republican National Convention, Capers had managed to ensure that the clear majority of the delegation was supporting Taft.³⁶ However, at the convention, Capers

³² “A Very Hot Time,” *Fort Mill Times*, May 7, 1908.

³³ “Republican Row at State Convention,” *Columbia State*, April 29, 1908; “Capers Rule,” *Fort Mill Times*, May 7, 1908.

³⁴ *Manning Times*, May 6, 1908.

³⁵ “Deas Snubs Taft,” *Sumter Watchman and Southron*, May 20, 1908.

³⁶ Of the 18 delegates from South Carolina, 13 supported Taft. See: Milton W. Blumenberg, *Official Report of the Proceedings of the Fourteenth Republican National Convention* (Columbus, OH: Press of F. J. Heer, 1908).

faced a challenge from Deas, who attempted a desperate maneuver in hopes of regaining the trust of militant Republicans. This not only failed, but would lead Capers to retaliate by dismissing Deas from his federal job. Nonetheless, Taft obtained all but four votes from the South Carolina delegation, and Capers was re-elected national committeeman.³⁷ As expected, Roosevelt got his way, and Taft easily won the Republican Party's presidential nomination. Capers' hard work on behalf of Taft impressed national Republican leaders to the point that his name was floated as a potential vice-presidential candidate.³⁸ Even if profoundly disliked by many Republicans, he emerged from the convention in full control of patronage, and thus politically stronger than ever.

However, Tolbert also came out of the convention noticeably stronger, as the most notorious and powerful anti-Taft, anti-Capers figure in the party. Tolbert was among the few delegates who refused to bow to the national committeeman, and instead cast his vote for Foraker. In so doing, he cemented his support with militant Republicans, and attracted the attention of the many other black Republicans who distrusted Capers. Tolbert's vote was all the more symbolic as Foraker's nomination had been seconded by W. O. Emory, a black Republican from Georgia. Emory's emotional seconding speech captured the historical and symbolic aspect of the moment. He stated that it was "the proudest moment of [his] life to be permitted to stand here representing ten millions of people," who are "not only 'Republican true and tried,' but also 'patriots.'"³⁹ Emory

³⁷ When Capers announced the South Carolina delegation's vote at the Republican National Convention, Deas unexpectedly challenged the count. Because the temperature in the Chicago Coliseum was insufferably hot, many of the delegates were not in their seats. Realizing this, Deas challenged the count in the hope that the pro-Taft delegates and their alternates would not get back in time to cast their ballots. In this way, he hoped to hurt Taft's candidacy and regain some of his lost prestige among African American Republicans. In the end, Taft did lose one vote from the South Carolina Delegation because of Deas's bold action. Capers was obviously furious, and arranged for Deas to lose his federal job in the weeks following the convention. Deas served as inspector for the Internal Revenue Service, making a yearly salary of about \$1,200. Worse, Deas' maneuvering had virtually no effect on his waning popularity. "Deas Out of Business," Sumter *Watchman and Southron*, July 8, 1908.

³⁸ "Corleyou or Capers?," *Columbia State*, June 11, 1908; "Capers Again Chosen on National Committee," *Columbia State*, June 16, 1908.

³⁹ Blumenberg, *Official Report of the Proceedings of the Fourteenth Republican National Convention*, 163–65.

strongly echoed the thoughts of the militant wing of the South Carolina Republican Party, declaring that “the right to cast one ballot” and the “right to be tried by a jury of his peers” are “principles of far more importance than mere matter or material prosperity.”⁴⁰ He also hinted at the amount of work to be done in these regards, as “it require[d] no little courage for a black man to stand here.”⁴¹ The powerful symbolism of this speech did not escape Taft’s most loyal black supporter, Booker T. Washington. The wizard of Tuskegee fumed over the fact that Taft did not seek to rebuild the broken bridges with the African American community by following suit and choosing a black Republican to second his nomination.⁴²

“Farcical Procedures”: 1908 Election Contests

In the fall of 1908, still boiling over the way Capers and his lieutenants dominated the party’s delegation at the state and national convention, Aaron Prioleau and other members of the militant wing of the party turned their anger against their most pressing enemy: Southern Democrats. Prioleau once again decided to run for Congress against George S. Legaré in 1908. He was accompanied in this effort by another veteran of election contests, Isaac Myers of Blackville, South Carolina. Myers who had run for Congress in both 1904 and 1906, brought his third consecutive election contest against James O. Patterson in South Carolina’s Second District. Born in the late 1860s, Meyers graduated from Claflin University in the 1890s.⁴³ He then taught and

⁴⁰ Blumenberg, *Official Report of the Proceedings of the Fourteenth Republican National Convention*, 163–65.

⁴¹ Ibid.

⁴² Letter from Booker T. Washington to Charles William Anderson, June 19, 1908 in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 9, 1906-1908* (Urbana, IL: University of Illinois Press, 1980), 582.

⁴³ Federal Census of the United States, 1900, Blackville, Barnwell, South Carolina.

served as principal of the Blackville Graded Colored School before turning to the ministry.⁴⁴ By the time of the election, Reverend Meyers was well known in the community for his work in the Methodist Episcopal Church. Meyers' nomination as congressional candidate illustrates the increasing power of the militant wing of the Republican Party. While the majority of Second District leaders were opposed to Meyers' run for congress, they did not block his nomination nor openly oppose it. One of them stated that he was afraid that "if he opposed Meyers' nomination, he would be accused of being in cahoots with the Democrats, and would get a black eye in his party."⁴⁵ This showed that state party leaders, many of whom were either current or aspiring federal officeholders, tended to be more cautious and conservative than the African Americans rank and file who had no federal job on the line. These Republicans without patronage aspirations did not worry about the possibility of embarrassing the Republican administration with these challenges.

In the Seventh District, Robin Hood Richardson, a veteran Republican politician, took the baton from Alexander Dantzler and C. C. Jacob. In an all-black convention presided by Jacob Moorer, he won the party nomination against Alexander Dantzler to run against Democratic incumbent Asbury Lever.⁴⁶ Born in the mid 1850s, Richardson graduated in 1881 from Biddle University (now Johnson C. Smith University) in Charlotte, North Carolina, and spent most of his adult life in Wedgefield, a small town in Sumter County, South Carolina.⁴⁷ Richardson and his

⁴⁴ Federal Census of the United States, 1910, Beaufort, South Carolina; "Will Oppose Patterson," *Manning Times*, October 12, 1904; Bennettsville *Marlboro Democrat*, October 14, 1904.

⁴⁵ "Negro Opposition To Mr. Patterson," *Augusta Chronicle* (GA), October 19, 1908.

⁴⁶ "Mr. Lever's Opponent," *Lexington Dispatch*, September 30, 1908.

⁴⁷ *Thirty-Fifth Annual Session of Biddle University* (Charlotte, NC: Observer Printing House, 1904), 70; *Statistical Report of the Contributions of the Churches Received by the Boards and Other Permanent Agencies of the Presbyterian Church of the United States of America* (Auburn, NY: F. E. Beecher Printer, 1913), 14; *Minutes of the General Assembly of the United Presbyterian Church in the United States of America* (Philadelphia, PA: Office of the General Assembly, Witherspoon Building, 1926), 236, 240.

wife were among the rare African Americans to be Presbyterian, and both worked as school teachers in the institution they co-founded.⁴⁸ Richardson joined the Republican Party in the 1870s. Serving as poll watcher in the 1880s, he had witnessed first hand the electoral abuses that Republicans suffered in the state, and had already testified in election contest cases.⁴⁹ His importance in the party was recognized, as he was both appointed postmaster in Wedgefield in the in late 1880s, and elected as chairman of the Republican organization in the Seventh Congressional District in the mid 1890s.⁵⁰ Through his Republican activities, Richardson developed a close friendship with George Washington Murray. While serving in Congress, Murray employed Richardson as his private secretary.⁵¹ By the time of his race against Lever, Richardson had been elected at the state convention as alternate delegate at-large for the Republican National Convention, a position reserved for the most powerful member of the party.⁵²

All three Republican candidates lost their elections to their respective Democratic opponents. However, Richardson and Prioleau did significantly better than any other Republican candidate since 1902, both obtaining a little over 10% of the vote.⁵³ These results made the outcome of the race between Meyers and James O. Patterson particularly suspicious. Not only did

⁴⁸ *Acts and Joint Resolutions of the General Assembly of the State of South-Carolina Passed at the Regular Session of 1906* (Columbia, SC: Gonzales and Bryan, State Printers, 1906), 404.

⁴⁹ House Committee on Elections, *Contested election, Samuel Lee v. John S. Richardson, South Carolina*, 42nd Cong., December 15, 1880, H. Rep. 2040.

⁵⁰ *Sumter Watchman and Southron*, February 7, 1894.

⁵¹ *Sumter Watchman and Southron*, April 18, 1894; “Republican in a Row,” *Fairfield News and Herald*, May 23, 1894; “County Republican Convention,” *Sumter Watchman and Southron*, February 24, 1904.

⁵² “Mr. Lever’s Opponent,” *Lexington Dispatch*, September 30, 1908.

⁵³ House Committee on Elections No. 3, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639; House Committee on Elections No. 3, *Contested Election, R.H. Richardson v. Asbury F. Lever, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1638.

election officials report that Meyers obtained only 20 votes, but they also claimed that the total number of votes cast was under 2,000. This alleged turnout was nearly five times lower than in Richardson or Prioleau's district. What's more, this was four times lower than in the two previous elections in presidential years, where the turnout in the district had been just below 8,000.⁵⁴ In short, in a district counting about 43,000 males of voting age, the election officials deemed unsuspecting that less than 2,000 of them cast a ballot. Even more brazen, the election officials decided to reject all 20 votes cast for Meyers because the ballots used were "illegal as to size and printing."⁵⁵ Jacob Moorer vehemently protested, but to no avail.

South Carolina election officials were trying to prevent Meyers from contesting the election in Congress for a third consecutive time, and they succeeded. While Meyers initially filed a contest, he never followed through.⁵⁶ The combination of a poor case and lack of funds probably explained this turn of events. Congress had made it more difficult and slower for contestants to obtain reimbursement of their legal fees in these contests, often delaying payments for several months, even years. Meyers's legal expenses in the 1906 contest, for example, had yet to be reimbursed in 1908.⁵⁷ Also, since Moorer was also representing Richardson, it is likely that he did not want to take the financial risks in two different cases, and chose to focus on what he believed to be the most promising of the two contests. Prioleau, who by then was referred to as "the chronic

⁵⁴ 7,819 in 1900 and 7,845 in 1904. See: *Manning Times*, November 28, 1900; House Committee on Elections No. 1, *Contest of Isaac Myers v. James O. Patterson, South Carolina*, 59th Cong., 1st sess., June 5, 1906, H. Rep. 4780.

⁵⁵ "Meyers Claims That Many Republican Votes Were Rejected," *Augusta Chronicle* (GA), November 11, 1908; "Meyers' Votes Thrown Out," *Bamberg Herald*, November 12, 1908.

⁵⁶ Since the House Committee on Elections never received the proper documentation by 1910, they declared the contest null. House Committee on Elections No. 3, *Contested Election of Isaac Myers v. James O. Patterson, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1640.

⁵⁷ "Negro Opposition To Mr. Patterson," *Augusta Chronicle* (GA), October 19, 1908.

candidate” by the white press, and Richardson filed contests in Congress.⁵⁸ They both made the same case as in the past, and contended that the 1895 constitution violated the Reconstruction Act of 1868 and that elections officials “unjustly and unlawfully” discriminated against Republicans in particular, and African Americans in general.

As had been the case in previous contests, the committee summarily discarded the evidence of electoral fraud on technical grounds.⁵⁹ However, in a gesture that infuriated congressional Democrats, the committee’s reports failed to recognize that the Democratic opponents of Prioleau and Richardson had won the elections and were entitled to a seat in Congress. The reports simply stated that contestants from South Carolina did not show conclusive proof to overturn the results approved by the South Carolina Board of Canvassers, and were thus not entitled to a seat in Congress. Since the committee was unwilling to engage with the constitutional question, the Republicans argued, it would be unfair to officially declare a winner. As they had done in the contest of 1902 and 1904, the Republican-led committee report kept the possibility open that no one was entitled to a seat.

This was largely motivated by cynical political calculations in preparation for an anticipated difficult congressional election in November 1910. First, it was meant both as a low blow to southern Democrats and as a claim to take the moral high ground on the issue of southern disfranchisement. By suggesting that Republicans were somewhat sympathetic to the plight of disfranchised African Americans in the South, at least more than Democrats, Republicans were

⁵⁸ “State Goes Democratic,” *Edgefield Advertiser*, November 11, 1908.

⁵⁹ The committee maintained that the only way to overturn the election on these grounds was for Prioleau and Richardson to provide them with affidavits signed by enough voters who were denied the franchise to change the result. This requirement was partly a response to the late 19th century spike in “frivolous” contests “mainly from the South.” Congress decided to accept evidence of fraud only if the contestant could show that the fraud could have changed the result. The rule was somewhat controversial, albeit not because it complicated matters greatly for African American contestants from the South. See: “Contested election Rules,” *New York Tribune* (NY), January 2, 1911.

trying to court African American voters and white liberals of the North. By showing once again that they were unwilling to use the power of Congress to rectify this issue, they conversely hoped to reassure the more racially conservative voters.

The three Democrats on the House Committee on Elections No. 3, however, refused to tolerate even this subtle criticism of the southern electoral system.⁶⁰ They were infuriated by the fact that the majority reports were breaking with precedent. In 1906, the reports in all cases involving South Carolina Republicans mentioned that the Democratic candidate had won and was entitled to a seat. Democrats thus penned a minority report in both contests so that “justice may be done to the people of South Carolina.”⁶¹ Parroting the fiction constantly reported in the southern white press, the minority report stated that Prioleau and Richardson had been repeatedly “presenting the identical kind of contests . . . against the same contestee[s] . . . apparently for no other reason whatsoever than to obtain the allowance.”⁶² These “pseudo contests,” the report continued, contained “no ground for action favorable to the contestant[s].”⁶³ The Democratic congressmen ventured an explanation as to why Prioleau had not brought the matter to the court, as previous reports recommended. As an “ex-convict from a Federal prison,” said the congressmen, Prioleau was “a bit chary of the federal courts” and did not have “the appreciation for our national tribunals such as Alexander Hamilton possessed.”⁶⁴ Of course, none of the three Democrats mentioned the fact

⁶⁰ The three Democratic congressmen on the committee were Charles Creighton Carlin, from Virginia's 8th district, William Allen Oldfield, from Arkansas's 2nd District, and Robert Charles Wickliffe, from Louisiana's 6th district.

⁶¹ House Committee on Elections No. 3, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639: 8.

⁶² House Committee on Elections No. 3, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639: 6-7.

⁶³ House Committee on Elections No. 3, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639: 7.

⁶⁴ House Committee on Elections No. 3, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639: 8.

that the Supreme Court had twice failed to act because it considered the matter to be political, and an issue for Congress to resolve.

The three Democratic members of the House Committee on Elections were the only ones who were incensed by these repeated contests. South Carolina congressman Asbury Lever, who faced repeated contests, decided to take the matter to both the press and the floor of Congress. “I am getting mighty tired of these ridiculous biennial contests,” he told a reporter.⁶⁵ Lever argued that “the only way by which these nonsensical appeals can be stopped is that Congress should . . . discontinue the payment of the \$2,000 allowance . . . except when it does appear that the contest is a bona fide one.”⁶⁶ Lever made similar points in Congress. He knew his speeches would have little effect since Republicans were in firm control of Congress, but lambasting black Republicans always played well with his white constituents. “I want the country to know the ridiculousness of those contests,” declared Lever. “These farcical procedures will never cease,” Lever argued, until Congress has the “courage to say to these negroes that ‘your case must be more than a farce, more than a ridiculous pretense before any fees will be allowed.’”⁶⁷

The white press heartily shared Lever’s exasperation with what it portrayed as unending Republican harassment. *The Manning Times*, for example, reported that Prioleau was still “hanging around the halls of Congress waiting . . . for the usual sandwich given to the . . . Coons of the South in payment for corralling the cattle into the national convention to be bartered and sold like sheep in the stock market.”⁶⁸ The newspaper demanded that Congress promptly “kick out” “such cattle

⁶⁵ *Newberry Herald and News*, December 22, 1908.

⁶⁶ *Ibid.*

⁶⁷ “Protest by Mr. Lever Against Contest Fees,” *Columbia State*, March 2, 1909.

⁶⁸ “Kick Prioleau Out,” *Charleston Evening Post*, March 25, 1910.

as Prioleau” who “live upon these frauds.”⁶⁹ Most white southern newspapers similarly supported the idea that these contests were useless. “None of these negroes expect to get any seat in Congress,” stated the Orangeburg *Times and Democrat*, adding that even “if they did, not one of them would know what to do with it.”⁷⁰ But the challenges served Prioleau’s purpose. By continually sitting in congressional sessions and participating in debate, which was the prerogative of the contestant, Prioleau exposed the fallacy of these racist beliefs. It was not that African Americans “would not know what to do” with their congressional seat that frightened white southerners, but the fact that they knew exactly what to do. The disparaging comments of Democratic congressmen and of the white southern press only helped solidify the standing of Richardson and Prioleau among militant Republicans. It provided the two candidates with exposure and furthered their image of uncompromising political rights activists who would never back down against white Democratic oppression.

Some white newspapers, however, saw a silver lining to these contests. The *State* argued that Prioleau’s challenges were “positive asset[s] to the Southern democracy.”⁷¹ To the *State*, Prioleau was the perfect standard-bearer to southern Republicans. He was “an ex-convict,” and was “amusingly illiterate” and “pretentious” like most African Americans “whose education consists in a limited vocabulary of half-learned big words.” Hence, Prioleau served as a good reminder to the nation that the weakness of southern Republicanism was due to the ignorance of its members, and not to state-sanctioned disfranchisement or unjust electoral laws. The *State* snidely concluded

⁶⁹ “Kick Prioleau Out,” Charleston *Evening Post*, March 25, 1910.

⁷⁰ Orangeburg *Times and Democrat*, March 27, 1908.

⁷¹ “Aaron Prioleau's Utility,” Columbia *State*, December 10, 1909.

that “if the country should cease to [pay for these contests] the Democratic Party might well find it profitable to invest enough money in Prioleau to continue him as a Republican candidate.”⁷²

This article captured why many African American Republican leaders resented militant Republicans. Grant and Deas, like many other African American leaders of the time, believed that under Jim Crow, in order to elevate the stock of the African Americans with whites, America’s gatekeepers of political and economic power, African Americans had to carefully monitor those who represented the “race” in public. They believed that only its most respectable, educated, and fairer-skinned members were suited for such a critical task. According to this view, someone like Prioleau, whose nomination as congressional candidate triggered a number of headlines such as “Ex-Convict Chosen By Republicans,” not only hurt the image of the Republican Party, but of African Americans in general.⁷³ As Lizelia Moorner succinctly lamented, “Wrong, if found upon a Negro, will be charged up to the race, But if white, with him 'tis ended, brings his people no disgrace.”⁷⁴ Hence, for Grant and Deas, it was easier and more productive to try to rob the press of the chance of re-enforcing stereotypes by attempting to remove the likes of the Prioleau than it was to attack the press for its obvious racist double standard. In other words, they were far more concerned by who contested than by the contest itself.

Believing that Prioleau was tarnishing the reputation of both the party and African American politicians in the state with his contest, Grant and Deas publicly condemned him. They even secretly sabotaged his election contest to try to stop him. In a letter addressed to Capers and ultimately meant for the House Committee on Elections, Grant and Deas asked the committee to

⁷² “Aaron Prioleau's Utility,” *Columbia State*, December 10, 1909.

⁷³ “Ex-Convict Chosen by Republicans,” *Charleston Evening Post*, October 15, 1908.

⁷⁴ Lizelia Augusta Jenkins Moorner, “The Southern Press,” in *Prejudice Unveiled: And Other Poems* (Boston, MA: Roxburgh Publishing Company, 1907).

dismiss Prioleau's election contest promptly, and demanded that Congress decline to give him "a single cent" of the usual allowance.⁷⁵ They described Prioleau as "crazy," a "fake pure and simple" and a "miserable representative of his race" who had not only been convicted in a federal court, but also had no connection to "any prominent man in the state."⁷⁶ Repeating the accusation of the white southern press, they argued that Prioleau's contest was meant to cause "bleeding [of Congress] financially" and was supported only by the "rabble and renegades of the party."⁷⁷ Grant and Deas argued that by dismissing the contest, the election committee would protect the reputation of African Americans as they did not want "this disgrace . . . placed upon us."⁷⁸ Deas would end up paying dearly for this aggressive stance against an increasingly popular Prioleau.

Moorer Goes to the Supreme Court

In April 1910, while still awaiting the official decision of the House Committee on Elections in Prioleau and Richardson's contests, militant Republicans turned their attention to the United States Supreme Court. There, Jacob Moorer was arguing in a criminal case that was the culmination of a decade of Republican militancy for political rights. The case, *Franklin v. South Carolina*, revolved around the constitutionality of the method to select juries in the state. For Moorer, this matter perfectly illustrated how disfranchisement fostered injustices far beyond the political realm. As in most southern states, jurors had to be selected from the list of registered voters. Moorer, relying on the very constitutional argument he had honed in election contests in the last decade, argued that the method was unconstitutional because it relied on a voting

⁷⁵ "Capers Tells of Prioleau," *Charleston Evening Post*, March 27, 1908.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

registration law that violated the 1868 Reconstruction Act. Thus, with the Franklin case, Moorner brought to the Supreme Court the legal issue central to all the election contests of South Carolina Republicans, just as the House Committee on Elections had repeatedly recommended. For Moorner and militant Republicans, this case could be the turning point for African American political rights they had been working on for in nearly a decade.

Moorner had no way to expect that this case would lead him to clash with the nascent National Association for the Advancement of the Colored People, and with a former fellow Republican, Thomas E. Miller. The involvement of the NAACP in this case had important consequences for the future of political rights activism in South Carolina. While successful in its attempt to save the life of Pink Franklin, the manner in which it operated and the resources it utilized forced the NAACP to re-evaluate its structure, method, and strategy. The changes brought forth by this re-evaluation would lead the NAACP to open chapters in South Carolina and make the organization the new leader of political rights activism in the state.

The case began in the summer of 1907. One of the very few black lawyers in Orangeburg, Moorner was often asked to defend desperate African American clients. Few white lawyers would, especially when the case involved whites. In 1907, former Democratic state senator Stanwix Mayfield, an attorney whose liberal stance toward African Americans led Booker T. Washington to befriend him, referred such clients to Moorner.⁷⁹ Pink and Patsy Franklin, young farm laborers, were accused of murdering a white constable named Henry Valentine. Shortly after agreeing to defend Franklin, Moorner enlisted the help of another African American lawyer, John Adams,

⁷⁹ Booker T. Washington lobbied the Taft administration to have Mayfield appointed as a federal judge. See: Letter from Booker T. Washington to William Howard Taft, May 16, 1911 in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 11, 1911-1912* (Urbana, IL: University of Illinois Press, 1981), 158–59.

whose office was established in Manning, South Carolina, located about 40 miles northeast of Orangeburg.

From the start, the Franklins' case appeared particularly timely as it related to laws decried by a number of African American and white supporters: the so-called peonage laws. Their legal trouble began when, in the fall of 1906, Pink signed an agricultural labor contract with Jake Thomas, a cotton plantation owner who provided Franklin with some cash, food, and a place to live.⁸⁰ Franklin, who was in his early 20s at the time, worked for Thomas until May 1907. By then, the Franklins had grown dissatisfied with Thomas and decided to look for work elsewhere. The young couple elected to work for another white planter, Sol Spires, who had the advantage of living near Pink's parents. Planter Jake Thomas, however, did not agree to Franklin's departure. He immediately went to the local magistrate and asked for an arrest warrant against the Franklins for breaching their agricultural labor contract. Despite a recent judgment in a South Carolina federal court stating that agricultural labor contracts were unconstitutional, the magistrate nevertheless obliged.⁸¹ While the law required the magistrate to find and bring back Franklin to

⁸⁰ The agricultural labor contract statute, which critics at the time called the "peonage law," referred to § 357 of the Criminal Code of South Carolina, which provides: 'Any laborer working on shares of crop or for wages in money or other valuable consideration, under a verbal or written contract to labor on farm lands, who shall receive advances either in money or supplies, and thereafter willfully, and without just cause, fail to perform the reasonable service required of him by the terms of said contract, shall be liable to prosecution for a misdemeanor, and on conviction shall be punished by imprisonment for not less than twenty days, nor more than thirty days, or to be fined in the sum of not less than \$25 nor more than \$100, in the discretion of the court: Provided, the verbal contract herein referred to shall be witnessed by at least two disinterested witnesses.'

⁸¹ The law surrounding agricultural labor contracts like the one between Thomas and Franklin was in the process of major changes. As stated in the previous note, prior to May 24th 1907, the law stipulated that if an agricultural laborer under contract failed to perform work for his employer, the employer was entitled to have the laborer arrested, fined, and jailed. As a result, African Americans who worked under such contracts were practically prevented from changing employers as they pleased, and could easily be abused by their employer. On May 23rd, two days before the warrant against Franklin was ordered, a federal judge from the South Carolina district court, William H. Brawley, declared that the agricultural labor contract statute akin to "peonage," and was in violation of the 13th and 14th amendment of the constitution. "Laborers Contract Law To Be Reviewed By The Court," *Fort Mill Times*, April 11, 1907; "Against labor Law," *Manning Times*, May 29, 1907.

Thomas' plantation within 30 days, the magistrate waited for two months before acting, delaying due to the request of Thomas, who only needed Franklin in July for cotton picking.⁸²

On July 29th, around 3 am, a constable named Henry Valentine, who happened to be the brother of the magistrate who delivered the warrant, and an assistant named Carter broke into Pink Franklin's house to make the arrest.⁸³ In the process of attempting to make the arrest, Constables Valentine and Carter, as well as Pink Franklin and his wife Sad, were all shot amid the melee that erupted. Valentine ended up dying from his wounds near Franklin's house. Franklin and his wife, anticipating that a lynch mob would be quickly formed, fled the scene and went into hiding. They managed to evade the mob for two days until ex-Senator Stanwix Mayfield took the Franklins under his protection. Mayfield contacted the sheriff and made sure the Franklins were safely jailed, and referred them to lawyer Jacob Moorer and John Adams for legal counsel.⁸⁴

As historian Lewis Burke demonstrates, Moorer and Adams built a solid defense for their clients.⁸⁵ However, the trial was marred with irregularities typical of the Jim Crow South. First, Moorer and Adams did not have access to the coroners' report in time to fully prepare their defense.⁸⁶ Second, two of the most important witnesses for the case had been coerced into making

⁸² For a more detailed narrative of the story leading up to the arrest of Franklin, see: W. Lewis Burke, "Pink Franklin v. South Carolina: The NAACP's First Case," *American Journal of Legal History* 54, no. 3 (2014): 265–302.

⁸³ *Bamberg Herald*, September 12, 1907; *Batesburg Advocate*, September 13, 1907; *Dallas Express* (TX), February 22, 1919.

⁸⁴ Mayfield knew Moorer as both of them served on the Voorhees Board of Trustees. "Pink Franklin in Penitentiary: Brought Here for Safe Keeping by Orangeburg Officers," *Columbia State*, August 2, 1907; "Death Sentence for Franklin," *Batesburg Advocate*, September 13, 1907; *Manning Times*, September 18, 1907; "He Will Hang," *Fort Mill Times*, September 19, 1907; Burke, "Pink Franklin v. South Carolina," 272–76.

⁸⁵ Burke, "Pink Franklin v. South Carolina."

⁸⁶ Because of this issue, Moorer and Adams filed for a continuance, but the judge refused. The comical, yet tragic difficulty that Moorer and Adams had in accessing a key piece of evidence, the coroner's report, is a representative testimony of the corruption at the heart of the legal system in Jim Crow's South Carolina. Technically, the law required that the coroner's testimony be filed with the clerk of the court within 10 days and copied into the book of inquest, which must be kept in the coroner's office at the courthouse. The U.S. Supreme Court decision in the Franklin case states that: "A continuance was asked for because, it was alleged, the counsel for the accused had not had sufficient

false testimonies by the lynch mob.⁸⁷ Third, two other witnesses most likely also lied. They testified that Valentine himself, just before passing, had told them that he found the Franklin's front door open, and was shot and attacked by Patsy and Pink Franklin as he entered the house, while he, Valentine, had not fired a single shot. The testimony of two doctors, as well as the physical evidence, make this story extremely doubtful.⁸⁸ Franklin's side of the story, however, was fully consistent with the evidence produced. He claimed that he was unaware that a warrant had been issued for his arrest, and that Valentine came into the house unannounced. Valentine

time or opportunity to examine the notes of the testimony taken before the coroner who investigated the case. The record discloses that, in support of the motion to continue, counsel for the plaintiff in error made affidavit that, two weeks before the beginning of the term, he had called upon the clerk of the court, and asked to see the testimony taken before the coroner, and that the clerk had informed him that the coroner kept his book in a room upstairs, but that the room was locked at the time; that the plaintiff in error's counsel thereupon made a search for the coroner, and that, failing to find him, he called upon the solicitor for the state, and asked him if he had the original testimony, and the same was handed him, which testimony was partly in shorthand, and the stenographer who took the same being out of town at the time, counsel for the accused could therefore not get a proper and intelligent reading of the testimony. Counsel for the accused further deposed that he called upon the deputy sheriff and asked him to go into the room used by the grand jury at the time, to get the coroner's book. This was on Tuesday or Wednesday of the week of the trial. He found, upon examination, that the testimony had not been copied into the coroner's book, and that therefore the counsels were not able to read and become familiar with the testimony 'absolutely needed for contradiction on the trial of such causes.' Counsel for the state stated in this connection that when the attorney for the accused came to his office and asked for the coroner's inquisition, he handed to him the papers in the case, telling him at the time that he did not know whether he could read them or not, because they were written in a kind of short or running hand; that he had suppressed no record in the case, and had given the counsel all the records which he had; that the record was written in a kind of running long hand; that the young man who took the testimony was out of town at the time, and that he had so stated." See: "The Franklin Case," *Manning Times*, September 18, 1907; *Franklin v. State of South Carolina*, 218 S.C. 161 (1910).

⁸⁷ Tony Jerry testified that Franklin knew about the warrant, but admitted that he had been intimidated and assaulted by the lynch mob prior to the trial. Carter, the friend who had accompanied Valentine to Franklin's house, testified that Franklin had admitted to killing Valentine and had done so unprovoked. Both witnesses would later recant their testimonies and admit having been forced to lie by the lynch mob who wanted the death sentence for Franklin. See: "Pink Franklin to Hang," *Columbia State*, September 7, 1910; Letter from Thomas Miller to Frances Blascoer, December 5, 1910, NAACP Papers, Library of Congress.

⁸⁸ The two doctors who had attended to Valentine's wounds shortly after had failed to resuscitate him, which strongly suggests that the conversation the two witnesses claimed to have had with Valentine just before he died never actually happened. Furthermore, the doctors testified that the gun wounds in the lower rib cage of Valentine was the result of a close range shooting. Since Franklin was in his bed and away from the front door, Franklin could not have shot Valentine just as he entered the door of his home as the witnesses claimed. Secondly, while witnesses testified that Valentine had not fired a single shot, Franklin and his wife Sad had both been wounded by gunshots. To make this assertion true requires one to believe that Pink Franklin, a righty, shot himself in the right shoulder and shot his wife, as well, either by accident or intentionally to misdirect the investigators.

immediately asked him to raise his hands up, and as Franklin was about to do so, Valentine shot Franklin in the right shoulder. Franklin retaliated, and fired twice, but was unsure whether he hit Valentine or not since he had to use his left hand. Furthermore, as Moorer and Adams argued, the warrant was technically void considering the recent judgment. As such, the constable had no right to enter Franklin's house, and Franklin had the right to defend his home. Yet, the judge informed a member of the jury that, even with an illegal warrant, Constable Valentine had the right to use whatever means necessary to arrest Franklin, including "to force an entrance."⁸⁹ While Patsy Franklin was found innocent, the all-white jury deemed Pink Franklin guilty, and the judge sentenced him to death by hanging.

Frustrated, yet not surprised by this mockery of justice, Moorer and Adams appealed the decision to the state supreme court.⁹⁰ They knew the facts were on their side, and hoped they would benefit from a fairer trial in the state highest court. Even the white press admitted a sense of unease with the verdict. The *Manning Times*, relying on information from the *Columbia Record*, admitted that "there was no dodging the fact" that racial prejudice, not facts, explained the jury's verdict. Discussing the upcoming appeal, it rhetorically asked "will the supreme court decide the matter

⁸⁹ *State v. Franklin*, 80 S.C. 332 (1908).

⁹⁰ The composition of the state supreme court was not auspicious for Moorer, Adams, and Franklin. With one exception, all were former politicians who had taken active steps in stripping away African Americans' civil and political rights. The Chief Justice, Young J. Pope, gained legal fame for his "masterful" defense of Klansmen in the 1870s, and was a fervent Democrat and Tillmanite who partook in the "Revolution of 1876." A biographer noted that "there was no movement looking to the overthrow of the carpet-bagger and scalawag and negro government in this State that did not receive his [Young J. Pope] earnest support. It was natural, therefore, to expect him to be in the front rank of the revolution in 1876." Among the associate justices were Eugene B. Gary, the nephew and former law partner of Martin W. Gary, an early advocate of the "Shotgun policy" in 1876 and arguably the most infamous Red Shirt in South Carolina, and Ira B. Jones, the former Speaker of the House under Governor Ben Tillman and a Democratic delegate to the 1895 convention. See: *Journal of the Constitutional Convention of the State of South Carolina* (Columbia, SC: Charles A. Calvo, Jr., State Printer, 1895); Ulysses Robert Brooks, *South Carolina Bench and Bar*, vol. 1 (Columbia, SC: State Company, 1908), 62–66, 79–83; Francis Butler Simkins, *Pitchfork Ben Tillman, South Carolinian* (Baton Rouge, LA: Louisiana State University Press, 1944), 185; Bruce E. Baker, *What Reconstruction Meant: Historical Memory in the American South* (Charlottesville, VA: University of Virginia Press, 2007).

upon the constitution, or will they be guided wholly by expediency.”⁹¹ Indeed, the article stated that the court had only two options: “hold that the warrant . . . was invalid, and that Franklin was therefore justifi[ed],” or it could “disregard and defy the decision of the United States court [by] Judge Brawley . . . which held that the labor contract law . . . was unconstitutional.”⁹² The South Carolina Supreme Court chose “expediency” over constitutional law, and upheld the decision of the lower court.⁹³ At this point, Moorner and Adams would certainly have agreed with Robert Smalls that “South Carolina laws and its execution are of a ridiculous nature.”⁹⁴ They almost immediately announced that they would appeal the matter to the United States Supreme Court.⁹⁵ The Court agreed to hear the case in April 1910.

By then, Pink Franklin’s case had attracted national attention. Since the agricultural labor contract seemed to be at stake, many white southerners were concerned by the threat that the case could present to the southern labor system.⁹⁶ Civil rights organizations perceived Franklin’s case

⁹¹ “The Franklin Case,” *Manning Times*, September 18, 1907.

⁹² *Ibid.*

⁹³ *State v. Franklin*, 80 S.C. 332 (1908). The South Carolina Supreme Court ignored the question of the constitutionality of the warrant altogether. This was particularly surprising considering that one of the justices had authored an opinion claiming that the agricultural labor contract’s laws of South Carolina were unconstitutional a mere three months before the decision in the Pink Franklin case. Instead, they based their decision on a rather questionable reading of laws surrounding self-defense. According to the South Carolina Supreme Court, Franklin had no rights to self-defense until he could determine without any doubt the motive of his assailant. The fact that he was shot before he could do so apparently did not bother the justices. In fact, this point of law was so contentious that the *State* denounced the judgement and the court’s absurd position of imposing the burden of the proof on Franklin “If this is the law, then the law is despotic, and home has no sanctity. If a man must open his door to nay that come knocking, without announcing their authority or their mission, his legal “castle” is built of tissue paper. . . . If the law is based on common sense and if a man has a right to protect his home against unlawful attack, then the burden of establishing legal authority for an assault upon a home must rest upon the assailants, and not upon the householder.” “Pink Franklin’s Case,” *Columbia State*, November 11, 1910.

⁹⁴ “Beaufort Negroes Protest,” *Columbia State*, March 3, 1906.

⁹⁵ “Will be Hung,” *Manning Times*, March 25 1908; “Trying To Save Franklin,” *Abbeville Press and Banner*, April 1, 1908; “Our Suffrage Law,” *Newberry Herald and News*, May 19, 1908.

⁹⁶ “The Franklin Case,” *Manning Times*, September 18, 1907.

as an opportunity to bring an end to the agricultural labor peonage that trapped many southern African Americans into a state of near slavery. The Constitution League, a civil rights organization founded in New York in 1904, hired renowned lawyer Charles J. Bonaparte to help with the case. A Baltimore-based and Harvard-educated white lawyer, Bonaparte had served as Attorney General during the presidency of Theodore Roosevelt. However, Bonaparte proved more disruptive than helpful. In addition to a large ego, he shared the racial, classist, and sectional prejudices of many Americans from the North. Bonaparte was convinced that he would better serve Franklin than Adams and Moorner, both southern, black, and non-Ivy League educated. He had been looking for a legal opportunity to end the “peonage” laws in the South, an objective that had consumed much of his private legal work.⁹⁷ Without consulting Adams and Moorner, he attempted to take over the case, and sent his own brief to the Supreme Court.⁹⁸ Upon hearing of Bonaparte’s brief, Moorner and Adams denied that the Baltimore attorney had any role in the defense, declaring that it would be exclusively the work of “two negro lawyers.”⁹⁹ At the opening of the oral arguments, in late April 1910, Moorner and Adams became the second black lawyers from South Carolina to plead at the United States Supreme Court.¹⁰⁰ Dismayed that Moorner and Adams did not readily turn the case over to him, Bonaparte did not attend the trial.¹⁰¹

⁹⁷ “Defends Franklin,” *Fort Mill Times*, April 14, 1910.

⁹⁸ “Not In The Case,” *Manning Times*, April 13, 1910.

⁹⁹ “Negro Lawyer Claim Credit in Franklin Case,” *Washington Evening Star* (DC), April 7, 1910.

¹⁰⁰ J. Clay Smith, Jr., *Emancipation: The Making of the Black Lawyer, 1844-1944* (Philadelphia, PA: University of Pennsylvania Press, 1999), 223–24.

¹⁰¹ Letter from Frances Blascoer to John Miss Adams, November 15, 1910, NAACP Papers, Library of Congress.

Rather than solely focusing on the agricultural labor contract laws as Bonaparte recommended, Moorer and Adams chose to attack the constitutionality of the jury selection.¹⁰² However, they knew that doing so exclusively on racial grounds was nearly impossible. First, while *Strauder v. West Virginia* (1880) and *Carter v. Texas* (1900) established that the Supreme Court would consider such a challenge, the threshold of proof it required to show discrimination was incredibly high.¹⁰³ The Court required conclusive proof that there was systematic and intentional exclusion of black jurors, and refused to consider statistics or results. Only clear proof of intent *and* actual exclusion could convince the Justices.¹⁰⁴ In effect, the Court would consider discriminatory practice in jury selection only if the officials involved in the selection of the jury

¹⁰² Moorer and Adams had good reason to believe that challenging the constitutionality of the agricultural labor contract would not be sufficient to win the case. First, the issue was not truly at the center of the case. Indeed, since the state had made the case that Franklin shot constable Valentine while unprovoked, the legality of the warrant was secondary to issue of state laws on self-defense. The central question was thus whether Franklin had used “reasonable force to protect his person, his liberty, and his habitation.” As historian Lewis Burke points out, the justices could have dismissed the case because the issue of self-defense related to state, and not federal law. In any case, the Supreme Court refused to consider the issue, wrongly stating that Moorer and Adams only raised the matter in their demand of a peremptory instruction to take the case away from the jury, and not in the trial itself. In fact, Moorer and Adams had raised the issue of the warrant being illegal under the 13th amendment multiple times, but did not mention the federal statutes involved in their brief to the Supreme Court. In all fairness, based on legal precedent and the direction of the Supreme Court, Moorer and Adams had very little chance of winning their appeal, because as mentioned above, the central part of the case was a matter of state law, not constitutional law. As such, Moorer and Adams probably settled on focusing on the constitutionality of the jury selection as their best chance to have the case heard in the Supreme Court, thus keeping Franklin alive, and as an opportunity, even if a long shot, to invalidate South Carolina’s constitution. While this was not the right case to do so, Bonaparte was right, however, to believe that the Court was ready to invalidate peonage laws. Indeed, the Court did so only two years later in *Bailey v. Alabama* (1911). See: Burke, “Pink Franklin v. South Carolina.”

¹⁰³ In *Strauder v. West Virginia* (1880), the Supreme Court declared that the exclusion of individuals from juries solely because of their race was a violation of the Equal Protection Clause of the 14th Amendment. In *Carter v. Texas* (1900), the Court reaffirmed this. It stated that a defendant had the right to offer evidence of discrimination on jury selection, a right that the state of Texas had denied to Carter. As such, Carter did not need to prove to the Supreme Court that there was discrimination in the selection of the jury, but only conclusive evidence that Texas had denied him the right to challenge in this way.

¹⁰⁴ For example, claiming that roughly 98% of all South Carolina jurors were whites, although the state’s population was predominantly black, was not enough for the court. In fact, even indirect intent seemed insufficient. Indeed, in *Giles v. Harris*, 189 U.S. 475 (1903), the justices refused to consider the transcript of the Alabama constitutional conventions, during which Alabama Democrats openly stated their intentions of using the new constitution to disfranchise African Americans. See: J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven, CN: Yale University Press, 1974), 58–62, 168–71.

would admit discriminating on account of color or race. Since Franklin was not tried by an all-white jury, as one member was black, their task of proving discrimination would have been even more difficult.

Aware of this major hurdle, Moorner and Adams built their argument to dodge this impossible burden of proof. Instead, they attacked the oft-trumpeted claim that South Carolina electoral laws were colorblind with a colorblind constitutional argument of their own. Like Moorner had done before Congress, they argued that the franchise requirements of the 1895 South Carolina constitution violated a federal law, namely the Reconstruction Act of 1868. Since jurors were selected from the registration rolls, they continued, the method by which jurors were selected was unconstitutional. Consequently, the jury that condemned Franklin was illegally constituted, and had no legal authority to try Franklin. This argument did not raise the issue of racial discrimination directly, but fell under the Supremacy Clause, namely that federal laws take precedence over state laws when both are in conflict. This way, Moorner did not have to prove that African Americans were excluded from the jury, but simply had to show how the state law violated the federal one. This is precisely why Moorner and Adams told the press that they did not “seek sympathy because Franklin [was] a Negro,” nor did they intend to make much of the “race question.” Rather, they told reporters, they built their case on the “cold principles of law.”¹⁰⁵

South Carolina Attorney General J. Fraser Lyon and D. S. Henderson, a prominent white lawyer from Aiken, were the co-counsel for the state of South Carolina in the case. Like Moorner, they believed that this case offered the opportunity to settle the question of the constitutionality of the South Carolina constitution once and for all. Their defense largely focused on this question. In fact, in his oral argument, Henderson told the justices that the constitutionality of South Carolina’s

¹⁰⁵ “Not In the Case,” *Fort Mill Times*, April 14, 1910.

suffrage laws was “the sole question raised in the case.”¹⁰⁶ The two white lawyers relied on the Tenth Amendment, the landmark *Texas v. White* (1869), and the Guarantee Clause (Article IV) to counter Moorer’s claim that federal statutes supersede state laws.¹⁰⁷ They argued that since suffrage laws were not explicitly under federal power, the federal government could not dictate to states on this matter. Secondly, they claimed that since the Court had declared in *Texas v. White* (1869) that Confederate States had never left the Union, the federal government could not impose conditions to these states to re-integrate a Union they had never left. They also posited that the act in question relied on a part of the constitution that guarantees to every state a republican form of government. As such, the drafter of the act made the “error” of equating republican government to “universal suffrage.”¹⁰⁸ Furthermore, they argued, the question of what constitutes a republican form of government is a political question, and thus not a question for the Court to decide. In this regard, Henderson and Lyons were in direct opposition to Congress, who had repeatedly deemed the question to be of judicial resort. Quoting Justice McKenna in *Williams v. Mississippi* (1898), they concluded that in any case, South Carolina electoral laws were constitutional, since “it had not been shown that actual administration [of these laws] was evil, only that evil was possible under them.”¹⁰⁹

¹⁰⁶ Daniel Sullivan Henderson Jr., Peronneau Finley Henderson, and T. R. Henderson, *Life and Addresses of D.S. Henderson* (Columbia, SC: R. L. Bryan Company, 1922), 111.

¹⁰⁷ Henderson Jr., Henderson, and Henderson, 110–28. This doctrine is at the heart of the Voting Rights Act of 1965. Unsurprisingly, the white South reacted to the landmark 1965 legislation with the very same arguments as those put forth by Henderson in the Franklin case. Namely, that the 1868 Reconstruction Act, like the 1965 Voting Rights Act, was unfairly targeting the South, and violated the 10th Amendment (states’ rights). As Lewis Burke suggests, Moorer and Adams could be seen as ahead of their time, as their logic became the foundation for the protection of African Americans’ voting rights from the mid 1960s onward.

¹⁰⁸ Henderson Jr., Henderson, and Henderson, 118.

¹⁰⁹ Henderson Jr., Henderson, and Henderson, 128.

Despite the virtual consensus as to the main question in this case, the Supreme Court saw the matter differently. “If it could be held that the act of Congress restricted the state of South Carolina in fixing the qualifications for suffrage,” the Court stated, “it is unnecessary to decide the point in this case.”¹¹⁰ Even if South Carolina’s constitution was unconstitutional, and consequently the very rules of jury selection, the justices reasoned, the 1868 constitution would not have disqualified any members who sat on the jury when the case was heard in South Carolina. But this was not at all what Moorer and Adams contended. The problem they presented to the Court was not that the individual jurors were unqualified, but that the pool of jurors from which the state could pick was unconstitutionally limited. In other words, Moorer and Adams argued that the problem was not who *was* on the jury, but who *could not be* on the jury. Without these limitations, Moorer and Adams rightfully claimed, the jury would have assuredly been different, and Franklin may have been acquitted. Yet again, the Court dodged the controversial issue of disfranchisement.

The Justices also responded to Moorer and Adams that even if South Carolina’s 1868 constitution had still been in force, there was nothing in the Reconstruction Acts preventing South Carolina from selecting juries according to the 1895 constitution. While technically correct, this affirmation was rather perverse. It also suggests that the Court believed that disfranchisement was inevitable because this state of affairs was largely the result of disfranchisement and decisions from the Court itself. In fact, reforming jury selection was one of the first accomplishments of the Reconstruction government in South Carolina. In 1869 the legislature had passed legislation requiring juries to reflect the racial demographics of the counties in which they sat.¹¹¹ By the early

¹¹⁰ *Franklin v. State of South Carolina*, 218 S.C. 161 (1910), 3.

¹¹¹ Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861-1877* (Chapel Hill, NC: University of North Carolina Press, 1965), 329–34.

1870s, many other southern states had similar requirements. However, this requirement was abandoned after Reconstruction, with the approval of the Supreme Court. In *Virginia v. Rives* (1879), the Court denied the plaintiff's right to require a representative jury, and ruled that if all-white juries were not the result of overt discrimination due to race, they were constitutional.¹¹² As long as there were twelve white men in a county, the Court affirmed, an all-white jury was potentially constitutional. In other words, states could choose to pass such legislation requiring demographically representative juries, but did not have to. Had the federal government protected African American rights and prevented the disfranchisement of African Americans, such requirement for jury selection would still have been in place in South Carolina at the time of Franklin's trial.

Rather than engaging with the colorblind constitutional question presented by the two black lawyers, the Supreme Court thus construed the question as one of simple racial discrimination. The Court stated that the plaintiff failed to provide any evidence of systematic discrimination. Of course, this was not at all Adams's and Moorers's intention – they specifically built their case not to have to do this – nor was it the main constitutional question faced by the Court. There is, however, an element of irony in the fact that a constitutional argument meticulously shaped to be colorblind was interpreted in such a way by the Supreme Court. It demonstrates that while the Court certainly did not believe in the colorblindness of the southern electoral laws, it was nevertheless unwilling to do anything about it. The Supreme Court thus ruled against Moorers and Adams on this count, as well as on all their other motions.

¹¹² In *Virginia v. Rives* (1879), the Court refused to consider the result (the juries) and only claimed that the constitution defended the process (the method by which the jury is selected). In so doing, they provided the legal framework upon which southern states like South Carolina built their new constitutions.

Even if the justices claimed that the main issues of the case were not the Reconstruction Act and the electoral laws of South Carolina, the white South knew all along what was really at stake. The press reported with great relief that it was “a matter of much gratification that our State elections laws are practically upheld by the highest Court in the land, and those who are continuously fighting those laws should be satisfied.”¹¹³ Both Attorney General Lyons and lawyer D. S. Henderson used this victory to present themselves as the champions of white supremacy who had saved South Carolina’s electoral laws.¹¹⁴ Moorner, however, was far from “satisfied,” and would continue the fight for African Americans’ political rights.

The First Case of the NAACP

In the meantime, Moorner had a far more pressing problem in mind: saving the life of Pink Franklin. He pursued this objective through two avenues: appealing to the governor for clemency and appealing the decision in court. Adams and Moorner first prepared a petition in June demanding to Governor Martin Ansel that Franklin’s sentence be reduced to life imprisonment.¹¹⁵ In September, they filed for retrial based on a witness recanting his testimony.¹¹⁶ The judge denied their request, and set Franklin’s execution for December 23rd.¹¹⁷ Moorner and Adams immediately filed an appeal to the state Supreme Court. In the meantime, time was running short to appeal to

¹¹³ “Franklin Must Hang,” *Cheraw Chronicle*, June 16, 1910.

¹¹⁴ “Evans Gets Warm,” *Fort Mill Times*, July 21, 1910; Henderson Jr., Henderson, and Henderson, *Life and Addresses of D.S. Henderson*.

¹¹⁵ “Seeks a Paron [sic],” *Orangeburg Times and Democrat*, June 28, 1910.

¹¹⁶ “Pink Franklin to Hang,” *Bamberg Herald*, September 15, 1910.

¹¹⁷ “Franklin Resentenced,” *Orangeburg Times and Democrat*, September 8, 1910.

Governor Ansel. Indeed, the current Governor was to be replaced in January by Cole Blease, “a man who is violently anti-Negro,” and thus unlikely to grant a pardon to Franklin.¹¹⁸

Moorer and Adams were not the only ones trying to save Franklin’s life. By then, a newly formed organization, the National Association for the Advancement of Colored People (NAACP), mobilized its resources to achieve the same end. The bi-racial organization had been founded in 1909 by a handful of African Americans, such as Idea B. Wells and W. E. B. Du Bois, and a number of white socialists and activists like Mary White Ovington, Archibald Grimke, and the grandson of famed abolitionist William Lloyd Garrison, Oswald Garrison Villard. The group sought to replace the conservative and accommodationist strategy of Booker T. Washington with a more militant and uncompromising stance on racial discrimination. Perceiving the Washingtonian focus on education, economic, and moral uplift as too narrow, the NAACP shared the views of the militant wing of the South Carolina Republican Party that political rights were also essential to meaningful progress. However, reflecting the same mixture of racial and class elitism of Bonaparte a few months back, the NAACP never bothered offering their help to Moorer and Adams. Instead, they immediately sought to take sole control of Franklin’s case. Southern African Americans, to be successful, had to follow the lead of the better-equipped northern intellectual elite. Hence, like former Attorney General Bonaparte, they expected that Moorer and Adams would recognize the organization’s superiority, and completely surrender the leadership in what became the “first case of the NAACP.”

If the organization was created to replace accommodationism with a new and more radical activism in their first case, they emulated the method of Booker T. Washington. In fact, this was

¹¹⁸ Letter from Thomas Miller to Frances Blascoer, December 5, 1910, NAACP Papers, Library of Congress.

the only major instance in which Washington openly assisted the young organization.¹¹⁹ The NAACP had little faith in its ability to save Pink Franklin through the legal system, believing instead that “the only thing left for poor Franklin's benefit appears to be an appeal to the clemency of the South Carolina executive.”¹²⁰ In order to pursue that course, they sought a contact on the ground who could coordinate their effort at the local level. Thomas E. Miller offered his help. A former Republican congressman and the president of South Carolina College (today South Carolina State University), Miller was one of the most powerful African Americans in the state.¹²¹ By then, Miller had abandoned his formerly militant stance in matters of political rights, and had grown increasingly critical of his former colleagues in the state Republican Party. He had adopted the views of most white South Carolinians and considered the leadership of the party to be composed of self-serving, corrupt, and vile individuals. During the first decade of the twentieth century, Miller came to adopt the accommodationist and conservative stance in matters of racial progress. Miller's views were largely informed by the reality and demands of his professional position. As president of South Carolina College, Miller served at the pleasure of the governor. His college's success depended heavily on his ability to obtain funds from an all-white Democratic legislature. Miller was largely successful in this regard, as his non-confrontational stance led him to gain the confidence and the respect of influential whites. Miller was particularly incensed by

¹¹⁹ See correspondence between Booker T. Washington and Oswald Garrison Villard, August 4-9, 1910 in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 10, 1909-1911* (Urbana, IL: University of Illinois Press, 1981), 362–66.

¹²⁰ Letter from Albert E. Pillsbury to Frances Blascoer, July 26, 1910, NAACP Papers, Library of Congress.

¹²¹ “Philosophy on the Race Issue,” *Columbia State*, October 28, 1901; “Opposes Social Equality,” *Newberry Herald and News*, September 15, 1905; Letter from Frances Blascoer to Dr. Bentley, November 15, 1910, NAACP Papers, Library of Congress; “South Carolina Negro Wants Democrats Left In,” *Charlotte Observer* (NC), April 9, 1921.

activists such as Prioleau and Moorner, who stirred up trouble between the races and complicated his relationship with powerful whites whose support he needed.

Miller offered his help because he was both genuinely concerned by the plight of Franklin and highly critical of Adams and Moorner's handling of the case. While perhaps not fully sharing the NAACP's ideological stance, Miller certainly shared its view of Franklin's legal counsel. Like most of the NAACP leaders of the time, he believed that Moorner and Adams were "rascals" who "butchered the case," and that their "pomposity," "blind ambitions," "incompetency, vanity, and presumptions" sealed "Franklin's doom."¹²² In fact, Miller's distrust of Moorner was such that he told the NAACP that "as long as Attorneys Moorner and Adams are connected with the case," he would not partake in it. "Their being in the case injured poor Franklin," he told the NAACP, "and my being associated with them would injure me."¹²³ Instead, Miller concurred with Bonaparte that Franklin would be better served by "fair minded, honorable, white lawyers" from South Carolina who were "regularly employed," and had no "entangling alliances with northern people, Republicans or Negroes."¹²⁴

In fairness, Miller and the NAACP knew that the real travesty of justice were the South Carolina courts and the stupendous deafness of the Supreme Court to the plight of African Americans. But to them, this was a given, a fact of life that would not be altered any time soon. As a result, it was not just their elitism that triggered such an outpouring of rage against Moorner and Adams. The "stupidity and conceit" they charged Moorner and Adams with was that the two

¹²² Letter from Thomas E. Miller to Wm. English Walling, July 19, 1910; Letter from Charles J. Bonaparte to Frances Blascoer, July 30, 1910; Letter from Charles J. Bonaparte to Frances Blascoer, August 4, 1910; Letter from Alfred Pillsbury to Frances Blascoer, November 12, 1910, NAACP Papers, Library of Congress.

¹²³ Letter from Thomas E. Miller to Wm. English Walling, July 19, 1910, NAACP Papers, Library of Congress.

¹²⁴ Letter from Charles J. Bonaparte to Frances Blascoer, August 4, 1910, NAACP Papers, Library of Congress.

provincial black lawyers could believe for a second that they could possibly win a case before an all-white racist cast of jurors and judges.¹²⁵ They should have known better, and let qualified white lawyers like Bonaparte take over. This way, they argued, the jury and the judges may have given a much fairer hearing to Franklin's legal defense.

Miller and the NAACP spent part of the summer and fall of 1910 finding white lawyers and "doing all [they] can to get rid of Moorner and Adams."¹²⁶ Miller asked Prioleau to act as intermediary and try to convince Moorner to withdraw from the case.¹²⁷ Miller also prepared an appeal to the governor by collecting local signatures to his petition for Franklin, as well as by enlisting the support of many important state and national leaders. In this, he was extremely successful. Booker T. Washington, President William Taft, the editor of *The State*, Ambrose Gonzales, a member of the jury, and even Judge J. C. Klugh, who had initially sentenced Franklin, wrote letters to the governor in support of a pardon or a commutation to a life sentence.¹²⁸ This surprisingly wide support among influential whites should not be seen as any indication that they believed that the racist southern justice system was ripe for reform. Instead, this kind of occasional intervention was a pernicious arbitrary measure to ensure its continuity. It was meant to soften the edges of injustice before a national audience, and ultimately to pre-empt the threat of systemic

¹²⁵ Letter from Oswald Garrison Villard to Booker T. Washington, August 4, 1910 in Harlan and Smock, *The Booker T. Washington Papers, Volume 10, 1909-1911*, 362–63.

¹²⁶ Letter from Thomas E. Miller to Frances Blascoer, August 22, 1910; Letter from J. E. Wallace to Whitefield McKinley, October 2, 1910; Letter from W. E. B. Du Bois to John Adams, October 13, 1910; Letter from Frances Blascoer to Thomas Ewing, October 14, 1910; Letter from Thomas Ewing to John Adams, October 17, 1910; Letter from Jacob Moorner to Thomas Ewing, October 19, 1910; Letter from Thomas Miller to Frances Blascoer, October 27, 1910; Letter from Frances Blascoer to Oswald Villard, November 4, 1910, NAACP Papers, Library of Congress.

¹²⁷ Letter from J. E. Wallace to Whitefield McKinley, October 2, 1910, NAACP Papers, Library of Congress. Miller would later blame Prioleau as the source of the rumor that Moorner and Adams wanted \$1,000. See: Letter from Thomas Miller to Frances Blascoer, October 27, 1910, NAACP Papers, Library of Congress.

¹²⁸ Burke, "Pink Franklin v. South Carolina," 293–96.

change. For African American laborers like Franklin, it simultaneously provided hope and served as a reminder that they lived at the pleasure of influential whites.

In November 1910 Moorer and Adams finally agreed to withdraw from the case and let Miller, the NAACP, and the white lawyers they hired take care of it.¹²⁹ Contrary to the rumors that Miller had floated with NAACP leaders and the press, “Pig Moorer,” as Miller called him in private, and his associate John Adams did not demand \$1,000 to leave the case.¹³⁰ Their demands were far less eccentric. Before withdrawing their appeal to the State supreme court or leaving Miller’s lawyers take charge of it, they first wanted the assurance that “there is likelihood of the present governor pardoning Franklin.”¹³¹ The appeal was otherwise the only way in which Franklin’s life could be saved. In that, Moorer and Adams were not different from Miller, and wanted to do all in their power to save Franklin’s life. Secondly, they demanded that the NAACP refund them for the cost of the appeal, which Moorer and Adams had funded from their own, and by then, largely empty pockets.¹³² Miller and the NAACP agreed to both demands. They paid them back the nearly \$200 the lawyers had invested in the appeal, and convinced them that the appeal to the governor would be successful. Miller, who pompously repeated to the leaders of the NAACP that “the word failure has yet to be written in my pathway,” had reason to be confident.¹³³ He had

¹²⁹ Letter from Thomas Ewing to Oswald Villard, November 11, 1910, NAACP Papers, Library of Congress.

¹³⁰ Letter from J. E. Wallace to Whitefield McKinley, October 2, 1910; Letter from Thomas Ewing to John Adams, October 17, 1910; Letter from Jacob Moorer to Thomas Ewing, October 19, 1910; Letter from Thomas Miller to Frances Blascoer, October 27, 1910, NAACP Papers, Library of Congress.

¹³¹ Letter from John Adams to W. E. B. Du Bois, October 17, 1910, NAACP Papers, Library of Congress.

¹³² Moorer received \$70 or \$80 and John Adams \$115. See: Letter from Thomas E. Miller to Frances Blascoer, Oct. 10, 1910; Letter from John Adams to Frances Blascoer, Nov. 22, 1910; Letter from Thomas Miller to Frances Blascoer, December 1, 1910, NAACP Papers, Library of Congress.

¹³³ Letter from Thomas E. Miller to Frances Blascoer, August 17th, 1910, NAACP Papers, Library of Congress.

not only enlisted the support of many state and national leaders, but also developed a cordial, if deferential, relationship with Governor Ansel.¹³⁴

In the end, Miller succeeded. After agreeing to postpone the execution set for December 23rd, Governor Ansel, only 5 days before leaving office, finally agreed to commute Franklin's penalty to life imprisonment.¹³⁵ Franklin's life was saved. Yet, the governor refused to reduce the sentence to a few years or to grant a full pardon.¹³⁶ This decision baffled even Orangeburg's *Times and Democrat*, the most important newspaper of the area where the events occurred. "He was guilty of murder or nothing," wrote the *Times and Democrat* in the aftermath of the governor's decision.¹³⁷ For its part, the newspaper and most of the white Orangeburg residents stood strongly for the former, hinting that the governor's decision would trigger more lynching in the future.¹³⁸ These open threats were one of the reasons that the courts were so reticent to enact a ruling challenging white supremacy in the South. While Franklin's sentence was commuted, the next few years of his life brought extreme hardship for he was forced to labor in the worst conditions of the South Carolina penal system. Miller, while disappointed by the governor's decision not to pardon Franklin, was nevertheless grateful that the governor agreed to save his life.¹³⁹ Fortunately,

¹³⁴ For example, Miller wrote a pleading letter to Ansel in which he states: "It is impossible to express my affection and respect for you. You have defended and supported every official request that I have made upon your excellency, and an older brother or a father could not have given me, and my effort a heartier and friendlier support. . . . I shall ever treasure my four year's service under you as an oasis through life's desert, and should it ever be in my power to serve you or yours, just hint it, dear Sir, and I will fly to serve you." Letter from Thomas Miller to Governor Ansel, December 15, 1910, NAACP Papers, Library of Congress.

¹³⁵ "Commutes Negro's Sentence," *Walhalla Keowee Courier*, January 11, 1911.

¹³⁶ "Pink Franklin Case," *Orangeburg Times and Democrat*, January 17, 1911.

¹³⁷ *Ibid.*

¹³⁸ *Orangeburg Times and Democrat*, December 20, 1910; "Pink Franklin Case," *Orangeburg Times and Democrat*, January 17, 1911.

¹³⁹ Thomas E. Miller letter to Frances Blascoer, January 8, 1911, NAACP Papers, Library of Congress.

Franklin was paroled in 1919 by governor Richard Irvine Manning III and set free, a turn of events celebrated by the NAACP.¹⁴⁰ Shortly after being freed from prison, Franklin changed his name to Mack Rockingham, and relocated to Barnwell County, where he lived until his death in 1949.¹⁴¹

Both the press at the time and most of the subsequent literature on the subject, exclusively point to the work of the NAACP and Miller for the sparing of Franklin's life.¹⁴² In fact, recent treatment of the case introduced Franklin's Supreme Court case as led by the NAACP rather than by two independent black lawyers from South Carolina.¹⁴³ However, while Miller and the NAACP certainly deserved credit, so do Moorer and Adams. Based on the resentment against Adams and Moorer among whites and nationally influential African Americans, it seemed unlikely that the two lawyers would have been able to save Franklin without the help of the NAACP. But for all their presumed ill-intentions and stubbornness, once the organization took the time to discuss with the black lawyers and explain their plan, Moorer and Adams readily allowed the NAACP take over the case. However, their most significant contribution precedes the NAACP's interest in the case. Indeed, they achieved a rare feat for two black lawyers: building a strong enough case to go to the Supreme Court of the United States, thus keeping alive for over three years a black man convicted of murdering a white man. Without the thankless and relentless efforts of Moorer and Adams, which were in part due to the voting rights implications that Moorer saw in the case, Franklin would have died, and the first case of the NAACP would have been a different one.

¹⁴⁰ *Dallas Express* (TX), February 22, 1919; "Pink Franklin Paroled During Good Behavior," *Crisis* 17, no. 5 (March 1919): 231.

¹⁴¹ Burke, "Pink Franklin v. South Carolina," 299–300.

¹⁴² See for example: "Pink Franklin Case," *Orangeburg Times and Democrat*, January 17, 1911.

¹⁴³ Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York, NY: New Press, 2009); Gloria J. Browne-Marshall, *The Voting Rights War: The NAACP and the Ongoing Struggle for Justice* (Lanham, MD: Rowman & Littlefield, 2017).

The Franklin case contributed to important changes within the NAACP.¹⁴⁴ First, it led the NAACP to quickly reform its functioning. While it helped publicize the newfound organization and attracted a number of supporters and collaborators, it fell quite short of the NAACP's ambitious objectives. They barely saved the life of a man who still ended up spending eight years in jail. In this way, the case illustrated the inherent limitations of this kind of rescue mission for the new organization. While Franklin was saved, how many other African Americans who did not have the "luck" of Franklin died anonymously because of the cruel injustices of Jim Crow? And not only did saving Franklin have little systemic impact, if any at all, but it required an enormous amount of resources. The NAACP responded to this by creating a legal department in the immediate aftermath of their involvement in the Franklin's case. Having learned from the failure of Moorner, Wilford H. Smith and others who tried to bring down Jim Crow's electoral system in one large legal swoop, the NAACP hunted for cases that would allow it to slowly, but surely, chip away at Jim Crow. Less than four years later, the organization raked in its first important victory, when, in *Guinn v. United States* (1915), the Supreme Court declared that the Grandfather Clause was unconstitutional.¹⁴⁵

Additionally, the clash between Moorner and the white-dominated NAACP forced the young organization to reckon with an inherent contradiction in its mission. Ultimately, both Moorner and the NAACP were fighting for political rights. Both understood these rights as essential

¹⁴⁴ Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865* (Lexington, KY: University Press of Kentucky, 2006); Sullivan, *Lift Every Voice*.

¹⁴⁵ The victory in this case greatly helped the organization, both in terms of prestige and membership. However, it had little immediate impact on southern elections. First, by 1915, it affected few people. Indeed, the youngest white voters benefitting from this unjust clause were already quite old (68 or more). Secondly, southern states quickly enacted new laws that had the same effect. See: Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York, NY: Oxford University Press, 2004); Sullivan, *Lift Every Voice*; R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge, LA: Louisiana State University Press, 2010).

to achieve African Americans' self-determination and equal opportunities. But how could the NAACP expect African Americans to earn self-determination if the organization itself denied them this? Indeed, their rather cavalier takeover of the Franklin case reinforced historian Peter Lau's assertion that, in its early years, the top-down NAACP conceived of its mission as winning rights *for* African Americans, and not really *with* African Americans.¹⁴⁶ In this sense, Moorner and Adams attracted the ire of the organization because they stood in the way of this mission. From the two lawyers' perspectives, however, the opportunity to practice the law on equal terms with whites was an integral part of the objective. Indeed, they were presumably dumbfounded that the organization chastised them rather than celebrated the powerful and empowering symbolism for southern African Americans to witness two of their own arguing with white lawyers before white judges of the Supreme Court on behalf of someone of their own race. In this case, as in the election contests, Moorner and the militant wing of the Republican Party refused to remain bystanders and wait for a small class of African American and northern white elites to fix the problem for them. While they welcomed all the help they could get, they believed that all southern African Americans, the primary victims of Jim Crow, were ideally positioned to contribute to both setting the agenda and fighting against Jim Crow. They did not want the NAACP to simply win power for them, they expected to be empowered by it. Without this transformative process, civil rights would ring hollow to most African Americans.

The NAACP began addressing this problem by decentralizing its activities and chartering local branches.¹⁴⁷ Field secretary James Weldon Johnson was the main architect of this transformation. He organized a southern tour to make the NAACP into a mass movement. His

¹⁴⁶ Lau, *Democracy Rising*, 9.

¹⁴⁷ For a good discussion of the NAACP in South Carolina, see: Lau, *Democracy Rising*.

primary objective was to create an institutional foothold for the NAACP in as many cities as possible. As historian Peter Lau explains, Johnson's call for collective action represented a shift from the focus of individual uplift of the accommodationist era.¹⁴⁸ Militant Republicans had largely anticipated this shift toward collective action to reclaim the rights for all African Americans. And they also had anticipated the agenda of the NAACP, which combined civil and political rights as part of a unified battle for advancement. Hence, when Johnson and the NAACP began to encourage the creation of local chapters, it did not take long for South Carolinians to organize their own.

The first chapter of the NAACP in the Palmetto State was founded in 1917, when the Capital City Civic League of Columbia decided to merge with the NAACP.¹⁴⁹ The Capital City Civic League was an organization founded in the mid 1910s and composed of African Americans "for the sole purpose of contesting and contending for our every Constitutional right, privileges, and immunity." It was founded as a result of the collaboration of N. J. Frederick, a lawyer from Orangeburg, and Jacob Moorer.¹⁵⁰ Fifteen years older, Moorer acted as Frederick's mentor, and collaborated with him on numerous cases.¹⁵¹ Moorer helped groom Frederick into one of the most noteworthy civil and political rights activists of the 1920s and 1930s. Indeed, Frederick would become the leading black lawyer for the NAACP in Columbia, and one of the first black lawyers

¹⁴⁸ Lau, 25.

¹⁴⁹ Letter from Butler W. Nance to W. E. B. Du Bois, June 8, 1915; Letter from Miss Nerney to Butler W. Nance, June 17, 1915; "An Address to the People of South Carolina, under the auspices of the Capital City Civic League," 1915; Letter from Roy Nash to N. J. Frederick, February 19, 1917, NAACP Papers, Library of Congress.

¹⁵⁰ "An Address to the People of South Carolina, Under the Auspices of the Capital City Civic League," 1915, NAACP Papers, Library of Congress; W. Lewis Burke, "Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War," *South Carolina Law Review* 57 (2006): 880.

¹⁵¹ Moorer and Frederick's most important case was probably in 1915, when they defended James and Adlee Sanders, who like Pink and Patsy Franklin, were charged with murdering a white man. As in the Franklin case, Moorer, this time assisted by N. J. Frederick, challenged the constitutionality of the jury selection process. Burke, 872-82.

to serve on the NAACP National Legal Committee.¹⁵² He was notably praised for his courageous legal work by Charles H. Houston for never hesitating to take on “highly inflammable issues.”¹⁵³ By 1919 seven other cities opened NAACP branches in the state.¹⁵⁴ These branches, focused on political rights and their embrace of a “radical spirit,” and were led by a number of African Americans previously involved in contesting elections for the Republican Party to join the young organization.¹⁵⁵ In fact, one of the first major efforts of the Columbia branch of the NAACP was to help African American men, and by 1920, women as well, to register to vote.¹⁵⁶

Moorer’s reputation eventually recovered from the attacks of Miller and NAACP leaders. He was later called by an African American newspaper “a leading attorney in the State irrespective of race or color,” and praised for his critical role in the “growing confidence” of African Americans in their “own attorneys.”¹⁵⁷ However, Moorer, a proud man, seemed to have held a personal grudge against the NAACP for years. While he remained in contact and collaborated on legal cases with numerous South Carolina NAACP leaders, most of whom were also Republicans, he apparently did not get involved with the organization. Instead, Moorer pursued similar aims in several other political and civil rights organizations, including in the National Equal Rights League, where he

¹⁵² Letter from Arthur Spingan to Walter White, June 15, 1932; Walter White to N. J. Frederick, June 30, 1932, NAACP Papers, Library of Congress.

¹⁵³ Charles H. Houston, “The Need for Negro Lawyers,” *The Journal of Negro Education* 4, no. 1 (1935): 52.

¹⁵⁴ Lau, *Democracy Rising*, 47.

¹⁵⁵ Letter from MCN/EBH to Butler W. Nance, July 1, 1915, NAACP Papers, Library of Congress. N. J. Frederick, H. H. Mobley, I. S. Leevy, J. H. Goodwin, and Charles C. Jacobs are examples of Republicans who became leaders in the NAACP.

¹⁵⁶ Butler W. Nance, “Notes From the Columbia Branch,” May 20, 1919; Memorandum from Mr. Shillady to Mr. Morton, May 27, 1919; Letter from Butler W. Nance to Walter F. White, September 20, 1920; NAACP Papers, Library of Congress.

¹⁵⁷ “Distinguished Attorneys,” *Columbia Southern Indicator*, October 15, 1921.

served as an officer and drafted the 1919 “Plan for National Race Defense.”¹⁵⁸ Moorer and the NAACP did eventually bury the hatchet, however. In 1928, W. T. Andrews Jr., the son of a prominent South Carolina Republican and then secretary for the NAACP, recruited Moorer as legal help for the state organization.¹⁵⁹ By then, an aging Moorer surely recognized that the organization was the best vehicle for the continuation of his life-long struggle to re-enfranchised African Americans.

The Lily-White Threat and the Rise of Joseph W. Tolbert

Simultaneous to the operation to save Pink Franklin, a critical battle for the future of the Republican Party was looming in South Carolina. In a convention boycotted by nearly all white Republicans of the state, Joseph W. Tolbert was crowned chairman of the party. While some Republicans would have preferred a black chairman, most were “satisfied” with the election of Tolbert. Like party leader W. T. Andrews, they were convinced that “Tolbert [is] true and will not betray us.”¹⁶⁰ Tolbert largely owed his victory to the strategic decisions he took in 1908. By becoming one of the most virulent anti-Taft and pro-Foraker supporters in the state, Tolbert ingratiated himself with Prioleau and the militant Republicans. Tolbert did so at the very moment when the militant wing of the party completely lost faith in Deas. Militant Republicans accused

¹⁵⁸ Moorer’s reticence to join the NAACP can be gleaned from the fact that his “Plan for National Race Defense” called for the establishment of an organization on nearly the exact same basis as the NAACP. It called for the establishment of local and state chapters, a national headquarters in Washington, and for the establishment of a legal fund. The difference is that the National Equal Rights League wanted to keep the organization all-black. “A Plan for National Race Defense,” Salt Lake City *Broad Ax* (UT), October 25, 1919; “Equal Rights League Offers Plan of National Defense for Negroes,” *Dallas Express* (TX), November 1, 1919.

¹⁵⁹ Letter from W. T. Andrews Jr. to Jacob Moorer, Feb 1st 1928, NAACP Papers, Library of Congress.

¹⁶⁰ Letter from W. T. Andrews to Withfield McKinlay, October 4, 1910, Carter Woodson Papers, Library of Congress.

the chairman of privileging his federal job and boss John G. Capers over the interest of African Americans. At the 1910 state convention, a politically weak Deas met his “political Waterloo.”¹⁶¹ Knowing beforehand that his fate was sealed, Deas had in fact withdrawn from the chairmanship race prior to the convention.¹⁶²

In a resolutely anti-administration convention, the few Taft supporters daring to challenge the Tolbert-Prioleau machine were either silenced or suffered resounding defeat. T. L. Grant, a constant critic of Prioleau and a pro-Taft delegate at the 1908 Republican National Convention, placed his candidacy for the vice-chairmanship of the party. Presenting himself as the conservative voice of reason, he warned convention goers that taking too strong a stance against Taft could backfire. It could hamper their chance of obtaining good federal jobs and, most importantly, encourage the White House to support a pro-administration Lily-White faction.¹⁶³ Tolbert and Prioleau supporters, however, were not in the mood for such restraint. Grant ended up losing his bid for the vice-chairmanship of the party to J. R. Levy, an anti-Taft Republican ally of Tolbert and Prioleau.¹⁶⁴ The election of a nearly all-black leadership by a virtually all-black convention led *The Crisis* to delightedly report that “[t]he Negroes of South Carolina gained complete control of the State Republican Convention.”¹⁶⁵

¹⁶¹ “Deas Kicked Out,” Orangeburg *Times and Democrat*, September 29, 1910.

¹⁶² “Republican Convention,” Sumter *Watchman and Southron*, October 1, 1910.

¹⁶³ “Deas Kicked Out,” Orangeburg *Times and Democrat*, September 29, 1910; “Republicans Meet for Organization,” Columbia *State*, October 27, 1910.

¹⁶⁴ “Deas Kicked Out,” Orangeburg *Times and Democrat*, September 29, 1910. Levy voted for Charles W. Fairbanks at the Republican National Convention of 1908.

¹⁶⁵ “Along The Color Line,” *Crisis* 1, no. 1 (November 1910): 3.

The Crisis celebrated a little too soon, however. A Lily-White Republican Party was in the making in South Carolina, which explained why South Carolina national committeeman John G. Capers and other white Republicans chose to boycott the state convention.¹⁶⁶ This nascent Lily-White organization organized its own convention in 1910. In the keynote address, John Capers declared that the party had to become Lily-White because African Americans were “not made nor fit for political equalization with you and me.”¹⁶⁷ Freeing the South Carolina Republican Party from the “political burden” that were African Americans was the only way forward, argued Capers. This way, the many white Democrats who refused to associate with African Americans, but who agreed with the policies of the national Republican Party, would consider joining the state organization. The implications of such a new Republican organization did not escape the *State*, who immediately wrote the political obituary of African Americans:

Thus, the black man is passing from politics. At a fearful cost, he has been experimented with, not for his own good, but that he might bear the burdens of those who were willing to use him. He should welcome his second emancipation. In South Carolina, led by unscrupulous whites and at times aided by the bayonets, he held his most desperate sway, for a decade succeeding the War Between the States, and in South Carolina he has been most effectively used by the Republican Party. Out of politics, he might heed the appeal of Booker T. Washington to turn his attention wholly to industry.”¹⁶⁸

The nascent Lily-White organization aimed to challenge the legitimacy of the Tolbert-led party at the 1912 Republican National Convention, and thereby become the official organization in the

¹⁶⁶ “May Form Party of Lily Whites,” *Columbia State*, October 6, 1910; “Move for White Party,” *Columbia State*, October 7, 1910; “A Republican Organization,” *Columbia State*, October 12, 1910; “Republicans Meet for Organization,” *Columbia State*, October 27, 1910.

¹⁶⁷ “Republicans Declare the Negroes Unfit,” *Newberry Herald and News*, November 1, 1910.

¹⁶⁸ “Lily White in South Carolina,” *Columbia State*, November 1, 1910.

state. They intended to achieve this by contrasting the Tolbert-led organization's hostility toward the current administration to their unconditional support for President Taft.

The *State*, however, also jumped to conclusions too quickly. To gain legitimacy, the new white organization had to gain the support of the national party. Capers had good reason to believe that this would be easy. He was, after all, the national committeeman and had a good relationship with the Taft administration. Furthermore, Taft had been actively trying to convince the white South to join the Republican Party in 1908. And the president's recognition of southern Lily-White factions at the 1908 convention suggested that he supported Capers' strategy to help the party get a foothold in the region. However, by 1912 Taft had far more pressing issues than Republican growth in the white South. Former president Theodore Roosevelt had returned to the national scene to challenge Taft for the Republican nomination. Roosevelt felt betrayed by Taft's pursuit of conservative rather than progressive policies. As a result, both Republican presidential hopefuls engaged in a vast scramble for southern delegates in anticipation of a heated 1912 Republican convention. Rather than ideology, both came to prize unwavering loyalty above all in these southern delegates.

Capers' Lily-White group, however, made the critical mistake of vacillating between both candidates. When they formed the organization, Lily-Whites were united in wanting to expel African Americans from the party. But their unity for President Taft was based more on their disdain for the Democratic alternative than for Taft himself. In fact, many Lily-Whites were proud progressives who, like Roosevelt, were dismayed by the conservatism of Taft. Thus, when Roosevelt announced his candidacy, the Lily-White group experienced the same split as the national party.¹⁶⁹ Capers failed to keep the group united as conservative and progressive

¹⁶⁹ "Capers Candidate in Fourth District," *Columbia State*, April 10, 1912; "Meet Postponed by Other Wing," *Columbia State*, May 2, 1912; "Republican Club Elect," *Charleston Evening Post*, June 19, 1912; "Capers an Officer

Republicans vied for control of the group. This led to remarkable confusion in the organization: it first declared their support for Taft, then for Roosevelt, before going back to Taft, although some members publicly declared they were still for Roosevelt. The press, dizzy with these constant reversals, quipped that Capers' Lily-Whites would probably declare their allegiance to the Democrats by the time of the election.¹⁷⁰ In the end, the Lily-White group was so divided that it never elected a delegation for the 1912 Republican National Convention. Most gradually reintegrated into the regular Tolbert-led party. Capers, however, never recovered. This attempt at fully whitening the party led to his political downfall, and led him back to his private law practice.¹⁷¹

While the Capers-led Lily-White group offered a demonstration of political ineptitude, the Tolbert-led group gave a master class in expediency. The formerly bitter anti-Taft Tolbert and Prioleau pushed their organization swiftly into the incumbent president's camp. Understanding the situation and what was at stake, most militant Republicans readily closed ranks with them. Like Republican leader and newspaper editor W. T. Andrews, they were willing to compromise in order "to save the only Republican organization in the U.S. in which the Negro has the controlling voice."¹⁷² As early as February 1912, the party held a convention in which they formerly endorsed Taft. They told reporters that they would send a delegation fully in line for Taft to the Republican National Convention of 1912.¹⁷³ Capers responded by trying to spread rumors that Tolbert,

of Roosevelt League," *Columbia State*, June 19, 1912; "A South Carolina Rooseveltian," *Columbia State*, June 19, 1912; "Capers Goes Back on the Colonel," *Charleston Evening Post*, July 6, 1912;

¹⁷⁰ *Columbia State*, May 25, 1912.

¹⁷¹ "Much Bickering in Convention: 'Union Republicans' Hold Lively Session," *Columbia State*, September 30, 1914; "Pick Feather of Black Wing," *Columbia State*, January 25, 1916.

¹⁷² W. T. Andrews to Withfield McKinlay, October 11, 1910, Carter Woodson Papers, Library of Congress.

¹⁷³ "Taft Indorsed for Nomination," *Columbia State*, March 1, 1912.

Prioleau and others were no real Taft supporters, and would “knife Taft in favor of Roosevelt at the first opportunity.”¹⁷⁴ Considering the wavering of Lily-Whites, however, these attacks could hardly be taken seriously. Moreover, Tolbert constantly reassured Taft’s team by repeating to reporters, some of whom were as far as in New York City, that he was certain that the entire delegation would support Taft at the convention.¹⁷⁵ The way Tolbert, Prioleau and their lieutenants oozed confidence about their delegation’s support for Taft contrasted sharply with the confusion of the Lily-White group. In the end, Prioleau and Tolbert did not manage to ensure that all the delegates supported Taft, but in the most critical vote of the Republican National Convention, 11 of the 18 did.¹⁷⁶ In such a close vote, this was enough to ensure that Taft would not turn his back on the Black and Tan Republican Party of South Carolina. Tolbert’s leadership was recognized by the South Carolina delegates, who elected him national committeeman in replacement of John G. Capers.

Tolbert’s continued association with gifted African American leaders from the militant wing of the party would help him stay in power for nearly three decades. R. H. Richardson, hailed as “one of the shrewdest and most experienced negro politicians of South Carolina,” and Prioleau, among others, would all play increasingly important roles in the party in the 1910s.¹⁷⁷ Contrary to

¹⁷⁴ “Not Really For Taft,” *Charleston Evening Post*, March 2, 1912.

¹⁷⁵ “South Carolina Loyal to Taft,” *New York Tribune* (NY), May 7, 1912.

¹⁷⁶ Milton W. Blumenberg, *Official Report of the Proceedings of the Fifteenth Republican National Convention* (New York, NY: The Tenny Press, 1912). While 17 out of 18 voted for Taft for president (one delegate abstained), the critical vote in this convention was for the convention's temporary chairman. This election opposed Elihu Root, a Taft supporter, to Francis E. McGovern, a Roosevelt faithful. This vote was not intended simply as a preliminary show of strength for both contenders. The critical factor is that in the event of a credentials contest between a Taft and a Roosevelt delegation, the temporary chairman could largely decide the outcome. With Root in power, whenever a contest erupted, the delegates supporting Taft were admitted to the floor, and those supporting Roosevelt were not, ensuring the sitting president’s victory over his former ally Roosevelt. See: James Chace, *1912: Wilson, Roosevelt, Taft and Debs -The Election That Changed the Country* (New York, NY: Simon and Schuster, 2009).

¹⁷⁷ “Much Bickering in Convention,” *Columbia State*, September 30, 1914.

many other states of the Deep South, no Lily-White group would seriously threaten this Black and Tan organization until the 1930s. While Tolbert remained largely uninvolved with election contests, he would never negatively interfere with those like Prioleau, Dantzler, Meyers, and Richardson, who chose to run for congressional office.¹⁷⁸ However, this was more likely the result of political calculations than indicative of a strong commitment toward African American political rights. Tolbert's main concern was to stay in power and control patronage. However, he never took adverse actions to this cause either, knowing that his power largely depended on black support.

Hitting a Democratic Wall: Black and Tan Republicans and the End of Election Contests

By the election of 1908, Republican congressmen and the Taft administration had completely abandoned the issue of disfranchisement, trying instead to appeal to white southerners. Yet, Republicans still hoped to appeal to the growing northern African American electorate. Republicans thus grew incensed over the election contests brought forth by South Carolina Republicans, as they put them in a difficult political position. However, as Congress changed hands, this growing Republican opposition became a minor issue for militant Republicans in the 1910s. Democratic opposition to election contests, already rising by the end of the first decade of the new century, only intensified when Democrats, for the first time since the 19th century, took control of the House of Representatives in 1910. This Democratic hold on the House lasted until 1918. The white press in South Carolina immediately called upon Democratic congressmen to put an end to Republican election contests. The Charleston *Evening Post* led the way, demanding that, in the name of “dignity,” “economic efficiency,” and “conservation of useful energy,” Democrats take immediate action to stop the “political grafting” that these “farcical” contests represented.

¹⁷⁸ “Much Bickering in Convention,” *Columbia State*, September 30, 1914.

Undeterred by the daunting task of convincing a largely unsympathetic Democrat-led committee, Prioleau decided to run again in 1912. As expected, he lost the election, but for the fifth consecutive time, challenged the election in Congress.¹⁷⁹ In an ominous sign of the narrowing of opportunity for such contests, Prioleau was the only South Carolina Republican candidate to do so.

In April 1912, Prioleau and his legal counsel Jacob Moorer went to Congress for their hearings. This was the first time that Moorer argued before the committee after the Supreme Court's decision in the Franklin case. He hoped that the refusal of the Court to take up the matter of voting rights in this case would convince the committee to accept its role in deciding these matters. Moorer used the argument made against him by Lyons and Henderson in Franklin's case, and asserted that the question put before Congress was a political one and not a judicial one.¹⁸⁰ Besides bringing up his experience in the Supreme Court, he referred the election committee to *Giles v. Harris* (1903), in which the Court said that a plaintiff could not sue for his vote after an election, but only for damages. Moorer told the committee that what South Carolina Republicans wanted was to have their vote counted, "not money . . . for being denied the right to vote."¹⁸¹

Moorer knew he could not meet the committee's requirement and show that enough African Americans were denied franchise to change the result of a regular election. Too many African Americans were vulnerable to white retribution to offer such testimony. Despite Prioleau's

¹⁷⁹ "Weird Grammar in his Protest," *Charleston Evening Post*, November 21, 1910; House Committee on Elections No. 2, *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina*, 62nd Cong., 2nd sess., August 6, 1912, H. Rep. 1148.

¹⁸⁰ In *Franklin v. South Carolina*, Henderson had argued that the question Moorer asked the Court was a political one, not a judicial one, because it relates to the guarantee clause of the Constitution which promises states a "Republican" form of government. *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 21.

¹⁸¹ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 17.

extensive advertising and touring of the District, he managed to obtain only a few affidavits.¹⁸² Yet, some of these testimonies shocked the committee, for they revealed that African Americans were sent to the chain gang for 30 days for failing to pay their poll tax. This unusually harsh punishment for a minor offense compelled George S. Legaré, Prioleau's opponent, to justify this practice. He explained to the committee that since "[w]e have to police those people, . . . we have to hospital them, we have to have almshouses for them, and we have to educate them," this was just a way to ensure that African Americans shouldered their fair share of the tax burden in the state.¹⁸³ Asked why no whites ever faced the same treatment, Legaré quipped, "they all pay up."¹⁸⁴ Before such blatant injustice, it was no surprise that few dared challenge Jim Crow head-on. Yet, these testimonies revealed how election contests, even if unsuccessful, could expose the injustices and inner workings of Jim Crow to a national audience. This, more than a reversal of the election results, explained the anxiety of the white South with these contests.

To circumvent the impossibility of accumulating enough hard evidence, Moorner used two arguments. First, he maintained that South Carolina voting laws violated the Reconstruction Act of 1868. This time, he refused to be told to go to the Supreme Court, and defiantly asked the

¹⁸² For his 1912 contest, Prioleau organized a number of meetings to lecture about the issue and collect testimonies, including: Berkeley County: Moncks Corner, January 21, 1911, at 11 a.m.; Prioleau Post Office, January 24, 1911, at 11 a.m.; Summerville, January 25, 1911, at 8 p.m.; Summerville, January 26, 1911, at 11 a.m.; Dorchester County: St. George, January 27, 1911, at 8 p.m.; St. George, January 28, 1911, at 11 a.m.; Colleton County: Jacksonboro, February 1, 1911, at 11 a. m.; Cottageville, February 2, 1911, at 11 a.m.; Walterboro, February 3, 1911, at 8 p m.; Walterboro, February 4, 1911, at 11 a.m.; Charleston County: Aught Gap February 6 1911, at 11 a.m.; Mount Pleasant, February 7, 1911, at 8 p.m.; Mashow Hall, February 9, 1911, at 8 p.m.; Longshoreman's Hall, February 13, 1911, at 8 p.m; Morris Brown, A. M. E. Church, February 14, at 8 p.m.; Clarendon County: Remini, S. C., February 22 1911, at 11 a.m.; St. Paul, February 23, 1911, at 11 a.m.; Manning, February 24, 1911, at A. M. E. Church, at 8 p.m.; Manning, February 25, 1911, at 11 a.m; See circular published in *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 24-25.

¹⁸³ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 43.

¹⁸⁴ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 44.

committee: “If Congress is not going to enforce this law, it ought to say so and let the people know.” But this time, Moorner also argued that the election held also violated the constitution of South Carolina. Moorner told the committee that the state constitution required that all voters be re-enrolled every ten years, but the first re-enrollment occurred only 12 years after the constitution had been in force, namely in February 1908. Citing legal precedents in South Carolina that failing to follow a timeframe set by the constitution was illegal, Moorner contended that “there was no legal registration at that time.”¹⁸⁵

This was not a frivolous argument. In fact, a local election was challenged based on this registration law in 1907.¹⁸⁶ Afraid of the chaos that this confusing law could trigger in the state, Governor Ansel asked the state Attorney General Lyons to interpret it.¹⁸⁷ The attorney general declared that, indeed, the law required that every 10 years, “all persons” had to “apply for reregistration and reenrollment in the same manner as if never registered or enrolled before.”¹⁸⁸ As such, Lyons’ interpretation suggested that Moorner was correct. Since there was no legal registration, Moorner continued, nobody could be prevented to vote. It followed that “the majority of the people who offered to vote had a right to vote, and whoever was their choice should have the seat.”¹⁸⁹ This way, Moorner hoped the committee would consider the evidence he provided of

¹⁸⁵ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 13.

¹⁸⁶ See for example, “Revisiting List,” *Newberry Herald and News*, July 9, 1907.

¹⁸⁷ The registration clause is extremely vague, most probably purposefully. The constitution, however, clearly stipulates that every elector must be enrolled “once in ten years,” except those who register between January 1st, 1896 and January 1st, 1898. The ten-year enrollment requirement was most likely an emergency method to suppress the black vote in the unlikely event that African Americans found a way to register *en masse* after the establishment of the new 1895 constitution.

¹⁸⁸ “Registration Law is Interpreted,” *Columbia State*, June 24, 1908.

¹⁸⁹ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 13.

the tens of thousands of voters who “offered” to vote for Prioleau. If unsatisfied by this evidence, Moorer argued that the committee should declare the seat vacant until South Carolina remedied this “constitutional limitation.”¹⁹⁰

The defense rested its case on a mixture of tendentious statements, lies, and states’ right rhetoric. The attorney representing Legaré retorted that the 10-year re-registration was only one of three methods, and that the state had the right “to follow either or any one.” This, however, was in complete opposition to the official interpretation of the law by Attorney General Lyons. Quickly moving away from what was shaky ground, the defense told the committee that the real question was electoral fraud. Since Moorer had failed to show any meaningful testimonies of qualified voters who were turned down by election officials, he had no case. As in the four other contests, all testimonies were obtained from the same “professional witnesses,” and the defense saw it as an “unnecessary waste of [...] time . . . to again bring evidence” that the “law was equally administered among all classes.”¹⁹¹ If there are no Republican election officials, the defense continued, it is because there is no Republican Party in the state, and because it is nearly impossible to find Republicans “that are clean, clear, and straight.”¹⁹² Finally, since suffrage laws were not a federal matter, a state “may do anything it wishes to do with reference to qualifications for voting so long as it is not contrary to the fifteenth amendment.”¹⁹³

¹⁹⁰ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 13.

¹⁹¹ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 21-22.

¹⁹² *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 42.

¹⁹³ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 25.

The hostility of the Democrat-led committee to Prioleau's contest was palpable throughout the hearings. John Linthicum, a Democrat from Maryland, pressed Moorer into answering why this Congress should be expected to get involved in Southern elections when even the previous Republican Congresses "have not seen fit to take any part" in it.¹⁹⁴ Louisiana congressman Robert Broussard, visibly irritated by the three-hour long hearings, wondered if Prioleau expected to "continue going into elections and coming up before this committee with the same contest" for many more years.¹⁹⁵ Prioleau's second counsel, Joseph Stewart, replied, "What else is there for him to do? Shall they sit down and submit to this injustice and denial of their rights?" Moorer agreed, adding that the point of these contests was to "show that there is an interest in politics" among southern African Americans, and that they were "concerned in the protection of their rights." Prioleau's concluding remark, however, best answered the southern congressman. After scolding Legaré – "You know that . . . I got five votes to your one" – he added "you gentlemen would be doing just what I am doing if . . . your right to vote [was] taken away from you. If you . . . sat down and let your rights be taken away from you . . . and did not contend for your rights, I would say you failed to do your duty."¹⁹⁶ The committee's report came four months later, confirming what Moorer and Prioleau expected. "This contestant has, in disregard to the four

¹⁹⁴ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 25.

¹⁹⁵ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 44. While Broussard was stubborn in matters of race, he proved to be a rather creative congressman in other matters. Broussard is the author of the famous "American Hippo Bill" of 1910. He asked for \$250,000 from the federal government to import hippopotamuses or manatees from Africa to solve two problems: to alleviate the meat shortage in the United States due to the rapid increase of population and to counter the damage caused by a plant called the Water Hyacinth, which was threatening Louisiana's waterways. "Congressman Broussard," Shreveport *Caucasian* (LA), April 26, 1910; "Hippo Steak?," *Washington Herald* (DC), April 30, 1910.

¹⁹⁶ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 48.

adverse decisions by the House of Representatives when in control of his own party,” the report stated, “brought this fifth contest upon the same grounds . . . when he knows there can be but the same result.”¹⁹⁷

Unfazed by this fifth consecutive defeat and by Congress' increased hostility, Prioleau promised to lead a “stiff fight” against disfranchisement and to “keep on contesting.”¹⁹⁸ He called “colored citizens of every district in the South where there is a clear Republican majority” to follow his lead and contest congressional elections until justice is done. But no one would. Prioleau remained the only African American from South Carolina to pursue this course of action in the 1910s. But in addition to a hostile Democratic-led Congress, by then, Prioleau faced a number of new difficulties. Perhaps the most daunting was the Democratic Governor Cole Blease, who upon taking office in 1911, proceeded to remove nearly all African American Notary Publics.¹⁹⁹ As a result, Prioleau had constant difficulties in filing his testimonies and legal papers on time for his contests, as white notary publics were suspiciously slow, or simply refused to do their duty.

Indeed, throughout the 1910s, the nation became even more disinclined to address the racial injustices that militant Republicans had sought to abolish. Immigration from southern Europe had fueled the resurgence of a massive nativist movement. And the election of Woodrow Wilson in 1912 further demonstrated that the nation was committed to white supremacy. While progressive on many issues, the first southern man to be elected to the presidency since 1848 proved extremely reactionary on the question of race. The symbolism of a president attending a private screening at the White House of *Birth of a Nation*, a movie based on the novel of Wilson’s friend, Thomas

¹⁹⁷ *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2*, (Washington, DC: U.S. Government Printing Office, April 19, 1912), 25.

¹⁹⁸ *Washington Bee* (DC), February 17, 1912.

¹⁹⁹ *Contested Election Case of Aaron P. Prioleau v. Richard S. Whaley from the First Congressional District of South Carolina*, (Washington, DC: U.S. Government Printing Office, 1915), 10.

Dixon, was unmistakable.²⁰⁰ But Wilson's action went far beyond symbolism. As historian Eric S. Yellin shows, Wilson's administration not only segregated the federal government, but systematically excluded African Americans from civil service, thereby crushing a significant portion of the black middle class.²⁰¹ This would directly impact the fight for political rights in South Carolina. By reducing and impoverishing the middle-class, it made it more difficult for local groups like NAACP branches to collect funds, and harder to find local leaders with the time and means to lead the organization. It also led some influential Republicans, like W. T. Andrews, to leave the state party. Already without electoral hopes, African Americans leaders had until then at least been able to entertain the prospect of landing a lucrative federal appointment through the state organization. Without this incentive, many middle-class African Americans left the state party.

In a sign of the changing times, election contests themselves, rather than the issue of disfranchisement that prompted them, became the problem to solve. An editorial in the *Boston Daily Globe* complained that “a defeated candidate may make . . . a case . . . even though he has no chance of establishing a case on legal evidence, or one which could be taken seriously in committee in Washington.”²⁰² These baseless contests, the *Globe* continued, subjected victims to

²⁰⁰ Melvyn Stokes, *D.W. Griffith's The Birth of a Nation: A History of the Most Controversial Motion Picture of All Time* (New York, NY: Oxford University Press, 2007), 111–12.

²⁰¹ Eric S. Yellin, *Racism in the Nation's Service: Government Workers and the Color Line in Woodrow Wilson's America* (Chapel Hill, NC: University of North Carolina Press, 2013). Under Wilson, the government began requiring a picture with job applications. While this was a reform presented as meant to prevent identity fraud, it enabled the administration to ensure that no African Americans would obtain federal jobs. The photo requirement would continue with Wilson's successor.

²⁰² “Contested Election Cases,” *Boston Daily Globe* (MA), April 12, 1915.

“unwarranted interrogations, and led to“unnecessary expenses, which amount to a very large sum.”²⁰³

Yet, Prioleau proved resilient and continued to contest throughout the decade. Always the provocateur, he even took the opportunity to settle old scores in the process. In 1913, in his contest against Democrat Richard Whaley, Prioleau asked his former nemesis, John G. Capers, to represent him. Prioleau made sure that reporters were made aware of this. Capers was then flooded by phone calls from the South Carolina press who inquired about this unlikely partnership.²⁰⁴ Even if Capers immediately denied having any personal or professional relations with Prioleau, the simple juxtaposition of his name next to Prioleau in newspapers hurt his reputation in Washington, D.C. Harmless in the current political context, Prioleau’s contests became a comedic matter for white South Carolinians. In December 1915, the *State* reported that the “session of Congress began normally. Champ Clark was elected speaker and Aaron P. Prioleau contested somebody’s seat.”²⁰⁵

Prioleau’s final disruptive act in Congress came in 1917, when he sued the clerk of the House of Representatives, South Trimble, for \$20,000 in punitive damages. Congress had rejected Prioleau’s contest against Richard Whaley in the election of 1912 because they did not receive the proper paperwork in time. Prioleau claimed that he did file in time, but that clerk Trimble held the contest papers and never transmitted them to the election committee.²⁰⁶ The court of the District of Columbia rejected Prioleau’s claim, declaring that the House of Representatives was the exclusive judge of the election of its own members, and therefore had no jurisdiction over the

²⁰³ “Contested Election Cases,” *Boston Daily Globe* (MA), April 12, 1915.

²⁰⁴ “Prioleau Wants to Contest,” *Charleston Evening Post*, July 15, 1913.

²⁰⁵ *Columbia State*, December 8, 1915.

²⁰⁶ “Money for Counsel to Defend Trimble,” *Columbia State*, December 17, 1917; *Bamberg Herald*, December 20, 1917; “House Clerk sued for \$20,000,” *Washington Herald* (DC), December 23, 1917.

question at the heart of this case: whether or not Prioleau had actually been elected.²⁰⁷ Prioleau had lost what proved to be South Carolina Republicans' last contest.

The actions of Prioleau, Moorner and militant South Carolina Republicans revealed the multiple layers of government that consented in the creation of Jim Crow. In fact, Jim Crow was made, and remade, in a multitude of places and in many ways, including in the Supreme Court, which spent more time elaborating a complex jurisprudence to facilitate and justify its own inaction than on tackling the heart of the problem. Jim Crow also relied on congressmen ignoring the evidence of disfranchisement. And as Prioleau would later put it, the failure of these contests revealed the complicity of the nation: “The North, East, West are as much a party to, so are the men of the South, for should the members of Congress from these states made it mandatory upon southern states to permit the members of the colored race to vote, all this discrimination and disfranchisement would be blotted out, and in its stead, there would arise freedom.”²⁰⁸

Conclusion: Toward New Avenues of Protest

In 1919, African American activists “from all sections of South Carolina” met in Columbia to “formulate the magna carta of the rights and aspiration of the race.”²⁰⁹ The resolutions adopted by these leading reformers vindicated the efforts of militant Republicans. In fact, some of them, like R. H. Richardson, attended the convention. Activists called for renewed efforts in education

²⁰⁷ “Loss of Seat in House Basis for Damage Suit,” *Washington Evening Star* (DC), December 22, 1917; “Demurrer is Sustained,” *Washington Evening Star* (DC), November 16, 1918; Henry E. Randall, *Reports of Cases Adjudged in the Court of Appeals of the District of Columbia From May 5, 1919, to May 3, 1920*, vol. 49 (Minneapolis, MN: West Publishing Company, 1920), 112–13.

²⁰⁸ “His Great Speech Before the Blaine Invincible Republican Club,” *Washington Bee* (DC), February 8, 1919.

²⁰⁹ “Negroes Want A Say So: Proceedings of Semi-Political Conference in Columbia,” *Yorkville Enquirer*, February 7, 1919.

to improve the economic condition of African Americans, demanded black teachers in black schools, and required that the “equal” part of the “separate but equal” be enforced by the legislature. However, these reformers now unanimously recognized that “no people can hope to continue long to exist, and wield any influence . . . unless it . . . has the [political] power with which to enforce and sustain those principles.”²¹⁰ However, most agreed that the Republican Party was no longer the best conduit for this fight. Instead, they urged African Americans to fight against disfranchisement by forming new activist organizations or “to take any other measures looking to awaken the masses” to this critical issue.²¹¹

Like R.H. Richardson, most militant Republicans did not abandon their fight for political rights in the late 1910s and early 1920s. Some, like Prioleau, decided to do so in more hospitable areas of the country, and joined the stream of the nearly 200,000 African Americans who left South Carolina to flee from the oppression of Jim Crow.²¹² But whether in South Carolina or not, most ceased to see the Republican Party as the best avenue for their fight for political rights. They increasingly joined newly formed civil rights organizations. For example, after establishing himself in the nation’s capital in the late 1910s, Aaron Prioleau joined the East Washington chapter of the Universal Negro Improvement Association, and served as “National Political Director General.”²¹³ While some followed in the black nationalist organization of Marcus Garvey, others joined the NAACP, or decided to form their own local groups. Regardless, the issue of political

²¹⁰ “Negroes Want A Say So: Proceedings of Semi-Political Conference in Columbia,” *Yorkville Enquirer*, February 7, 1919.

²¹¹ *Ibid.*

²¹² Randall, *Reports of Cases Adjudged in the Court of Appeals of the District of Columbia*, 49:112–13. After spending a little more than a decade in Washington D.C., Prioleau returned to South Carolina in the late 1920s.

²¹³ Robert A. Hill, ed., *The Marcus Garvey and Universal Negro Improvement Association Papers, Volume V, September 1922-August 1924* (Berkeley, CA: University of California Press, 1987), 394.

rights would remain atop activists' agenda for decades to come. In this sense, as the *Macon Telegraph* in Georgia reported in 1920: "Aaron Prioleau, South Carolina Negro, in a political sense, is dead. But his soul goes marching on."²¹⁴

By the turn of the 1920s, the party of Lincoln no longer served as a vessel to reclaim African Americans' political rights. By then, South Carolina could no longer count on the support of a handful of Republican congressmen as they had in the past. Moreover, Democratic opposition and obstruction, ranging from withholding the reimbursement of contest fees to making the filing of contest papers more hazardous, had both significantly raised the cost of election contests and crushed even the most remote hope of success for these contests. Instead, African American political rights activists devoted their resources to collective actions such as registration drives and strategic lawsuits through new organizations like the NAACP. However, most militant Republicans were unwilling to jump ship just yet, and instead reconfigured their expectations for the party. As a result, the state Republican organization came to play the role that its conservative, patronage-oriented wing had envisioned in the first two decades of the 20th century. In a decade of increased racial tensions and diminished economic opportunities for many African Americans, this smaller role proved nevertheless important.

²¹⁴ "Contests for Seats and Claims of Fraud in Election following in Wake of Republican Landslide," *Macon Daily Telegraph* (GA), November 12, 1920.

Chapter 4

Finding Room Between a Rock and a Hard Place: Black and Tan Republicans, 1920-1932

In the 1920s, the already weak South Carolina Republican Party hit its electoral nadir. The party virtually stopped running candidates, and its Presidential vote totals were pathetically low even when compared with other states of the Deep South. Because of this, scholars have devoted little attention to the state, generally dismissing members of the party as insignificant opportunists seeking to obtain federal patronage. The few scholars who analyzed South Carolina Republicans were primarily interested in explaining its electoral weakness.¹ While most recognized the important constraints faced by the party – primarily the disfranchisement of its base – nearly all blamed Republican leaders, particularly Joseph W. Tolbert, for never taking meaningful actions to overcome these constraints. These scholars have concluded, similarly to most contemporaries, that the “disgraceful character” and poor leadership of Republican leaders was the most important factor holding the party back electorally.²

Other factors, however, must be considered. First, focusing on the alleged character deficiencies of Republican leaders obscured the fact that, electorally speaking, the massive obstacles that the party faced were insurmountable. In these conditions, no leader could have been

¹ See for example: Valdimer Orlando Key, *Southern Politics in State and Nation* (New York, NY: A. A. Knopf, 1949), 288; Alexander Heard, *A Two-Party South?* (Chapel Hill, NC: University of North Carolina Press, 1952), 121; Ralph J. Bunche, *The Political Status of the Negro in the Age of FDR*, Documents in American History (Chicago, IL: University of Chicago Press, 1973); Hanes Walton, *Black Republicans: The Politics of the Black and Tans* (Metuchen, NJ: Scarecrow Press, 1975); Harris M. Bailey Jr., “The Only Game in Town: The South Carolina Republican Party in the Post-Reconstruction Era,” *Proceedings of the South Carolina Historical Association*, 1992, 76–86; Janet Hudson, *Entangled by White Supremacy: Reform in World War I-Era South Carolina* (Lexington, KY: University Press of Kentucky, 2009), 122. Political scientist V. O. Key credited Tolbert for making “the South Carolina Republican Party a national joke.” Janet Hudson’s depiction of Tolbert is representative of how he appears in modern scholarship. She writes that Tolbert “ran the party primarily to direct federal patronage toward a small band of maverick whites and a smaller handful of black allies. Tolbert showed little interest in African American issues.”

² Bunche, *The Political Status of the Negro in the Age of FDR*, 523.

expected to make the party electorally competitive. In fact, by making corruption the defining characteristic of southern Republicans, historians have too easily followed the racially and politically motivated characterizations of the Black and Tan party's rivals. More importantly, however, the historiography assumes that political parties' only legitimate objective is to win elections. Yet, given the circumstances, the objectives of Black and Tan Republicans were more complex. Scholars have based their analysis on what they thought the party should be doing, rather than what it actually did. As a result, we only have a superficial knowledge of how the party functioned, who the leaders were, and what the motivation of the black and white South Carolinians who chose to associate with the Black and Tan Republican organization were.

This chapter provides a fuller picture of the 1920s South Carolina Black and Tan Republican organization by analyzing its inner-workings. While the organization devoted most of its attention to the politics of patronage, this was no trivial matter. It allowed both white and black Republicans to exert important political power and reap benefits, with implications extending beyond the party itself. To be sure, the potential rewards of the politics of patronage were markedly different for black and white Republicans. While Republicanism could translate into well remunerated federal offices for whites, by the 1920s, as this chapter explains, this was no longer true for African Americans, either in South Carolina or in Washington D.C. But even if they could not obtain important positions themselves, African Americans played a determining role in the distribution of patronage. They could wield this power to ensure the appointment of racially progressive whites and they could bargain to have blacks employed for menial tasks in federal buildings under the custodianship of white federal employees. No other organization offered African Americans such political power. In turn, this political power often enhanced their social standing in the black community.

Joseph W. Tolbert was the undisputable leader of the organization. However, besides Joseph W. Tolbert and a handful of other mostly racially progressive whites, the party leadership was chiefly composed of older black civic leaders who had long been affiliated with the party. African Americans' support for Tolbert was not simply the result of his family's courageous stance in 1898, but rather was rooted in the fact that they had little to gain in defeating him besides the symbolism of having a black leader. For despite Tolbert's irritating refusal to share the top two positions in the party, he had no qualms in sharing decisional power with them and proved extremely successful in both securing patronage from the presidential administration and keeping the Lily-Whites at bay. These African American leaders, while hopeful that better days would soon come, primarily sought to preserve this fragile status quo. This conservatism was rooted in the belief that using the party for any major effort at restoring blacks' political rights would not only fail but also likely backfire, and lead to the complete eradication of African Americans from southern politics. Yet, they used the party as a platform to denounce disfranchisement and to constantly remind African Americans about the importance of the franchise. In this sense, they used the party to ensure that the issue of disfranchisement could not be completely ignored. Moreover, their very existence as party leaders challenged the white supremacist myth that African Americans were content to leave politics entirely to whites.

Finally, this chapter shows that, as the largest and most democratic bi-racial organization in the state, the Black and Tan organization served as a unique site of cooperation and exchange between African Americans and whites. In a state where nearly every public space was segregated, and where nearly every institution served as a reminder of assumed black inferiority, there were virtually no other spaces for blacks and whites to discuss and debate politics as putative equals. And even if they took little concrete action to confront the issues, the Republican Party was still

the only bi-racial organization where the subject of disfranchisement or the ills of discrimination could even be discussed. In this sense, the party was a rare venue allowing African Americans to educate whites about their concerns and points of view. While it is unclear if this exposure to African Americans alone led many whites to become more militant regarding blacks' political rights, it appeared to have sprung into action the nephew of Joseph W. Tolbert, Joseph Augustus Tolbert. In the thirties, Joseph A. became one of the very few white southerners to collaborate with the NAACP, and perhaps the only white southerner to partake in what was up to that point the most important black registration drive in twentieth century South Carolina.

Post-World War I White Backlash and Republican Electoral Gloom

Throughout the 1920s, the Black and Tan Republican organization was, electorally speaking, hopeless. Despite the previous decades' agitation, protests, and challenges in court, African Americans were still disfranchised. There was little state Republicans could do about this. The national leadership of the Republican Party had long abandoned the matter, except for occasional lip service at conventions or as vague promises in party platforms. The U.S. Supreme Court also repeatedly dodged the issue. Without the involvement of the Court, the task was practically impossible. There was no check on Democratic power over elections. In the 1920s and 1930s, not a single South Carolina Republican was appointed to the state election board or to a clerkship at polling stations.³ The few efforts made during this period to pressure for electoral reform or for the registration of African Americans were dispiriting. In almost every case, not only did they fail, but their efforts also led to surges of white violence.

³ Heard, *A Two-Party South?*, 85.

For example, when the NAACP opened a local branch in Anderson, South Carolina, in 1919, whites immediately mobilized. M. H. Gassaway, a prosperous and well-respected African American from Anderson, served as the first president of the branch. Gassaway was the principal of a large black school in Anderson County. He and his wife, both lifelong residents of Anderson and both school teachers, had helped found the school in the 1880s. Over a period of thirty years, they transformed the three-month school of seven pupils into an institution divided into a grammar and high school with over 1,200 pupils and twenty-three teachers. Under Gassaway's leadership, the NAACP branch in Anderson worked to secure more funds for education and protect black veterans from Anderson officials who pressured them, notably through vagrancy laws, into immediately returning to work for labor-hungry planters. Coordinating with other branches engaged in similar efforts, the Anderson branch also encouraged African Americans to register to vote. These activities outraged Vic Cheshire, the editor of *Anderson Daily Tribune*, who stirred up the white population against Gassaway and the NAACP. He accused Gassaway of preaching "social equality" and of encouraging African Americans to partake in electoral politics.⁴

By late September, the tension was such that three of Gassaway's sons, all of whom had served in the army during World War I, began guarding the house during the night while the rest of the family slept. Gassaway asked the chief of police, with whom he had a cordial relationship, for protection. While the two were speaking, Vic Cheshire appeared, and bluntly threatened Gassaway. "If you are not out of town by sundown and no one has killed you," Cheshire said, "I will do the job for you."⁵ Fearing racial strife, Gassaway's black and white friends implored him

⁴ This account of Gassaway's experience in opening a branch of the NAACP is based on: Letter from Butler W. Nance to Walter White, October 26, 1919, NAACP Papers, Library of Congress; "Ordered to Leave or Pay with Life," *Columbia State*, December 21, 1919; "Modern Exiles," *Crisis* 10, no. 2 (December 1919): 70–72; Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865* (Lexington, KY: University Press of Kentucky, 2006), 52–55; Hudson, *Entangled by White Supremacy*, 142–45.

⁵ "Modern Exiles."

to leave the city. Gassaway resigned his position as school principal, and, with his family, hurriedly gathered their essential belongings. Despite the support of the mayor, the county school superintendent and the chief of police, the Gassaways were forced to permanently relocate to Cleveland, Ohio. Two other NAACP members, Reverend S. B. B. Timmons, who was active in the Republican Party, and Reverend Bacheler were also driven out of the county by whites from Anderson.⁶ After only a few months of activities, the NAACP branch was dissolved.⁷

With the exception of the branches in Charleston and Columbia, which despite going through a lull in the mid-1920s did not completely shut down, all other NAACP South Carolina branches experienced a similar fate to that of Anderson.⁸ NAACP activism in the state, which flourished during World War I, would only start anew in the midst of another World War, in the 1940s.⁹ As a result, beyond desperate call- to- action from urban leaders, little progress was made concerning political rights. Very few African Americans were allowed to vote. And the vast majority of those who could not were too afraid of the consequences to attempt to remedy the situation. Furthermore, in a decade where cotton production, the main sector of black employment, struggled mightily to recover after the 1922 Boll Weevil infestation, most African Americans were

⁶ *Yorkville Enquirer*, October 14, 1919; "Offending Negro Leaves Anderson," *Newberry Herald and News*, October 14, 1919; Letter from Butler W. Nance to Walter White, October 26, 1919, NAACP Papers, Library of Congress.

⁷ Letter from Butler W. Nance to Walter White, October 26, 1919, NAACP Papers, Library of Congress.

⁸ Lau, *Democracy Rising*, 49–70. For a discussion of how cities made voting and activism easier, see: Paul Lewinson, *Race, Class and Party: A History of Negro Suffrage and White Politics in the South* (New York, NY: Oxford University Press, 1932); Bunche, *The Political Status of the Negro in the Age of FDR*.

⁹ Republican attorney N. J. Frederick and the Columbia NAACP fought for political rights through the courts, but the results were also frustrating. Perhaps even more disheartening for successful attorneys like Frederick was that by the time of his death in 1938, there were only four black lawyers left in the state, none of whom practiced in Greenville, Charleston, or Columbia. W. Lewis Burke, "Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War," *South Carolina Law Review* 57 (2006): 882–83.

too concerned with day to day survival to have either the time or resources to devote to political rights activism.¹⁰

Despite these conditions, state Republicans did not completely abandon electoral politics in the 1920s and 1930s. The party continued to run presidential tickets throughout the decade. In fact, in 1924, the Republican Party was the first in the state's history to include two women as presidential electors. Irene Folger of Easley was selected as the elector for the Third Congressional District, and Evelyn Shipley, of Moncks Corner, for the Sixth Congressional District.¹¹ The party also continued to occasionally run candidates in congressional elections. All fared poorly, but there were some notable races. In 1924, Republicans ran their most vigorous campaign of the decade when Reverend Jesse E. Beard, like Prioleau had done for years before him, ran for Congress in the First Congressional District. Born in Georgia in 1873, Beard moved to South Carolina the late 1890s.¹² He served as pastor for the AME in numerous churches across the state before settling in Charleston, the birth city of his wife. A well-educated man, Beard acted as dean of Allen University's theological department for a number of years. Due to his constant relocation, he had not been very active in Republican politics prior to this congressional race. Obtaining roughly 5% of the vote, Beard fared no better than previous Republican candidates.

Frustrated by blatant instances of fraud committed in front of his eyes, Beard asked the board of election commissioners for a recount. He alleged that a ballot box had been opened and

¹⁰ For more on the economic conditions of South Carolina and of the South generally, see: George Brown Tindall, *The Emergence of the New South, 1913-1945* (Baton Rouge, LA: Louisiana State University Press, 1967); Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York, NY: Basic Books, 1986).

¹¹ "State Republican Electoral Ticket Named by Tolbert," *Charleston Evening Post*, September 19, 1924.

¹² Richard Robert Wright and John Russell Hawkins, *Centennial Encyclopaedia of the African Methodist Episcopal Church* (Book Concern of the A.M.E. Church, 1916), 34–35.

stripped of Republican ballots, that the Republican tickets were hidden at many polls, and that many poll officials simply refused to provide Republican tickets, instead instructing prospective Republican voters to get ballots from “uncle Joe” Tolbert.¹³ The board rejected his demands, stating that without witnesses or affidavits, his allegations were simply “rumors” and “hearsay.”¹⁴ Beard later recalled how intimidating his hearing before the committee had been. Despite the absence of such rule, he was told that he had to appear alone. “I had to go up a long flight of stairs,” said Beard, “which itself was an intimidation, because as I wound my way up, I felt that if anything happened upstairs in the room, with the board of election officials, that I never would be able to get out of the place.”¹⁵ Once in the room, the members of the committee “stared” at him as if he was a “criminal up for judgment.” There, contrary to what the press reported, Beard did provide evidence. He named the precinct officials who refused to give Republican tickets, including one man who was in the room, but his accusations were not taken seriously.

Beard initially decided to bring the matter before Congress but abandoned this course of action. It is unclear why Beard halted his contest, but it was probably because of the same obstacles that Prioleau and others faced by the late 1910s. The cost in time and money needed for a challenge in Congress was significant. Democratic obstruction and intimidation made the task even more difficult and dangerous, especially for individuals like Beard who occasionally needed whites’ financial support. Finally, since the mid-1910s, congressional Republicans generally disapproved of such races. As Republican I. S. Leevy lamented, they did not want to “destroy [their] coalition

¹³ “Canvas Made Federal Vote,” *Charleston Evening Post*, November 11, 1924; “Rev. J. E. Beard Will Contest,” *Charleston Evening Post*, December 29, 1924; Bunche, *The Political Status of the Negro in the Age of FDR*, 547–48.

¹⁴ “Canvas Made Federal Vote,” *Charleston Evening Post*, November 11, 1924.

¹⁵ Jesse E. Beard quoted in Bunche, *The Political Status of the Negro in the Age of FDR*, 548.

with white southern Democrats by electing a Negro Republican from the South.”¹⁶ Hence, in the 1920s, running for elections was seen by most Republicans as a fool’s errand that was not worth the risks.

The Complex Road to Securing Control Over Federal Patronage

Condemned to focus on patronage, the South Carolina Republican Party of the 1920s and early 1930s was deeply dependent on presidential administrations and national leadership. In fact, Republican National Conventions were the most important happening for South Carolina Republicans, for they were critical in deciding who would control patronage in the state. It was at these conventions that state Republicans elected their national committeeman, and from 1924 onward, national committeewoman. Since there were no Republican congressmen in South Carolina, the presidential administration usually entrusted the national committeeman with the task of overseeing distribution of patronage in the state.¹⁷ As a result, in South Carolina, as in other southern states where Republicans could not compete in electoral politics, this was the state party’s most prestigious position. The national committeeman was also the state’s representative in the national party and could thus wield some influence in the direction and the operation of the organization. In addition to acceding to this position, Republicans wishing to control patronage also had to be in the good graces of a successful Republican presidential candidate. Patronage, after all, remained the prerogative of the presidency. The President had the power, if rarely exercised, to appoint anyone he wished, regardless of the opinion of the national committeeman.

¹⁶ “Outstanding South Carolina Negro,” I. S. Leevy papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹⁷ There were some exceptions to this. For example, President McKinley trusted Democratic senator John McLaurin with patronage in South Carolina for part of his presidency. See: Willard B. Gatewood, “William D. Crum: A Negro in Politics,” *The Journal of Negro History* 53, no. 4 (1968): 306–9.

South Carolina Republicans did not have the option of gaining the Republican presidential candidate's trust by helping him win their state in the national election. However, they could help a Republican candidate win the nomination at the party's national convention.

The national committeeman was elected every four years by the state delegation at the national Republican convention. In South Carolina, as in most states of the South, the state delegation for the national convention was elected through county, district, and state conventions. The road to controlling patronage thus started with the county conventions. There, each county elected a pre-determined number of delegates for the district and state conventions. Each congressional district then selected a delegate and an alternate for the national convention. Finally, the state convention elected the delegates at-large.¹⁸ In the 1920s, this delegation was composed of one delegate from each of the seven congressional districts and four at-large delegates, for a total of eleven, although the size of the South Carolina Republican delegation fluctuated over time depending on the rules adopted by the national party.¹⁹

Since the election of the state delegation had a direct impact on who would become national committeeman, the process was always extremely contentious. It led to numerous personal alliances and the formation of various factions, all unstable and constantly in flux. These alliances and factions were rarely bound by political principles or philosophy, but instead were based on personal relationships. Factional leaders like Tolbert usually gained the trust of party members by promising them patronage or power over local appointments and by paying their trips to state or national conventions. Factional leaders then helped the election of their supporters to key positions

¹⁸ "Before the Republican National Committee, Tolbert et al. vs. Hambright et al., Contest from the State At Large and Six Districts in South Carolina, Records and Briefs of Contestees," 1936, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹⁹ "Tolbertism an Issue," *Columbia State*, December 19, 1923.

in the party organization. By pitting party members against each other, the politics of patronage made the party particularly prone to discord. And without elections, where a common opponent could help bring members of the same party together, there were few occasions or reasons for the party to close ranks. Hence, during the 1920s and 1930s, South Carolina Republicans spent considerable energy battling between themselves. These power struggles over patronage were so heated that the party often split into two independent factions, each of which organized its own sets of conventions to elect their own delegation to the national convention. Hence, South Carolina, like most states of the Deep South, sometimes sent dueling delegations to the Republican National Conventions of the 1920s and 1930s.

While in-fighting and factionalism were in some cases unavoidable, the national Republican Party and Republican presidential hopefuls bore significant responsibility for the split of the party into independent factions. Their quadrennial schemes to secure the support of southern delegates made it all but certain that “manipulation,” “intrigue,” and constant factionalism would plague southern state Republican organizations. Even if the South Carolina delegation represented only about 1% of all delegates at national conventions, presidential candidates never failed to court their support. This was in part because in a close contests, all votes mattered.²⁰ As Howard Taft wrote to one of his confidants in 1908, “when a man is running for the Presidency, . . . he cannot ignore the tremendous influence, however undue, that the Southern vote has and he must take the best way he can honorably to secure it.”²¹ But the primary reason that Republican Presidential candidates rarely failed to court southern delegations was the low cost in time and money that such

²⁰ For more on the importance of southern delegates in national conventions, see: Boris Heersink and Jeffery A. Jenkins, “Southern Delegates and Republican National Convention Politics, 1880–1928,” *Studies in American Political Development* 29, no. 01 (April 2015): 68–88.

²¹ Letter from William Howard Taft to W. R. Nelson, Washington, January 18, 1908, quoted in Henry F. Pringle, *The Life and Times of William Howard Taft*, vol. 1 (New York, NY: Farrar and Rinehart, 1939), 347.

operations required. There was no need for large public campaigning or advertising. Presidential candidates simply relied on a small group of emissaries to reach out to these state party leaders and national committeeman. When a candidate failed to gain the support of the current state party leadership, he could encourage the creation of a new, parallel Republican organization. He simply had to recruit a disgruntled party leader and have him elect another delegation for the national convention. As a result, southern states often sent two delegations to national conventions, both committed to different candidates and both motivated by the desire to control patronage. This “scramble for southern delegates” often exacerbated, and sometimes even single-handedly created, factionalism and chaos in state parties.

To be sure, emissaries of presidential candidates always claimed that they only courted “the regular organization.”²² The reality, however, is that the party had never adopted clear rules defining what constituted a “regular organization,” nor had they taken any means to enforce the few rules they had. In fact, presidential candidates had nearly *carte blanche* in the manner in which they acted in the South.²³ The ultimate arbitrator, the Republican National Committee and the Convention’s credentials committee, based their judgement entirely on politics, not on rules. Their decision on which delegation was the legitimate one reflected both the priorities of the party at the time and which candidates had the firmest hold on these two bodies. But it had little to do with rules or process. The tumultuous battle between Howard Taft and Theodore Roosevelt for the Republican presidential nomination in 1912 is perhaps the most famous example that in such contests, the delegations’ legitimacy were primarily determined by which candidate controlled the

²² Senate Committee on Privileges and Elections, *Presidential Campaign Expenses, Vol. 1*, 66th Cong., 2nd sess., 1920, 458.

²³ See for example: Senate Special Committee Investigating Presidential Campaign Expenditures, *Hearings on Presidential Campaign Expenditures*, 70th Cong., 1st Sess., May 5, 1928.

party machinery. In this election, virtually all southern states sent two delegations to the Republican National Convention.²⁴ The regular organization – the one including the current national committeeman – generally supported Taft. After all, they owed him their control over patronage over the last four years. But they were opposed by Republicans who supported the progressive stance of Roosevelt and were trying to wrest patronage away from the current leaders.²⁵ Being in full control of the party machinery, Taft won the nomination largely by ensuring that his southern supporters were seated over those of Roosevelt. In such a context where the legitimacy of their delegation was ultimately decided by which presidential candidate it supported, South Carolina Republicans could hardly afford to place principles over expediency in making their choice. In other words, only by backing the right horse could a Republican faction control patronage.

The selection of the Republican presidential candidate in 1920 provides a good example of how this system worked. In that election, Leonard Wood and Frank O. Lowden were the main contenders for the votes of southern delegations. The race was so close between the two and the third frontrunner, Hiram Johnson, that South Carolina's eleven votes could have proven critical at the convention. State party chairman and national committeeman Joseph W. Tolbert came out early in support of Lowden. With the help of his close allies, he ensured the election of a solid Lowden delegation for the national convention.²⁶ Failing to obtain Tolbert's support, Wood's

²⁴ Pringle, *The Life and Times of William Howard Taft*, 1:347.

²⁵ For a thorough discussion of the dueling Alabama delegations sent to this convention, see: Samuel L. Webb, *Two-Party Politics in the One-Party South: Alabama's Hill Country, 1874-1920* (Tuscaloosa, AL: University of Alabama Press, 1997).

²⁶ "May Make Change in Party Leader," *Columbia State*, January 11, 1920; "S.C. Republicans Name Rival Delegation," *Charleston Evening Post*, February 6, 1920; "Tolbert Faction Declared Victor," *Charleston Evening Post*, June 4, 1920; "On the Road," *Columbia State*, April 4, 1921.

lieutenants, former Postmaster General and former Republican Party chairman Frank H. Hitchcock and Senator George H. Moses, prepared a double counterattack. They tried to sway W. T. Andrews, who was part of the Tolbert delegation, into changing his allegiance and that of the delegation to Leonard Wood.²⁷ Simultaneously, through Florida national committeeman George W. Bean, they also reached out to Tolbert's archrival, J. Duncan Adams.²⁸ Actively trying to control patronage in the state, Adams had been at odds with Tolbert since 1912.²⁹ In exchange for Adams' support, the Wood lieutenants provided him with the necessary funds to organize a rival faction, and elect a pro-Wood delegation.³⁰

There was nothing unusual about Adams accepting money for his help. Tolbert also received financial support from the Lowden organization. Party chairmen were customarily held responsible for paying nearly all the party's expenses. These expenses ranged from renting a hall for conventions to printing the Republican ballots for the presidential election, and regularly included the train rides and lodging for those who could not have otherwise afforded to attend the conventions. Since they received little to no financial support from the national party except through these arrangements, they had little choice but to monetize their support. With few other means to raise funds, they otherwise would have had to pay party expenses from their own pockets.

²⁷ "S.C. Republicans Split," *Augusta Chronicle* (GA), February 7, 1920; Senate Committee on Privileges and Elections, *Presidential Campaign Expenses, Vol. 1*, 66th Cong., 2nd sess., 1920, 469.

²⁸ "May Make Change in Party Leader," *Columbia State*, January 11, 1920.

²⁹ "Officeholders Are Concerned," *Charleston Evening Post*, April 17, 1912; "Tolbert Claims He Is Regular," *Columbia State*, October 11, 1916; "Adams Faction Issues Address," *Columbia State*, October 14, 1916.

³⁰ Senate Committee on Privileges and Elections, *Presidential Campaign Expenses, Vol. 1*, 66th Cong., 2nd sess., 1920, 458-480.

In fact, they often did, prompting one southern party chairman to lament that Republican politics in the south was an “expensive hobby.”³¹

Both the Adams and Tolbert delegations showed up at the Republican National Convention in Chicago. Both were ultimately motivated by patronage and power rather than any particular political principles or program. Adams’s faction was, in essence, a Lily-White group. But understanding the importance of optics, Adams included one prominent African American in his delegation, Butler W. Nance, the founder of the Columbia branch of the NAACP.³² While the majority of Republican national leaders believed that the party’s only path to success in the South was to appeal to whites, they had to balance their efforts so as not to offend the growing northern black population. As a result, most southern delegations, even those from Lily-White factions, usually included African Americans. By the 1920s, requiring token African Americans in southern delegations was as far as the Republican Party went in terms of defending African American political rights.

As expected, at the opening of the convention, the race was so close between the three leading candidates that most observers expected a deadlock. Tolbert, an expert backroom politician, had anticipated and prepared for this situation. He made an agreement with Republican party leaders that if it appeared that Lowden could not win in the first few ballots, his delegation would support Harding. In fact, two months prior to the convention, he had told a reporter that he was convinced that Warren G. Harding would end up with the nomination as the “compromise” candidate.³³ This proved politically astute because most national party leaders were extremely

³¹ Heard, *A Two-Party South?*, 110.

³² “Richland Negroes Hold Hot Session,” *Columbia State*, February 3, 1920; “Tolbert Faction Declared Victor,” *Charleston Evening Post*, June 4, 1920.

³³ “On the Road,” *Columbia State*, April 4, 1921.

anxious that the convention would be so divisive that the party would suffer in the November election. They were thus pushing behind-the-scenes for a “compromise candidate” in case neither of the top three candidates managed to get a majority of votes. This backroom deal contributed importantly to the victory of the Tolbert delegation over the Adams’ group before the Republican National Committee.

Having won his contest, the Tolbert delegation took their seats at the convention. As anticipated, delegates were split between the candidates, and the convention devolved into a stalemate. In the end, South Carolina, like many other Lowden supporters, shifted to Harding on the 9th ballot.³⁴ By the 10th ballot, Warren G. Harding was officially elected as the Republican presidential candidate.³⁵ Tolbert’s convention strategy helped put him in the good graces of soon-to-be president Harding. Hence, after the South Carolina delegation unanimously re-elected him national committeeman, Tolbert was officially in control of patronage matters in South Carolina.³⁶

Tolbert proved nearly unbeatable at this kind of politics. In fact, contrary to other southern states, the Black and Tan South Carolina Republican organization was never really threatened by a rival Lily-White organization during the 1920s. Squabbles and infighting occurred, but generally within the confines of the regular organization. Yet, it required a constant balancing act. On the one hand, Tolbert’s power in national circles was largely due to the fact that his organization was primarily composed of African Americans. This display of bi-racialism at conventions was critical for Republicans in their effort to secure the growing northern black vote. On the other hand, in

³⁴ For a discussion of the 1920 Republican convention, see: Charles L. Mee Jr., *The Ohio Gang: The World of Warren G. Harding* (New York, NY: M. Evans, 1981); John W. Dean, *Warren G. Harding*, The American Presidents Series (New York, NY: Times Books, 2004).

³⁵ George Luzerne Hart, *Official Report of the Proceedings of the Seventeenth Republican National Convention* (New York, NY: The Tenny Press, 1920).

³⁶ “Tolbert to Name All Appointees: Republicans to Consult in All Matters,” *Columbia State*, July 24, 1921.

order to keep the trust of African Americans, Tolbert needed to speak to their increasing frustration over the party's tepid stance on African American political and civil rights in the South without embarrassing the presidential administration. Tolbert was largely successful in this endeavor, keeping the trust of both African Americans and national party leaders. Despite some discontent and putsch attempts, Tolbert remained firmly in control of patronage for the remainder of the decade, until president Hoover removed him in 1930 in an ill-fated attempt at reforming the party. As a result, compared to other Deep South states, the South Carolina Republican Party was a far more stable organization.

The Politics of Patronage Distribution

With Republicans in control of the White House throughout the 1920s, Tolbert's Black and Tan Republican organization primarily focused on the distribution of federal patronage. This was no small matter. It meant distributing several hundred federal jobs, from postmaster to district attorney, from U.S. marshal to collectors of customs. Tolbert even had some control over the appointment of mail carriers, even though this was technically under the sole control of the Post Office Department.³⁷ In a state experiencing economic difficulty and soon to be called the "nation's No.1 economic problem," these jobs provided a stable income in an employment sector resting beyond the vagaries of the economy. In fact, the economy of some cities, such as Charleston for example, were heavily dependent on federal patronage.³⁸ As a result, on many Sundays of the

³⁷ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 17-18; "Clover Postoffice Sale Discussed by Commission," *Columbia State*, February 14, 1928; "South Carolina Patronage Quiz to Start Today," *Charleston News and Courier*, December 11, 1928.

³⁸ "South Carolina Interviews," Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee. The interviews in this collection were conducted in the late 1940s with a guarantee of anonymity. As a result, materials quoted from this collection cannot be attributed by name.

1920s, a large procession of office seekers visited the front plaza of Joseph W. Tolbert's house in Ninety Six to plead their case.³⁹ In effect, the state Republican Party primarily acted as a large employment agency in the state.

While Tolbert and his Republican allies had tremendous power over federal patronage, there were important limits on who they could appoint. In effect, patronage was a complicated business involving many parties with competing interests and required constant compromises and exchanges of favors.⁴⁰ First, most of the positions were under the jurisdiction of the Civil Service Commission and required applicants to pass an examination. Tolbert was then required to choose only among those who made it into the top three. Another check on Tolbert's control was the presidential administration. Presidents, at any time, could make some appointments themselves, usually to reward personal friends.⁴¹ For example, in 1923 President Warren Harding disregarded Tolbert's candidate and unilaterally decided to appoint Captain Charles Coolidge Withington, a World War I veteran and native of Massachusetts with connections to Vice President Calvin Coolidge, as postmaster of Greenville.⁴² These were rare occurrences, however. More generally,

³⁹ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 47-48; Thomas W. Tolbert, interview with the author, Greenwood, South Carolina, April 2016.

⁴⁰ The papers of Joseph W. Tolbert were burned in the 1960s. However, the correspondence on patronage matters of Alabama Republican leader Oliver D. Street and Georgia Republican leader Elbert Tuttle reveal the complexity and the numerous exchange of favors that took place in the distribution of patronage. The congressional investigations suggest that Tolbert's patronage operations closely resembled those of these two Republican leaders. Oliver D. Street Papers, W. S. Hoole Special Collections Library, University of Alabama, Tuscaloosa, Alabama; Elbert Tuttle Papers, Rose-MARBL, Emory University, Atlanta, Georgia.

⁴¹ For example, President Theodore Roosevelt decided to appoint his friend Micah Jenkins to a federal position in South Carolina. It triggered an intense revolt from the party leadership. See: Willard B. Gatewood, "Theodore Roosevelt and Southern Republicans: The Case of South Carolina, 1901-1904," *The South Carolina Historical Magazine* 70, no. 4 (1969): 251-66.

⁴² "Withington Gets Greenville," *Columbia State*, January 28, 1922; "Republican Patronage in South Carolina: Where Public Office Is a Private Debt," *Boston Independent* (MA), February 5, 1927. The connection between Coolidge and Withington took a whole new level when one of Withington's sons, born on election day in 1924, was named Calvin Coolidge Withington. "Election Day Baby Given Cal's Name," *Charleston Evening Post*, November 5, 1924.

the presidential administration ensured that Tolbert selected candidates that they deemed acceptable.

This presidential oversight meant that virtually no African American could be appointed to federal offices in South Carolina. Ever since President Howard Taft, Republican presidents had been unwilling to face the inevitable wrath of Democratic senators and their white constituents by appointing black candidates as postmasters.⁴³ Under Woodrow Wilson, matters got even worse for African Americans. While denied virtually any positions in South Carolina and other Deep South states since the turn of the century, under Taft, African Americans could at least aspire to appointments in the federal government in Washington, DC.⁴⁴ Yet even this practice came to halt under Wilson.⁴⁵ The Civil Service Commission began requiring photographs from all applicants. While this new requirement was presented as a means to prevent “impersonation,” it was in reality used to screen out black applicants. Republican President Harding did not reverse this course, stating at the beginning of his presidency that he did not “intend to add to the irritation [of the white South] by the appointments of Negroes to federal offices.”⁴⁶

⁴³ Philip F. Rubio, *There's Always Work at the Post Office: African American Postal Workers and the Fight for Jobs, Justice, and Equality* (Chapel Hill, NC: University of North Carolina Press, 2010), 16–50.

⁴⁴ Eric S. Yellin, *Racism in the Nation's Service: Government Workers and the Color Line in Woodrow Wilson's America* (Chapel Hill, NC: University of North Carolina Press, 2013), 11–78.

⁴⁵ For more on discrimination in federal employment, see: Kathleen L. Wolgemuth, “Woodrow Wilson and Federal Segregation,” *The Journal of Negro History* 44, no. 2 (1959): 158–73; August Meier and Elliott Rudwick, “The Rise of Segregation in the Federal Bureaucracy, 1900-1930,” *Phylon* 28, no. 2 (1967): 178–84; Nancy J. Weiss, “The Negro and the New Freedom: Fighting Wilsonian Segregation,” *Political Science Quarterly* 84, no. 1 (1969): 61–79; Rubio, *There's Always Work at the Post Office*; Yellin, *Racism in the Nation's Service*.

⁴⁶ “Negro Not Likely to Hold Office,” *Atlanta Journal* (GA), March 13, 1921, NAACP Papers, Library of Congress; Letter from Warren G. Harding to N. D. Brascher, October 5, 1921, quoted in Leonard C. Schlup and John Henry Hepp, eds., *Selections from the Papers and Speeches of Warren G. Harding, 1918-1923: The Twenty-Ninth President of the United States of America* (Lewiston, NY: Edwin Mellen Press, 2008), 242–43.

In fact, even if a president had decided to appoint blacks to federal offices in the South, white violence would have probably made it impossible.⁴⁷ As historian Leon Litwack has explained, in the Jim Crow South, the “black postmaster, like any black official, was out of his or her place, symbolizing political ambition and assertiveness that could only raise the specter of social equality and mongrelization.”⁴⁸ Perhaps the most gruesome example of the violence black officials were exposed to occurred in 1897. President McKinley appointed African American Frazier B. Baker as postmaster of Lake City, an overwhelmingly white town 25 miles south of Florence, South Carolina. The city’s white population immediately launched a campaign to have Baker removed. After these efforts failed, a mob set the Bakers’ house on fire in the middle of the night and fired gun shots at family members trying to escape. Frazier and his infant daughter were shot dead. Frazier’s wife, Lavinia, and the couple’s other children survived and eventually relocated to Boston, Massachusetts.⁴⁹

In 1921, the rumor began floating that African American Georgia Republican national committeeman Henry Lincoln Johnson would be appointed recorder of deeds in the U.S. Treasury Department. Unwilling to cede any ground, whites reacted strongly to the potential hire of Johnson. Between 500 and 1000 of the white women who would have worked under Jackson threatened to strike if he was appointed to the position.⁵⁰ They sent a petition to all members of Congress,

⁴⁷ Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York, NY: Knopf, 1998), 161.

⁴⁸ *Ibid.*

⁴⁹ For discussion of the lynching of Frazier B. and Julia Baker, see: Christopher Waldrep, *Lynching in America: A History in Documents* (New York, NY: New York University Press, 2006), 208–16; Damon L. Fordham, *True Stories of Black South Carolina* (Mt. Pleasant, SC: Arcadia Publishing, 2008); Trichita M. Chestnut, “Lynching: Ida B. Wells-Barnett and the Outrage over the Frazier Baker Murder,” *Prologue*, Fall 2008, 21–29; Terence Finnegan, *A Deed So Accursed: Lynching in Mississippi and South Carolina, 1881-1940* (Charlottesville, VA: University of Virginia Press, 2013).

⁵⁰ “Women Oppose Negro Register,” *Atlanta Georgian* (GA), March 27, 1921; “Girl Employees in Treasury Oppose Negro as Register,” *New York World* (NY), April 3, 1921; “Negro See Hays Foe of Their Race,” *New York World*

explaining that it would be “inexpedient to give negroes jurisdiction over white citizens.”⁵¹ Yet, until the Wilson presidency, this federal office had traditionally been filled by an African American. In fact, Johnson himself had previously served in that position from 1909 to 1913 and had faced no complaints or protests at the time. But by the return of the Republicans to the White House in 1920, white supremacists had become accustomed to the racist practices in federal hiring that the Wilson administration put forth.

Harding nominated Johnson, despite the protests. But this was hardly a gesture of opening to African Americans. In fact, it was part of Harding’s strategy to reorganize, or “whiten,” the party in Georgia. By appointing Johnson, and thus making him move to Washington, D.C., Harding wanted to weaken the Black and Tan faction in Georgia by taking away its most important leader.⁵² In turn, Lily-Whites would have an opportunity to take over the party machinery, something that Harding believed could help Republicans achieve electoral relevance in Georgia.⁵³ Harding’s machinations failed, however, when the nomination was blocked by Georgia’s senators.⁵⁴ Johnson’s failure to be appointed, combined with the memories of the many instances

(NY), April 4, 1921; “Federal Women Employees Oppose Negro for Register,” *Chicago Daily Tribune* (IL), April 4, 1921; “White Women Object to Negro Overlord,” *Birmingham Age-Herald* (AL), April 4, 1921, NAACP Papers, Library of Congress.

⁵¹ “Girl Employees in Treasury Oppose Negro as Register,” *New York World* (NY), April 3, 1921, NAACP Papers, Library of Congress.

⁵² “Republican Drive Ends in Disaster Harding Disappointed with Party in South,” *Columbia State*, July 2, 1922.

⁵³ Robert E. Hauser, “‘The Georgia Experiment’: President Warren G. Harding’s Attempt to Reorganize the Republican Party in Georgia,” *The Georgia Historical Quarterly* 62, no. 4 (1978): 288–303; Donald Lee Grant, *The Way It Was in the South: The Black Experience in Georgia* (Athens, GA: University of Georgia Press, 1993), 336–38.

⁵⁴ “Johnson Nomination Rejected by U.S. Senate: Negro is Refused Job as Recorder of Deeds in DC,” *Atlanta Constitution* (GA), November 23, 1921. The Democratic senators’ opposition to Johnson’s nomination was due to two main factors. First, opposing black advancement was generally good politics in Georgia. Secondly, the best means to keep the Republican Party impotent was to make sure that the party remained in control by African Americans. A Lily-White Republican Party could potentially shed the “stigma” of Reconstruction and become electorally competitive.

of white violence against African American federal officials, dramatically tempered the patronage aspirations of most African American Republicans. In fact, some South Carolina Republicans came to see a federal appointment as a potential death sentence. “You would not be my friend if you made me postmaster,”⁵⁵ African American M. B. Lee told Tolbert at the 1922 Republican state convention. “No!” the audience shouted in response, “someone would kill you.”⁵⁶

As the Johnson story also illustrates, Tolbert and the Black and Tan Republicans also had to be mindful of local white Democrats in the distribution of patronage. Local business or political leaders, nearly all of whom were Democrats, sometimes directly contacted Republican leaders with suggestions.⁵⁷ In most cases, however, they played a more indirect, yet critical, role by providing applicants with verbal or written recommendations. These recommendations ensured Tolbert and the presidential administration that the applicant in question had the required standing and would be acceptable to the community in which he would operate. Local businessmen or political leaders also occasionally mobilized in opposition to an appointment. For example, in 1923, the Greenville Chamber of Commerce opposed the appointment of A. A. Gates, a white hotel owner and Republican leader, to the position of postmaster of Greenville.⁵⁸ Through congressional lobbying, the chamber of commerce and other white Democrats from Greenville were successful in preventing Gates from being appointed.

⁵⁵ “Republican Convention,” *Yorkville Enquirer*, September 22, 1922.

⁵⁶ *Ibid.*

⁵⁷ Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928.

⁵⁸ “No Appointments in Postal Service,” *Columbia State*, March 16, 1921; “Tolbert Drives for Appointments,” *Columbia State*, May 16, 1921; Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 117-121.

But, as Johnson's story illustrates, Democratic senators were the most important check on the state Republican Party's power over patronage. Once a candidate was approved by the presidential administration, he or she had to be confirmed by the Senate. Senatorial customs granted power to the two senators from the state in which the appointment was made. In the vast majority of cases, Tolbert knew that the president would not spend any political capital on fighting the Senate over a South Carolina nomination. This forced Tolbert to select candidates that would be suitable to the two Democratic senators from South Carolina. And since the senators were elected officials, the court of popular opinion often played an important role in the process. If a nomination was opposed by too many of the senators' key constituents, as in Gates's case, the senators could block the confirmation of the candidate. As a result, Tolbert was sometimes forced to compromise. Often, that meant appointing candidates recommended by Democratic senators or their allies in exchange for speedy confirmations of Republican candidates. While they had little power over which candidates were nominated, white Democrats wielded important veto power over most nominations. But since federal offices had to be filled for local governments to function, Democratic senators and white local leaders could not afford to oppose any candidates until they got their pick. At a time where mass consumption was driven by mail orders, southern senators knew that an extended disruption of the postal service would infuriate their constituents and could dramatically hurt their chances of re-election.

In fact, when encountering opposition that he deemed unwarranted, Tolbert occasionally reminded local leaders where the power to appoint rested. For example, in 1921, Tolbert appointed an Indiana-native lawyer and businessman named Thomas Jefferson Karnes postmaster of Georgetown. This appointment infuriated a number of Georgetown residents. Karnes was part

owner of the only movie theater in town, the Palmetto Picture Show.⁵⁹ White Georgetown residents deeply resented the fact that Karnes's theater had scheduled time for African Americans.⁶⁰ In fact, Karnes also provided the theater, free of charge, for Republican district conventions.⁶¹ Upon learning that Karnes would be nominated for postmaster of the town, local leaders mobilized, and complained to Democratic senator Ellison "Cotton Ed" Smith. They brought to Tolbert a number of affidavits stating that because he was operating a "negro picture show," Karnes would be run out of town.⁶² Tolbert told the small Georgetown delegation that in the recent past, African Americans obtained most of the federal offices in the county. In a county where African Americans composed roughly 70% of the population, it was only fair that Republicans would appoint blacks. Tolbert told them that he understood that this may no longer be acceptable to them, and that he was thus "trying to give [them] a white man down there now."⁶³ If you people do not intend to let me," Tolbert said, "then you will have to take what you get."⁶⁴ The delegation clearly understood Tolbert's subtext: if they keep opposing Karnes, they would get a black postmaster. Within a week or so, the opposition to Karnes vanished. He proved to be an efficient postmaster and served

⁵⁹ Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928.

⁶⁰ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 152-54.

⁶¹ Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 4: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 71st Cong., 2nd sess., June 21, 27-29 and July 1, 1929, 763.

⁶² Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 153.

⁶³ *Ibid.*

⁶⁴ *Ibid.*

without complaint from 1922 to 1931.⁶⁵ In fact, this was the case for nearly all federal officials selected by Republicans. Despite occasional protests about particular nominations, there were virtually no complaints over the work of federal officials appointed by Republicans.⁶⁶

African Americans and Federal Patronage

In previous decades of the late nineteenth and early twentieth century, well-to-do African Americans could aspire to important federal offices. But in the 1920s, very few black Republicans were appointed to federal offices in South Carolina. Furthermore, as the case of Henry Lincoln Johnson shows, African Americans were also excluded from the best paying federal positions in Washington, D.C. Those who managed to get federal employment were appointed to positions at the bottom of the pay ladder where they had very little power, if any, over white federal employees. In South Carolina, these appointments were virtually all in large cities like Charleston and Columbia or in nearly all-black communities. For example, Joel. H. Jackson, a lifelong Republican and an occasional contributor to the *Palmetto Leader*, worked as mail clerk in the Internal Revenue Office of Columbia.⁶⁷

⁶⁵ “Nominates Karnes,” *Columbia State*, February 10, 1922; “Karnes, Waring mentioned for District Attorney Post,” *Charleston News and Courier*, March 22, 1930; “Election to be Declared,” *Charleston Evening Post*, November 24, 1934.

⁶⁶ The only major exception may be J. E. D. Meyer, the district attorney. He was forced to resign after the congressional patronage investigations alleged that he was involved in bootlegging. That being said, corruption among federal officials over matters of prohibition were widespread in the nation. See: Harold Waters, *Smugglers of Spirits: Prohibition and the Coast Guard Patrol* (New York, NY: Hastings House Publishers, 1971); Michael A. Lerner, *Dry Manhattan: Prohibition in New York City* (Boston, MA: Harvard University Press, 2007); Daniel Okrent, *Last Call: The Rise and Fall of Prohibition* (New York, NY: Simon and Schuster, 2010); Edward Behr, *Prohibition: Thirteen Years That Changed America* (New York, NY: Skyhorse Publishing, 2011); Garrett Peck, *Prohibition in Washington, D.C.: How Dry We Weren't* (Mt. Pleasant, SC: Arcadia Publishing, 2011); Lisa McGirr, *The War on Alcohol: Prohibition and the Rise of the American State* (New York, NY: W. W. Norton & Company, 2016); Ron Smith and Mary O. Boyle, *Prohibition in Atlanta: Temperance, Tiger Kings & White Lightning* (Charleston, SC: American Palate, 2015).

⁶⁷ Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 3: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee

Even if shut out of most federal offices, Republican African Americans could still benefit from the politics of patronage. First, they could exert important power over the selection of candidates. The distribution of patronage was organized hierarchically in the state. While national committeeman Joseph W. Tolbert was the main authority on the question, and usually had the last word, he did not decide alone. The task of filling federal offices in the state was far too large for a single person. Additionally, Tolbert's position in the party depended heavily on the support of the executive committee. Tolbert's willingness to share power in patronage distribution was thus both administratively and politically motivated. The members of the bi-racial state executive committee usually selected candidates for the most important offices, such as district attorney, U.S. marshal or collector of customs. For the several hundred other local appointments, Tolbert generally relied on the recommendations made by a trusted network of Republican county and district chairmen.⁶⁸ In this sense, these elected offices were more than just symbolic, as they were vested with tangible power in patronage matters. This network was composed of many white Republicans, but also included an important number of African Americans, such as G. C. Williams of Newberry, Wesley

on S. Res. 193, 71st Cong., 1st sess., on March 23 and Apr. 5, 1929, 626; "Columbians Organize Hoover-Curtis Club," *Columbia Palmetto Leader*, September 29, 1928.

⁶⁸ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922; Congressional Record (January 24, 1924), 1408-1412; Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1 : Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928; Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 3: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 71st Cong., 1st sess., on March 23 and Apr. 5, 1929; Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 4 : Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 71st Cong., 2nd sess., June 21, 27-29 and July 1, 1929.

S. Dixon of Barnwell, R. H. Richardson of Wedgefield, Booker T. Smith of Spartanburg, and Dr. J. H. Goodwin of Columbia.⁶⁹

Hence, a significant portion of the nearly all-white federal office holders in South Carolina obtained their positions by seeking the support and recommendation of African American Republicans. This was not inconsequential. In the Jim Crow South, few organizations, if any, offered African Americans the opportunity to wield political power over white southerners. This defiance of southern mores did not go unnoticed. Senator Dial, speaking for most white South Carolinians, denounced in Congress and in the press this “shocking” practice of having to secure the support of “darkies” to get federal jobs.⁷⁰ This practice, which should have “ended in 1876” made the senator and most of his constituents’ “blood boil.”⁷¹ For Dial, it was “inconceivable” that Tolbert, who claimed to love his state, would subject “its citizens, its former soldiers, its contended mill people, and its pure women” to the “embarrassment and humiliation of having to confer with negroes.”⁷²

Control over federal appointments also lead to indirect employment for some African Americans. As many federal office holders had discretionary power to hire their own staff, selecting a racially progressive candidate could translate into jobs for African Americans. It could also lead to fairer administration of justice. Consequently, even if Africans Americans rarely benefitted directly from federal patronage, they could make small, yet significant, gains from it.

⁶⁹ Senate Committee on Post Offices and Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928.

⁷⁰ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 21.

⁷¹ *Ibid.*

⁷² “Negroes Acting as Tolbert Aids,” *Columbia State*, September 3, 1922.

The case Samuel J. Leaphart, a U.S. marshal, illustrates how African Americans used their influence over federal patronage to reap some indirect benefits. Born in 1878, Leaphart grew up in Lexington, South Carolina. His father, Charlton E. Leaphart, a preeminent member of the community, was a successful physician, landowner, and businessman.⁷³ Samuel J. Leaphart attended the University of South of Carolina in the late 1890s. While in college, Leaphart's passion for baseball led him to befriend classmate Alonzo Dutton Webster, the son of Eugene Alonzo Webster, one of the most powerful white Republicans in late 19th century South Carolina.⁷⁴ While never active in politics until the 1920s, Leaphart would maintain these types of connections with important local and state Republicans. After graduating from College in 1898, Leaphart joined his father's business and farming enterprises, and upon his father's death in 1902, Leaphart succeeded as postmaster of Lexington. He served in that position until 1915.⁷⁵ Shortly after, Leaphart bought shares in the *Lexington Dispatch*, and served as its business manager until 1919.⁷⁶ He sold his interests in the paper in the summer of 1919 and used the capital to co-found the Lexington Cotton & Fertilizer Company.⁷⁷

⁷³ *Hawkinsville Dispatch-News* (GA), December 13, 1922.

⁷⁴ *Lexington Dispatch*, May 10, 1911; "Leaphart-Powell," *Charleston Evening Post*, September 21, 1925; "Sam J. Leaphart, Former Marshal," *Charleston News and Courier*, March 29, 1940. Eugene Alonzo Webster, a lawyer and native of Vermont, moved to Orangeburg in in the late 1870s. Webster rapidly became a leader of the Republican Party, serving notably as party chairman and national committeeman. His power and influence in the party helped him obtain a number of federal jobs, including one of the most prestigious positions, that of internal revenue collector in South Carolina. See: "Death of Collector Webster," *Walhalla Keowee Courier*, September 25, 1901.

⁷⁵ "Postmasters Are Confirmed," *Columbia State*, January 15, 1911; "Samuel J. Leaphart Nominated for United States Marshal," *Lexington Dispatch-News*, April 5, 1922; "Sam J. Leaphart, Former Marshal," *Charleston News and Courier*, March 29, 1940.

⁷⁶ "Sam J. Leaphart, Former Marshal," *Charleston News and Courier*, March 29, 1940.

⁷⁷ "Samuel J. Leaphart Nominated for United States Marshal," *Lexington Dispatch-News*, April 5, 1922.

In May 1922, Leaphart was appointed U.S. Marshal for the Eastern District of South Carolina.⁷⁸ Joseph W. Tolbert had personally recommended Leaphart for the position to President Harding. Most whites in South Carolina had no objections, since, as South Carolina U.S. senator Nathaniel B. Dial put it, Leaphart had a good reputation and was not a “dyed in the wool Republican.”⁷⁹ By that, Dial probably meant that Leaphart had never engaged in political activities alongside African Americans, nor was he a known advocate of African American political right or “social equality.” While this was true, neither was Leaphart a racial reactionary either. In fact, he had developed a reputation of fairness among African Americans. For example, during his few years serving on the Lexington County board of supervisors of registrations in the early 20th century, he applied the law fairly, and did not rely on the numerous dirty tricks that many other officials used to suppress the black vote.⁸⁰ Black Republican leader from Columbia L. A. Hawkins reflected the view of the committee, when he commented that Leaphart “recognizes a man's merits and not the color of his skin or the texture of his hair.”⁸¹ In fact, it was not Tolbert who had first suggested appointing Leaphart, but the African American dominated Republican state executive committee.⁸² Tolbert only followed their recommendation.

⁷⁸ “Leaphart Made U.S. Marshal,” *Lexington Dispatch-News*, May 17, 1922.

⁷⁹ “Meyers and Leaphart are Nominated,” *Manning Times*, April 05, 1922.

⁸⁰ *Lexington Dispatch*, April 1, 1903.

⁸¹ Letter from L. A. Hawkins to Walter White, January 17, 1931, NAACP Papers, Library of Congress. Lazareus A. Hawkins, born in the mid-1860s, had been a delegate to three Republican National Conventions, and ran multiple times for Congress. In 1920, he contested the election results to the State Board of Canvassers using Prioleau and Moorer’s argument but did not bring the matter to Congress. Believing that, considering the composition of the party, the party chairman had to be black, he also ran against Tolbert two times. See: “Chairman to be White or Negro?,” *Columbia State*, September 29, 1914; “District Meeting For Republicans,” *Columbia State*, March 7, 1916; “Board Dismisses Two Grievances,” *Columbia State*, November 25, 1920; “Re-Elect Tolbert Head of Party,” *Columbia State*, September 24, 1926; “Tolbert Rules At Convention,” *Columbia State*, February 10, 1928; “Re-Elect Tolbert Head Republicans,” *Columbia State*, September 24, 1930; Burke, “Killing, Cheating, Legislating, and Lying,” 876–77.

⁸² Letter from L. A. Hawkins to Walter White, January 17, 1931, NAACP Papers, Library of Congress.

Leaphart did not disappoint his Republican African American supporters. He used his discretionary hiring power to employ a number of them in his office. In fact, many other white office holders appointed by Republicans used their power to hire African Americans for positions such as janitors or messengers in post offices or other federal offices. These were not white collar or well-paying jobs, nor did they offer much chance of advancement, however, considering the situation of many African Americans at the time, these jobs could often represent a step up. Most African Americans were barred from good employment opportunities and, save from moving to industrial cities in the North, were generally compelled to live in rural areas and work as tenant farmers or sharecroppers.⁸³ In South Carolina, 75% of African Americans were in such condition. Far from “roaring,” the 1920s spelled economic disaster for these farm workers as the cotton industry collapsed. As textile mill jobs were usually reserved for whites only, the menial jobs obtained through Republican patronage provided one of the very few transitory jobs for rural African Americans wishing to move to the city.

Besides helping some African Americans relocate to cities, these jobs also offered stability. In the depressed farming economy of the South, where black and white tenant farmers and sharecroppers were often trapped in a debt spiral, a fixed wage that did not fluctuate with the economy was welcome. Additionally, these jobs often enabled African Americans more freedom outside of the local workforce, where they did not have to fear the common retribution for participating in politics, or in civil rights groups. It was, in fact, common for white employers to prevent their black employees from voting or partaking in activist organizations.⁸⁴ For example, Greenwood courthouse janitor John Waller, the brother of Republican leader Lewis Waller, never

⁸³ Lau, *Democracy Rising*, 59–61.

⁸⁴ J. I. Hayes, *South Carolina and the New Deal* (Columbia, SC: University of South Carolina Press, 2001), 169.

participated in a political gathering for fear of retribution of his Democratic employer.⁸⁵ Had Waller worked in a federal rather than a state building, chances are that he would not have to “run errands” every time a Republican meeting took place in the building.

Additionally, Leaphart had African Americans serve on juries in the federal courts of the state, a right that had been denied to them during most of the 1910s, when Democrats controlled the White House and federal patronage.⁸⁶ Since his appointment, Leaphart had also began partaking in Republican politics. Throughout the 1920s, he attended conventions, and served as delegate to national conventions. To the pleasure of many African Americans, he also assisted the efforts of a segment of the party that tried to depose Tolbert at the 1930 state convention. This group of Republicans attempted to elect African American undertaker A. E. Bythewood, believing that a party composed primarily of African Americans should have a black leader. Moreover, many party members had become displeased by Tolbert’s clinging to power for so long and his refusal to share any of the top two positions in the party.⁸⁷ While Leaphart voted for Bythewood, Tolbert won easily. However, the U.S. marshal’s standing with black Republicans was further enhanced. In fact, in 1931, militant African American Republican leader Joel Jackson launched an effort to elect Leaphart as state chairman over Tolbert.⁸⁸

⁸⁵ “John Waller Died Yesterday,” *Greenwood Index-Journal*, June 12, 1943.

⁸⁶ Letter from H. E. Lindsay to Walter White, November 24, 1930; Letter from L. A. Hawkins to Walter White, January 17, 1931; Letter from J. E. Blanton to Walter White, February 20, 1931, NAACP Papers, Library of Congress.

⁸⁷ “Re-elect Tolbert Head Republicans,” *Columbia State*, September 24, 1930.

⁸⁸ “Negro G.O.P. Hits New State Party,” *Charleston News and Courier*, August 15, 1931.

Patronage, Recruitment, and Fundraising

The distribution of patronage was critical to the functioning of the party. In exchange for their support and help in securing the chairmanship of the party and the position of national committeeman, Tolbert rewarded his closest white allies by recommending them to important federal offices. For example, Tolbert helped brothers Ernest F. and John Cochran Jr. secure offices in the early 1920s. Ernest, a law graduate from the University of Virginia, was appointed district attorney in 1921, before being elevated to federal judge by President Coolidge two years later.⁸⁹ Tolbert also helped Ernest's brother, John Jr., to obtain the position of postmaster of Anderson.⁹⁰ The Cochran family had long been allied with the Tolbert, and had been critical to Joseph's rise to power in the 1910s.⁹¹ Their path to Republicanism was in fact very similar to that of the Tolberts. The family patriarch, John R. Cochran, Sr., grew up in a farming family that initially opposed secession.⁹² John nevertheless joined the Confederate army once the hostilities began. He joined the Republican Party immediately after the Civil War. He believed that it was better for whites to join the Republican Party "and shape its policies rather than make what seemed like a hopeless fight."⁹³ He was elected as Republican senator from Anderson County in 1874 and again in 1876. John remained in the party even after Democrats "redeemed" the state in 1876, and, in the following decade, introduced his sons to Republican politics.⁹⁴

⁸⁹ "Judge Ernest F. Cochran Takes Own Life Saturday," *Columbia State*, March 5, 1934.

⁹⁰ "Postmaster John R. Cochran," *Columbia State*, January 6, 1928.

⁹¹ "Capers Controls the Organization," *Columbia State*, August 9, 1906; "Marshal Adams on Convention," *Charleston Evening Post*, June 25, 1912; "Talks with Cochran," *Columbia State*, May 8, 1921.

⁹² "Judge Ernest F. Cochran Takes Own Life Saturday," *Columbia State*, March 5, 1934.

⁹³ "A Hero Passes," Cochran Family Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

⁹⁴ Cochran Family Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

Tolbert also used the lure of patronage to recruit “young white men” into the party.⁹⁵ For example, after his farm had been ravaged by the boll weevil, 30-year-old white farmer T. G. Harris sought the postmastership in Woodruff, which paid \$2,000 annually.⁹⁶ He first consulted his local Democratic legislator, J. P. Gray, about the proper procedure. Gray told Harris that he had to see Tolbert for the post office appointment, and the two of them then travelled to Ninety Six to inquire about the position. Tolbert told Harris that in order to be considered for the postmastership he had to take the civil service exam and sign a letter in which he promised to support the Republican Party in the upcoming elections. Tolbert required this from most non-Republicans seeking federal positions. Harris claimed that doing so would be “against his conscience,” because he “would be ashamed to be” a Republican.⁹⁷ But the lure of federal office prevailed, and he signed the document and agreed to help the party if he could secure the position. However, Harris’s hesitation to join the party appeared to be based more on the social ostracism he was sure to encounter as a Republican in South Carolina than on policy preferences. In fact, Harris stated that “If I was up North, I think I would vote the Republican ticket.”⁹⁸ In the end, Harris’s score in the civil service exam was not high enough to qualify him for the position, and he never joined the party. Based on the low party membership among whites and the abysmal Republican vote it appeared that most

⁹⁵ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 110.

⁹⁶ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 47-93.

⁹⁷ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 77, 83.

⁹⁸ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 77.

office seekers followed the same path as Gray. They reluctantly signed the pledge, but never became engaged in the party nor appear to have voted for it.

The Black and Tan Republican organization, however, did manage to recruit some influential whites through patronage in addition to Samuel Leaphart. In most instances, the potential recruit aspired to high federal positions. For example, the Kirkseys, a wealthy family from Pickens, had never appeared at a Republican meeting until they became active in the party in the early 1920s. This political involvement seemed to have been directly linked to patronage. Elizabeth Kirksey, who was related to the Tolberts, was appointed postmistress of Pickens in 1921.⁹⁹ Then, Dr. Robert H. Kirksey was approached to replace Tolbert as U.S. marshal for the Western District of South Carolina after Senator Dial blocked Tolbert's nomination.¹⁰⁰ He was confirmed in that position in 1923, and remained in office until 1930. From 1923 onward, the Kirkseys became active in the party, regularly attending the conventions.¹⁰¹ In 1924, Elizabeth also had the honor of becoming the first national committeewoman in the state party history.¹⁰² Finally, J. E. D. Meyer, an influential attorney from Charleston and former Democrat joined the party in 1922. He was immediately appointed district attorney.¹⁰³ Meyer remained faithful to Tolbert's organization and was regularly elected as delegate to national conventions. He also served as attorney for the Tolbert delegation in 1936 and 1940. For the latter convention, he brought his

⁹⁹ "New Postmasters Confirmed," *Gaffney Ledger*, December 24, 1921.

¹⁰⁰ "Recalls Tolbert Political Fight," *Greenwood Index-Journal*, November 24, 1923.

¹⁰¹ "Put J. W. Tolbert on Committee," *Columbia State*, December 19, 1923; "Republicans May Vote for Lowden," *Charleston News and Courier*, June 3, 1928; "Tolbert Charge Denied," *Charleston News and Courier*, February 4, 1930.

¹⁰² "G.O.P. Women Cast Votes on National Committee," *Washington Post* (DC), June 15, 1924.

¹⁰³ "Republican Convention," *Yorkville Enquirer*, September 22, 1922.

nephew, Ernest F. Hollings, a future Democratic governor and senator from South Carolina, offering him a first and memorable taste of backroom politics.¹⁰⁴

Patronage was not only used to recruit or reward loyal supporters, but it was also the main means of fundraising for a party facing extreme levels of hostility in the state. The state party did sometimes receive funding from the campaign coffers of presidential hopefuls, but this was only during presidential campaign years, every four years. During the three other years of the cycle, the state party was left on its own financially. Not only could it not count on much help from the national party, it was also expected to contribute to the national organization fund. Hence, confronting an indifferent and stingy national party, an electoral base with little economic means, and a white population overwhelmingly hostile to its very existence, the South Carolina Republican Party had little choice but to keep the party afloat through contributions from federal office holders.

Office seekers generally understood that their appointments often required Tolbert to travel to Washington, D.C. to make arrangements, and required a significant amount of time both from Tolbert and the county or district chairmen involved.¹⁰⁵ Of course, in most states, these arrangements were made by salaried elected officials, U.S senators or representatives, but since the Republican Party had none in South Carolina, this work had to be done by Tolbert, the national committeeman, with the assistance of other leading members of the party. None of them received any compensation for their work. Cognizant of this situation, office seekers generally agreed to defray the travel and administrative cost related to their appointments by giving money to the

¹⁰⁴ Ernest F. Hollings and Kirk Victor, *Making Government Work* (Columbia, SC: University of South Carolina Press, 2008), 10–12.

¹⁰⁵ Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928.*

Republican Party. Hence, many South Carolinians did just as Blacksburg postmaster Peter Sapoch, and offered small amounts of money to Republican leaders “for their services.”¹⁰⁶ Moreover, in most instances, federal office holders obtained their positions through the help of local Republicans they knew personally. These contributions were understood as a simple exchange of service between friends or acquaintances. For example, Harry Rich was appointed postmaster of Blackville through the help of Wesley Dixon, Barnwell County Republican chairman. Rich had known Dixon since childhood as the tenant cabin of Wesley’s parents was located in the backyard of Rich’s grandmother’s house. Dixon did not ask for anything in return, but Rich knew that Dixon had invested time and energy and decided to give him “\$25 as evidence of my appreciation of what I thought he had done for me.”¹⁰⁷

Indeed, for most office seekers, contributing to the South Carolina GOP in exchange for a federal office was a judicious business transaction. Like the aspiring Woodruff postmaster, they believed that spending “a dollar [...] to make ten back” was “sound business,” and were willing submit to the custom of paying a small part of their annual salary in making a contribution to the party in return for obtaining a federal position.¹⁰⁸ The donations that the Republican Party obtained in that way were extensive, but the individual amount varied widely.¹⁰⁹ Some, like postmaster of Spartanburg John D. Cason, gave contributions of about \$35. Others, like Hartsville postmaster F.

¹⁰⁶ *Columbia State*, October 31, 1924.

¹⁰⁷ Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Congress, 2nd sess., July 9-12 and December 11-13, 1928, 301.

¹⁰⁸ Senate Judiciary Committee, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., 4th sess., December 19, 1922, 77, 53.

¹⁰⁹ For an incomplete but substantial list of contributions, see: Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928, 249-259.

B. Gaffney and Yonges Island postmaster John W. Geraty, gave \$500. At the other end of the spectrum were Pamplico postmistress Lottie D. Myers and North Charleston postmaster R. L. Henderson, who did not contribute at all, as well as Piedmont postmaster P. M. Hull, who not only refused to contribute, but reportedly told a Republican official inquiring about potential donations “to go to hell.”¹¹⁰

There was nothing new or aberrant in using patronage to support the party in this way. Former South Carolina national committeeman John G. Capers had also heavily relied on the “voluntary” contributions of federal office holders to fund the party in the first decade of the 20th century.¹¹¹ Northern and southern Democrats also regularly rewarded donors with federal offices, and also expected, and sometimes pressured, other federal office holders to contribute to the party’s finances.¹¹² While seemingly going against the objectives of recent reforms of the civil service, this was not technically illegal. The Pendleton Act of 1883, which in the 1920s still dictated the guidelines surrounding federal patronage, was meant to curtail the practice of “assessments” and nepotism in the attribution of federal offices and favored a meritocratic system.¹¹³ But the act had some major loopholes. First, while the act stated that “no person in the public service is for that

¹¹⁰ Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928, 259.

¹¹¹ “Assessed Office Holders,” Sumter *Watchman and Southron*, October 29, 1910.

¹¹² Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928, 247-249; “Claude Sapp and Joe Tolbertism,” *The People’s Magazine*, November 20, 1932, South Carolina Republican Party Vertical Files, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹¹³ Before this major reform, political parties would “assess” the worth of each federal office and require federal office holders to contribute to the party accordingly. The Act also prevented any fundraising in federal buildings (section 12), limited the appointment of members of a same family to some offices to two (Section 9), and mandated that any applicants’ fitness be determined through a competitive examination (Section 2).

reason under any obligations to contribute to any political fund,” it did not prohibit federal office holders from “voluntarily” contributing to the party.¹¹⁴ Secondly, the act did not actually prevent the sale of offices, it only prohibited requiring *current* office holders to contribute to the party, not *prospective* office holders. This loophole would not close until December 1926, after the passage of a bill co-sponsored by South Carolina U.S. representative William F. Stevenson and Mississippi U.S. Representative Thomas J. Busby.¹¹⁵ Finally, the act’s language did not reflect the particular situation within the South Carolina Republican Party, where patronage was controlled by the state’s national committeeman, who, legally speaking, was a private citizen, and not a public official such as a congressman. As such, it was unclear if Tolbert, who for most of the decade was not an office holder, could be indicted under these laws.

Party Leadership and Ideology

During the 1920s, Joseph W. Tolbert stood atop the state Republican pyramid, holding the two most important positions in the party, state chairman and national committeeman. A rural dwelling cotton planter, Tolbert was reminiscent of the gentleman farmer of the Old South, not the urban industrialist of the New South. A broad-shouldered man of nearly 6 feet five inches exhibiting a walrus mustache, Tolbert earned the nickname of “Tieless Joe” for never wearing a tie.¹¹⁶ The “colorful” and “folksy” Tolbert told reporters who inquired about his sartorial choice that as a southern farmer, he learned to never “bother with nothin’ [he] can do without,” and that

¹¹⁴ *Pendleton Act of 1883*, Section 2, Article 2.

¹¹⁵ *An Act to Prevent Purchase and Sale of Public Offices*, Public Law 69-525, US Statutes at Large 44 Stat. 918 (December 11, 1926).

¹¹⁶ The only picture of Tolbert wearing a tie was published in the *Cleveland News* in 1936, when an artist “took pity on an elderly old man,” and painted a tie on an existing picture of Tolbert. “Politics and People,” *Washington Post* (DC), June 6, 1936.

it was meant to illustrate that the “Democrats’ promises were as empty as his collar.”¹¹⁷ Tolbert’s appearance regaled Northern journalists, who sprinkled their reports on Tolbert with a wide array of southern stereotypes.¹¹⁸

Tolbert was driven by his ambitions for power, prestige, and recognition. He reveled in boasting to his friends and neighbors of his many trips to Washington, and his encounters with presidents and famous politicians, and was known, and regularly scolded by his stern, austere wife for his tendency to show off luxurious items such as large bills or his gold watch.¹¹⁹ He carefully cultivated his image of a landed gentleman in Ninety Six, by publicly displaying his large herd of whitetail deer in a fenced preserve in front of his house, just across from the main street.¹²⁰ He also contributed a pamphlet with other members of his family. While the pamphlet is about the history of the Old Star Fort, which was at the time on a tract of land owned by Tolbert, it concludes with an exalted tale of the Tolbert family, from its migration to the United States in 1773 to the time of Joseph.¹²¹ In the realm of politics, Tolbert’s drive for power and prestige explains his refusal to ever share the top two positions of the party, even with a member of his own family.

Tolbert’s objective to stay in power largely defined his conservative style of leadership and the progressive wait-and-see racial stance of the state party. Tolbert always showed the utmost

¹¹⁷ “Joseph W. Tolbert of South Carolina,” *New York Times* (NY), October 19, 1946; “J. W. Tolbert Dies of Injuries,” *New York Herald Tribune* (NY), October 19, 1946.

¹¹⁸ For examples, See: “South Carolina Republicans Call for New Party,” *New York Herald Tribune* (NY), December 20, 1928; “‘Tieless Joe’ of Carolina Ready to Back ‘Winnah,’” *Daily Boston Globe* (MA), June 8, 1936; “Tieless Joe,” *New York Times* (NY), November 30, 1938; “J. W. Tolbert Dies of Injuries,” *New York Herald Tribune* (NY), October 19, 1946; “Joseph W. Tolbert of South Carolina,” *New York Times* (NY), October 19, 1946.

¹¹⁹ Thomas W. Tolbert, interview with author, Greenwood, South Carolina, April 2016.

¹²⁰ “Tolbert Gored by Pet Deer,” *Columbia State*, November 17, 1924; Thomas W. Tolbert, interview with author, Greenwood, South Carolina, April 2016.

¹²¹ Joseph Warren Tolbert, *The Story of Old Star Fort at Ninety Six, Greenwood Co., South Carolina* (Greenwood County, SC: J.W. Tolbert, 1921).

loyalty to the national Republican Party. He cultivated the support of national party leaders by always supporting both the national party platform and the Republican presidential administration. While generally delegating to others the task of writing the state party platform, Tolbert ensured that its content would not contradict the national platform nor include controversial planks. For example, many black Republicans openly expressed their frustration with Republican congressmen's failure to pass an anti-lynching legislation.¹²² Yet, the state party platform did not go further than "hoping" for an anti-lynching bill and calling for "a keener sense of justice" among South Carolina judicial officials to further reduce lynching.¹²³

This reticence to ever confront the national party leadership handcuffed Tolbert's progressive racial stance. On the one hand, Tolbert understood that without the involvement of the federal government, African Americans were unlikely to regain the franchise in South Carolina. On the other hand, Tolbert was unwilling to risk his position by confronting the national leadership over the party's passivity in this matter. Tolbert settled for a politically safe alternative that was meant to appeal to black Republicans without sounding too radical for national party leaders. He passionately denounced disfranchisement and state Democrats, but always stopped short from condemning the national Republican Party's passive complicity. For example, at the 1926 state convention, Tolbert proclaimed, "We are South Carolinians and are not asking the protection of the federal government but are asking it of the state of South Carolina. . . . We have proved our loyalty to the state and we merely want a fair chance."¹²⁴ In a similar vein, at the 1922 state

¹²² "Republicans Hold State Convention," *Columbia State*, February 13, 1924.

¹²³ "The Republican Platform of the State of South Carolina: Republican Policies and Achievements," 1922, South Caroliniana, University of South Carolina, Columbia, South Carolina; "Republicans Hold State Convention," *Columbia State*, February 13, 1924.

¹²⁴ "Re-Elect Tolbert Head of Party," *Columbia State*, September 24, 1926.

convention, Tolbert told his audience that “the spirit of America is not to disfranchise but to give liberty.” “Members of our party pay their taxes, they work the roads, they engage in battles of the nation,” Tolbert said, before asking rhetorically “Why should they not have the privileges [of citizenship]?”¹²⁵ Tolbert sought to nip in the bud the criticism that he was not doing much in this area beyond speeches and concluded by reminding his audience of his family’s courageous stance in 1898. “For 25 years, I have tried to get the right guaranteed to us,” Tolbert said, “I have been buffeted and beaten, but I am not discouraged and feel that there is hope ahead of us.”¹²⁶ Similarly, Tolbert regularly encouraged African Americans to register, but never devoted much time nor party resources to achieve this objective.¹²⁷ In Tolbert’s defense, fighting the national party over involving the federal government in defending African American political rights in the South or leading a major registration effort would almost assuredly have failed. And while Tolbert repeatedly told delegates that they “must be registered if you are to count in the affairs of the state,” this was not entirely true. Despite party rules against it, Tolbert never prevented unregistered African Americans from partaking in the party, with some even serving as delegates to the state convention.¹²⁸

In fact, most African American Republicans agreed with Tolbert’s conservative stance and patience in these matters. Like African American minister J. C. Tobin, many remained hopeful

¹²⁵ “Republicans Hold State Convention Joseph W. Tolbert Reelected State Chairman,” *Columbia State*, September 20, 1922.

¹²⁶ *Ibid.*

¹²⁷ “Republicans Hold State Convention,” *Columbia State*, February 13, 1924.

¹²⁸ “Unique Republican Organization,” *Columbia Palmetto Leader*, October 2, 1926; “State Big Four Republicans Elected,” *Columbia Palmetto Leader*, February 11, 1928; “S.C. Republican Convention Summarized,” *Columbia Palmetto Leader*, February 11, 1928; “The Republican State Convention,” *Columbia Palmetto Leader*, February 18, 1928; “Orangeburg Writer Calls State Convention Poor History,” *Columbia Palmetto Leader*, February 25, 1928; “Why?,” *Columbia Palmetto Leader*, March 3, 1928; “Boodle Again, Or It Just Dumbness,” *Columbia Palmetto Leader*, March 10, 1928.

that “the graveyard and the public school” were slowly changing the “social conditions” that prevented the Republicans from playing a role in electoral politics.¹²⁹ If hopeful for the future, however, these African Americans had few illusions about the near impossibility of achieving major progress in the present. For the time being, Black Republicans were primarily interested in preserving the little power they had in southern politics. Conversely, they were averse to taking radical measures that may have threatened this status quo. Hence, they did not challenge disfranchisement head-on, either by challenging state Democrats through large registration efforts, or by pressuring national Republican leaders into taking measures to enforce the 14th and 15th Amendment in South Carolina. Both options were, at best, long shots, and both had potentially devastating consequences. The first option would have likely triggered a wave of white violence against African Americans. The second option risked embarrassing and infuriating national leaders, who could have retaliated by throwing their support to the South Carolina Lily-White faction. If Lily-Whites were to take control of the state party, African Americans risked being completely eliminated from southern politics. In that sense, even though state Democrats and national Republicans were more important obstacles to black progress, black Republicans considered Lily-White Republicans a far more serious immediate threat.

Tolbert’s hopefulness for future progress, his success in repeatedly defeating Lily-Whites, and his achievements in having the Black and Tan recognized by the national party were critical to his longevity as leader of the state party. Yet, Tolbert had his detractors. The main line of criticism against him was his unwillingness to ever share the two top positions of the party. J. R. Levy spoke to this frustration in the 1922 state convention, telling delegates that “if the Republican

¹²⁹ “Republicans Hold State Convention,” *Columbia State*, February 13, 1924.

Party in the state is composed of more than one man, it ought to divide things up.”¹³⁰ Yet, none of the attempt at defeating him ever came to fruition. This was because Tolbert, though he refused to share his titles and could always have the last word in party affairs, was not the autocrat that his critics accused him of being. In fact, Tolbert’s desire for power appeared to have far more to do with his love of prestige, recognition, and admiration than with the longing to impose his will in party affairs or to push his own personal agenda. In fact, he usually respected the will of the majority of the party. And as long as they did not attempt to take over his positions, Tolbert had no qualms in sharing power with any Republicans, black or white. He proved extremely loyal to those who helped him stay in power, and regularly delegated to them many of the important patronage decisions. Tolbert appeared more interested in being courted by patronage seekers, and in being thanked and recognized by the successful candidates, than in ruling the party alone. Most Republicans appeared well aware of this and turned it to their favor by using flattery and praises to manipulate him. This led the state conventions to appear like a Tolbert love-in, where nearly every speaker took the time to sing the praises of “our leader” the “loyal and trustworthy” Joe W. Tolbert.¹³¹ Perhaps no one pushed the envelope further than Darlington preacher W. M. Howard, who, at the 1926 convention, “reverently” proclaimed that “not even God has done more for the Negro than J. W. Tolbert.”¹³²

Black Republicans thus supported Tolbert’s leadership not because they were his “prisoners,” or because they lacked the political sophistication to mount such a challenge, as the

¹³⁰ “Republicans Hold State Convention: Joseph W. Tolbert Reelected State Chairman,” *Columbia State*, September 20, 1922.

¹³¹ “Republicans Hold State Convention: Joseph W. Tolbert Reelected State Chairman,” *Columbia State*, September 20, 1922; “Republicans Hold State Convention,” *Columbia State*, February 13, 1924; “Re-Elect Tolbert Head of Party,” *Columbia State*, September 24, 1926.

¹³² “Re-Elect Tolbert Head of Party,” *Columbia State*, September 24, 1926.

press often suggested, but because in the political context of the 1920s, they had little to gain in trying to overthrow him. Tolbert had always kept Lily-Whites at bay, shared and voiced anger over disfranchisement, ensured that African Americans were elected delegates to the national convention, consulted the appropriate black leaders on patronage decisions, never prevented them from running for office, and ultimately treated them in a manner akin to white Republicans. That's why most black leaders had no major issue having him at the head of the party.¹³³ Even N. J. Frederick, who mounted the most important campaign to overthrow Tolbert, told the NAACP that from an African American political rights perspective, Tolbert was perhaps not the "ideal" leader, but he never prevented African Americans to "freely participate in the organization."¹³⁴ "Insofar as believing it and practicing the real republican principles," Frederick continued, "I must say that no fault can be found with Tolbert." In fact, to assume that black support for Tolbert was not the result of a rational and pragmatic thought process reifies Jim Crow racism and displays a fundamental ignorance of who the leading black Republicans were. Tolbert's most trusted black allies in the party were men of power themselves, not the passive lackeys that the press and some contemporary critics described.

Indeed, Tolbert was surrounded by a number of experienced black politicians, who, like him, had been active in the party for decades. Most of them were successful professionals who were also heavily involved in civic or religious organizations. To these men, the state Republican Party offered an opportunity to establish leadership and middle-class status and represented the only area where they could meaningfully engage in politics. To many of these older men, the party

¹³³ Letter from N. J. Frederick to W. T. Andrews Jr., September 9, 1931; Letter from N. J. Frederick to W. T. Andrews Jr., September 25, 1931, NAACP Papers, Library of Congress.

¹³⁴ Letter from N. J. Frederick to W. T. Andrews Jr., September 25, 1931, NAACP Papers, Library of Congress.

had powerful symbolic meaning, being the heir and link to the golden age of black politics. Isaiah J. McCottrie, a wealthy Georgetown real estate agent, is one example of these older black party leaders. Born in the late 1860s or early 1870s in Charleston, McCottrie appears to have received little formal education.¹³⁵ He joined the Republican Party in his early 20s. He first accepted a position in the post office in the mid-1890s and was then appointed collector of customs for the Port of Georgetown, a position he held from 1900 to 1912.¹³⁶ During his tenure, McCottrie appreciated the power of custodianship over federal buildings that his position provided him. He used it to appoint as many African Americans as he could in the post office and custom house of Georgetown, and vehemently protested when whites conspired with the federal government to remove him as custodian of the building.¹³⁷ By the mid 1910s, McCottrie had become one of the most important party leaders in Georgetown, regularly being elected delegate to both the state convention and the national conventions. His prominence in the area and in the state at large was recognized when he was elected as Grand Master of the Odd Fellows in 1914, a position he kept at least until the early 1930s.¹³⁸ Other leading Republicans shared leadership positions in this

¹³⁵ McCottrie did learn how to read and write, however. The letter he sent to the Secretary of the Treasury on April 26th, 1906 suggests that he was a very effective writer, on par with African Americans who had a college education. Federal Census of 1910, Georgetown County, South Carolina; Federal Census of 1920, Georgetown County, South Carolina; Letter from I. J. McCottrie to Honorable Leslie M. Shaw, Secretary of the Treasurer, April 16th, 1906, Carter G. Woodson Papers, Library of Congress.

¹³⁶ "All the Policemen Are Colored," Indianapolis *Freeman* (IN), February 18, 1893; Charleston *Evening Post*, April 19, 1900; "McCottrie Appointed," Columbia *State*, April 16, 1904; *Lexington Dispatch*, April 1, 1908.

¹³⁷ Letter from I. J. McCottrie to Honorable Leslie M. Shaw, Secretary of the Treasurer, April 16th, 1906, Carter G. Woodson Papers, Library of Congress. Remarkably, the federal government justified its decision of entrusting the building to the white postmaster on the grounds that he was "better able to economize in the matter of light and other supplies." This was in 1906, prior to the electrification of the South. Hence, a furious McCottrie replied to the federal government that "I do not suppose the Department apprehends that the Great Source of supply of natural light and heat would discriminate against the government because I happened to be custodian. . . . I am a Negro; and if that disqualifies me for the position of Custodian, I simply wish to have it stated."

¹³⁸ "Colored Secret Society in Session Today," *Greenwood Daily Journal*, August 4, 1914; "Negro Grand Lodge," *Greenwood Daily Journal*, August 5, 1914; "SC Odd Fellows and Ruth," *New York Age* (NY), August 3, 1929; "McCottrie Addresses Hartsville Convention," Columbia *State*, August 6, 1931; "Negro Odd Fellows," Columbia *State*, August 2, 1932.

organization and served under McCottrie, including J. H. Fordham, R. H. Richardson, and Reverend Jesse Beard.¹³⁹

James Richelieu Levy, a physician whose real estate business made him one of the richest African Americans in the state, is another example.¹⁴⁰ Born in Camden in 1861, Levy obtained his B.S. at Fisk University in Tennessee in 1891 and his M.D. from the College of Physicians and Surgeons at Chicago in 1894. He joined the Republican Party upon his return from Chicago, and became a leader in Florence County, representing the district in virtually all Republican National Conventions from 1900 to 1932.¹⁴¹ Levy had also served as vice-chairman under Tolbert from 1910 to 1914, and was on the state party executive committee for most of the first three decades of the 20th century.¹⁴² Levy was also an important civic leader in Florence, a distinguished member of the National Medical Association in which he notably served as treasurer for twenty-five years, a member of the Negro Business League, an organization founded at the turn of the century by Booker T. Washington, and a trustee of Claflin College.¹⁴³

Casper George Garrett, Republican leader in Laurens County, was born in 1865. Garrett was raised by a single mother, as his father joined the Union Army and died of yellow fever on his way North. Garrett attended the public school in Laurens, and graduated from Allen University in

¹³⁹ “Pickpocket in Luck,” *Gaffney Ledger*, August 10, 1920.

¹⁴⁰ John A. Kennedy, *The Negro in Medicine* (Tuskegee, AL: Tuskegee Institute Press, 1912), 23–24; Arthur Bunyan Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, vol. 3 (Atlanta, GA: A. B. Caldwell Publishing Co., 1919), 131–32; Loren Schweninger, *Black Property Owners in the South, 1790-1915* (Chicago: University of Illinois Press, 1997).

¹⁴¹ Levy was a delegate, an alternate delegate, or a contesting delegate at every convention between 1900 and 1932 except in 1920.

¹⁴² “Deas Kicked Out of Chairmanship,” *Columbia State*, September 27, 1910; “Office Holders Are Concerned,” *Charleston Evening Post*, April 17, 1912; “Much Bickering in Convention,” *Columbia State*, September 30, 1914; “State Delegation voted For Head of Party,” *Charleston News and Courier*, March 9, 1932.

¹⁴³ “Dr. Levy Taken By Death,” *Atlanta Daily World* (GA), January 31, 1936; “Dr. J. R. Levy Passes,” *Journal of the National Medical Association* 28, no. 1 (February 1936): 32.

the late 1880s.¹⁴⁴ He spent most of his life as an educator, starting as a teacher in Laurens' public school in the mid-1880s, before becoming principal of the Winnsboro School, and later professor and vice-president at Allen University. Garret was also very involved in the AME church, attending several general conferences, and was one of the founders and editor of *The Light* in the early 1910s, an African American newspaper published in Columbia. He was involved in the organization of the Colored State Fair, alongside other Republican leaders such as Casper George Garrett, Green Jackson, N. J. Frederick, J. H. Goodwin, L. A. Hawkins, and E. J. Sawyer.¹⁴⁵ He became active in Republican politics in the late 1880s, and was particularly active in the 1920s, when he attended a national convention and served as secretary of the Richland County organization.¹⁴⁶

John Henry Goodwin was perhaps Tolbert's most trusted ally in the party executive committee. Born in Richland county in 1872, Goodwin grew up on a farm that he still owned and operated in the 1920s.¹⁴⁷ After attending public schools in Richland, Goodwin graduated from Benedict College with an B.A. in 1892. Goodwin then obtained his M.D. at Leonard College and began practicing medicine in 1909. An active Baptist, Goodwin attended Reverend J. C. White's Zion Baptist Church in Columbia and also served as the superintendent of the church's Sunday

¹⁴⁴ Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, 3:316–19; Richard R. Wright Jr. and John Russell Hawkins, eds., *Centennial Encyclopedia of the African Methodist Episcopal Church* (Philadelphia, PA: Book Concern of the A. M. E. Church, 1916), 94–95.

¹⁴⁵ “Colored State Fair,” *Columbia State*, February 3, 1897; “E. J. Sawyer is President,” *Columbia State*, January 26, 1911; “Stockholder Hold Meeting,” *Columbia State*, November 11, 1911; “Colored State Fair,” *Columbia State*, November 7, 1912; *Columbia State*, October 31, 1915; “Executive Board, Colored State Fair,” *Columbia Southern Indicator*, August 27, 1921; *Columbia State*, October 28, 1923; “Negro State Fair Opens Tomorrow,” *Columbia State*, October 27, 1924; “Negroes Consider Buying Plant,” *Columbia State*, October 31, 1927; “Negro State Fair at Height Today,” *Columbia State*, November 1, 1928.

¹⁴⁶ *Columbia State*, September 30, 1892; “Republicans Hold Meeting Tuesday,” *Columbia State*, September 21, 1930.

¹⁴⁷ Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, 3:739–41.

school. Goodwin was also involved in organizing the Colored State Fair and served as president of the organizing committee from 1913 until his death in 1928.¹⁴⁸ Goodwin became active in politics at the turn of the century and was elected to all Republican National Conventions between 1912 and 1928. By the 1920s, he was, with Tolbert, one of the most powerful Republicans in the state. He was the Seventh Congressional District chairman and a member of the state executive committee for most of the decade, as well as party treasurer for two terms and vice-chairman for two years.¹⁴⁹

Lewis C. Waller, while not as wealthy or as educated as most of the African American party leaders, was an extremely savvy politician, and recognized as a perennial “wheel horse Republican.”¹⁵⁰ The owner of a small fish market, he was Tolbert’s most trusted lieutenant in the Third Congressional District. Born in the 1850s, Waller was one of the few Republicans active in the 1920s who had been at the heart of the tumultuous election of 1876. He was then serving as deputy marshal and testified to Congress on the violence perpetrated against Republicans during the election.¹⁵¹ Waller also served as postmaster and assistant postmaster in the 1880s and 1890s where he served with Joseph W. Tolbert.¹⁵² He was regularly elected to the state executive committee and attended every Republican National Convention between 1892 and 1928 as either

¹⁴⁸ “E. J. Sawyer President,” *Columbia State*, January 26, 1911; “Negro Fair Meeting,” *Columbia State*, February 17, 1915; *Columbia State*, October 24, 1922; “Goodwin Re-elected,” *Columbia State*, November 2, 1922; “Negro State Fair Opens Tomorrow,” *Columbia State*, October 27, 1924.

¹⁴⁹ “Republicans Meet Week After Next to Hold State Convention in Columbia,” *Columbia State*, September 5, 1922; “S.C. Republican Re-Elect Tolbert,” *Charleston News and Courier*, September 24, 1926.

¹⁵⁰ “Meanwhile, John Goes to the Postoffice,” *Greenwood Index-Journal*, September 13, 1936; “Lewis Waller’s Prediction,” *Greenwood Index-Journal*, November 6, 1940

¹⁵¹ Senate Committee on Privileges and Elections, *Denial of the Elective Franchise in South Carolina at the Election of 1875 and 1876*, 44th Cong., 2nd sess., 1877, S. Doc. 177, 423-426.

¹⁵² *Abbeville Press and Banner*, October 19, 1892; “Negro Republican Dies,” *Gaffney Ledger*, December 17, 1932.

a delegate or a visitor.¹⁵³ He was a leader at Mount Pisgah AME Church, where he served as secretary for most of his adult life.¹⁵⁴

Wesley Dixon, the undisputable party leader in the Second Congressional District from the late 1890s until his death in 1931, was another party leader of more modest means.¹⁵⁵ Born a slave in the mid-1850s in Barnwell, Dixon attended school in the aftermath of the Civil War and joined the party shortly after the end of Reconstruction.¹⁵⁶ He benefitted from federal patronage, serving first as postmaster in Barnwell in the early 1880s, and later on worked for the Internal Revenue Department as a store-keeper and gauger most of the first decade of the 20th century.¹⁵⁷ In addition to running for Congress in 1902, Dixon was elected delegate or alternate delegate to every Republican convention between 1892 and 1928. Besides his heavy involvement in Republican affairs, Dixon also worked as a school teacher for over 30 years. After having accumulated the necessary capital, Dixon left his school teaching job in the first decade of the 20th century, and

¹⁵³ “Abating a Nuisance,” *Columbia State*, May 3, 1891; “South Carolina to Push for Lowden,” *Charleston News and Courier*, June 14, 1928.

¹⁵⁴ “Well-Known Negro Succumbs to Illness of Several Weeks This Morning,” *Greenwood Index-Journal*, December 13, 1932.

¹⁵⁵ “No Opposition for Jim Byrnes,” *Sumter Watchman and Southron*, October 7, 1922.

¹⁵⁶ Federal Census of 1880, Barnwell County, South Carolina.

¹⁵⁷ A gauger is a surveying officer whose primary duty is to examine containers of wine, oil, and other liquids, so as to verify that they include the quantity set by law. *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*, (Washington DC: U.S. Government Printing Office, 1901); *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*, (Washington DC: U.S. Government Printing Office, 1903); *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*, (Washington DC: U.S. Government Printing Office, 1905); Records of the Post Office Department, Record Group 28. Record of Appointments of Postmasters, 1832-September 1971, M841, Roll 114-115.

operated his own businesses, which included a grocery store.¹⁵⁸ Dixon was also a civic leader in Barnwell, notably in religious circles, serving as clerk of the Bethlehem Baptist Church in Barnwell for over 50 years.¹⁵⁹

Reverend Joseph Cyrus White was one of the very few key allies to Joseph W. Tolbert who had little political experience prior to the 1920s. His stature in the community, however, and his loyalty to Tolbert and J. H. Goodwin helped him ascend the ladder quickly. He notably served as convention chairman in 1928, where he also delivered the keynote address and was regularly elected delegate from Richland County for state conventions in the 1920s.¹⁶⁰ Born in Chester County in 1875, White overcame his family poverty through education. He attended public school in Chester County, graduated from Friendship College in Rock Hill in 1896, and attended Benedict College afterwards, where he eventually obtained his Doctorate of Divinity in 1918.¹⁶¹ White began preaching in the Baptist church shortly after being ordained in 1900. He gained notoriety for his work at the Zion Baptist Church in Columbia, where the membership grew from 200 to 2,700 in less than 5 years.¹⁶² White was also a gifted fundraiser, helping the church get over \$60,000 in donations that were used to completely revamp the church buildings. By 1919, White's Zion Baptist church was one of the biggest in the state. White was particularly active in helping unemployed African Americans find jobs as servants in white homes and sent letters to newspapers

¹⁵⁸ Federal Census of 1880, Barnwell County, South Carolina; Federal Census of 1900, Barnwell County, South Carolina; Federal Census of 1910, Barnwell County, South Carolina; Federal Census of 1920, Barnwell County, South Carolina.

¹⁵⁹ "Well Known Negro Dies at Barnwell," *Columbia State*, August 24, 1931.

¹⁶⁰ "Tolbert Ticket Elected Again," *Charleston News and Courier*, February 10, 1928.

¹⁶¹ Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, 3:438–41.

¹⁶² "Congregation Builds New Edifice," *Columbia State*, April 20, 1917.

to help find employers for blacks.¹⁶³ White was a pragmatic man of the Booker T. Washington persuasion, who believed in self-help, and avoided overt confrontation over issues of race. As his presumably conservative biographer stated, his “constrictive work is worth more to the State and to the race than a dozen agitators.”¹⁶⁴ Instead of only “growling” about the poor conditions in which African Americans lived, White lived a “life of ceaseless activity among his people seeking to lead them in right paths.”¹⁶⁵

The party leadership was thus mostly composed of older men who had long been involved in the party. This was partly explained by the fact that Tolbert himself, well into his fifties, was extremely loyal to his longtime allies. However, it was mainly because the party struggled to attract younger well-educated African Americans, so the older leaders were very rarely challenged by younger Republicans. By the 1920s, the party had little to offer to young, ambitious, and well-educated middle-class African Americans. First, as most party leaders were well-established in their positions, there were few opportunities to rapidly climb the party ladder, but more importantly, middle-class African Americans could no longer obtain good federal jobs. In the previous decades, well-to-do African Americans could aspire to most of the important federal offices in the state. Sometimes, patronage could even lead, like in Henry Lincoln Johnson’s case, to careers in the nation’s capital. W. T. Andrews, a leading Republican in South Carolina, had held such ambitions. In 1903, he asked real estate magnate and Republican insider Whitefield McKinlay for help in getting an appointment in South Carolina in the treasury department. Andrews intended to serve six months, the minimum time required before requesting transfer, and then asked to be

¹⁶³ “Unemployed Among Colored Men in Desperate Condition,” *Columbia State*, December 30, 1914; “Congregation Builds New Edifice,” *Columbia State*, April 20, 1917.

¹⁶⁴ Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, 3:438.

¹⁶⁵ Caldwell, 3:438.

relocated in Washington, D.C.¹⁶⁶ Andrews never got the appointment he sought, but his ambitions show how African Americans saw the party as a vehicle for good federal jobs and a chance to leave the Deep South. When the party no longer offered such prospects of economic advancement, it struggled in recruiting young African Americans of Andrews' socio-economic class.

Additionally, as N. J. Frederick suggested, the party's conservative wait-and-see stance probably discouraged a number of young and energetic political rights activists from joining.¹⁶⁷ These few militant activists usually coalesced around the NAACP, the Garvey movement, or other such organizations. The fact that the political situation was so bleak also meant that energetic young African Americans looked toward other areas of activism. As late as 1930, the *Charleston News and Courier* still threatened that the "South is going to oppose a solid and unyielding front" to any attempt at including African Americans in politics.¹⁶⁸ Preempting any debate, the editorial concluded by stating that the "question whether we are right or wrong in this attitude, whether or not it is savage or civilized, we decline to discuss." Thus, many young black South Carolinians like Modjeska Monteith Simkins chose to devote their energy to other causes, such as anti-lynching, education, and public health for most of the 1920s and early 1930s. Finally, a number of these young and well-educated blacks decided to follow the 200,000 African Americans who left South Carolina in the 1920s for better opportunities in non-southern, urban centers like Philadelphia, Buffalo, and New York City.¹⁶⁹ Nevertheless, the party did attract some young

¹⁶⁶ Letter from W. T. Andrews to Whitefield McKinlay, March 22, 1903; Letter from W. T. Andrews to Whitefield McKinlay, March 23, 1903; Letter from W. T. Andrews to Whitefield McKinlay, March 28, 1903. Letter from W. T. Andrews to Whitefield McKinlay, September 27, 1903, Carter G. Woodson Papers, Library of Congress.

¹⁶⁷ "Unique Republican Organization," Columbia *Palmetto Leader*, October 2, 1926.

¹⁶⁸ *Charleston News and Courier*, May 30, 1930.

¹⁶⁹ Hudson, *Entangled by White Supremacy*, 151.

African Americans, mostly of modest means, working as sharecroppers, tenant farmers, or domestic servants, for example, who likely had little ambition or means to dethrone the elder leaders.¹⁷⁰

A Unique Bi-Racial Organization

At a time when segregation was the norm and virtually all possible sites of interracial contact were outlawed, the state Republican Party was a notable site of interracial exchange and cooperation in South Carolina.¹⁷¹ To be sure, blacks and whites interacted in the South, but social norms or laws ensured that it was rarely, if ever, on a relatively equal footing. The few interracial organizations in the state were far more conservative in both their aims and structure than the Republican Party. The Charleston Interracial Committee, which was affiliated with the Commission on Interracial Cooperation, (CIC) was the only other biracial organization of significance in the South Carolina.¹⁷² Paternalistic whites from Charleston's aristocracy ruled over the organization. Their effort on behalf of African Americans was based on the notion that blacks had not yet come of age and needed whites to speak for them and to organize their efforts. African Americans had little if any control over the agenda of the organization. In fact, African Americans were prevented from attending the founding meeting of the South Carolina Commission on Interracial Cooperation in 1919.¹⁷³ As a result, while the committee was committed to help end

¹⁷⁰ "Richland County Republican Convention," Columbia *Palmetto Leader*, February 11, 1928; "Why?" Columbia *Palmetto Leader*, March 3, 1928.

¹⁷¹ Edwin D. Hoffman, "The Genesis of the Modern Movement for Equal Rights in South Carolina, 1930-1939," *The Journal of Negro History* 44, no. 4 (1959): 347.

¹⁷² For more on the subject, see: Ruth Gilliam Powell, "History of the Southern Commission on Interracial Cooperation" (University of South Carolina, 1936); Hoffman, "The Genesis of the Modern Movement for Equal Rights in South Carolina, 1930-1939," 349-54; Hudson, *Entangled by White Supremacy*, 120-47.

¹⁷³ Hudson, *Entangled by White Supremacy*, 126.

lynching and getting African Americans access to more services such as parks or libraries, it refused to even discuss other issues such as disfranchisement and white primaries, economic discrimination, injustice in the allocation of state funds for education, or systemic segregation.¹⁷⁴ In fact, the main project of the organization was its unsegregated Race Relations Sunday, an event that took place every year on the week of Abraham Lincoln's birthday. As historian Edwin D. Hoffman explained, the event was primarily meant for "the patricians of the city to show that they had a more 'civilized' attitude toward 'their' colored folks than did the less well-bred whites in other parts of the state."¹⁷⁵

In contrast, in the Republican Party, the state's only bi-racial organization continually in existence since the 19th century, African Americans were technically on equal footing with whites. They influenced the party platform and party affairs, and they also served in many positions of leadership, from delegates to national conventions to vice-chairmen of the party. While rarely engaged in coordinated efforts to challenge disfranchisement head-on or engage in electoral politics, it was still the only bi-racial organization in which black and white South Carolinians could openly discuss politics and publicly denounce disfranchisement. In this sense, the existence of the party undermined white Democrats' oft-repeated myths that African Americans were uninterested in politics and that the white south was united. The Black and Tan Republican organization was also one of the very few organization where the advancement of black political rights would also directly benefit whites as well. Thus, not only did the party attract several white progressives who already shared these goals, but it also led some whites to embrace more racially progressive positions.

¹⁷⁴ Hoffman, "The Genesis of the Modern Movement for Equal Rights in South Carolina, 1930-1939," 347.

¹⁷⁵ Hoffman, 352.

Besides the Tolberts and U.S. marshal Samuel Leaphart, Frederick Redfern was perhaps the most notorious white progressive in the party.¹⁷⁶ A native of England, Redfern moved to the United States as a child when his parents migrated to Rochester, NY.¹⁷⁷ He graduated from the University of Rochester in 1898 with a B.A., obtained an additional degree at the Rochester Theological Seminary in 1901, and finally left Providence University with a PhD in 1907. Redfern then served as a Baptist minister in Ohio and became increasingly involved in Baptist education projects. He was General Secretary of the Idaho State Sunday School Association and was appointed principal of the Franklin High and Grammar School in Boise, Idaho. Redfern relocated to South Carolina in the mid-1910s, when he was appointed Dean and Professor at Benedict College in Columbia, South Carolina. Redfern joined the South Carolina Republican Party in the early 1920s, and rapidly became an important ally of Tolbert on the executive committee and the head of the committee on resolutions and platform.¹⁷⁸ Redfern remained an important Republican until his death in 1941, notably running on the Republican state ticket of 1938 as candidate for secretary of education.¹⁷⁹

¹⁷⁶ Frederick Redfern was already well-known in Columbia and in religious circles prior to the 1920s. He became a household name in the late 1920s, however, due to his son, Paul Redfern, who was an adventurer aviator. In 1927, Paul attempted the first non-stop single-manned flight from Brunswick, Georgia to Rio De Janeiro, Brazil, for a total of 4,500 miles. Unfortunately, the journey quickly turned to a nightmare. Contact with the pilot was lost quickly, and despite multiple rescue missions, neither Paul nor his plane were found. Frederick Redfern continued to look for his son for years after his disappearance, and the press supported him by regularly reporting on his efforts and calling on the public for any information. See: "Paul Redfern May Try Brazil," *Columbia State*, July 10, 1927; "Dr Redfern is Watching Wires," *Columbia State*, August 29, 1927; "Redfern May Yet Live is Belief of Father," *Columbia State*, August 05, 1928; "Today Birthday of Paul Redfern, Lost Aviator," *Columbia State*, February 24, 1929; "Paul R. Redfern, Where Are You?," *Columbia State*, February 08, 1933; "Hope For Redfern," *Charleston News and Courier*, September 17, 1933; Frederick C. Redfern Papers, South Caroliniana Library, University of South Carolina, Columbia South Carolina.

¹⁷⁷ Biographical Sketch, Frederick C. Redfern Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹⁷⁸ "Tolbert Holds Party in Hands," *Charleston Evening Post*, September 20, 1922; "The Republican Platform of the State of South Carolina: Republican Policies and Achievements," 1922, South Caroliniana Library, University of South Carolina, Columbia, South Carolina; "Republicans Plan for Convention," *Columbia State*, January 9, 1924.

¹⁷⁹ "GOP Expects Nothing," *Charleston News and Courier*, November 7, 1938.

Besides his work in the Republican Party, Redfern was also involved in various other efforts to improve the conditions of black South Carolinians. First, Redfern worked for nearly 20 years as a Professor and Dean at Benedict College, a Baptist African American school created in 1870s to educate former slaves.¹⁸⁰ He was also one of the very few whites to join the Columbia NAACP chapter and to contribute financially to the organization.¹⁸¹ He was likely introduced to the work of the NAACP either at Benedict or in the Republican Party, where the leader of the Columbia branch, N. J. Frederick, served alongside Redfern on the state party's executive committee. And despite his Republicanism, Redfern answered the call when Democratic President Franklin D. Roosevelt wrote to clergymen around the nation to inquire about their thoughts on his New Deal legislation and to obtain information about the "conditions in [their] community."¹⁸² In his reply, Redfern described the extreme poverty in South Carolina, and told the president that African Americans and mill workers were among the most in need of relief. The Social Security and Work programs were "highly commendable as benefits in service for the people, he told Roosevelt."¹⁸³ Redfern, however, expressed worries about the manner in which these programs would be administered locally. He concluded by telling the President that much of the New Deal success will depend on whether the "officials in charge of administering relief or enforcing their provisions" would be acting "without prejudice." Redfern's worries were well-founded, as the

¹⁸⁰ Until the 1930s, white northern clergymen like Redfern were in charge of the college. For more on the history of Benedict College, see: Marianna W Davis, *The Enduring Dream: History of Benedict College, 1870-1995* (Columbia, SC: Benedict College, 1995).

¹⁸¹ "Membership Report," 1929, NAACP Papers, Library of Congress.

¹⁸² Letter from Franklin Delano Roosevelt to Reverend F. C. Redfern, September 24, 1935, Frederick C. Redfern Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹⁸³ Letter from Reverend F. C. Redfern to Franklin Delano Roosevelt, September 27, 1935, Frederick C. Redfern Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

New Deal programs benefitted whites far more than blacks because of the discriminatory manners in which they were administered.¹⁸⁴

The South Carolina Republican Party did not just attract white progressives like Redfern, but also led some whites to increase their involvement in the promotion of civil and political rights for African Americans. The nephew of Joseph W. Tolbert, Joseph Augustus Tolbert, is perhaps the best example of this. The eldest of Robert Red's eleven children, Joseph was born in 1892. He attended Abbeville's public schools, and later obtained a B.A. from the University of South Carolina and a law degree from Cumberland University Law School.¹⁸⁵ Despite the stigma of his family's Republicanism, Tolbert was very popular in college. He was recognized as the "most dignified" and "most gentlemanly" man at the University of South Carolina, and won awards for his debating skills.¹⁸⁶ Tolbert was admitted to the South Carolina Bar in 1921, and, thanks to his family connections, was hired in 1922 as assistant to Ernest F. Cochran, South Carolina district attorney.¹⁸⁷ When Cochran became a federal judge in November 1923, Tolbert was appointed as district attorney, a position he kept until 1933.¹⁸⁸ During that time, he also served on the state party's executive committee, and regularly attended the Republican National Conventions.¹⁸⁹

¹⁸⁴ Ira Katznelson, *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York, NY: W.W. Norton, 2005).

¹⁸⁵ "J. A. Tolbert Found Slain," *Charleston Evening Post*, March 22, 1940.

¹⁸⁶ "Contest Tonight at University," *Columbia State*, May 31, 1913; "More Honors for Tolbert," *Abbeville Press and Banner*, June 24, 1921.

¹⁸⁷ "Joe Tolbert Appointed Assistant to Cochran," *Abbeville Press and Banner*, September 28, 1921.

¹⁸⁸ "Cochran Made Judge to Succeed Smith," *Columbia State*, November 24, 1923.

¹⁸⁹ "Tolbert Holds Party in Hand," *Charleston Evening Post*, September 20, 1922; "J. A. Tolbert Found Slain," *Charleston Evening Post*, March 22, 1940.

During the 1920s, Tolbert did not gain the esteem and support of African Americans like his uncle or Samuel J. Leaphart. He was, however, generally respected by whites in the state, which explained why even after Hoover's shake up in 1928 he was never replaced.¹⁹⁰ Yet, immediately after his tenure as district attorney, Tolbert worked extensively, and often for free, on legal cases pertaining to African American civil and political rights. He not only collaborated on these cases with the NAACP on two occasions, but also sought the NAACP's help, a rare feat for a white southern lawyer. Two factors may have explained this rapid shift from passive sympathy to active collaboration. First, perhaps Tolbert thought that pushing too hard for African American civil and political rights as U.S. district attorney would have infuriated the state's white elite, and lead to his dismissal. Secondly, Tolbert expected to succeed his uncle as national committeeman. By the early 1930s, Joseph W. was already in his mid-60s and increasingly struggling with health issues due to diabetes.¹⁹¹ Once Joseph A. realized that his uncle would never willingly give up his dual positions, he decided to try to oust his uncle.¹⁹² Gaining the support of African Americans was critical to this enterprise. It is thus quite probable that Joseph A.'s new-found militancy was due to his political ambition. Regardless of his exact motives, Tolbert's involvement in legal cases regarding lynching and voting rights were related to his Republicanism. It was in fact through his party contacts that he first entered in communication with the NAACP.¹⁹³

¹⁹⁰ *Columbia State*, August 3, 1924.

¹⁹¹ Thomas W. Tolbert, interview with author, Greenwood, South Carolina, April 2016.

¹⁹² Letter from Frederick Redfern to Blanche Thompson Redfern, March 23, 1940, Frederick C. Redfern Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina.

¹⁹³ In fact, Tolbert told the NAACP that he had been "advised" to contact them. See: Letter from Joseph A. Tolbert to Walter White, December 11, 1933, NAACP Papers, Library of Congress.

Tolbert first collaborated with the NAACP in 1933 on two cases. The first one revolved around the lynching of a seventy-three-year-old African American George Green by a group of white men tied to the Ku Klux Klan.¹⁹⁴ Green had refused to abide by the demand of his landlord, wealthy white planter C. F. James, to vacate the land on which he lived.¹⁹⁵ James brought his grievances to the local Klan and the terrorist organization sent a group of a dozen men to Green's cabin on the night of November 16th. They forced their way into the house and shot Green in the chest. The second case on which Tolbert worked was the murder of Roy Hudson, an African American convict beaten to death by four Tigerville prison camp guards on October 24th, 1933. Hudson had escaped from the chain gang and was captured an hour later and repeatedly struck by a stick and a leather strap. Hudson, who was in poor physical condition due to heart issues, died a few hours later from a heart attack "brought by exhaustion and severe corporal punishment."¹⁹⁶

Tolbert informed the NAACP about both cases and offered his legal help in exchange for a reduced fee.¹⁹⁷ The NAACP was interested in financially assisting in both cases, but at first expressed doubts about trusting Tolbert. Their concerns derived from the fact that they confused him with his uncle, Joseph W. Tolbert, and thought that his "political activities" would "militate

¹⁹⁴ Letter from Joseph A. Tolbert to Walter White, December 11, 1933; Letter from Joseph A. Tolbert to George White, November 27, 1933, NAACP Papers, Library of Congress.

¹⁹⁵ "Inquiry Planned into Mob," *Charleston Evening Post*, November 20, 1933; "Rich Farmer Alleged Responsible in Death," *Charleston News and Courier*, December 2, 1933; "Klansman tells of Negro Slaying," *Charleston News and Courier*, November 1, 1934; "Seven Charged Slaying Negro," *Columbia State*, November 1, 1934; "Six Are Freed in Klan Trial," *Columbia State*, November 4, 1934.

¹⁹⁶ "Convict's Death Laid to Guards," *Columbia State*, November 5, 1933; "4 Convict Guards Held for Killing," *Charleston News and Courier*, November 5, 1933; "Former Guards Are Under Indictment," *Charleston Evening Post*, January 10, 1934.

¹⁹⁷ Letter from Joseph A. Tolbert to George White, November 27, 1933; Letter from Joseph A. Tolbert to Walter White, December 11, 1933; Letter from Roy Wilkins to Joseph A. Tolbert, December 18, 1933; Letter from Joseph A. Tolbert to Roy Wilkins, January 4, 1934; Letter from Roy Wilkins to Joseph A. Tolbert, January 9, 1934, NAACP Papers, Library of Congress.

against his effectiveness.”¹⁹⁸ The NAACP contacted Edward Clarkson Leverett Adams, a white physician, to inquire about his thoughts on Tolbert.¹⁹⁹ Adams gained notoriety among black South Carolinians and NAACP leaders for his books *Congaree Sketches* and *Nigger to Nigger*. He was praised for its precise depiction of the black dialect in the region, and for portraying with utmost realism white prejudice and its deleterious effect on black lives.²⁰⁰ “In my opinion,” replied Adams, “your selection of council makes the conviction of these criminals improbable if not impossible.” Adams pointed out that because Tolbert was “a Republican leader” in a state where all jurors were “white Democrats,” he would likely lose the case.²⁰¹ Moreover, Adams argued that “it would be difficult to get anyone to [contribute] money if it was going to be Tolbert” who took charge of the case.²⁰² However, a week later, after running into NAACP and Republican leader N. J. Frederick on the street, Adams revised his statement. He told the NAACP that the Tolbert in question was the nephew of Joseph W. Tolbert, and that Frederick told him that Tolbert was a good choice for the case.²⁰³ While they continued to entertain doubts about Tolberts’ legal ability, the NAACP

¹⁹⁸ Letter from Walter White to E. C. L. Adams, January 17, 1934; “The Greenville Cases,” Report of the Secretary for the June Meeting, 1934, NAACP Papers, Library of Congress. In fact, the NAACP knew very little about Joseph W. Tolbert, as they referred to him as “Shoeless Joe Tolbert” rather than “Tieless Joe”, a nickname he earned for his life-long notorious habit of never wearing a tie. See: Memorandum from Roy Wilkins to Walter White, December 4, 1933, NAACP Papers, Library of Congress. In fact, The NAACP and Adams were not the only ones to conflate Joseph A. for Joseph W. Tolbert. See for example: Finnegan, *A Deed So Accursed*.

¹⁹⁹ Letter from NAACP to E. C. L. Adams, January 9, 1934, NAACP Papers, Library of Congress.

²⁰⁰ Tom Mack, ed., *The South Carolina Encyclopedia Guide to South Carolina Writers* (Columbia, SC: University of South Carolina Press, 2014), 5–6.

²⁰¹ Letter from E. C. L. Adams to Walter White, January 12, 1934, NAACP Papers, Library of Congress.

²⁰² Ibid.

²⁰³ Letter from E. C. L. Adams to Walter White, January 19, 1934, NAACP Papers, Library of Congress.

decided to trust him with the cases. After coming to an agreement with Tolbert, they immediately initiated a campaign in South Carolina and in other states to collect funds for the two cases.²⁰⁴

In George Green's lynching case, despite significant incriminating evidence from some of the accused themselves, none of the defendants were found guilty.²⁰⁵ However, Tolbert managed to convince a civil jury that George Green was the victim of a lynching, thereby forcing the county of Greenville to pay a \$2,000 fine to George Green's wife, Mary. The defense immediately appealed the decision to the supreme court of South Carolina, arguing that the judge did not instruct the jury as to what, legally speaking, constituted a "lynching."²⁰⁶ The defense's complaint was not groundless. The state's law and jurisprudence stipulated that a lynching only occurred if the victim was "charged or suspected of having committed some crime and that death was inflicted upon him by a mob because of said crime."²⁰⁷ Furthermore, the burden of proof was on the estate of the victim, and not on the perpetrators. Finding that the judge had instructed the jury wrongly on what constituted a lynching, the supreme court invalidated the previous judgement, and called for a new trial.²⁰⁸

In the new trial, the jury decided that Green had not been suspected of a crime, and thus concluded that no lynching had occurred. As a result, the county of Greenville was not liable for

²⁰⁴ Letter from NAACP to E. B. Burroughs, January 9, 1934; Letter from NAACP to R. W. Mance, January 9, 1934; Letter from NAACP to T. Lester, January 9, 1934; Letter from NAACP to E. C. L. Adams, January 9, 1934, NAACP Papers, Library of Congress.

²⁰⁴ Letter from Will. W. Alexander to Roy Wilkins, January 15, 1934, NAACP Papers, Library of Congress.

²⁰⁵ "Klansman tells of Negro Slaying," *Charleston News and Courier*, November 1, 1934.

²⁰⁶ "Will Ask Court to Define Lynching," *Charleston Evening Post*, December 10, 1934.

²⁰⁷ *Green v. Greenville County*, 176 S.C. 433 (S.C. 1935).

²⁰⁸ *Green v. Greenville County*, 176 S.C. 433 (S.C. 1935); "Alleged Lynching Gets New Trial," *Columbia State*, June 12, 1935.

any penalty.²⁰⁹ The leading African American newspaper, the *Palmetto Leader*, vehemently denounced the court's narrow definition of lynching.²¹⁰ Even the *Greenville News* admitted that the jury came to a "strange conclusion," wondering "what was the provocation" if not that Green was "punished for alleged crime."²¹¹ The *Charleston News and Courier* also criticized the decision, stating that "no mob unless it were composed of lunatics has ever lynched a man that it believed innocent."²¹² The absurdity of the state's definition of lynching and its concomitant burden of the proof on the victim was duly noted.²¹³ Both newspapers admitted that it was nearly impossible to prove to a jury, as "no one legally charged with lynching is likely to admit that he accused the dead man for he might thereby incriminate himself."²¹⁴

Tolbert and the NAACP met a similar fate in the case concerning the beating to death of convict Roy Hudson. Numerous witnesses testified that the four accused guards had attached Hudson to a bed in a cabin and whipped him to near death, leading him to yell "all night so loud that other convicts in the cabin could not sleep."²¹⁵ The jury, however, was deeply impressed by the testimony of R. S. Gaston, the doctor who had treated Hudson.²¹⁶ According to him, the beating

²⁰⁹ Letter from Joseph A. Tolbert to Walter White, January 26, 1938, NAACP Papers, Library of Congress.

²¹⁰ "Greenville County Saves \$2,000 on a Lynching," Columbia *Palmetto Leader*, November 9, 1935, NAACP Papers, Library of Congress.

²¹¹ "Greenville County Saves \$2,000 on a Lynching," Columbia *Palmetto Leader*, November 9, 1935, NAACP Papers, Library of Congress.

²¹² "Was it A Mob of Lunatics?," *Charleston News and Courier*, December 20, 1934.

²¹³ While the definition of lynching by the South Carolina Supreme Court was intended to ascertain that counties would rarely, if ever, have to pay a fine for lynching, it is important to note that the meaning of the term was the subject of serious debate. In fact, the definition of what constitutes a lynching has always been a highly contentious issue. It was hotly debated among civil rights activists as well. See: C. Waldrep, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America* (New York, NY: Palgrave Macmillan, 2002).

²¹⁴ "Was it A Mob of Lunatics?," *Charleston News and Courier*, December 20, 1934.

²¹⁵ "Greenville Convict Who Died Given 65 Licks, Jury is Told," *Charleston News and Courier*, March 21, 1934.

²¹⁶ "Mistrial Ordered in Whipping Case," *Charleston Evening Post*, March 22, 1934.

that Hudson took “contributed” to his death by a heart attack.²¹⁷ However, Gaston also said that because of Hudson’s heart condition, the exhaustion due to the running done to escape the chain gang was also an “aggravating factor.”²¹⁸ Because of the doctor’s testimony that the beating was not necessarily the only cause of death, the jury ended up deadlock after 18 hours of deliberation, leading the judge to order a mistrial.²¹⁹

The second trial took place 2 months later. This time, however, the jury reached a verdict of not guilty, agreeing with the defense that the whipping had not caused the death of Hudson. According to Tolbert and the NAACP, this was largely due to the judge and to the testimonies of two African American witnesses, the embalmer and the undertaker to whom Hudson’s body was brought.²²⁰ Both witnesses claimed that there was no sign of violence on the body of Hudson, although at least 8 witnesses, including one of the guards himself, testified that a beating took place. In fact, the witnesses admitted in cross-examination that they did not look for any “sign of violence” because he was not told that Hudson had been beaten by the coroner, and that the embalming process would have removed most traces of violence on the body.²²¹ The judge also instructed, erroneously at it were, that the guards were entitled to “reasonable” or “mild whipping” against recalcitrant inmates such as in this case. Perhaps the only positive aspect of these two lawsuits was the attention they brought to extra-legal violence in South Carolina. In both cases,

²¹⁷ “Greenville Convict Who Died Given 65 Licks, Jury is Told,” *Charleston News and Courier*, March 21, 1934.

²¹⁸ *Ibid.*

²¹⁹ “Mistrial Ordered in Whipping Case,” *Charleston Evening Post*, March 22, 1934; Letter from Joseph A. Tolbert to Roy Wilkins, March 22, 1934, NAACP Papers, Library of Congress; “Declare Mistrial After Jury Ponders Evidence 18 Hours,” *Norfolk New Journal and Guide* (VA), March 31, 1934; “What is Justice in This Case,” *Atlanta Constitution* (GA), May 6, 1934.

²²⁰ Letter from Roy Wilkins to Joseph A. Tolbert, April 26, 1934; Letter from Roy Wilkins to Joseph A. Tolbert, May 10, 1934; Letter from Joseph A. Tolbert to Roy Wilkins, May 19, 1934, NAACP Papers, Library of Congress.

²²¹ “What is Justice in this Case,” *Atlanta Constitution* (GA), May 6, 1934.

white elites were walking a fine line, condemning the violence while supporting the juries' decision. After the controversy made around the death of George Green and Roy Hudson, no other lynching took place in South Carolina until 1941.²²²

Despite these frustrating results, Tolbert continued to agitate for civil rights. On the issue of lynching, he coordinated his effort with the NAACP. In 1938, Tolbert offered his help to the organization to pressure Congress into passing the latest incarnation of such legislation, the Wagner-Van Huys anti-lynching bill.²²³ He stated that as a "native South Carolinian" he was fully aware of the "shameful" acts of violence of whites toward southern African Americans, and that the time had come to "stop for ever any such diabolical conduct."²²⁴ Walter White, the NAACP's Executive Secretary, replied to Tolbert that he would be grateful for his help, and suggested that Tolbert focus on pressuring Republican senators into voting for cloture and forcing the bill to come to a vote.²²⁵ At the time, the Democrats were filibustering the bill, and White thought that even if the bill did fail, the NAACP could target the senators who opposed the bill in the next campaign. Despite Tolbert and White's best efforts, the strategy failed, and cloture was never reached. In fact, because of Democratic opposition, Congress never enacted any federal anti-lynching legislation.

While unsuccessful in court, Tolbert's efforts helped him politically. At the 1938 state convention, African American I. S. Leevy and S. Morgan told the audience that African Americans

²²² Finnegan, *A Deed So Accursed*.

²²³ For more on the anti-lynching campaign of the NAACP, see: Robert L. Zangrando, *The NAACP Crusade Against Lynching, 1909-1950* (Philadelphia, PA: Temple University Press, 1980); Waldrep, *The Many Faces of Judge Lynch*.

²²⁴ Letter from Joseph A. Tolbert to Walter White, January 26, 1938, NAACP Papers, Library of Congress.

²²⁵ Letter from Walter White to Joseph A. Tolbert, February 20, 1940, NAACP Papers, Library of Congress.

“were hungry for something new,” and called for the adoption of a full state ticket, something the party had not done since the 19th century.²²⁶ The convention was “electrified” by this request and proceeded to select candidates. Tolbert, who had made known his interests in the governorship during the summer, was chosen to be atop the ticket.²²⁷ Frederick Redfern was the party’s choice for Superintendent of Education, and Samuel. J. Leaphart was the candidate for Congress in the Second Congressional District.²²⁸ Tolbert accepted the nomination, pledging to do all in his power “to build up a strong and aggressive party in South Carolina.”²²⁹ He implored Republicans in attendance to redouble their efforts and to “register yourselves, register your families, register your friends for we are going at bat in November.”²³⁰ The platform on which Tolbert ran strongly reflected his recent battle against entrenched racial violence and injustice. It called for “national and state legislation that will punish to the limit those who participate in this foul and diabolical crime.”²³¹ It also demanded the abolition of the chain gang and the impartial enforcement of electoral laws. Despite the excitement, however, Republicans were no match for the Democrats and Tolbert received less than 1% of the vote.²³²

Yet, the call to “register, register, register” was answered in the months following the conventions. In Greenville, activists were thinking of organizing a registration drive. When, in

²²⁶ “Republicans Put Full State Ticket in the Field,” *Columbia State*, September 23, 1938.

²²⁷ “Joseph A Tolbert of Greenville Says He Will Be Candidate for Governor of State in November Election,” *Greenwood Index-Journal*, September 11, 1938.

²²⁸ “Republicans Put Full State Ticket in the Field,” *Columbia State*, September 23, 1938.

²²⁹ *Ibid.*

²³⁰ *Ibid.*

²³¹ *Ibid.*

²³² “Table on Vote in This State Now Complete,” *Columbia State*, November 26, 1938; “Democratic Majority in State is Overwhelming,” *Charleston Evening Post*, November 26, 1938.

early 1939, the city government of Greenville rejected federal funding for two projects that African Americans had been lobbying for, African Americans took action. Activists tied to the newly chartered Greenville NAACP branch launched a registration campaign in the hopes of electing a friendlier mayor in the September election of 1939.²³³ James A. Briar, an African American schoolteacher and principal, as well as a civil rights activist from Greenville, had spent two years organizing the branch. After the founding in July 1938, he served as its first president.²³⁴ Born in 1870, Briar was the son of an important Reconstruction Republican and a leader of the Colored Farmers Alliance in Greenville, Thomas Briar. James had been affiliated with the party himself since his youth, and, with Joseph A. Tolbert, was a regular Greenville county delegate to district and state convention. Briar was notably elected as delegate to the Republican National Convention of 1916, and also benefitted from federal patronage, as he served as internal revenue collector in Greenville in the first decade of the century.²³⁵ However, while still a Republican, Briar grew frustrated over Joseph W. Tolbert's leadership and, since the early 1930s, sided with the Hambright Lily-White faction.²³⁶ Despite siding with different Republican factions, Tolbert and Briar came to collaborate on the registration campaign in Greenville in 1939.

²³³ Hayes, *South Carolina and the New Deal*, 171–73; Lau, *Democracy Rising*, 95–106; Bruce E. Baker, *What Reconstruction Meant: Historical Memory in the American South* (Charlottesville, VA: University of Virginia Press, 2007), 101–6.

²³⁴ Lau, *Democracy Rising*, 96–101.

²³⁵ “Decides Contests from This State,” *Columbia State*, June 4, 1916; “A Memorandum Prepared by Emmet Jay Scott,” March 4, 1910 in Louis R. Harlan and Raymond W. Smock, eds., *The Booker T. Washington Papers, Volume 10, 1909-1911* (Urbana, IL: University of Illinois Press, 1981), 275–76.

²³⁶ “Two Negro Delegates,” *Charleston Evening Post*, April 28, 1932; “Hambright Group Takes in Negro,” *Charleston News and Courier*, April 29, 1932; “Republican Name Ten Delegates to National Meeting,” *Columbia State*, March 18, 1936; “Republican Describe Single Party System as S.C. Curse,” *Charleston News and Courier*, March 27, 1940.

The campaign led by Briar energized African American activists throughout the city. Various organizations, such as the NAACP Youth Council and the Worker's Alliance, joined force with Briar's NAACP chapter.²³⁷ Preachers lectured about the importance of registration, activists went door to door to spread the message, and volunteers stood before the courthouse to assist African Americans through the registration process.²³⁸ Education sessions were held across town in people's homes to help prepare African Americans for registration. Briar's NAACP taught on many subjects, from self-defense to interpreting the constitution. These efforts boosted African American enrollment from roughly 35 to over 350.²³⁹ However, only a handful voted in the municipal election, and the incumbent mayor, C. Fred McCullough, rode to an easy victory.

The campaign, however, rapidly triggered massive and violent responses from Greenville whites. The Ku Klux Klan, with the assistance of the police, retaliated by mobilizing whites and organizing a campaign of terrorism. Fred V. Johnson, local Klan leader and chief of staff to the South Carolina Grand Dragon, held his promise that the "Klan would ride again," and coordinated most of the violence and intimidation.²⁴⁰ The Klan regularly paraded in black neighborhoods during the summer and fall of 1939, flogged and beat African Americans, seized any weapons they found, ransacked black businesses and homes, and burned crosses in front of houses or businesses of presumed leaders of the registration drive.²⁴¹ The authorities did very little in response. The most

²³⁷ Lau, *Democracy Rising*, 96–103.

²³⁸ Hayes, *South Carolina and the New Deal*, 171.

²³⁹ Hayes, 171.

²⁴⁰ "Greenville Case Gets U.S. Action," *Charleston News and Courier*, July 11, 1939; "Workers Body Claims Klan Interfering," *Columbia State*, July 11, 1939; "State Klansmen Hold Gathering," *Charleston Evening Post*, August 28, 1939; "Ku Klux Klan To Ride Again," *Columbia State*, October 3, 1939.

²⁴¹ "Negro Red Raps at Vice President," *Charleston News and Courier*, March 6, 1940; "South Carolina Dragged into Anti-Lynch Hearing," *Columbia State*, March 6, 1940; "S.C. Governor Asks Law Against Wearing Mask," *Associated Negro Press*, March 1940, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois;

meaningful action was a motion passed in the city council “asking” the Klan “not to parade so much in negro district” so as to “give them a little rest.”²⁴² As a result, African Americans took it upon themselves to defend their neighborhoods by spying on the Klan and organizing armed patrols. This notably prevented the capture of NAACP leader James A. Briar by a group of hooded men who ransacked his empty house.²⁴³

While the white press denounced the extra-legal tactics of the Klan and encouraged investigations into the organization, it remained silent on the “legal” response of the authorities.²⁴⁴ The police, when not facilitating the terrorism of the Ku Klux Klan, arrested numerous activists on trumped-up charges in an attempt to derail the registration drive. These arrests began shortly after the registration effort fell in the public eye. Up until July 1939, whites were mostly unaware of the NAACP’s campaign. However, on July 6, the *Greenville News* reported on the registration drive and printed on the front page a large photograph of black women lining up to register at the court house the day before.²⁴⁵ The article introduced to its white readers a number of African American leaders behind the effort, including J. C. Williams, leader of the Worker’s Alliance, and

“Peonage in Georgia, Klan in South Carolina Ignored by Federal Agencies,” *Associated Negro Press*, March 1940, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

²⁴² “Klan to be Asked to Cut Parades,” *Charleston News and Courier*, November 22, 1939.

²⁴³ Baker, *What Reconstruction Meant*, 106.

²⁴⁴ The white press in South Carolina’s large cities was highly critical of the Ku Klux Klan. While it agreed that the Klan may have been necessary during Reconstruction, it saw no need for extra-legal organizations anymore. The press believed that white supremacy could be maintained through legal means, and thus there was no need for terror or violence. These concerns were primarily fueled by class tensions within white society and the fear that outbursts of violence would encourage the federal government to intervene. The press and the Klan were also at odds over historiography. The white press rejected the Klan’s narrative that the organization was the main force being “Redemption” and the restoration of white supremacy, pointing instead to Wade Hampton and the “men who wore red shirts and no masks or robes.” For one example, see: “Nonsense in Greenville,” *Charleston News and Courier*, July 11, 1939; “Dangerous Fools At Large,” *Charleston News and Courier*, September 28, 1939. For the Klan’s response to the critics, see: “Ku Klux Klan To Ride Again,” *Columbia State*, October 3, 1939.

²⁴⁵ “57 Negroes Register in Single Day for Coming General Election,” *Greenville News*, July 6, 1939.

William H. Anderson, the president of the NAACP Youth Council. The two young leaders quickly learned that this kind of publicity had placed a target on their backs.

The authorities' response was immediate and prompted Tolbert into action. John Lee Davis, an African American teenager, was charged for breaking into a home and attempting to rape a white woman.²⁴⁶ While Davis himself had not been particularly active in the campaign, his mother was leading a large effort to register African American women. Registration drive leader J. C. Williams was arrested three times for "vagrancy" and "disorderly conduct," and received the visit of the Klan while in custody.²⁴⁷ William H. Anderson, for his part, was arrested for "breach of peace" and "disorderly conduct."²⁴⁸ And two weeks after the Klan tried and failed to capture Briar at his house, the police arrested the NAACP leader for carrying a concealed weapon. Recognizing that these cases represented "a challenge to the Negroes of America as to whether they can exercise their constitutional right of suffrage without fear of repercussion," Joseph A. Tolbert contacted the national office of the NAACP to report the incidents and inform them that he had volunteered for the legal defense of these activists.²⁴⁹ He also contacted the attorney General Frank Murphy, providing him with affidavits of numerous eye witnesses of the various raids and acts of violence and intimidation perpetrated by the local authorities and the Klan.²⁵⁰

²⁴⁶ Letter from Joseph A. Tolbert to Thurgood Marshall, August 11, 1939, NAACP Papers, Library of Congress; "Frame-up Alleged in Vote Fight," *Pittsburgh Courier* (PA), September 9, 1939; "White Lawyer Aids Victims of 'Frame-up' In South Carolina," *Norfolk New Journal and Guide* (VA), September 9, 1939; "Peonage in Georgia, Klan in South Carolina Ignored by Federal Agencies," *Associated Negro Press*, March 1940, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

²⁴⁷ Joseph A. Tolbert to General Counsel, August 22, 1939, NAACP Papers, Library of Congress; "Frame-up Alleged in Vote Fight," *Pittsburgh Courier* (PA), September 9, 1939; "White Lawyer Aids Victims of 'Frame-up' In South Carolina," *Norfolk New Journal and Guide* (VA), September 9, 1939.

²⁴⁸ Joseph A. Tolbert to General Counsel, August 22, 1939, NAACP Papers, Library of Congress.

²⁴⁹ "White Lawyer Aids Victims of 'Frame-up' In South Carolina," *Norfolk New Journal and Guide* (VA), September 9, 1939.

²⁵⁰ Joseph A. Tolbert to General Counsel, August 22, 1939, NAACP Papers, Library of Congress.

Tolbert managed to have all charges dropped in Davis' case.²⁵¹ He also had Williams acquitted on vagrancy charges, and, after appealing the guilty verdict on the disorderly conduct charge, managed to have Williams walk with a small fine. Tolbert was less successful in Anderson's case. The nineteen-year old leader of the NAACP Youth Council had the charges of disorderly conduct and breach of peace dismissed, but was re-arrested 2 months later and was sentenced to thirty days on the chain gang for "stealing an overcoat."²⁵² As he did for Anderson, Williams, and Davis, Tolbert also paid the bond when Briar was arrested in December, and helped the NAACP leader get away with only a fine.²⁵³ Tolbert repeatedly tried to obtain some financial help from the NAACP, but the organization, still recovering from the Great Depression and uncertain of Tolbert's legal ability, was not willing to spend any of the little money it had on these cases.²⁵⁴ In total, Tolbert's clients paid him \$13 for all his legal help from over the summer and fall of 1939.²⁵⁵

Tolbert also volunteered legal assistance for Jerry Owens, an illiterate bootblack who had been accused of the far more serious charges of assault with intent to rape.²⁵⁶ Owens' arrest

²⁵¹ Letter from Joseph A. Tolbert to Thurgood Marshall, August 11, 1939, NAACP Papers, Library of Congress.

²⁵² "Klan Raids in S.C. Described by Eyewitnesses," *Baltimore Afro-American* (MD), October 7, 1939. "Greenville, S.C. NAACP President Arrested," *Atlanta Daily World* (GA), December 6, 1939.

²⁵³ "Greenville, S.C. NAACP President Arrested," *Atlanta Daily World* (GA), December 6, 1939; "S. C. Police and Klan Hound NAACP Head," *Baltimore Afro-American* (MD), December 16, 1939; "South Carolina Dragged into Anti-Lynch Hearing," *Columbia State*, March 6, 1940.

²⁵⁴ Joseph A. Tolbert to General Counsel, August 22, 1939; Letter from Roy Wilkins to Joseph A. Tolbert, August 25, 1939; Letter from Thurgood Marshall to Joseph A. Tolbert, November 27, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, November 28, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, December 2, 1939, NAACP Papers, Library of Congress.

²⁵⁵ "White Lawyer Aids Victims of 'Frame-up' In South Carolina," *Norfolk New Journal and Guide* (VA), September 9, 1939.

²⁵⁶ Joseph A. Tolbert to General Counsel, August 22, 1939, NAACP Papers, Library of Congress; "White Lawyer Aids Victims of 'Frame-up' in South Carolina," *Norfolk New Journal and Guide* (VA), September 9, 1939; "Push Fight to Vote Despite Pressure of Court," *New York Amsterdam News* (NY), September 16, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, December 2, 1939, NAACP Papers, Library of Congress.

revealed the profound level of paranoia among white Greenville residents during the NAACP registration drive. Technically speaking, Owens had nothing to do with the NAACP or the activists, and his illiteracy meant that he could not register. However, he had teased white customers about the growing number of black voters in Greenville.²⁵⁷ A few days after this, Owens was arrested for attempting to rape a white waitress in a diner next to the barbershop where he worked. In fact, Owens had only brought the waitress a note that a white customer had asked him to carry to her.²⁵⁸ Because of the accusation of rape, Owens was facing the death penalty.

Owens' trial was so heated that the press reported that it was "marked by repeated clashes" between Tolbert, the prosecutor and the jury. In fact, the situation was so tense in Greenville that Tolbert was attacked upon his arrival at the court house on the second day of the trial, when "a hell of a fist fight" took place. Over 6 feet tall and weighing nearly 250 pounds, Tolbert was not easily physically intimidated, and, "in self-defense, beat the hell out of the scoundrel."²⁵⁹ Once in the court room, Tolbert appeared profoundly exasperated before the absurdity of the charges and the conduct of the trial. For him, it was clear that if there had been a "scintilla of evidence to indicate that Jerry Owens or any other colored man had attempted to rape a white waitress in this part of the U.S.A., you and all other reasonable minded people know full well that he would have been lynched so quickly he would not have known what it was all about."²⁶⁰ "The fact there was no real motive, purpose or intent proven," the attorney retorted, "is the one reason that the defendant is a

²⁵⁷ Lau, *Democracy Rising*, 102.

²⁵⁸ Letter from Joseph A. Tolbert to Thurgood Marshall, August 11, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, December 2, 1939, NAACP Papers, Library of Congress.

²⁵⁹ Letter from Joseph A. Tolbert to Thurgood Marshall, November 28, 1939, NAACP Papers, Library of Congress.

²⁶⁰ *Ibid.*

live human being to-day, and that he was not lynched on the afternoon of July 15th.”²⁶¹ He questioned how Owens could have produced a hand-written note since he was illiterate, and if the charge were so serious, why the waitress waited for more than a day to report it.²⁶² While cross-examining the detective who made the arrest, Tolbert asked him point blank if he was a member of the Klan. The detective, unmoved, replied that it was his “business what I belong to,” and the judge did not press the matter.²⁶³ In the end, Tolbert’s efforts were enough to save the life of Owens, but not enough to prevent a fifteen-year sentence in prison. Furious, Tolbert immediately announced that he would appeal the sentence, and go as far as the United States Supreme Court if needed.²⁶⁴

Tolbert’s increasing legal activity on behalf of African Americans’ political rights made him face the opprobrium of whites in Greenville and beyond. It also made Tolbert a target for the Klan, whose members repeatedly harassed and intimidated him. The most gruesome incident occurred on the night of November 7th, 1939. Klansmen captured Elrod Neely, an African American disabled World War I veteran and stripped and flogged him.²⁶⁵ The Klansmen then carried the naked body of Neely and, in the middle of a cold November night, dropped him on Tolbert’s front porch.²⁶⁶ A few days prior to his abduction, Neely had sent a letter to a newspaper

²⁶¹ Letter from Joseph A. Tolbert to Thurgood Marshall, November 28, 1939, NAACP Papers, Library of Congress.

²⁶² “Push Fight to Vote Despite Pressure of Court,” *New York Amsterdam News* (NY), September 16, 1939.

²⁶³ Ibid.

²⁶⁴ Ibid

²⁶⁵ “Negro Red Raps at Vice President,” *Charleston News and Courier*, March 6, 1940.

²⁶⁶ “Negro Stripped, Left on Steps of Joe Tolbert,” *Columbia State*, November 22, 1939; “The Klan Rides Again,” *Charleston News and Courier*, December 3, 1939.

condemning the Klan for the wave of violence and asking the authorities to put an end to it.²⁶⁷ Tolbert immediately contacted Oscar H. Doyle, the district attorney, to ask for immediate action against the Klan and for a federal investigation. He presented Doyle with the testimony of Neely, and a full report on the Klan's terrorism during the summer. Doyle replied that the "government was without jurisdiction in this matter."²⁶⁸ Tolbert, who had served in the same position as Doyle for over a decade, was dumbfounded by the reply. He was furious that the district attorney did not at least force the local police to investigate. Indeed, despite the incident being reported to Doyle and discussed in the press, the Greenville police neither investigated it nor filed a report.²⁶⁹ Hence, Doyle, just like the state and local government and U.S. attorney General Murphy, refused to intervene. African American activists and Tolbert were left on their own before what was essentially state-sponsored terror.

Shortly after reaching out to Doyle, an increasingly distressed Tolbert contacted the NAACP once again to inquire about potential financial assistance to appeal the decision in Owen's case.²⁷⁰ "In the name of AMERICAN JUSTICE," wrote Tolbert "please help this worthy cause at once."²⁷¹ Thurgood Marshall replied that the organization would look into potential financial help if the case met three criteria, namely that the accused be innocent of the crime he was charged for, that racial injustice was at the center of the case, and that the case could be used to set a legal

²⁶⁷ "Negro Stripped, Left on Steps of Joe Tolbert," *Columbia State*, November 22, 1939; "Whites Demand U.S. To Stop Klan," *New York Amsterdam News* (NY), December 9, 1939.

²⁶⁸ "Whites Demand U.S. To Stop Klan," *New York Amsterdam News* (NY), December 9, 1939.

²⁶⁹ "War Veteran is Stripped by Robed Man," *Charleston News and Courier*, November 22, 1939; "Whites Demand U.S. To Stop Klan," *New York Amsterdam News* (NY), December 9, 1939.

²⁷⁰ Letter from Joseph A. Tolbert to Thurgood Marshall, November 20, 1939, NAACP Papers, Library of Congress.

²⁷¹ Letter from Joseph A. Tolbert to Thurgood Marshall, November 20, 1939, NAACP Papers, Library of Congress.

precedent.²⁷² The very next day, Tolbert replied to Marshall that the Owens case responded to these three conditions, and that he only needed \$100. He conveyed to Marshall that Owens was absolutely innocent, and that “race prejudice of the rankest and foulest type conceivable was manifested from beginning to end of the trial.”²⁷³ Tolbert wanted to challenge the legality of the jury selection process as there was not a single African American on either the petit or grand jury in this case. In doing so, Tolbert hoped that the Owens case could set the legal precedent that Jacob Moorer sought in the Pink Franklin case of 1910. “If you will help a deserving, just, and worthy cause,” Tolbert told Marshall, “we can, and will show the white and colored people of the U.S.A. that we can have colored jurors try colored defendants in the courts down in Dixie.”²⁷⁴ Tolbert concluded his letter with a challenge to the NAACP: “I have had confidence in the NAACP to help the underprivileged, and the downtrodden but if the NAACP is going to turn a deaf ear to deserving appeal such as exists in the Jerry Owens case then the organization might just as well shut up shop, and apologize though the metropolitan press of New York that it has no more interest in the welfare of the colored race in this section of the country.”²⁷⁵ The NAACP turned down his request for financial help, and shortly after, the Court rejected Tolbert’s appeal.²⁷⁶

Tolbert’s inability to help Owens took a heavy toll on him. Increasingly ostracized in Greenville, Tolbert became profoundly despondent. The public perception of his actions explained

²⁷² Letter from Thurgood Marshall to Joseph A. Tolbert, November 27, 1939, NAACP Papers Library of Congress.

²⁷³ Letter from Joseph A. Tolbert to Thurgood Marshall, November 28, 1939, NAACP Papers, Library of Congress.

²⁷⁴ *Ibid.*

²⁷⁵ *Ibid.*

²⁷⁶ Letter from Thurgood Marshall to Joseph A. Tolbert, December 1, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, December 2, 1939; Letter from Joseph A. Tolbert to Thurgood Marshall, December 16, 1939, NAACP Papers, Library of Congress.

why a former most popular student of the University of South Carolina who served as district attorney for ten years without any complaints could not secure the financial help of any organization or white patrons in his 1939 legal efforts. The morning of March 22, 1940, Tolbert, then 48, committed suicide. The white press in South Carolina reported the news but did not comment on the context in Greenville or on Tolbert's role in defending the activists behind the registration drive.²⁷⁷ Readers of the black press across the nation had a fuller account. "The one white man in this area who had championed the cause of the Negro in the recent fight against Ku Klux Klan terrorism . . . became virtually ostracized by members of his own race," read the report from the Associated Negro Press, and he "took his own life."²⁷⁸

While the Greenville NAACP branch campaign did not lead to the immediate result hoped for, it had a critical impact. It served as a rallying cry across the nation and provided African Americans in South Carolina with the impetus to create the statewide NAACP chapter that would propel civic rights activism to unattained heights in the state in the 1940s and 1950s.²⁷⁹ And perhaps more importantly for Tolbert, Moorer, Prioleau, and all other Republicans who fought for political rights in the first three decades of the century, it led the NAACP to move voting rights to the top of its agenda.²⁸⁰

²⁷⁷ "J. A. Tolbert is Found Slain," *Charleston Evening Post*, March 22, 1940; "J. A. Tolbert of Greenville Takes His Own Life," *Columbia State*, March 23, 1940.

²⁷⁸ "Greenville Lawyer Who Befriended Race Against Klan Kills Self," *Atlanta Daily World* (GA), March 31, 1940; *Kansas City Plaindealer* (KS), April 5, 1940; *Wichita Negro Star* (KS), April 5, 1940; *Pittsburgh Courier* (PA), April 6, 1940.

²⁷⁹ Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York, NY: New Press, 2009).

²⁸⁰ Lau, *Democracy Rising*, 105–6.

Chapter 5
The Making of a Scandal in “Carpetbagdad”: South Carolina Black and Tan Republicans and the Problem of Political Corruption, 1920-1927

Prior to the 1920s, few Americans had heard of Joseph W. Tolbert and his Black and Tan Republican organization. Outside of the South, the press largely ignored them because there was little to discuss. The Republicans’ situation in South Carolina was essentially the same as it was at the turn of the 20th century. The party was still electorally irrelevant and primarily served as a vehicle for the self-serving task of distributing federal patronage. To most Americans, the decision as to who would man the post office of Greenville was hardly a topic of interest. Furthermore, the main reasons for the electoral weakness of Republicans – disfranchisement and whites’ loyalty to the Democratic Party – were complex, systemic issues likely to endure for the foreseeable future.

As a result, when Republican national leaders made their typical post-national convention announcement that the party would launch an effort to “reform” or “clean-up” southern state parties like that of South Carolina, which everyone knew was code for elevating a new Lily-White leadership, the press reported on it with a mixture of skepticism and indifference. In fact, few Americans outside of Lily-White Republican circles believed that a new and entirely white leadership would make the state party fare better.¹ And most politically savvy Americans knew that ousting blacks from the party leadership in a state like South Carolina was very unlikely to happen. For even if Lily-Whites succeeded in making South Carolina competitive, this gain would likely be voided by losses in northern states, where the rapidly growing northern black population would likely refuse to vote for the party that abandoned their southern brethren. As late as 1921, the *New York Times* maintained that the “solid South [did] not promise to yield to any solution

¹ “Palmetto Republicans,” *New York Times* (NY), June 1, 1921.

which the Republicans have thus far offered or are likely to propose.”² In short, to most Americans, the poor state of Republicanism in South Carolina was a problem without a solution, a fact of life maintained by unyielding forces beyond their control. Feeling either unconcerned or powerless, they paid little attention to it and carried on.

However, a torrent of allegations of malpractice by Democrats forced South Carolina Republicans out of the shadows in the 1920s and made the party a major topic of discussion for most of the decade. In the process, Americans’ views on the state of Republicanism in South Carolina shifted in important ways. Americans came to perceive South Carolina’s Black and Tan Republicans as a hopeless bunch of corrupt grafters, and, in the wake of the Teapot Dome Scandal, the symptom of a larger pressing national problem in need of immediate attention and reform. The American public could hardly be blamed for adopting such a position, for rarely was there such unanimity among a wide variety of political leaders. Indeed, realizing the potency of the corruption issue, all groups who stood to gain from the downfall of the Black and Tan state organization did not fail to use it. Opportunistic Lily-White Republicans seeking to topple Tolbert’s Black and Tan regime happily echoed the Democrats’ allegations. And perhaps even worse for Tolbert’s organization, national NAACP leaders, who had recently embarked on a project of dealigning northern black voters from the Republican Party, also denounced South Carolina Republicans as “ungodly tricksters,” and “professional grafters” in order to advance their own agenda.³ By the end of the decade, Joseph W. Tolbert stood next to Albert Fall as one of the decade’s most infamous

² “Republicans and the South,” *New York Times* (NY), January 17, 1921.

³ NAACP leaders had embarked on a project of dealigning northern black voters from the Republican Party. They believed that African American voters would gain more from becoming an independent voting block supporting any candidate – Democrat, Republican, or otherwise – favorable to the promotion of African American civil and political rights rather than in blindly supporting the GOP. For more on this, see chapter 6. W. E. B. Du Bois, “The Republicans and the Black Voter,” *The Nation*, June 5, 1920, 758; “Miller Writes Regarding Party,” *Columbia State* April 8, 1921; “Republican Patronage in South Carolina,” *Boston Independent* (MA), February 5, 1927.

national icons of political corruption. In fact, the press even coined the term “Tolbertism” to connote a wide variety of alleged nefarious practices, from “nepotism,” to “corruption,” and from “undemocratic practices” to “old mercenary politics.”⁴

The rapid degradation of the party’s image in public opinion did not lead to the immediate downfall of Tolbert’s organization, but it weakened it significantly. First, it undermined the standing of Tolbert’s organization with the national Republican leadership, as the political cost of standing by him was becoming nearly, if not actually, higher than the political benefits it brought to the party. This was extremely alarming for, in the end, as powerful as Tolbert’s group may have been in South Carolina Republican politics, it ultimately served at the pleasure of the Republican credentials committee and the president. Republican national leaders could, as they had done in many states in the past, devote their resources to propping-up a new local organization to replace Tolbert’s politically troubled group.

Secondly, and most importantly for South Carolina black Republicans, it threatened the very existence of Black and Tan Republicanism, which was already hanging on by a thread. The fact that virtually no one questioned why the allegations of corruption were only made against Black and Tan organizations illustrates how powerfully the stereotype of the corruptible African American held sway nationwide. Worst, combined with surprising Republican inroads in the South, it convinced a large number of Americans, including some Republican officials, that rather than a systemic issue beyond their control such as disfranchisement, Republican misfortune in South Carolina was the state Republicans’ own making.⁵ It was the fault of poor and corrupt leaders

⁴ “Links Former Governor with Republicans, Tolbertism and Negro Supremacy,” *Union Daily Times*, August 16, 1922; “Tolbertism an Issue,” *Columbia State*, December 19, 1923; “Claude Sapp and ‘Joe Tolbertism,’” *The People’s Magazine*, March 5, 1933, South Carolina Republican Party Vertical File, South Caroliniana, University of South Carolina, Columbia, South Carolina.

⁵ After years of struggles, Republicans were finally beginning to gain significant ground in a number of southern states, even winning in Tennessee in the 1920 presidential election. The Republican victory in Tennessee in the 1920

like Tolbert, who acted solely according to their own selfish interests. As such, the pressure on national Republican leaders to judge South Carolina's Republican organizations on their ability to deliver votes to Republican candidates increased significantly. For Lily-Whites this was good news, for they knew that disfranchisement was unlikely to go away anytime soon, and there was thus little hope that a Black and Tan organization could succeed in a state like South Carolina. Hence, the Lily-White idea of empowering a new state party leadership composed of "respectable" whites became far more appealing in both the GOP and the nation. It appeared to be a win-win solution. At best, it would lead to electoral progress. At worst, it would end rampant corruption in the attribution of patronage and show that the national party was cleaning up its business.

Southern Democrats and the Political Use of the Republican Scarecrow, 1920-1923

Despite following customary practices and acting within the limits of law, South Carolina Republicans' use of patronage for fundraising rapidly became the subject of Democratic attacks in the early 1920s. In 1922, South Carolina Democratic senator Nathaniel B. Dial began accusing Tolbert of corruption, nepotism, and of selling federal offices in the state. These allegations, which emerged out of an alliance between Lily-White Republicans and Democratic senator Dial, were a cynical attempt to harm a common opponent for political gain. For Dial, attacking Tolbert was part of a strategy to defeat Cole Blease in the 1922 South Carolina gubernatorial election. For the Lily-White Republicans, it was an attempt to discredit Tolbert and the Black and Tan faction in an effort

presidential election was the first time the party won an ex-Confederate state in the 20th century. In fact, in the 1920 election, the Republican Party increased its score from the 1916 presidential election in every state of the ex-Confederacy. They won 38% of the vote in Virginia, a 6% increase; 43% in North Carolina, a 1% increase; 51% in Tennessee, an increase of 9%; 38 % in Arkansas, an increase of 10%; 24% in Texas, an increase of 7%; 30% in Louisiana, a dramatic increase of 23%; 14% in Mississippi, and increase of 9%; 37% in Alabama, an increase of 12%; 27% in Georgia, where the 20% increase was the largest of the party in the region; 31% in Florida, an increase of 13%, and an abysmal 4% in South Carolina, which was still an increase of 2%. The results of the 1924 election suggest that this progress was not a flash in the pan.

to take over the state party machinery. While the sensational accusations were covered widely in the national press before, it had little immediate effect outside of the Palmetto state. National newspapers approached the allegations with skepticism and recognized the attack on Tolbert for exactly what it was: essentially a political gambit rather than motivated by a real desire to eradicate corruption in politics.⁶ National Republican leaders, including President Harding and later Coolidge, were largely unconcerned by what they saw. For them, it was little more than a political spectacle, and the allegations did not alter their support for Tolbert's organization. Yet, these seemingly harmless allegations of corruption would later prove critical to the demise of South Carolina Black and Tan Republicans.

In the summer of 1922, President Harding rewarded Tolbert for his help at the Republican National Convention by appointing him as U.S. marshal for the Western District of South Carolina. Upon hearing the news, South Carolina Democratic senator Nathaniel B. Dial immediately announced that he would block Tolbert's nomination in the Senate.⁷ Dial contended that Tolbert's role in the 1898 Phoenix riot disqualified him from law enforcement positions. Tolbert had "prejudiced the community against him" in 1898 when he "stirred up strife" and "riots had been brought about by [his] command."⁸ As a result, 24 years later Tolbert remained "distasteful to a very large majority of our population."⁹ Dial also accused Tolbert of tax evasion, of illegal use of alcohol, and of being a "spoilman of the worst class" for allegedly selling offices in return for

⁶ "Sold Federal Jobs, Is Charged," *Boston Herald* (MA), July 31, 1922; "Federal Jobs at Retail?" *Kansas City Star* (MO), July 31, 1922; "Palmetto Republicans," *New York Times* (NY), August 1, 1922.

⁷ "Dial Will Oppose Naming of Tolbert," *Columbia State*, June 25, 1922.

⁸ Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922, 7.

⁹ *Ibid.*

“campaign funds.”¹⁰ Dial alleged that Tolbert hoped to make over \$ 100,000 by extracting between 10% and 20% of the annual salary of office holders.¹¹ Hence, for Dial, Tolbert was “unsuited by nature, by training and by habits and [was] wanting in every proper manner the qualities to fulfill the duties” of U.S. marshal.¹²

Dial’s spectacular allegations drew attention nationwide.¹³ It became rapidly apparent, however, that Dial was not seeking to convince a national audience, nor was he trying to bolster his national standing. In fact, the relative weakness of the case made Dial and the witnesses appear more like the leaders of a petty vendetta against Tolbert than citizens concerned about the fitness of federal office holders. The witnesses that Dial produced to bolster his claims were neither convincing nor credible. J. P. Gray, who hardly knew Tolbert, testified before the Senate based almost exclusively on “what people have told [him].”¹⁴ The other main witnesses included T. Gray Harris, a young man who appeared frustrated at having failed to secure a postmastership in Woodruff, South Carolina, despite offering \$200, as a party contribution. Disgruntled Lily-Whites such as George D. Shore or Murray Benson, who were open opponents of Tolbert and actively trying to secure control over patronage in the state, also testified.¹⁵ In fact, it is likely that Shore,

¹⁰ “Tolbert Unfit for High Office, Spoilsman of Worst Class Dial Declares,” *Columbia State*, July 31, 1922.

¹¹ Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922; Congressional Record, 68th Cong., 1st sess., January 24, 1924, 1408-1413; Senate Committee on Post Offices and Post Roads, *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads, Subcommittee on S. Res. 193*, 70th Cong., 2nd session, July 9-12 and December 11-13, 1928.

¹² “Tolbert Unfit for High Office Spoilsman of Worst Class Dial Declares,” *Columbia State*, July 31, 1922.

¹³ “Federal Jobs at Retail?,” *Kansas City Star* (MO), July 31, 1922; “Federal Offices Sold,” *Rockford Republic* (IL), July 31, 1922; “Charges Federal Offices Are Sold,” *Portland Oregon Journal* (OR), July 31, 1922; “Federal Officers ‘Sold’,” *Tulsa World* (OK), August 1, 1922; “Palmetto Republicans,” *New York Times* (NY), August 1, 1922.

¹⁴ Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922, 46.

¹⁵ Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922; Congressional Record, 68th Cong., 1st sess., January 24, 1924, 1408-1413.

Benson and other Lily-White leaders, still fuming over the loss of their faction to Tolbert's group at the 1920 convention, instigated Dial's attacks by providing the senator with unsolicited testimony. They knew that both their faction and Dial could benefit from an offensive against Tolbert's integrity. The national press suspected such an alliance, and argued this battle was essentially political, opposing "old guard" Republicans like Tolbert and a "younger more progressive wing," which wanted to jolt the party in the South by elevating new white leaders.¹⁶

Tolbert had little difficulty showing how tendentious Dial's claims were. He did not fail to point out that the testimonies were given by "disgruntled Republicans" with a clear agenda, and charged that Dial's unsupported accusations showed that he was too "reckless" to be a senator.¹⁷ In fact, the case against Tolbert was so weak that virtually all Republican officials, including the president, had no qualms publicly defending him.¹⁸ Republican members of the Senate Judiciary Committee ensured that the record would reflect that Dial approached the confirmation hearings more as a spectacle for his constituents at home than a serious debate over Tolbert's qualifications. On numerous occasions, they pushed Dial to show more substantive proof of his allegations and observed that most of the testimony they heard was based on undocumented hearsay.¹⁹ But since Dial was seeking the attention of his own constituents and not that of the nation, the flimsiness of his evidence was unimportant. It was always good politics in the Jim Crow South to grandstand

¹⁶ "Sold Federal Jobs, Is Charged," *Boston Herald* (MA), July 31, 1922; "Federal Jobs at Retail?" *Kansas City Star* (MO), July 31, 1922.

¹⁷ "Tolbert Denies Dial's Charges," *Columbia State*, August 1, 1922; "Tolbert Denies Dial's Charges with Emphasis," *Charlotte Observer* (NC), August 1, 1922; Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922, 97-158.

¹⁸ "Republicans Move to Tolbert's Aid," *Columbia State*, July 27, 1922.

¹⁹ Senate Committee on the Judiciary, *Nomination Hearing of Joseph W. Tolbert*, 67th Cong., Dec. 19, 1922.

in defense of white supremacy and attack a Republican, even with spurious evidence or no evidence at all.

Dial's attack on Tolbert had two motives. First, he was seeking to restore his Democratic credentials. Dial's reputation had taken a hit when he blocked the re-appointment of Strom Thurmond's father, J. William Thurmond, as U.S. attorney for the Western District of South Carolina in 1920. This was widely seen as a petty gesture of retaliation against Thurmond, who, while qualified for the office, had strongly opposed Dial in the 1913 and 1918 senatorial elections.²⁰ The problem for Dial, however, was not that he blocked the nomination of a Democratic rival per se. Rather, it was that by doing so, he ensured that Republicans, who had won the White House in 1920, would fill the position. Had Dial re-appointed Thurmond, a Democrat would have been in control of the crucial position of district attorney until 1924. Thurmond thus accused Dial of being in cahoots with Republicans and of endangering white supremacy. He warned that such traitorous action against the Democratic Party could lead to the emergence of a strong Republican Party in the state, and that in turn meant that "1876 or the Phoenix riot [would] repeat themselves."²¹ In leading a crusade against Tolbert, the most visible Republican in the state, Dial was sending a strong message that his true loyalty lay with white Democrats.

Dial's primary concern, however, was not with Thurmond, but with former South Carolina governor and Dial's main opponent in 1918, Coleman Blease. At the time, the Newberry populist and demagogue Blease was the leader of the most powerful faction in the South Carolina

²⁰ "A Better Rule," *Abbeville Press and Banner*, December 22, 1920; "Unable to Agree Over Mr. Thurmond," *Newberry Herald and News*, March 23, 1920; "Thurmond Writes of Appointment," *Columbia State*, August 8, 1921; "Dial Makes Reply to J. W. Thurmond," *Edgefield Advertiser*, August 17, 1921; "Thurmond Replies to Dial's Letter," *Columbia State*, August 30, 1921.

²¹ "Thurmond Writes of Appointment," *Columbia State*, August 8, 1921.

Democratic Party.²² Mostly composed of working-class whites, particularly up-country millworkers, Blease's extremely loyal supporters represented between 40% and 50% of the party. The rest of the party was split into a number of far smaller factions. These factions represented different constituencies with competing interests and legislative agendas, yet they shared a mutual disdain for Blease. Indeed, the tensions between the Bleaseites and anti-Blease Democrats had been building up ever since Blease's term as governor from 1911 to 1915. They intensified dramatically when Blease came out strongly against the entrance of the U.S. in World War I and publicly lambasted President Wilson, who was not only the first southern president since 1848, but had also lived in South Carolina during Reconstruction.²³ After his defeat to Nathaniel B. Dial in the heated senatorial primaries of 1918, Blease grew so frustrated with the Democratic establishment that he threatened to run as an independent in the 1919 congressional special election.²⁴

When Blease announced his candidacy for governor in 1922, the loose anti-Blease coalition immediately mobilized. Unable to settle on an agenda or candidate, leaders of the fragmented anti-Blease coalition could only agree on mounting a negative campaign against Blease.²⁵ The cornerstone of this attempt was an effort to paint Blease as an ally of Tolbert, a Republican in disguise, and thus a threat to white supremacy. Senator Dial and the editors of the two most

²² For a discussion of the division within the Democratic party, see: Janet Hudson, *Entangled by White Supremacy: Reform in World War I-Era South Carolina* (Lexington, KY: University Press of Kentucky, 2009), 179–85.

²³ "Action of Blease May Presage Bolt," *Columbia State*, June 22, 1918; "Has Not Blease Already Decided in Germany's Favor?," *Columbia State*, August 23, 1918; "Blease on the War and Wilson," *Columbia State*, September 4, 1922. Wilson lived in Columbia, South Carolina, from 1870 to 1874, while his father worked as professor at the Columbia Theological Seminary. See: John Milton Cooper, *Woodrow Wilson: A Biography* (New York, NY: Vintage Books, 2011), 21–22.

²⁴ "Hard Blow Struck at Blease's Record: Dial Scores War Attitude of Opponent," *Columbia State*, July 4, 1918; "People Will Speak, Declares Senator Dial," *Columbia State*, August 2, 1919.

²⁵ Five anti-Blease candidates ran for governor, illustrating the division within the coalition.

important newspapers in the state spearheaded this effort.²⁶ Simultaneously to Dial's announcement that he would oppose Tolbert's nomination, the coalition released their smoking gun: a "secret" letter from Blease to Tolbert with incendiary contents. In the letter, re-printed numerous times throughout the campaign, Blease endorsed Tolbert as the best qualified Republican to take care of patronage in the state.²⁷ The most explosive part of the letter, however, was Blease's statement that he was "not a Wilsonian so-called Democrat, but a Jeffersonian Democrat who rejoiced at Harding's election." Blease also attacked Wilson's "idealism," because it only provided South Carolinians with "fresh-made graves, widows, orphans and billions of dollars of taxes."²⁸ With characteristic boldness, Blease even granted Tolbert the "liberty" to distribute or publish the letter since "everybody knows that I speak what I think regardless of consequences."²⁹ For anti-Blease Democrats, the letter illustrated that Blease, who fraternized with "the political heir of the scalawags and carpetbaggers," was a Republican in Democratic clothing.³⁰ The letter became so critical in the election that it was integrated into an anti-Blease political advertisement entitled "Shall South Carolinians Betray the Faith of Their Fathers?," paid for by the "Democrats of '76."³¹ This advertisement attacked Blease because he "stained" the state's

²⁶ Hudson, *Entangled by White Supremacy*, 203.

²⁷ "Mr. Blease to Mr. Tolbert," *Columbia State*, July 31, 1922; "Mr. Blease to Mr. Tolbert," *Columbia State*, August 27, 1922; "'Let Us Wake up' Bamberg Newspaper Speaks of Tolbert-Blease Relations, 'Not from Hearsay,'" *Columbia State*, September 10, 1922; "Mr. Blease to Mr. Tolbert," *Columbia State*, September 12, 1922.

²⁸ "Blease Rejoiced at Cox's Defeat," *Columbia State*, July 31, 1922.

²⁹ *Ibid.*

³⁰ "'Let Us Wake up' Bamberg Newspaper Speaks of Tolbert-Blease Relations, 'Not from Hearsay,'" *Columbia State*, September 10, 1922; "Mr. Blease to Mr. Tolbert," *Columbia State*, September 12, 1922.

³¹ *Bamberg Herald*, August 3, 1922; *Charleston Evening Post*, September 5, 1922; *Yorkville Enquirer*, September 5, 1922; *Union Daily Times*, September 5, 1922; *Edgefield Advertiser*, September 6, 1922; *Abbeville Press and Banner*, September 6, 1922; *Pickens Sentinel*, September 7, 1922; *Sumter Watchman and Southron*, September 9, 1922.

“pure Democracy” by “dealing with our political enemies who would weaken the firmness of the white’s man government of this state.”³²

Dial’s attacks on Tolbert were thus a means to attack Blease through proxy. It is precisely to that effect that Dial went beyond attacking Tolbert’s character and his alleged lack of qualification for the position of U.S. marshal. Indeed, Dial accused Tolbert of a conspiracy that, whether true or not, had technically nothing to do with Tolbert’s qualifications for the appointment. In both the press and the Senate, Dial stated that it was “commonly reported” that Tolbert had “formed a political combination with certain parties in our state calling themselves democrats, to create a political machine with the view and for the purpose of undermining, disrupting, and destroying the Democratic Party.”³³ After all, forming a coalition to defeat opponents is hardly a controversial matter, and hardly a disqualifying matter for a federal office. Yet, in the context of the gubernatorial race of 1922, the subtext of Dial’s statement was plain to all South Carolinians: Blease was a central part of Tolbert’s “political machine.” Dial’s statements fueled a fury of speculations from anti-Blease newspapers. Within a few days, rumors that Tolbert and Blease had made a series of secret agreements to help each other’s political career circulated widely in the Palmetto state.³⁴ One article alleged that Blease and Tolbert regularly collaborated on issues of patronage, and that Tolbert tried to appoint Blease as district attorney. More alarming, however, was the rumor reported in the *State* that if Blease was to lose the Democratic primary, he would run in the general election as a Republican.³⁵ It was this secret agreement, the *State* alleged, that

³² Columbia *State*, September 4, 1922.

³³ “Senator Dial is Against the Nomination of Jos. W. Tolbert,” *Augusta Chronicle* (GA), July 31, 1922.

³⁴ “Republican Organ Is Gentle to Mr. Blease,” Columbia *State*, September 10, 1922.

³⁵ “‘Let Us Wake up’ Bamberg Newspaper Speaks of Tolbert-Blease Relations, ‘Not from Hearsay,’” Columbia *State*, September 10, 1922.

explained why Tolbert chose to postpone the Republican state convention until after the Democratic primaries.

Dial and other anti-Bleuse Democrats succeeded in reframing the election, in the words of the *Bamberg Herald*, as one opposing “Democracy against Joe W. Tolbert’s Republicanism.”³⁶ Throughout the election, anti-Bleuse newspapers published impassioned articles reminding South Carolinians that if white voters did not make “party loyalty” their “first consideration,” white supremacy would quickly perish.³⁷ Tolbert, they reminded readers, was the instigator of the Phoenix riot, and tried to “place black heels on white necks.”³⁸ “He is attempting to do the same thing today,” the *Bamberg Herald* warned, by leading a “shrewd campaign” to make a “wedge” in the “solidity of the Democratic party.”³⁹ If left unchecked, Tolbert would bring back the “days of Reconstruction and negro Republican domination, . . . when no white man’s life was safe and every white woman stood in danger of attack from some black brute.”⁴⁰ The *State* warned that this election was about preserving segregation, warning that if “Republicans gain power in South Carolina, separation of the races in trains and factories will be a thing of the past.”⁴¹ “The Democratic party in South Carolina,” the *State* concluded, “should be saved” from the reckless

³⁶ “‘Let Us Wake up’ Bamberg Newspaper Speaks of Tolbert-Bleuse Relations, ‘Not from Hearsay,’” *Columbia State*, September 10, 1922.

³⁷ “The Issue Next Tuesday,” *Bamberg Herald*, September 7, 1922; “‘Let Us Wake up’ Bamberg Newspaper Speaks of Tolbert-Bleuse Relations, ‘Not from Hearsay,’” *Columbia State*, September 10, 1922.

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ “The Opening up of All Trades,” *Columbia State*, August 21, 1922; “Shall the Democratic Party Live?,” *Columbia State*, August 24, 1922.

“Bleasites.”⁴² Yet, the *State* recognized that doing so meant foregoing political freedom to which all Americans were entitled. As long as African Americans were in a numerical superiority, the safety of white South Carolinians “is involved in and dependent upon a restricted ballot,” and for that reason, the state “cannot afford the kind of Democracy that is spelled with a little ‘d’.”⁴³ In the end, Dial and the anti-Blease coalition came out victorious. Blease was defeated in the primary runoff by Thomas Gordon McLeod.

With Blease running again in 1924, the two leading anti-Blease candidates, James F. Byrnes and Dial, adopted virtually the same strategy as in 1922. The letter from Blease to Tolbert was re-circulated, and the supporters of both candidates spent a large part of the campaign attacking Blease for his alleged collaboration with Tolbert.⁴⁴ Simultaneously, they sought to prove their white supremacist credentials by constantly attacking Tolbert. On the stump, Dial warned that “so long as Joe Tolbert has the ear of Washington, DECENCY IN SOUTH CAROLINA IS IN PERIL.”⁴⁵ “No man should be sent to the Senate,” said Dial, unless this man pledges “to oppose, to circumvent, to fight tooth and nail, this Tolbert,” in whom has survived all that was infamous in the black radial politics of the Scalawags and the Carpetbaggers.⁴⁶ “He hates you and me,” continued Dial, “because you and I are resolved as white men and women to govern South Carolina to the utter exclusion of his friends, his pals, the Negro Republicans.” “I say to you,” concluded

⁴² “The Opening up of All Trades,” *Columbia State*, August 21, 1922; “Shall the Democratic Party Live?” *Columbia State*, August 24, 1922.

⁴³ “Just for Appearances,” *Columbia State*, September 21, 1922.

⁴⁴ “No One Spared by M'Mahan in Attacks Today,” *Charleston Evening Post*, August 14, 1924; “M'Mahan Makes General Attack,” *Columbia State*, August 15, 1924; “Democrats of '76,” *Columbia State*, September 7, 1924; “Choosing a Senator,” *Charleston Evening Post*, September 8, 1924.

⁴⁵ “Dial to Democrats of South Carolina,” *Columbia State*, August 24, 1924.

⁴⁶ *Ibid.*

Dial, “that so long as Tolbert is recognized as the leader and controller of Republicans in South Carolina, you and your civilization are in danger.”⁴⁷ James F. Byrnes also portrayed Tolbert as in cahoots with Blease. Just a few days before his runoff against Blease, Byrnes declared that he “had been reliably informed that Joseph W. Tolbert . . . was doing everything in his power to defeat him.” He told South Carolinians that voting for him would show that they were “not going to permit [Tolbert] to name their senator.”⁴⁸ Yet, this time Blease escaped with a narrow, and what turned out to be his last, victory. For the rest of the decade, Democrats would continue to lambast Republicans for electoral purposes. In the overheated white supremacist politics of South Carolina, the Republican shadow continued to loom large long after the party lost any electoral hope.

These attacks against Republicans like Tolbert were part of an effort to prevent the surge of Republicanism in the state by reviving Reconstruction-era stereotypes. Southern Democrats fixation on Tolbert’s alleged lack of integrity was part of a long-standing southern effort to depict Republicans as an existential threat to white supremacy, and to perpetuate Democratic hegemony. During Reconstruction, southern Democrats maintained that the state Republicans were inherently corrupt and posed a threat to good government. This alleged corruption was tied to the fact that the party was largely composed of African Americans. Southern Democrats argued that African Americans were uncivilized and lacked both the intelligence and moral compass necessary for good government. The whites who chose to associate with them in the Republican Party were vile individuals fully cognizant of this fact. These Republican “carpetbaggers” and “scalawags” took advantage of the gullibility of African Americans and manipulated them in order to pillage the prostrate South. Hence, for most white southerners, Reconstruction was a failed experiment that

⁴⁷ “Dial to Democrats of South Carolina,” *Columbia State*, August 24, 1924.

⁴⁸ “Byrnes Reaches Campaigns' End,” *Columbia State*, September 7, 1924.

led to “unspeakable orgies of political corruption” and proved that African Americans were not ready for the franchise.⁴⁹ Since most southern whites came to the conclusion that a two-party system would inevitably lead to the political courting of African Americans, which, at best would lead to corruption and at worst “negro rule,” they united under the Democratic banner. By depicting Tolbert’s Black and Tan organization as profoundly corrupt, southern Democrats were trying to convince white southerners that the “Tolbert Republican party [was] the legitimate heir of the South Carolina Republicanism of 1870” in an effort to keep “alive the disgust engendered in those days.”⁵⁰ The strategy largely succeeded, for during the 1920s and early 1930s, most white southerners agreed that “Democratic supremacy” was the “equivalent of white supremacy,” and that anyone daring to desert the party was to “be quickly denounced as [part of] a movement . . . to give the Negro the balance of power.”⁵¹

Yet, southern white Democrats’ charges that Tolbert’s Black and Tan organization were selling offices was not solely motivated by electoral politics, but also by racial resentment. As Chapter 4 demonstrates, it was widely known that most of the party funding came from federal office holders, the overwhelming majority of whom were white, and was largely spent on African American Republicans. The money served to pay for renting the rooms and buying meals or refreshments for the county, district, and state conventions, for printing the electoral tickets, and for advertising. But the money also helped to defray the travel and lodging cost of many African American Republicans who may not have otherwise attended conventions and meetings. In fact, this is why Tolbert was widely accused of “buying delegates.” There was some truth to these

⁴⁹ “The Implied Force Bill Threat,” *Charleston News and Courier*, September 15, 1928.

⁵⁰ “Pre-Emptying a Delegation,” *Columbia State*, March 7, 1923.

⁵¹ “Paper Warns G.O.P. Leader,” *Columbia State*, July 24, 1928.

allegations. Tolbert and other party leaders did secure the support of a number of African Americans in exchange for this kind of financial help. However, there is no evidence that they were coerced or forced into these arrangements. In fact, the remarkable support and loyalty that Tolbert had among African Americans suggests that these kinds of arrangements were welcomed. In other words, for a number of African Americans, “selling” their support to Tolbert seemed like a fair deal in exchange for the opportunity to travel to state and national conventions and participate in the only bi-racial organization in which they could exert a level of political power.

While perhaps counterintuitive, being the white Democrats’ villain indirectly helped Tolbert and the Black and Tan organization. It bolstered Tolbert’s standing among black Republicans, which was critical to his staying in power. The underlying meaning of these repeated attacks was that for white Democrats, the Black and Tan organization was the true Republican Party, not the Lily-White one. This was probably another reason the Democrats made these accusations. They knew that as long as the Republican Party was considered the African American party and the heir of “Radical days,” they would pose no serious electoral threat. The real threat was a Lily-White Republican Party that could attract white Democrats. Democrats thus had a vested interest in helping Tolbert’s Black and Tan faction keep a hold of the party machinery. The *State* made no secret of this, stating that the “Tolbert machine . . . is the best possible insurance to Democratic ascendency.”⁵²

Yet, southern business and political leaders recognized that they were playing with fire by ramping up fear about a Republican ascendency in the state. And as the 1898 Phoenix riot and the subsequent lynchings demonstrated, when white southerners got fearful of Republican or African American ascendency, racial violence could quickly ensue. To southern business leaders, the

⁵² “Just for Appearances,” *Columbia State*, September 21, 1922.

climate of fear created by racial violence was leading an increasing large number of African Americans to migrate to the North and West, creating a labor shortage that preoccupied the state's economic elite.⁵³ White Democratic leaders also feared that racial or political violence would embolden Congress to pass the Dyer Anti-Lynching Bill that was first introduced in Congress in 1918.

State Democrats and the white press used two main strategies to discourage racial violence. First, they focused their attacks on white Republicans like Tolbert, whom they presented as the real threat to the political order. Hence, the *State* periodically reminded its readers that “White Supremacy can never be imperiled, except by white men.”⁵⁴ Secondly, after heightening the Republican threat for political purposes, the white press rapidly defused potential racial tensions. Rather than fear Republicans or “negro supremacy,” the *State* reported that the “sole remaining danger” was the “unnecessary violence toward negroes” which could “arouse” Congress into enacting “laws to deal with racial conflict.”⁵⁵ Only a few weeks after arguing that Blease and Tolbert were secretly scheming to bring the Democratic Party to its knees, the *State* completely reversed itself. It reported that the 1922 Republican convention was “in no way important” and its “emptiness” was “transparent.”⁵⁶ “The notion of ‘Joe’ Tolbert constructing a Republican Party that would commend itself to substantial citizens,” the *State* argued, “is grotesque.”⁵⁷ “Time was and not long ago that this Republican convention might have contained elements of danger to good

⁵³ Hudson, *Entangled by White Supremacy*, 165–71.

⁵⁴ “No Danger to White Supremacy,” *Columbia State*, August 26, 1921.

⁵⁵ *Ibid.*

⁵⁶ “Just for Appearances,” *Columbia State*, September 21, 1922.

⁵⁷ *Ibid.*

government in South Carolina,” acknowledged the State, “but it passed – never mind and where.”⁵⁸ This scheme, where Tolbert and Republicans were presented one day as the greatest threat to white supremacy and the following one as nothing but an innocuous farce, continued for much of the decade.

In the end, Senator Dial succeeded in blocking Tolbert from becoming a U.S. marshal. Republican senators in the committee tasked with the Tolbert appointment were unwilling to spend political capital by reporting on his nomination favorably. Yet, despite the *State*'s argument that Dial had made “Tolbertism” a “national issue,” this was hardly the case by the end of 1923.⁵⁹ In fact, the weakness of Dial's case, at the very least to the Harding administration, was illustrated by the fact that even after Dial first blocked Tolbert's appointment in September 1922, Harding re-nominated the Republican leader twice through recess appointments, thinking that Dial would eventually let go after having scored some political points.⁶⁰ However, Dial not only refused to budge, but also started attacking the President for siding with the “corrupt” Tolbert.⁶¹

The matter was still unresolved when Harding died in August 1923. Finally, in November 1923, Coolidge and Tolbert found a compromise to put an end to this political circus. Tolbert resigned from his position, relieving the Coolidge Administration from continuing a losing fight, and his nephew, Joseph A. Tolbert was appointed and confirmed as district attorney for the

⁵⁸ “Just for Appearances,” *Columbia State*, September 21, 1922.

⁵⁹ “Gain for Tolbert,” *Columbia State*, September 11, 1923; “Cochran Made Judge to Succeed Smith,” *Columbia State*, November 24, 1923.

⁶⁰ “Tolbert Loses Out,” *Charleston Evening Post*, September 22, 1922; “Appointment Made to Prevent Gossip: Tolbert Got Place Because of Reflection on Party by Failure to Act,” *Columbia State*, October 21, 1922; “Senate Turns Down Tolbert, Butler, Cohen,” *Columbia State*, December 4, 1922; “J. W. Tolbert Named Again,” *Charleston Evening Post*, December 9, 1922; “Gets Recess Appointment: President Names Tolbert Marshal for Western District of S.C.,” *Charleston Evening Post*, March 5, 1923.

⁶¹ “Senator Dial Assails Harding,” *Columbia State*, March 10, 1923.

Western District of South Carolina.⁶² Tolbert may have believed that he bested Dial in this long, protracted fight, and that his public reputation had not been too tarnished in the process. Only a few weeks after the settlement, Tolbert was “honored” by the party who made him a member of the Republican Platform Committee. South Carolina’s white press, already irritated by the compromise, was dumbfounded by the fact that “the serious charges brought against [Tolbert]” had made absolutely “no impression on Republican politicians.”⁶³

Republican Reformers and the “Scandal” of Southern Delegates, 1920-1923

In the first few years of the 1920s, Tolbert and the Black and Tan Republicans were not only attacked by southern Democrats, but also became the target of Republican reformers. Ever since the turn of the 20th century, Republicans had been debating about how to break the solidly Democratic South. While Republicans made some progress in states of the Upper South, they seemed to be moving backwards in most of the Deep South.⁶⁴ Lily-White Republicans believed that the best course of action for the GOP was to completely abandon southern African Americans and rebuild southern state parties by recruiting disgruntled white Democrats. They believed that with a new white leadership devoid of connection to the Reconstruction era GOP, the party could make inroads in the heart of the former Confederacy. African American leaders and a handful of white racial progressives vehemently disagreed. Instead, they called on the party to return to its

⁶² “Tolbert Gives Up Office of Marshal: South Carolina Republican Boss Relieves Administration of Further Embarrassment,” *New York Times* (NY), November 24, 1923; “Action of Dial Not Yet Assured,” *Columbia State*, December 1, 1923; “Nomination of Judge Cochran Is Sent to Senate,” *Columbia State*, December 15, 1923.

⁶³ “Tolbertism An Issue,” *Columbia State*, December 19, 1923

⁶⁴ While Lily-Whitism made some important inroads in the South, the leadership of the Deep South state parties were still predominantly bi-racial, with the notable exception of Alabama, where Oliver D. Street’s Lily-White faction dominated from 1912 onward.

commitment to black political rights and worked toward the re-enfranchisement of southern African Americans.

While the national Republican leadership increasingly leaned toward Lily-Whitism, they never pushed for the kind of sweeping reforms advocated by Lily-White leaders like Virginia congressman Bascom Slep. ⁶⁵ Instead, the Republican administration generally sought a middle course. They cautiously courted white support in the South while trying to reassure African Americans that the GOP was still the heir of Lincoln. As such, Republican national leaders believed the status quo was the best alternative to either working toward whitening of the party or launching an aggressive effort to force southern states to abide by the 14th and 15th Amendments. Hence, despite the recurring promises of the Republican administration to make “serious efforts” to break the Solid South, little was actually accomplished on that front. ⁶⁶

But in 1920, just prior to the Republican National Convention, the Republican National Committee adopted a resolution to move this issue to the top of the party’s agenda. This resolution was a resounding victory for Lily-White reformers, for it established the courting of whites as the top priority of the party in the South. It stated that “on economic grounds,” white southerners were much more “inclined to the Republican principles” than electoral results suggested. In other words, Lily-White Republicans believed that their party, with its protectionist tariff policy, should naturally benefit from the increased industrialization of the region with the cotton mill owners in

⁶⁵ For more on Slep, see: Guy B. Hathorn, “C. Bascom Slep: Virginia Republican Boss, 1907-1932,” *The Journal of Politics* 17, no. 2 (1955): 248–64.

⁶⁶ For some examples, see: “The ‘Solid South,’” *Columbia State*, October 7, 1900; “The Solid South,” *Aberdeen Daily News* (SD), September 15, 1905; “Taft Fires the Opening Gun in Campaign; Urges Breaking Up of So-Called Solid South,” *Aberdeen Daily News* (SD), August 21, 1908; “The Solid South Again,” *Salt Lake Telegram* (UT), December 15, 1908; “As to Shattering the Solid South,” *Macon Telegraph* (GA), March 4, 1909; “Wants the Solid South Broken,” *Philadelphia Inquirer* (PA), March 24, 1909; “Correspondent Says Break of Solid South is Possible,” *Columbia State*, July 12, 1915; “Talks of the Day: The Problem of the Solid South,” *New Orleans Times-Picayune* (LA), January 12, 1917.

South Carolina, for instance.⁶⁷ Yet, despite growing industrialization, Republicans did not fare better in South Carolina or the Deep South.⁶⁸ As a result, the resolution called for an “impartial study” of the “political situation of the South” with the intent of making recommendation as to how southern state parties could be re-organized to be “more effective agents for the spreading and recording of Republican principles.”⁶⁹ The Republican National Committee quickly acted on the resolution. In January 1921, Republican Party chairman Will Hays formed the ill-named Committee on Reconstruction and tasked it with finding strategies to reconstruct southern state parties.⁷⁰ Perhaps the clearest indication that Lily-Whites’ stocks were on the rise in the party was the fact that C. Bascom Slemph was appointed the leader of this committee, and that none of the Black and Tan leaders from the Deep South were included or even consulted.

For Lily-White Republican reformers, old guard state party leaders like Tolbert were the primary reason for the party’s woes in the South. They argued that Republican leaders such as Tolbert were only interested in patronage and had no interest in broadening the party’s support.⁷¹ In fact, Republican reformers believed that even if Tolbert had tried to recruit white Democrats,

⁶⁷ “Palmetto Republicans,” *New York Times* (NY), June 1, 1921. “Solid South Backs Republican Tariff,” *New York Tribune* (NY), July 7, 1921.

⁶⁸ For more on the industrialization of the region, see: David L. Carlton, *Mill and Town in South Carolina, 1880-1920* (Baton Rouge, LA: Louisiana State University Press, 1982); James C. Cobb, *Industrialization and Southern Society, 1877-1984* (Lexington, KY: University Press of Kentucky, 1984); Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York, NY: Basic Books, 1986); Allen Tullos, *Habits of Industry: White Culture and the Transformation of the Carolina Piedmont* (Chapel Hill, NC: The University of North Carolina Press, 1989); Pamela C. Edwards, “Southern Industrialization and Northern Industrial Networks: The New South Textile Industry in Columbia and Lyman, South Carolina,” *The South Carolina Historical Magazine* 105, no. 4 (2004): 282–305.

⁶⁹ “Republicans Back to Old Conditions,” *New York Times* (NY), September 16, 1923.

⁷⁰ “G.O.P. Drive for Dixie: Hays Name Committee Ordered by Chicago Convention,” *Washington Post* (DC), January 31, 1921; “Republican Move for Reform in South,” *New York Times* (NY), January 31, 1921.

⁷¹ “Republican in the South,” *Chicago Daily Tribune* (IL), June 26, 1920; “G.O.P.’s Drive in the South,” *New York Times* (NY), June 19, 1921.

he would have failed. With his connection to the Reconstruction-era Republican Party, Tolbert could never command the “respect” and the “cooperation” of the “thinking voters,” that is, white Democrats.⁷² Hence, Slemp believed that the priority was to recruit and empower energetic and respectable white leaders atop state parties so as to make it clear to white southerners that the Republican Party did not “expect nor . . . wish for . . . negro domination in the South.”⁷³

Yet, Lily-White reformers had to recognize that simply removing leaders like Tolbert might not, in itself, solve the problem. As some Republicans and the press pointed out, patronage-driven leaders like Tolbert existed because of the manner in which delegates to the national conventions were apportioned.⁷⁴ As the *New York Times* reported, “not anybody’s personal turpitude, but the custom, is responsible” for the existence of the patronage-driven Republican machine in the South.⁷⁵ Because southern states like South Carolina were assured of a significant number of delegates regardless of how many votes Republicans obtained in the state, they could not be ignored by Republicans seeking the presidential nomination.⁷⁶ Under that system, South Carolina, with its 11 delegates, had roughly as much power as Maine, which had 12 delegates, even if Maine had cast 136,000 votes for Harding in 1920, and South Carolina only a little more than 2,500. In other words, a Republican delegate in South Carolina represented about 230 voters, and one from Maine, about 11,300. And since “the scandal going by the name of Southern delegate” represented nothing but “rotten boroughs” and a “phantom organization,” these

⁷² “Republican in the South,” *Chicago Daily Tribune* (IL), June 26, 1920.

⁷³ “G.O.P.’s Drive in the South,” *New York Times* (NY), June 19, 1921.

⁷⁴ “How the Solid South Is Slowly Going to Pieces,” *Boston Daily Globe* (MA), November 7, 1920.

⁷⁵ “Palmetto Republicans,” *New York Times* (NY), August 1, 1922.

⁷⁶ According to the rules at the time, South Carolina was assured of 11 delegates, Mississippi of 12, Alabama of 14, Georgia of 17, and Louisiana of 12.

delegates were completely free to support any candidate, or transfer their support at any time, without any fear of repercussion.⁷⁷ To secure their support, therefore, presidential hopefuls generally relied on personal favors such as the promise of patronage.⁷⁸ Lily-Whites and progressive Republicans pointed to the “fiasco of 1912” when Taft secured his nomination with southern votes secured through patronage and defeated the candidate that the overwhelming majority of actual Republican voters wanted, Theodore Roosevelt.⁷⁹ In fact, Roosevelt, who ended up heading the Progressive Party ticket, received more votes in the presidential election than Taft. As explained in the previous chapter, this system of convention votes for patronage and favors was also generally seen favorably by most presidential candidates, since it required less effort to get the needed convention votes. Under this system, there was little incentive for state party leaders like Tolbert to grow the party, since it would only dilute the rewards. Hence, Lily-White reformers called for a new method of delegate apportionment based entirely on the number of Republican votes obtained in a state.

The Republican National Committee adopted this recommendation in June 1921.⁸⁰ States were still guaranteed to have four delegates at large, but the new rules allocated a congressional district delegate only if there were 2,500 or more Republican votes cast in the district in the previous congressional or presidential election.⁸¹ Since Republicans obtained a little more than 2,500 votes in all of South Carolina, these new rules meant that the state delegation would be

⁷⁷ “G.O.P. Ready to Wipe Out Party Stains,” Newark *Morning Ledger* (NJ), April 20, 1921, NAACP Papers, Library of Congress.

⁷⁸ Ibid.

⁷⁹ “Republicans Back to Old Conditions,” *New York Times* (NY), September 16, 1923.

⁸⁰ Ibid.

⁸¹ “Republican Cut Quota from South,” *New York Times* (NY), June 9, 1921; “Republicans and the South,” *New York Times* (NY), June 10, 1921.

reduced from 11 to only 4 delegates for the 1924 Republican National Convention. The rationale behind this reform was that with this dramatically reduced delegation, Republican presidential candidates would likely no longer pay much attention to states like South Carolina. State leaders like Tolbert would thus lose the only real bargaining chip they had to secure power over patronage matters. Without the potential reward of control over patronage, “party bosses” like Tolbert would be rapidly replaced by capable leaders who would invest their energy in increasing Republican turnout in the states, thus its representation in the party.

Lily-White reformers embraced this course of action out of political expediency. They knew that openly calling for the “whitening” of the state Republican Party in the South would not receive the support of the Republican National Committee. As Bascom Slemp told a reporter, “many of these same Republicans whose thoughts are as expressed will not publicly admit [it],” as they did not want to lose the northern African American vote.⁸² As a result, they couched the reform in the language of meritocracy and democracy, arguing that it was only fair to empower the states where the party thrived by increasing their representation. In so doing, the Lily-White reformers were courting the support of the many Progressive Republicans nationwide who, although perhaps unconcerned by the idea of reforming the party in the South, were deeply resentful of what they perceived as the overrepresentation, and unjust power of the southern states in the party’s affairs. They saw this undue power as anti-democratic, for it favors backroom dealing “party bosses” over the will of the party’s rank-and-file. Northwestern states, where the GOP had made significant inroads, were particularly concerned by the issue of southern overrepresentation.

⁸² “G.O.P.’s Drive in the South,” *New York Times* (NY), June 19, 1921.

In fact, the reform was drafted by Paul Howland from Ohio, and was most fervently supported by Senator Robert Howell from Nebraska and newspapers such as the *Chicago Tribune*.⁸³

Secondly, with its threshold of 2,500 vote per congressional district, the new apportionment scheme was specifically crafted in a way to spare most of the southern states controlled by a Lily-White organization. Instead, the reform was targeted toward the least Republican states, who all happened to be places where Black and Tan organizations thrived, namely Georgia, Mississippi, Louisiana, and South Carolina. Hence, the reform was framed in such a way that regardless of the outcome, Lily-Whites would benefit. In the current political climate of the South, the only way the party could attract new registered voters, that is southern whites, was by embracing the Lily-Whites. But even if a turn toward Lily-Whitism failed to make the Deep South more Republican in the near future, the reform would at least make completely powerless the traditional centers of black Republican power in the South and take a critical step toward the complete eradication of southern African Americans from politics. In fact, the reform also included a plank that stated that only “qualified voters” were allowed in the party’s affairs, thereby expelling disfranchised African Americans, who were often involved in Black and Tan state parties of the Deep South.⁸⁴

In this sense, despite seeming similarities, the impetus behind this reform was notably different from the 1916 apportionment reform made in the wake of the tumultuous 1912 convention. Then, the party had approved a major apportionment reform that led to the reduction of all southern delegations, including those of states like Alabama who were controlled by Lily-

⁸³ “Plan Action in Convention on Rotten Borough,” *Chicago Daily Tribune* (IL), June 12, 1920; “Rotten Borough Cure Ordered by Convention,” *Chicago Daily Tribune* (IL), June 13, 1921; “Republican Committee Dealing with Dynamite,” *Columbia State*, December 15, 1923.

⁸⁴ “Republicans and the South,” *New York Times* (NY), June 10, 1921.

White factions.⁸⁵ While supporting the Lily-White idea of reforming southern parties and replacing the leadership with “respectable” whites, Oliver D. Street, Alabama’s Republican state leader, had opposed the reform. He blamed it on the sense of “great superiority” of northern Republicans who believed “the libelous charge of the Democrats that Southern Republicans” are actually only interested in patronage.⁸⁶ To Street, these charges were absurd and displayed a fundamental misunderstanding of southern politics, since “the easiest route to office in the South is through the Democratic party.”⁸⁷ Street was not entirely wrong in his assessment. The reform was passed amidst severe denunciations of southern “rotten boroughs” and the patronage-centric nature of Republican politics in the region. Yet, this resentment of southern Republicans was born out of the fiasco of 1912, which opposed Taft and the conservative old guard to Roosevelt and the Progressive new guard. The true impetus behind the 1916 reform was ideological, it was meant to punish the southern states for their critical role in the victory of the conservative old guard.⁸⁸ In other words, the 1916 reform looked backward, not forward, and punished southern states indiscriminately, regardless of their potential for Republican growth. The 1920 reform, however, was strategically motivated, and did not propose to indiscriminately punish all southern states. It aimed at fostering party growth by replacing Black and Tan organizations with new ones who

⁸⁵ Georgia was the most affected state by this new apportionment, losing 11 delegates, Alabama 8, and South Carolina lost 7. The Northeastern and the Midwestern states benefitted the most from this reform. “Not A Race Question at All,” San Francisco *Western Outlook* (CA), January 1, 1916; “The Republican Apportionment,” *Anaconda Standard* (MT), January 4, 1916; “Cut Vote of the South,” *Charlotte Observer* (NC), January 5, 1916.

⁸⁶ Letter from Oliver Street to P. D. Barker, November 27, 1915; Letter from F. B. Parker to Oliver Street, April 29, 1921; Letter from Oliver Street to John T. Adams, August 8, 1921, Oliver D. Street Papers, William Stanley Hoole Special Collections, University of Alabama, Tuscaloosa, Alabama.

⁸⁷ Letter from Oliver Street to P. D. Barker, November 27, 1915, William Stanley Hoole Special Collections, University of Alabama, Tuscaloosa, Alabama.

⁸⁸ “Not A Race Question at All,” Oakland *Western Outlook* (CA), January 1, 1916; “The Republican Apportionment,” *Anaconda Standard* (MT), January 4, 1916; “Cut Vote of the South,” *Charlotte Observer* (NC), January 5, 1916.

could attract white southerners' support. Hence, even if in its broad strokes it largely resembled the 1916 apportionment change, this time, it had the tacit support of most southern Lily-Whites like Oliver Street.

Yet, despite this initial victory, the Lily-White reform triggered a massive reaction and ultimately failed. First, while supporting the spirit, many Republicans as well as the northern liberal press were doubtful that the reform would yield the results hoped for.⁸⁹ The *New York Times*, for example, argued that it was far more likely to make the Republican Party a sectional one again than to lead to the breaking of the Solid South.⁹⁰ As some white southerners writing to northern newspapers noted, the Solid South, after all, was predicated on whites' racial solidarity in defense of white supremacy, not on economic principles.⁹¹ The party did make significant inroads in the South, but these improvements were made almost entirely in areas or states where the black population was relatively small.⁹² In places like South Carolina, most Republicans knew that this solidarity was unlikely to be broken any time soon. Even if the Republican Party was to become Lily-White, too many white southerners opposed the very idea of the two-party system because they thought it would inevitably lead to the re-enfranchisement of African Americans. Hence, only the re-enfranchisement of African Americans could, in the short term, truly propel the party back to electoral relevance. It was not because the reform was unlikely to succeed in reinvigorating the

⁸⁹ "The Solid South," *New York Tribune* (NY), June 11 1920.

⁹⁰ "Palmetto Republicans," *New York Times* (NY), August 1, 1922; "Republicans Back to Old Conditions," *New York Times*, September 16, 1923.

⁹¹ "Breaking the Solid South," *New York Tribune* (NY), November 5, 1920; "A Voice from the South," *New York Tribune* (NY), November 22, 1920; "Southern Republican Break," *Baltimore Afro-American* (MD), April 12 1921.

⁹² In the Deep South, the overwhelmingly white Georgia northern counties and Alabama Seventh Congressional District were the two centers of Republican strength. The party inroads were made in states like Kentucky and Tennessee, where the black population was far smaller than in South Carolina, Mississippi, Louisiana, and Georgia.

southern parties that it ultimately failed, however, but because it was certain to write out African Americans from southern organizations. Because of the clear racial undertone of the debate, Republicans like Nebraska senator Robert Howell recognized that the party was “dealing with dynamite.”⁹³ As many Republicans and much of the Republican press anticipated, the party’s attempt at trying to compromise with southern whites’ racial prejudice, stirred a swift, powerful, and unrelenting protest from both southern blacks and their most important allies, African American Republican voters in the northern states.⁹⁴

Henry Lincoln Jackson, the black national committeeman from Georgia, opposed the plan from the very start, and headed the resistance. He equated the new proposal as punishing “the unfortunate friends that [stood] pilloried on the cross” of the white Democrats’ “illegal and unconstitutional disfranchising laws.”⁹⁵ Instead, Jackson forcefully invited the party to “have the guts” to face “the real issue,” and take significant action so that “the suffrage guarantees of the fourteen and fifteenth amendment” be enforced in the South.⁹⁶ African American publications did not fail to denounce the Republican plan which they saw as the continuation of the attempt to dilute to insignificance the power of southern African Americans in the party.⁹⁷ African American leaders like Roscoe Simmons, the nephew of Booker T. Washington and the influential *Chicago Defender*

⁹³ “Republican Committee Dealing with Dynamite,” *Columbia State*, December 15, 1923.

⁹⁴ “Republicans and the South,” *New York Times* (NY), June 10, 1921; “Republican Committee Dealing with Dynamite,” *Columbia State*, December 15, 1923; “Southern Delegates,” *Boston Independent* (MA), December 22, 1923.

⁹⁵ “Reduction of Southern Representation in Republican National Conventions,” *Norfolk New Journal and Guide* (VA), November 3, 1923.

⁹⁶ “Republican Cut Quotas from the South,” *New York Times* (NY), June 9, 1921; “Mr. Lincoln Johnson’s Plea for Fairplay,” *Norfolk New Journal and Guide* (VA), November 24, 1923.

⁹⁷ See for example: Monroe N. Work, ed., *Negro Year Book: An Annual Encyclopedia of the Negro, 1921-1922* (Tuskegee, AL: Negro Year Book Publishing Company, 1922), 37–40.

columnist, powerful Republican congressmen like Pennsylvania senator George Wharton Pepper, and fellow southern Republicans like Joseph Tolbert, Benjamin Davis of Georgia, Walter Cohen of Louisiana, Robert Church Jr. of Tennessee and his Lincoln League, and Perry Howard from Mississippi joined Lincoln in attacking the plan.⁹⁸ In a “highly emotional” and “impassioned” plea, Tolbert offered a “rebuke such as the committee never heard,” and argued that denouncing the plan to reduce southern representation was the work of “prejudice and foolishness.”⁹⁹ The black audience rapidly fell “into the swinging rhythm of camp meeting fervor,” punctuating each of Tolberts’ sentences with a “little rebel yell.”¹⁰⁰

In the end, Tolbert and Lincoln prevailed, as Republicans voted decidedly in December 1923 to restore the southern representation to its 1916 level. While the emotional appeal of southern Republican leaders certainly played a role, what ultimately convinced Republicans to abandon the reform was their fear that it would lead to a revolt among black voters in key northern states such as Illinois, Ohio, New Jersey, Pennsylvania and New York.¹⁰¹ This support had been critical to many Republican congressmen in recent elections. In fact, the response from African Americans in the North had been such that even Bascom Slemph, who by then served as President Coolidge’s secretary, ended up voting against the reform he had previously supported. President Coolidge’s opposition was largely predicated on the upcoming election. As the *Chicago Daily*

⁹⁸ “Col. Roscoe Simmons Carries Defender’s Platform to Victory,” *Chicago Defender* (IL), December 22, 1923.

⁹⁹ “The Week,” *Chicago Defender* (IL), December 22, 1923; “Col. Roscoe Simmons Carries Defender’s Platform to Victory,” *Chicago Defender* (IL), December 22, 1923.

¹⁰⁰ “Tolbert is Heard,” *Charleston Evening Post*, December 12, 1923; “Washington Observations,” *Washington Evening Star* (DC), December 13, 1923; “Republican Committee Dealing with Dynamite,” *Columbia State*, December 15, 1923; “Col. Roscoe Simmons Carries Defender’s Platform to Victory,” *Chicago Defender* (IL), December 22, 1923.

¹⁰¹ “Republican Switch Laid to Negro Vote,” *New York Tribune* (NY), December 13, 1923; “South Wins Back Delegates Dropped by the 1920 Convention,” *New York Times* (NY), December 13, 1923.

Tribune had feared, Coolidge ended up supporting the status quo once it was clear that it served his political interest.¹⁰² He stood to win in two ways. First, it helped him secure the party's nomination. As president since the death of Harding in August 1923, Coolidge had been in close contact with southern patronage leaders like Tolbert. In exchange for appointing the recommended candidates, he had locked the support of these southern party leaders ahead of the upcoming 1924 Republican National Convention. If the delegation were to be cut, he would have lost a number of votes already secured and would thus be in a more precarious position. Secondly, Coolidge also feared that such reform would hurt his chance to receive the support of black voters in non-southern states.

Republicans pushing for reforming southern parties suffered a resounding defeat. At the national convention, Henry Lincoln Johnson and Joseph W. Tolbert were both still leading their Black and Tan delegations. In fact, there were more African American delegates at the 1924 Republican National Convention than in 1916 or 1920.¹⁰³ Perhaps worse to reformers, leaders like Tolbert seemed to have emerged even stronger from this battle. Tolbert had established a good relationship with Coolidge, who, by the time of the convention, was all but assured of the nomination. Tolbert had also been re-elected by the South Carolina Republicans as both chairman and national committeeman, in part as recognition of his effort in defeating the apportionment reform, and thus ensuring that African Americans would continue to have a toehold in southern political affairs. In fact, what this failed reform suggested was that as long as Republicans considered the vote of northern African Americans to be critical, Black and Tan leaders like

¹⁰² "Rotten Boroughs Are More Rotten Than They Seem," *Chicago Daily Tribune* (IL), June 13, 1920.

¹⁰³ George Brown Tindall, *The Emergence of the New South, 1913-1945* (Baton Rouge, LA: Louisiana State University Press, 1967), 169.

Tolbert would be protected. And perhaps worse for Lily-White reformers, even if Tolbert's leadership had been occasionally criticized in the press, the debate over the reform shifted the attention to the Republican presidential administration, who were seen as the primary beneficiary and the main reason for the existence of patronage machines in the South. Thus, at the beginning of 1924, Tolbert and his Black and Tan organization were safe. But then there was the Tea Pot Dome Scandal.

Tolbert, The Teapot Dome Scandal, and Republican Corruption, 1924-1927

The Senate Committee on Public Lands and Surveys, under the leadership of Montana senator Thomas Walsh, a Democrat, had begun holding hearings in May 1923. The committee's main task was to determine how Secretary of Interior Albert Bacon Fall had gotten rich so quickly. During the first seven months of investigation, the committee failed to find any wrongdoing, and the American public began to lose interest. In late January 1924, however, Edward L. Doheny, the owner of one of the oil companies to which the naval oil reserves had been leased, revealed to the committee that he had loaned \$100,000 without interest to Secretary Fall.¹⁰⁴ This finding threw Washington into a frenzy and brought the investigation back into the limelight. Less than 72 hours later, Coolidge announced that he would be appointing two special counsels to look into the affair.¹⁰⁵ During the next five years, the two counsels brought several civil and criminal suits against parties involved in the leasing of the oil reserves, culminating with the one-year prison

¹⁰⁴ David Hodges Stratton, *Tempest Over Teapot Dome: The Story of Albert B. Fall* (Norman, OK: University of Oklahoma Press, 1998).

¹⁰⁵ The two counsels were Republican Philadelphia based attorney Owen Roberts and former Democratic senator from Ohio, Altee Pomerene. After his work in investigating the scandal, Roberts was appointed to the U.S. Supreme Court in 1930.

sentence of Albert Fall in October 1929. For the rest of the decade, the issue of political corruption, graft, and bribery remained at the forefront of American politics.¹⁰⁶

In this context, Tolbert and his Black and Tan organization became a liability for the national Republican Party. Even if technically legal, using federal offices for fundraising aroused the suspicions of an American public that was, and would continue for most of the decade, to be shocked by new revelations of political corruption surrounding the Teapot Dome Scandal. Even if there were few other alternatives but to use patronage to keep the state Republican Party afloat in South Carolina, that explanation didn't hold much water in the wake of Tea Pot Dome. In addition, Tolbert's appointees made him particularly susceptible to accusations of nepotism. While he did not line his own pockets with party contributions, he used his power to secure the appointment to federal offices of a stunning number of relatives.¹⁰⁷ Tolbert had his wife, niece, nephews, and nephews-in-law appointed as postmasters respectively in Ninety Six, Greenwood, Abbeville, Clinton, North Charleston, and Lake City. Additionally, his nephew Joseph. A. Tolbert served as U. S. district attorney for the Western District of South Carolina, his nephew Mark Tolbert was employed as deputy marshal in the Eastern District of South Carolina, and at least three other nephews served as prohibition officers.¹⁰⁸ His daughter Julia also later served as the national committeewoman, and his brother Red and his nephews were also regularly elected as national

¹⁰⁶ For more on the Teapot Dome scandal, see: J. Leonard Bates, "The Teapot Dome Scandal and the Election of 1924," *The American Historical Review* 60, no. 2 (1955): 303–22; Stratton, *Tempest Over Teapot Dome*; Margaret Leslie Davis, *Dark Side of Fortune: Triumph and Scandal in the Life of Oil Tycoon Edward L. Doheny* (Oakland, CA: University of California Press, 2001); Laton McCartney, *The Teapot Dome Scandal: How Big Oil Bought the Harding White House and Tried to Steal the Country* (New York, NY: Random House Publishing Group, 2008).

¹⁰⁷ Despite several investigations, Tolbert was never found guilty of extortion or profiting personally from the sale of federal offices. The poor state of his finances at his death – he was essentially "land poor" – confirmed this. Thomas W. Tolbert, interview with the author, Greenwood, South Carolina, April 2016.

¹⁰⁸ "Legality of Election and Validity of South Carolina Delegates to the Republican Convention 1932: Grounds and Specifications, Submitted to the Republican National Committee by J. C. Hambright, George W. Beckett, and C..B. Ruffin, May, 1932," 53, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

delegates. Under the headline “Republican Pie Food for Family,” the *State* reported as early as 1922, that federal offices in South Carolina had been “completely Tolbertized.”¹⁰⁹

Democrats did not miss such an unexpected opportunity to attack their opponents. They answered the *State*’s call to make “Tolbertism” a campaign issue in 1924.¹¹⁰ Even after Democratic leaders like William Gibbs McAdoo Jr. were tarnished, Democrats kept bringing up the Teapot Dome Scandal to pin the corruption issue on Republicans.¹¹¹ In fact, the issue of Republican corruption was the central component of the Democrats’ strategy in the presidential campaign of 1924.¹¹² In the campaign handbook of 1924, Democratic candidates were encouraged to denounce Joseph W. Tolbert, the embodiment of the unsavory Republican “job-peddling methods.”¹¹³ Throughout the campaign, as historian Leonard Bates demonstrates, Democrats “reveled” in “what seemed to be a winning issue.”¹¹⁴ They hammered Republicans with tales of how the “Teapot Dome scandal corroded even the rafters and corridors of the senate chamber, so nauseating was it in its foul odors.”¹¹⁵ South Carolina congressmen continually connected Tolbert and the Teapot Dome Scandal. For example, William Stevenson described Tolbert’s alleged selling of offices as evidence that President Coolidge was encouraging “brokerage in public service,” which was “as

¹⁰⁹ “Republican Pie Food for Family,” *Columbia State*, June 9, 1922.

¹¹⁰ “Put J. W. Tolbert on Committee to Write Platform of Republican Party,” *Columbia State*, December 19, 1923.

¹¹¹ “Stevenson Will Fight To Finish,” *Columbia State*, January 28, 1925; Stratton, *Tempest Over Teapot Dome*, 323.

¹¹² McCartney, *The Teapot Dome Scandal*.

¹¹³ In fact, Tolbert’s name appeared more than any other Republican from the Deep South in the handbook. Democratic National Committee and Democratic Congressional Committee, *Democratic Campaign Book* (Isaac Goldman Printing Company, 1924), 166, 170, 177, 289.

¹¹⁴ Bates, “The Teapot Dome Scandal and the Election of 1924,” 304.

¹¹⁵ “Harrison Scores Coolidge Record,” *Columbus Daily Enquirer* (GA), September 30, 1924.

disgraceful as the Teapot Dome proposition.”¹¹⁶ And Democrats benefitted from an October surprise when, just a week prior to the election, the Civil Service Commission presented a report to the senatorial committee investigating campaign contributions that included numerous allegations that Tolbert and his organization were selling federal offices.¹¹⁷

While this strategy ultimately failed to send a Democrat to the White House, Democrats continued to relentlessly attack Republicans on the issue of graft and corruption for the remainder of the decade. South Carolina Democrats, for their part, continued to focus on Tolbert. At first, it looked like Tolbert still benefitted from the protection of the Coolidge administration. After investigating the allegations made against Tolbert in the 1924 reports from the Civil Service Commission, Postmaster General Harry S. New declared in January 1925 that there was “nothing in these reports that call for any action by this department.”¹¹⁸ While New considered the matter closed, South Carolina congressman William F. Stevenson disagreed. Convinced that the reports had incriminating evidence that the administration had “whitewashed” to cover up patronage fraud, he announced that he would introduce a resolution requesting that the Coolidge administration release the reports to Congress and investigate the matter.¹¹⁹

The combination of relentless Democratic pressure, the extensive press coverage of the allegations, and an American electorate shocked by Donehy’s revelations, meant that the

¹¹⁶ Congressional Record, 68th Cong., 1st sess., January 24, 1924, 1410.

¹¹⁷ “Stories of Alleged Graft on Part of Tolbert and His Lieutenants Testified to at Washington Probe,” *Columbia State*, October 31, 1924.

¹¹⁸ “Stevenson Wants New to Report on Tolbert Incident,” *Charleston Evening Post*, January 20, 1925. “New Sees No Reason to Prosecute Tolbert,” *New York Times* (NY), January 20, 1925.

¹¹⁹ “Stevenson Wants New to Report on Tolbert Incident,” *Charleston Evening Post*, January 20, 1925; “New Sees No Reason to Prosecute Tolbert,” *New York Times* (NY), January 20, 1925; “Patronage in Two States,” *New York Times* (NY), March 4, 1925.

Republican administration could no longer ignore the Tolbert case. Yet, as Coolidge still entertained the idea of another term, he was unwilling to abandon a trusted southern lieutenant who had just helped him win the party nomination. As a result, the administration adopted the least damaging course and announced in late February 1925 that the new Assistant Attorney General William J. Donovan would investigate the matter.¹²⁰ The Democrat-leaning *New York Times*, like most of the northern press, rejoiced that, after years of allegations, there would finally be an “unprejudiced inquiry” outside of the “inflamed atmosphere of politics.”¹²¹ Stevenson and the southern white press, however, was far more skeptical of the true intention of Coolidge, and suggested that the presidential administration was trying to stall instead of taking action.¹²² Yet, as the *State* reported, “it may all end in the old story of nothing being done . . . , but this time it seem[ed] that a start has been made.”

On this last count, the *State* was correct. The investigation was the beginning of five years of uninterrupted probes into South Carolina Republican patronage by the federal government. In addition to the Justice Department’s investigation, the Post Office department, the Civil Service Commission, and the House Judiciary Committee all launched their own “broad inquiry” into the matter of southern patronage in 1926.¹²³ The Senate Judiciary Committee was also strongly considering launching its own investigation.¹²⁴ These congressional investigations were proof that

¹²⁰ “Alleged Sale of Patronage Ordered to Be Investigated,” *Washington Post* (DC), March 2, 1925.

¹²¹ “Patronage in Two States,” *New York Times* (NY), March 4, 1925.

¹²² “Rumors of Graft Investigation in Georgia Taken with Salt by Democrats,” *Macon Telegraph* (GA), March 15, 1925.

¹²³ “Republicans for Revenue Only: Unmasking a Tennessee Patronage Scandal,” *Boston Independent* (MA), December 4, 1926, 635-638; “Ask Senate Inquiry on Sale of Offices Throughout Nation,” *New York Times* (NY), December 18, 1926.

¹²⁴ “Ask Senate Inquiry on Sale of Offices Throughout Nation,” *New York Times* (NY), December 18, 1926.

the winds were changing. Democratic congressman like Stevenson and Dial from South Carolina, Walter George and William G. Harris from Georgia, and Thomas Jefferson Busby from Mississippi had been calling for such inquiries since the early 1920s. But they could never attract the support of colleagues outside of the South and even less from the Republican side. By 1926, a number of Republicans, who either out of spite for the presidential administration, or out of a desire to remove the stench from the Teapot Dome Scandal, agreed with these Democrats that Congress had to take up this matter seriously once and for all.¹²⁵ These multiple investigations kept the spotlight on Tolbert and the issue of corruption and graft for the next year. Still, as the southern Democrats had feared, these investigations did not seem likely to lead to further action.

In early 1927, however, an investigative piece titled “Republican Patronage in South Carolina: Where Public Office is a Private Debt” in the Boston progressive weekly *Independent* caught national attention and put pressure on the Coolidge administration.¹²⁶ It featured a large drawing of Tolbert on the entire front page and detailed the various allegations made against Tolbert by Democrats. It also highlighted the various members of the Tolbert family who had run-ins with the law in their functions as federal office holders, suggesting that corruption was a family business for the Tolberts. This, the weekly argued, made the party “no more deserving of the respect of decent white people of South Carolina than it was in the carpetbagging days.”¹²⁷ Yet, despite all the evidence “of the sale of public office in Carpetbagdad,” the *Independent* lamented,

¹²⁵ Among the Republican supporting the investigation was Senate Judiciary Committee chairman, George W. Norris from Nebraska. “Ask Senate Inquiry on Sale of Offices Throughout Nation,” *New York Times* (NY), December 18, 1926.

¹²⁶ “Tolbert Charges See Light Again,” *Columbia State*, February 5, 1927; “Purchase of Federal Office,” *Springfield Republican* (MA), February 10, 1927.

¹²⁷ “Republican Patronage in South Carolina: Where Public Office Is a Private Debt,” *Boston Independent* (MA), February 5, 1927.

there “is no “likelihood of prosecution on the charges outlined.”¹²⁸ The reason, according to the *Independent*, was that Tolbert was seen by party leaders as “a privileged character.”¹²⁹ The Tolbert family courage in defending black suffrage, which led them to face whites’ wrath in the 1898 Phoenix riot, and the ability of Joseph W. Tolbert to deliver “negro delegates” to the “proper candidate” ensured that he would continue to be “received at the White House while the reports of criminal-law violations . . . gathered dust in the pigeonholes of the Attorney General.”¹³⁰

This article, in combination with the *Independent* account of Tennessee Republicans published the previous year, illustrated the important transition in how the problem of southern Republicanism was understood nationally. The northern liberal and progressive press had previously acknowledged, albeit in passing, that disfranchisement was the main problem faced by Republicans in the Deep South. Without addressing this issue, they previously believed that the party had little chance of making inroads in Deep South states because southern white voters were convinced that breaking rank with the Democratic Party would mean the end of white supremacy and “negro rule.” However, the Republican inroads in the South in 1920 and 1926, combined with the Democrats’ relentless allegations of corruption among southern Republican leaders led many northern publications like the *Independent* to adopt the economically deterministic view of Lily-White Republicans. The *Independent* agreed that the industrialization of the South had thrown “into bold relief the rival attitude of the progressives and conservatives of the South,” and that the main question for the Republicans was to understand how they had failed to attract these southern

¹²⁸ “Republican Patronage in South Carolina: Where Public Office Is a Private Debt,” Boston *Independent* (MA), February 5, 1927.

¹²⁹ Ibid.

¹³⁰ Ibid.

white conservatives.¹³¹ To the *Independent*, the answer was simple. The “thoroughgoing stupidity and self-seeking of the Southern Republicans” who engaged in “sordid exhibitions of politics for revenue only” had utterly “disgusted” these potential voters.¹³² The solution was equally simple. The presidential administration could simply prosecute these “criminals.” This would not only lead to the removal of leaders like Tolbert, but it would also send a strong message to future leaders that such behavior would no longer be tolerated.

The *Independent*, like Lily-White Republicans, completely swept the problem of systemic racism and disfranchisement in the South under the rug. This was surprising for a publication that only a few years ago denounced how the Ku Klux Klan had brought the “collapse of constitutional government” in the South and had invited “liberal idealists” to pressure the Democratic Party into giving “the negro its legal rights.”¹³³ In fact, the weekly even suggested, incorrectly, that good white Republican candidates could not only win elections in the future, but had been doing well in South Carolina. The article on South Carolina Republicans discussed in depth Major John F. Jones, a Massachusetts native who moved to Blacksburg, South Carolina in the late 19th century, and became extremely successful as superintendent of a railroad company.¹³⁴ Jones enjoyed “the unique position of having been almost elected” to Congress as a Republican in South Carolina, the *Independent* reported.¹³⁵ In fact, when Jones ran for Congress, in 1896 and 1900, he obtained about

¹³¹ “Republicans for Revenue Only,” Boston *Independent* (MA), December 4, 1926.

¹³² Ibid.

¹³³ “The Collapse of Constitutional Government,” Boston *Independent* (MA), December 9, 1922; “The Incubus of the Solid South,” Boston *Independent* (MA), November 15, 1924.

¹³⁴ *Yorkville Enquirer*, October 8, 1898,

¹³⁵ “Republican Patronage in South Carolina: Where Public Office Is a Private Debt,” Boston *Independent* (MA), February 5, 1927.

9% and 3% of the vote respectively.¹³⁶ Numerous African Americans fared far better than Jones in both these elections, including George Washington Murray in 1896 with 34% of the vote, and W. W. Beckett with 27% in 1900.¹³⁷ The *Independent* article also stated that African Americans were “hand-picked” by Tolbert, and were “virtually prisoners,” always following his voting instructions at the national convention. The article reinforced the racist stereotype of African Americans as both easily exploited and devoid of agency, suggesting that their involvement in southern politics led inevitably to corruption. In fact, the *Independent* concluded by equating the alleged illegal handling of patronage by southern Republicans to systemic disfranchisement, stating that if the Republican Party again cried aloud that the Fourteenth and Fifteenth Amendments to the U.S. Constitution were inoperative in South Carolina, then the representatives in Congress from that state were entitled to retort: “So’s your old criminal code!”¹³⁸ In this way, the *Independent*’s investigative reporting not only added further pressure on the Republican administration to solve the problem of southern patronage, but also demonstrated how Lily-Whitism was gaining important ground nationwide.

Less than a week after the publication of the *Independent*’s report, the Justice Department tasked South Carolina’s U.S. district attorney to review the allegations and decide if charges should be brought against Tolbert.¹³⁹ Yet, despite the rising attention on his case, the South Carolina Republican chairman had little to fear. The district attorney, after all, was Joseph A. Tolbert, the son of Robert Red and the nephew of Joseph W. While pressed by reporters to announce his

¹³⁶ Washington *Colored American* (DC), December 1, 1900.

¹³⁷ See chapter 1, 2, and 3 for more on African American Republicans running for Congress in South Carolina.

¹³⁸ “Republican Patronage in South Carolina: Where Public Office Is a Private Debt,” Boston *Independent* (MA), February 5, 1927.

¹³⁹ “District Attorney Tolbert Talks of Patronage Charges,” Charleston *Evening Post*, February 9, 1927.

intentions, Joseph A. recognized the seriousness of the allegations, but also added that “anyone who knows [my] family will understand the lack of foundation” of the accusations.¹⁴⁰ Nevertheless, Tolbert said he would give them careful consideration, and told reporters to expect an announcement shortly.¹⁴¹ Nearly a year later, Tolbert told the Department of Justice that in light of his review of the allegations, the “matter [did] not warrant presentation to the grand jury.”¹⁴² The problem, Tolbert explained, was the fact that even if the allegations were true, the payments for office had taken place prior to the passage of the legislation of December 11, 1926 that made such action illegal.¹⁴³ While Tolbert was correct legally speaking, it was the seeming absurdity of the situation – a nephew in charge of determining if his uncle should be prosecuted – that mostly caught public attention.¹⁴⁴

Congressman Stevenson was furious by what he considered to be obvious nepotism and Republican cover-up, and continued to pressure the Republican Administration and the Senate to take action.¹⁴⁵ Finally, in May 1928, just a few weeks before the Republican National Convention, the Senate announced the creation of a subcommittee to further investigate the allegation of fraud in the South.¹⁴⁶ Smith Brookhart, a progressive Republican senator from Iowa, was put in charge

¹⁴⁰ “District Attorney Tolbert Talks of Patronage Charges,” *Charleston Evening Post*, February 9, 1927.

¹⁴¹ “Action Looming in Tolbert Row,” *Macon Telegraph* (GA), February 10, 1927.

¹⁴² “Clover Post Office Sale Discussed by Commission,” *Columbia State*, February 14, 1928.

¹⁴³ The legislation in question, which made illegal compelling prospective federal office holders to pay a fee to obtain a federal position, was sponsored by congressmen Stevenson and Busby in 1926. For more on this, see chapter 4. “Clover Post Office Sale Discussed by Commission,” *Columbia State*, February 14, 1928.

¹⁴⁴ “Republican Patronage in South Carolina: Where Public Office Is a Private Debt,” *Boston Independent* (MA), February 5, 1927; “Action Looming in Tolbert Row,” *Macon Telegraph* (GA), February 10, 1927; “Clover Post Office Sale Discussed by Commission,” *Columbia State*, February 14, 1928.

¹⁴⁵ “Methods of Picking G.O.P. Delegates Starts Political Row in Southern States,” *San Diego Union* (CA), March 11, 1928.

¹⁴⁶ “South Carolina U.S. Patronage will be Probed,” *Charleston News and Courier*, May 21, 1928; “Subcommittee of Inquiry Named,” *Charleston Evening Post*, May 25, 1928.

of the investigation. This time, it appeared that the investigators would have the full support of a Republican White House. While the Coolidge administration had launched a number of investigations, it never really sought to remove or charge Tolbert. The officials at the highest levels had never failed to protect Tolbert by refusing to press charges. However, on August 2, 1927, while staying at the executive residence in South Dakota, President Coolidge announced in his typically laconic fashion his decision to not run in the upcoming presidential election. Coolidge gave each reporter a tiny scrap of paper with one sentence reading “I do not choose to run for president in 1928.”¹⁴⁷ By the spring of 1928, Coolidge’s Secretary of Commerce Herbert Hoover’s celebrated role in the relief effort following the Mississippi flood of 1927 made him the favorite for the Republican presidential nomination.¹⁴⁸ Hoover, unlike Coolidge or Harding, appeared to be genuinely determined to revitalize southern Republicanism. In fact, he wholeheartedly supported the objective of the senatorial commission headed by one of his foremost supporters, Senator Brookhart.¹⁴⁹

By 1928, Tolbert and his Black and Tan organization in South Carolina had been weakened but was still standing. The Democrats’ allegations that he sold federal offices, the relentless congressional investigations, and the increasingly negative press coverage had made him a national symbol of graft and corruption. And while Tolbert had proven valuable enough to convince the

¹⁴⁷ “Coolidge Has Formed Coalition with Republican Reactionaries,” *Macon Telegraph* (GA), August 25, 1923; “President Coolidge to Retire,” *Greensboro Record* (NC), August 3, 1927. The reporter of the *Macon Telegraph*, while surprised by Coolidge’s laconic written statement, was grateful that the president had spared the press from his voice, which he described as “a conflict between a nail and a coffin.”

¹⁴⁸ “Washington Observations,” *Washington Evening Star* (DC), July 20, 1927; “Hoover To Run,” *Lexington Leader* (KY), July 21, 1927; “Many Being Suggested To Succeed President With Hoover Favorite,” *Greensboro Record* (NC), August 3, 1927; “G.O.P. Running Wild,” *Charlotte Observer* (NC), August 5, 1927; “Hoover Acclaimed as Most Available Man,” *San Francisco Chronicle* (CA), September 19, 1927; *Richmond Times Dispatch* (VA), November 21, 1927. For more on Hoover’s campaign and political career, see: William E. Leuchtenburg, *Herbert Hoover*, American Presidents Series (New York, NY: Times Books, 2009).

¹⁴⁹ “Corn Belt Will Seek Showdown,” *Charleston News and Courier*, July 10, 1928.

previous Republican administration to protect him, there was no guarantee that this arrangement would continue. In fact, by opposing Hoover, the favorite for the presidential nomination, Tolbert was taking a risk. If Hoover won the nomination without Tolbert's support and went on to win the presidential election, he would probably not provide Tolbert the protection that former administrations had granted him. Yet, while these issues were certainly in Tolbert's mind, his most pressing concern for the first half of 1928 was not in Washington, D.C., but in South Carolina, where a major revolt was brewing within the state party. It did not originate from the usual source. The Lily-White faction, which had last challenged Tolbert's group at the 1920 Republican National Convention, was still disorganized and weak. Except by feeding local Democrats with testimonies of fraud damaging to Tolbert, Lily-Whites were not a real threat to the Black and Tan organization. This time, the insurgents were a small group of African Americans who had grown discontent with the status quo and decided to take advantage of Tolbert's weakness to push for a major transformation of the state party.

Chapter 6
**Playing With Fire: Nathaniel J. Frederick's Revolt and the End of Black and Tan
Republicanism in South Carolina, 1926-1932**

“We do not realize our opportunity over against the conditions of the boys and girls of three generations ago. Young people, what are we going to do with our freedom?”

-N. J. Frederick, “Pointed Points,” *Columbia Palmetto Leader*, November 19, 1927

In the second half of the 1920s, Nathaniel Jerome Frederick, an African American attorney from Columbia, led an ambitious effort to reform the state Republican Party in South Carolina. Supportive of Tolbert's leadership earlier in the decade, Frederick and his followers turned against the chairman and national committeeman in 1926. They resented Tolbert's unwillingness to share the two top positions in the party, but more importantly, they were disappointed that a Republican-controlled Congress repeatedly failed to deliver on its promise to pass anti-lynching legislation. They faulted their state leader for not pushing hard enough for this legislation. This failure to influence Republican legislators on key legislation convinced them that the state party ought to be profoundly reformed so that it no longer pivoted solely around the dispensation of federal patronage. The state party's focus on patronage, they contended, had made the party too conservative on the issue of black political and civic progress. State party leaders did not dare stand up to a national leadership increasingly insensitive to racial injustice for fear of losing control of patronage. Instead, like Aaron Prioleau and others in the early twentieth century, Frederick and his followers wanted to create an aggressive and militant organization that would serve as the main force for the political mobilization and re-enfranchisement of African Americans in the state. They sought to replace Tolbert and his supporters with party leaders who would rank racial progress

ahead of patronage, and who would leverage their positions of power to aggressively pressure the national party to deliver on their promises to African Americans.¹

To achieve his reformist ends, Frederick sought to exploit two of the Black and Tan organization's major weaknesses. First, Frederick recruited among the group that had the least to gain from the current status quo: young, ambitious, and well-educated middle and upper-class African Americans. This was not simply due to the fact that Frederick shared the NAACP's classist view of society. Rather, it was because Frederick knew that it was in this social stratum that he was most likely able to find support. Tolbert's organization was strong among the politically active "farm hands," as Frederick called them. Tolbert cultivated their support by helping them secure minor federal offices, such as janitors and elevator operators. He also rewarded them with subsidies to attend state conventions or with free "luxurious" dinners. However, Tolbert and the Republican Party had little to offer young, ambitious and well-educated African Americans. Most of the key positions in the state party were solidly under the control of well-established older politicians. In addition, the Republican Party, in an effort to court the white South, no longer appointed southern African Americans to well-paying federal positions. As a result, many middle and upper-class African Americans, in South Carolina and in the nation at-large, no longer considered patronage as a worthy endeavor for state parties. Instead, in a reversal from the early 20th century, they saw it as a diversion from the real issues, such as disfranchisement and the quest for true political power. Frederick thus framed his recruiting message to appeal to them.

¹ This was the most serious internal threat Tolbert ever faced as state party leader. While Lily-Whites had occasionally challenged him, Tolbert had always been able to easily defeat them. Besides being a seasoned backroom dealer, Tolbert always had what appeared to be an unbeatable trump card in his back pocket: northern black voters. If they decided to grant legitimacy to a Lily-White group in a heavily African American populated state like South Carolina, Republican leaders were sure to antagonize this critical constituency, and could potentially lose elections. However, if challenged by a black-led group like that of Frederick, Tolbert could not use this argument.

Secondly, Frederick, using *The Palmetto Leader*, a newspaper he had founded earlier in the 1920s, relentlessly attacked Tolbert's organization on the issue of corruption and on its failure to grow the party. While Frederick was mostly echoing accusations levelled against Tolbert's group earlier in the decade, never before had a well-known black Republican in South Carolina attacked Tolbert directly. These attacks further tarred Tolbert as a corrupt, selfish, and hopeless leader among African Americans and Republican national leaders.

In the end, Frederick's efforts not only failed to transform the party into the militant organization he envisioned, but also contributed to the end of Black and Tan Republicanism in South Carolina. His ceaseless attacks against Tolbert's organization cemented Hoover's belief that Republican progress in the Palmetto State could only be achieved by the dismissal of the Black and Tan organization. They also furthered national African American leaders' conviction, notably from the NAACP, that Tolbert's organization did not protect or advance black rights enough to deserve their support. Without Frederick's obstinate attack on Tolbert's leadership, it is unlikely that African American national leaders would have supported Hoover's decision to recognize the Lily-White delegation over Tolbert's Black and Tan organization at the 1932 Republican National Convention. This defeat ended South Carolina's nearly 75 year long experiment with a biracial Republican Party.

Yet that was never Frederick and his followers' objective. To them, as weak and problematic as the Black and Tan organization may have been, it was still worth saving. They saw it as the only viable conduit for black political activism in the state. What they wanted was to reform the Black and Tan faction, not obliterate it. The failure of national black leaders to recognize this pointed to a persistent weakness within most national black organizations, notably the NAACP. Despite spending the bulk of their efforts to help southern African Americans, few,

if any, of the national leaders lived in Deep South states such as South Carolina. As a result, they struggled understanding the realities faced by activists like Frederick. This problem would continue to plague black activism in the next decade. In fact, it was only when conditions enabled black southerners to assume positions of leadership in the struggle that the modern civil rights movement could really take shape.

N. J. Frederick: A Community Leader and Tolbert Supporter

Born in 1877 in Orangeburg, Nathaniel Jerome Frederick was among the best educated African Americans in progressive-era South Carolina. He obtained two bachelor's degrees, one from Claflin in 1899 and one in American history from the University of Wisconsin in 1901, where he studied under historian Frederick Jackson Turner.² Frederick also obtained an M.A. from both Claflin and Benedict College in the early 1900s. Frederick served as principal from 1902 to 1918 at Howard School, the largest black public school in Columbia, and later as president of the State Negro Teachers Association.

For all of his adult life, Frederick also played an important role in Columbia's civic affairs. Alongside a number of other Republican leaders, he was heavily involved in the State Colored Fair Association, and was also a leading member of the Knights of Pythias, the Good Samaritans, the Benevolent and Protective Order of Elks, and the Free Masons. Frederick edited the black newspaper the *Southern Indicator* from the early 1910s to 1924. Yet, it was in the legal realm that Frederick won statewide and national recognition. After reading law and passing the bar exam in 1913, Frederick walked in the footsteps of his mentor, attorney and fellow Republican Jacob

² "Atty N. J. Frederick, A Lawyer and Attorney Passes," *Columbia Palmetto Leader*, September 10, 1938; W. Lewis Burke, "'All we ask is Equal Rights': African American Congressmen, Judges and Lawmakers in South Carolina," University of South Carolina School of Law, <http://guides.law.sc.edu/EqualRights/> (accessed March 15, 2018).

Moorer. Like Moorer before him, Frederick took up some of the most explosive cases in the state. He challenged the exclusion of black jurors in *Sanders v. State* (1916) in the South Carolina Supreme Court. Despite receiving threats from angry whites, he did not shy away from defending African Americans accused of killing or raping whites, doing so often pro bono.³ By the time of his death in 1938, Frederick had more frequently pleaded before the South Carolina Supreme Court than any other African American.⁴

Contrary to most other African Americans, Frederick was actually raised in a Democratic family. His father, a Methodist minister named Benjamin Glover Frederick, allegedly sided with the Red Shirts in 1876. Benjamin also served two terms as the Democratic representative of Goodland township in the state legislature, from 1878 to 1880 and 1882 to 1884.⁵ However, Nathaniel J. Frederick did not follow in his father's example, and instead sided with the Republican Party for his entire adult life. In the early 1920s, he became heavily involved in the Richland and state Republican organizations, and rapidly emerged as an important leader. He was elected as Richland delegate to the state convention in 1922, and was part of the state delegation to the national conventions of 1924.⁶ During this period, Frederick was a strong supporter of Joseph W. Tolbert. He credited Tolbert with the Black and Tan victory over the Lily-White faction at the 1920 Republican National Convention. "The ending of this fight brings the greatest victory to true

³ W. Lewis Burke, *All for Civil Rights: African American Lawyers in South Carolina, 1868–1968* (Athens, GA: University of Georgia Press, 2017), 139–71.

⁴ "Atty N. J. Frederick, A Lawyer and Attorney Passes," *Columbia Palmetto Leader*, September 10, 1938.

⁵ *Orangeburg Times*, October 19, 1878; *Orangeburg Democrat*, August 8, 1879; *The Newberry Herald*, November 16, 1882; *The Abbeville Press and Banner*, December 6, 1882.

⁶ "G.O.P. of State Is Not Satisfied with Jos. Tolbert," *Columbia State*, September 17, 1922; "Republicans Plan to Run Candidate Committee to Name Man for Seventh District," *Columbia State*, September 21, 1922; "Republicans Plan Convention," *Columbia State*, January 9, 1924; "Republicans Hold State Convention," *Columbia State*, February 13, 1924.

republicanism,” wrote Frederick in the *Southern Indicator* in 1921, and for that, the “Negroes of South Carolina owe Mr. Tolbert a debt of gratitude which they should not let go unpaid.”⁷

In the early 1920s, Frederick also defended the Black and Tan faction before its main black critic of the time, former Republican congressman Thomas E. Miller. In a letter to President Harding published in *The State*, Miller, who identified as an “old line Republican of the stamp of “McKinley, Lodge, Roosevelt,” accused state Republicans of “masquerade[ing] in Washington every four years in the name of Republicans from South Carolina[,] seeking office in payment for their having hand picked-pocket delegates to the national convention” only to “return home and do nothing save it to drive out of the party the respectable militant Republicans.”⁸ To put a stop to this “speculation, avarice, and personal greed,” Miller urged the President to “do nothing toward giving office to any . . . South Carolina . . . Republicans” until there is a “clean, progressive, honest, militant Republican Party in South Carolina.”⁹ Frederick dismissed Miller’s statement, declaring “Away with Thos. Miller and his new Republican Party,” and “Hurrah for J. W. Tolbert and the same old party.”

Even during the early 1920s, however, Frederick’s support of Tolbert was conditional on Tolbert honoring his pledge to award patronage to the “true and tried friends” of the GOP, that is, loyal black Republicans and white progressives, rather than the “New Converts,” namely, former white Democrats. Frederick believed that it was “up to Tolbert” to seize this “opportunity to give colored Republicans due recognition” in the party leadership, and “lend incentive to the up building” of a strong and militant Republican Party.¹⁰ Considering that Frederick personally re-

⁷ Columbia *Southern Indicator*, July 30, 1921.

⁸ “Miller Write Regarding Party,” Columbia *State*, April 8, 1921.

⁹ Ibid.

¹⁰ “Up To Mr. Tolbert,” Columbia *Southern Indicator*, August 6, 1921.

nominated Tolbert for the party chairmanship in 1922, and as delegate-at-large for the 1924 Republican National Convention, Tolbert clearly met Frederick's expectations in these years.¹¹

Frederick's expectations for the state Republican Party were similar to those of the older black party leaders. These men wanted to ensure that African Americans maintained a toehold in electoral politics. Like other leaders, he believed that the Black and Tan organization should be officially recognized by the national party, and thus in control of patronage. Frederick also agreed with party Black and Tan leaders that Lily-White Republicans, not Democrats, represented the most immediate threat, for they were trying to seize the last vestige of black political power. Lily-Whites often argued that African Americans would indirectly, yet greatly benefit from a white-controlled Republican Party. If the party could be purged of "Negro Control or Negro influence" and elevated to a position of leadership with "respectable" and "worthy" whites, Lily-Whites contended, the legion of discontented Democrats would no longer hesitate to join the party.¹² In turn, this would lead to a competitive two-party system, and gradually and naturally lead to the re-enfranchisement of African Americans. This notion that whites needed guarantees that they, not blacks, would be able to control the party before switching to the Republican Party was patently absurd to Frederick. Turning white supremacist arguments on their heads, he replied that whites needed not be afraid, for after all, they had "the intelligence and the wealth and our suffrage laws."¹³ To Frederick, this notion that the party would benefit from a new white leadership was nothing but a cynical ruse to divert the attention away from Lily-Whites' true objective—eliminating blacks from political life and controlling federal patronage. "It is not control that is

¹¹ "Tolbert Hold Party in Hand," *Charleston Evening Post*, September 20, 1922; "Republicans Hold State Convention," *Columbia State*, February 13, 1924.

¹² "A Symptom in Beaufort," *Columbia State*, April 27, 1926.

¹³ "Lily-White Republicans," *Columbia Palmetto Leader*, May 1, 1926.

desired,” argued Frederick, “but absolute denial of participation on the part of colored citizens.” To Black and Tan Republicans, Lily-Whites were thus the antithesis of what the party meant. “Republicanism,” explained Frederick, meant to “bid welcome to all” who were dedicated to “freedom, liberty, and fairness.”¹⁴

If Lily-White Republicans were truly honest in their objective of establishing a two-party system in the state, Frederick argued, they would appeal to black voters first, not white. After all, the primary reason for the emergence of the one-party system had been to disfranchise African Americans, and thus remove them as the possible balance of power between rival white parties. Black and Tan Republicans knew first hand that the attitude of white South Carolinians toward black suffrage had hardly changed since the rise of Jim Crow. In fact, for any editorial in the white press defending the need for a two-party system in the state, there were two others cautioning the threat to white supremacy that such reform represented.¹⁵ In this context, Black and Tan Republicans were dubious of the idea that a simple change of leadership in the party would lead white southerners to jeopardize a system they had fought so fervently for. They refused to risk losing the little power they had for such an improbable outcome. To them, the enfranchisement of African Americans was the only realistic path to two-party politics. In fact, it was partly based on this belief that a two-party system could only emerge out of African Americans’ re-enfranchisement that Frederick and Black and Tan leaders believed that it was critical for the Black and Tans to keep control of the Republican Party. It ensured that when African Americans could vote, there would be a party that could give them something to vote for.¹⁶

¹⁴ “Lily-White Republicans,” Columbia, *Palmetto Leader*, May 1, 1926.

¹⁵ Paul Lewinson, *Race, Class and Party: A History of Negro Suffrage and White Politics in the South* (New York, NY: Oxford University Press, 1932), 180.

¹⁶ For Frederick and black Republicans’ views on the question, see: “Republicans Hold State Convention,” *Columbia State*, February 13, 1924; “One Party States,” *Columbia Palmetto Leader*, May 23, 1925.

By the mid-1920s, however, Frederick came to differ from his fellow Black and Tan party leaders in one critical respect. He came to the conclusion that controlling patronage and preserving black control of the state Republican Party was not an end in itself, only a means to an end. He wanted African Americans to keep control of the party so that they could use it to reclaim their political and civil rights. Frederick believed that party leaders should prioritize racial progress over patronage. This meant lobbying national party leaders on behalf of African Americans, and confronting them when they failed to deliver on their promises, even at the cost of some federal appointments. These differences in political outlook between Frederick and the party leadership emerged slowly over the course of the early 1920s, but it would come to center on the failure of federal anti-lynching legislation in a Republican-controlled Congress.

Republican Betrayal: Anti-Lynching Legislation and the Radicalization of Frederick

By the mid-1920s, despite Republican control of Congress and the White House, nothing of significance had been accomplished for southern African Americans. The party continued to refuse to appoint southern middle-class African Americans to good federal jobs for fear that white racial resentment would undercut the party's progress in the South. A political realist, Frederick knew that there was little hope in that area, but expected at least some token appointments similar to those of the Roosevelt era.¹⁷ In fact, in matters of patronage as in matters of policies, the party was only paying lip service to African American advancement without ever spending much

For Lily-White views on two-partysim, see: "Move for White Party," *Columbia State*, October 7, 1910; "A Republican Organization," *Columbia State*, October 12, 1910; "Adams Faction Issues Address," *Columbia State*, October 14, 1916; "Republican Lily Whites," *New York Call* (NY), April 21, 1921. For a long and detailed Lily-White Republican argument in favor of the two-party system, see the address of Lily-White Republican leader from Alabama, Oliver D. Street: "The Need For Two Strong Political Parties in Alabama," booklet, 1925, Oliver D. Street Papers, William Stanley Hoole Special Collections Library, University of Alabama, Tuscaloosa, Alabama.

¹⁷ Letter from N. J. Frederick to W. T. Andrews Jr., September 9, 1931; Letter from N. J. Frederick to W. T. Andrews Jr., September 25, 1931, NAACP Papers, Library of Congress.

political capital on African American causes. Even worse, Republicans were complicit in memorializing the deluded Lost Cause narrative on slavery and the Civil War. For example, in 1923 the Republican-controlled Senate authorized the building of a statue “in memory of the faithful colored mammies of the South” to be placed in the heart of Washington, D.C.¹⁸ The *Chicago Defender* called it “the worst insult the Race has been offered by the present administration.”¹⁹ The Baltimore *Afro-American* suggested a more historically accurate statue showing a black Mammy with her right hand “extended for the back pay due” and an inscription that read: “In Grateful Memory to One We Never Paid a Cent of Wages During a Lifetime of Service.”²⁰ In the end, widespread protests succeeded in blocking the statue. But to activists like Frederick, this was a source of extreme irritation. Fights to preserve the status quo, even one as necessary as this one had been, meant less energy for efforts at actual improvement.

Despite the frustration over patronage and the “mammy” monument, the tipping point for Frederick was undoubtedly the Republicans’ repeated failure to pass anti-lynching legislation in the first half of the 1920s. This was particularly frustrating because virtually all Americans, including a significant portion of southern whites, believed that lynching was a problem.²¹ For Frederick, as well as the NAACP, who had both spent enormous resources bringing lynchers to justice and lobbying Congress for legislation, this accentuated the sense of alienation that they felt

¹⁸ “Mammy Statue Bill Passed,” *New York Amsterdam News* (NY), March 7, 1923.

¹⁹ “A Disgraceful Statue,” *Chicago Defender* (IL), July 14, 1923.

²⁰ “Another Suggestion for the ‘Mammy’ Monument,” *Baltimore Afro-American* (MD), March 30, 1923.

²¹ While southern whites generally condemned lynching, the majority of them opposed the idea that the federal government ought to legislate in this issue, preferring instead to come up with state-based reforms. Nevertheless, few issues relating to civil rights were as consensual as the issue of lynching. See: James R. McGovern, *Anatomy of a Lynching: The Killing of Claude Neal* (Baton Rouge, LA: Louisiana State University Press, 1982); Mary Jane Brown, *Eradicating This Evil: Women in the American Anti-Lynching Movement, 1892-1940*, *Studies in African American History and Culture* (New York, NY: Garland Publishing, 2000).

toward the GOP.²² “The Republicans could have enacted such a law anytime for the past six years,” Frederick fulminated after another failed attempt in 1926.²³ “So far as colored citizens are concerned,” Frederick reflected, “the [Republican] party is simply one of promises.”²⁴ For Frederick, “it [made] no difference who [was] in the Presidential chair, republican or democrat,” because in either case, “the Negro gets nothing.”²⁵ Frederick’s legal mentor and fellow Republican, Jacob Moorer, was equally distressed. He brought up the issue in a speech at the 1924 Republican Nation Convention, denouncing the callousness of Republican congressmen for the failure of the Dyer Anti-lynching Bill. He saw the bill as a cheap electoral ploy to gain the vote of gullible African Americans. “When the Democrats flaunted it in the face of the Republicans and charged that it was not intended to pass but merely to get votes,” Moorer said, “the Republicans admitted it.”²⁶

Frederick’s frustration was exacerbated in 1926 when he took the defense of the Lowmans, a sharecropping family who lived a few miles outside of Aiken. In early April 1925, soon after the Lowmans had acquired additional land, a group of Ku Klux Klan members terrorized the family and publicly whipped the Lowman’s youngest son, Demon.²⁷ Two weeks later, the sheriff, H. H.

²² “Effort For Anti-Lynching Legislation,” January 6, 1938, NAACP Papers, Library of Congress. For more on Frederick’s fight against lynching, see: Kerstyn M. Haram, “The Palmetto Leader’s Mission to End Lynching in South Carolina: Black Agency and the Black Press in Columbia, 1925-1940,” *The South Carolina Historical Magazine* 107, no. 4 (2006): 310–33.

²³ “McKinley Anti-Lynching Bill,” Columbia *Palmetto Leader*, May 22, 1926.

²⁴ Ibid.

²⁵ Columbia *Palmetto Leader*, August 7, 1926.

²⁶ “Republicans Hold State Convention,” Columbia *State*, February 13, 1924.

²⁷ For detailed account of the Lowman case, see: Elizabeth Robeson, “An ‘Ominous Defiance’: The Lowman Lynchings If 1926,” in *Toward the Meeting of the Waters: Currents in the Civil Rights Movement of South Carolina During the Twentieth Century*, ed. Orville Vernon Burton and Winfred B. Moore (Columbia, SC: University of South Carolina Press, 2008); Damon L. Fordham, *True Stories of Black South Carolina* (Mt. Pleasant, SC: Arcadia Publishing, 2008); Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*

Howard received an anonymous tip claiming that the Lowmans were involved in bootlegging. Howard and his deputies subsequently raided the Lowman house on April 25. While Sam Lowman was at the local mill, his wife Annie, his son Demon, his daughter Bertha, and his nephew Clarence were at work in the house. The raid resulted in a gun fight that led to the death of Sheriff Howard and Annie Lowman. In May, after a speedy trial presided over by Judge H. F. Rice, a Klan leader, Clarence and Demon were sentenced to the electric chair, Bertha was condemned to life in prison, and Sam, who was not even on the scene when the gun fight occurred, was sentenced to two years on the chain gang. The charge was for illegal sale of alcohol, even though no alcohol was actually found during the raid.²⁸

N. J. Frederick was disgusted by the verdict, and he challenged the decision in the state supreme court. In November 1925, Frederick successfully petitioned the court for a new trial.²⁹ In the re-trial, on October 5, 1926, Frederick had little difficulty in poking holes in the state's argument and showing how little evidence there actually was against the Lowmans.³⁰ Demon was acquitted two days later, and it seemed nearly certain that Bertha and Clarence would receive a similar verdict. However, only hours after being released, Demon was re-arrested on dubious grounds, and sent back to jail with Clarence and Bertha. The following day, a mob descended upon the Aiken jail, and, with the help of the new sheriff, took the Lowmans to a nearby site, and shot all three to death. Sickened by this lynching, Frederick denounced the authorities in a fiery editorial, and demanded the complete release of Sam Lowman, who, on order from the governor,

(Lexington, KY: University Press of Kentucky, 2006), 58–59. Also see the extensive newspapers clippings and correspondence in NAACP Papers, Library of Congress.

²⁸ Terence Finnegan, *A Deed So Accursed: Lynching in Mississippi and South Carolina, 1881-1940* (Charlottesville, VA: University of Virginia Press, 2013).

²⁹ "The Lowmans' are Granted a New Trial," *Columbia Palmetto Leader*, June 5, 1926.

³⁰ "Negro Prisoners Lynched at Aiken," *Columbia State*, October 9, 1926.

had been transferred from the chain gang to the penitentiary.³¹ A year later, after sustained pressure from Frederick and other civil rights activists, Sam Lowman was finally released, and immediately moved to Philadelphia with the surviving members of his family.³²

Frederick was convinced that had congressional Republicans passed an anti-lynching bill as they had promised, the Lowman family might still be alive.³³ Fearing federal intervention, southern authorities would have likely taken significant steps to prevent the lynching. And even if they had not, the lynchers could have been prosecuted not in a state court but federal court, where they would have been much more likely to have been convicted.³⁴ Such a conviction could have acted as a powerful deterrent to future lynch mobs.

Frederick was not alone in losing faith in Republican leaders. By the mid-1920s, national leaders in the black community began to exhort African Americans voters to break with the Republican Party. In an address at the 16th Annual Conference of the NAACP, the president of the organization, Moorfield Storey, argued that for African Americans, “there are no Republicans and no Democrats, only friends and opponents.”³⁵ He expressed his weariness of “promises, pleasant words, and appeal to our gratitude for the acts of dead men fifty years ago.”³⁶ In an editorial lauding Storey’s speech, Frederick reminded his readers that “Lincoln, Grant, Douglass

³¹ N. J. Frederick Vertical File, South Caroliniana Library, University of South Carolina.

³² “Lowman Leaves State,” Columbia *Palmetto Leader*, March 5, 1927.

³³ “McKinley Anti-Lynching Bill,” Columbia *Palmetto Leader*, May 22, 1926.

³⁴ William B. Hixson, “Moorfield Storey and the Defense of the Dyer Anti-Lynching Bill,” *The New England Quarterly* 42, no. 1 (1969): 65–81; Robert L. Zangrando, *The NAACP Crusade Against Lynching, 1909-1950* (Philadelphia, PA: Temple University Press, 1980); Mark R. Schneider, *“We Return Fighting”: The Civil Rights Movement in the Jazz Age* (Boston, MA: Northeastern University Press, 2002).

³⁵ “N.A.A.C.P. Hold Mass Meeting,” Columbia *Palmetto Leader*, June 26, 1926.

³⁶ *Ibid.*

have been dead a long time and there is now a Pharaoh on the throne who knoweth not Joseph.”³⁷ Storey wanted African Americans to cease to see the GOP as the sole vehicle for their political aspirations, and instead “vote together for men who will work for our rights.”³⁸ Former South Carolina Republican leader and then editor of the *Baltimore Herald-Commonwealth*, W. T. Andrews, agreed. He encouraged African American voters to “form alliances, wherever possible, with that party which had the power and will put forward and accomplish undertakings in his behalf.”³⁹

For Storey, Andrews, and Frederick alike, black southern Republicans were at the heart of the political problem. First, many of them had moved North, and had brought their uncritical political affiliation with them. They still recalled which party the Red Shirts and the Ku Klux Klan affiliated with, and which party Lincoln belonged to. They resented how Democrat Woodrow Wilson shut down an important path to the middle-class by banning African Americans from good federal jobs. These new northerners also kept in touch with family and friends in the South. They were keenly aware that the GOP was the only political party that southern African Americans could freely join. National Republican leaders maintained the loyalty of these northern African Americans by protecting the endangered status of African Americans in southern state parties. That usually meant spending some political capital at the national convention to help Black and Tan delegations from states such as South Carolina, Mississippi, and Georgia be seated over Lily-White factions.

³⁷ “No Republicans or Democrats for Negroes,” *Columbia Palmetto Leader*, July 3, 1926.

³⁸ “N.A.A.C.P. Hold Mass Meeting,” *Columbia Palmetto Leader*, June 26, 1926.

³⁹ Letter from W. T. Andrews to W. E. B Du Bois, December 28, 1922, W. E. B. Du Bois Papers, Special Collections and University Archives, University of Massachusetts Amherst Libraries, Amherst, Massachusetts.

Yet a vanguard within the black community had come to recognize how this arrangement hampered racial progress. In South Carolina, they saw how Tolbert's organization was fooling northern African Americans by playing the partisan, racial solidarity card, when their only objective was simply to "swap delegate votes in exchange for federal office or other commercial considerations."⁴⁰ This vanguard wanted African Americans to demand more than the status quo. This is what led them to actually join with Lily-White Republicans and Democrats in denouncing Tolbert's organization as selfish crooks. They called for the "repudiation of venal Negro politicians who have been willing to sell every right of the Negro for personal gain." In this way, they hoped to convince northern African Americans that these southern Republicans did not deserve their protection. Freed from this "burden," northern African Americans would then no longer blindly support a party that did not truly represent their interests, and force national Republican leaders to take action or lose the critical black vote.

Frederick heartily agreed with the NAACP leaders and Andrews on this strategy. Like them, he had come to believe that African Americans had to use their political power in a more strategic manner. He recognized, however, that this call for strategic interest-based voting was primarily aimed at non-southern African Americans. After all, African Americans in South Carolina had no opportunity to vote in Democratic primaries in their state, and would never have done so anyway, not with the Jim Crow leadership that still dominated the southern party.⁴¹ Yet in

⁴⁰ "NO I, Lilly-Whiteism Versus Tolbertism in South Carolina," Baltimore *Herald-Commonwealth* (MD), May 31, 1931.

⁴¹ In order for African Americans to partake in South Carolina Democratic primaries, they had to show the affidavits of 10 white men proving that they had voted for Democratic gubernatorial candidate Wade Hampton in the 1876 election, and have voted the Democratic ticket ever since. As of 1920, this meant that only African Americans 65 years-old and older could technically aspire to vote in Democratic primaries. *Columbia State*, November 25, 1920.

the 1920s, many southern blacks voted with their feet.⁴² With the Great Migration in full-force, the black electorate in northern and western states had grown dramatically.⁴³ These black leaders thus hoped to make the growing contingent of northern African Americans into a disciplined voting bloc that could promote an agenda of racial progress in Congress and help re-enfranchise southern African Americans. While seemingly geared to northern African Americans, these statements were also intended for politicians of both parties. It was a warning to Republicans that they would have to deliver on their promises in order to keep the support of black voters. And it was a signal to northern Democrats that, if they could defend black interests, African Americans would be willing to move past the troubled history of the party in terms of civil and political rights, and vote Democratic.

For Frederick, the only way forward in South Carolina was in reforming the South Carolina GOP. He began this effort in earnest in 1925 when he launched a new weekly newspaper, the *Palmetto Leader*, which rapidly became the most influential black newspaper in South Carolina.⁴⁴ From the first edition until his death in 1938, Frederick served as editor, using his columns to draw attention to pressing challenges faced by African Americans, notably lynching, education, and

⁴² Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration* (Cambridge, MA: Harvard University Press, 2003).

⁴³ For more on the Great Migration, see: Florette Henri, *Black Migration: Movement North, 1900-1920* (Norwell, MA: Anchor Press, 1975); James R. Grossman, *Land of Hope: Chicago, Black Southerners, and the Great Migration* (Chicago, IL: University of Chicago Press, 1989); Carole Marks, *Farewell, We're Good and Gone: The Great Black Migration* (Bloomington, IN: Indiana University Press, 1989); Joe William Trotter, ed., *The Great Migration in Historical Perspective: New Dimensions of Race, Class, and Gender* (Bloomington, IN: Indiana University Press, 1991); Alferdteen Harrison, *Black Exodus: The Great Migration from the American South* (Jackson, MS: University Press of Mississippi, 1992); James N. Gregory, *The Southern Diaspora: How the Great Migrations of Black and White Southerners Transformed America* (Chapel Hill, NC: University of North Carolina Press, 2006); Beverly A. Bunch-Lyons, *Contested Terrain: African American Women Migrate from the South to Cincinnati, 1900-1950* (New York, NY: Routledge, 2014).

⁴⁴ "Columbia Negro Calls His Race to the Polls," *Columbia State*, October 22, 1916. For a good overview of the founding of the newspaper, see: Haram, "The Palmetto Leader's Mission to End Lynching in South Carolina."

voting rights. The *Palmetto Leader*, whose reach extended far beyond the city limits of Columbia, established Frederick as the foremost black editor and activist in the state. More importantly, it was also a potent means to educate and mobilize African Americans, and a powerful weapon to attack those he believed stood in the way of reform. It was, in fact, through the pages of the newspaper that Frederick would launch his first salvo against Tolbert, and make his case for why the aging party leadership should be replaced.

The other route to reform for Frederick was in revitalizing the Columbia branch of the NAACP, which had been dormant since the death in 1923 of the founder and leader of the branch, Butler W. Nance.⁴⁵ This arduous undertaking was aided by the wide national exposure Frederick gained through the Lowman case. In *The Crisis*, W. E. B. Du Bois praised Frederick's "unusual aggressiveness."⁴⁶ Even more laudatory, NAACP Field Secretary William Pickens described Frederick as "the bravest man in South Carolina," who showed "extraordinary guts" in "coming between the State of South Carolina and these helpless three people" and should be celebrated as "the hero of Columbia and Aiken."⁴⁷

In December 1926, Robert W. Bagnall, NAACP Director of Branches, urged Frederick to take the lead in reviving the NAACP Columbia branch.⁴⁸ Frederick agreed, and quickly launched an aggressive recruiting effort. He was assisted by R. W. Jackson, and three Republicans: Reverend S. B. Wallace, who enlisted the help of churchmen across the county, businessman I. S.

⁴⁵ Lau, *Democracy Rising*, 65.

⁴⁶ N. J. Frederick Vertical File, South Caroliniana Library, University of South Carolina.

⁴⁷ "Bravest Man in South Carolina," *New York Amsterdam News* (NY), November 24, 1926.

⁴⁸ Letter from Robert W. Bagnall to N. J. Frederick, December 4, 1926, NAACP Papers, Library of Congress.

Leevy, and real estate agent L. A. Hawkins.⁴⁹ Frederick used the *Palmetto Leader* to vigorously promote the NAACP. He regularly reported on the activities of both the local and national NAACP and covered widely the organization's effort to abolish the white democratic primaries.⁵⁰ In fact, during the few months Frederick spent reorganizing and rejuvenating the Columbia branch, virtually all front-page banners of the weekly newspaper prominently featured stories about the local and national branches of the NAACP.⁵¹

By the summer of 1927, the branch had been completely reorganized, and counted at least 50 dues-paying members.⁵² The revived organization always struggled mightily to stay afloat

⁴⁹ Letter from R. W. Jackson to Robert Bagnall, December 10, 1926; Letter from N. J. Frederick to Robert Bagnall, December 11, 1926; Letter from Robert W. Bagnall to N. J. Frederick, December 13, 1926; Letter from R. W. Jackson to Robert Bagnall, December 20, 1926; Letter from W. Jackson to Robert Bagnall, August 6, 1927, NAACP Papers, Library of Congress; "Membership Drive for N.A.A.C.P.," *Columbia Palmetto Leader*, January 22, 1927.

⁵⁰ "N.A.A.C.P. Begins Fright On Texas Primary Law," *Columbia Palmetto Leader*, April 11, 1925. "White Primary Case To Supreme Court," *Columbia Palmetto Leader*, June 26, 1926.

⁵¹ No other organization or person came close to receiving the laudatory coverage that the NAACP had in this time period in the *Palmetto Leader*. See these front-page headlines: "Organization Gives N.A.A.C.P. 100\$," *Columbia Palmetto Leader*, October 2, 1926; "Great Is The N.A.A.C.P.," *Columbia Palmetto Leader*, October 23, 1926; "N.A.A.C.P. In Congress Of Oppressed Races," *Columbia Palmetto Leader*, October 30, 1926; "The Colored Man's Refuge – The N.A.A.C.P.," *Columbia Palmetto Leader* November 6, 1926; "Colored Women Endorsed N.A.A.C.P.," *Columbia Palmetto Leader*, November 13, 1926; "Field Secretary of the N.A.A.C. P. Pickens Addresses Students at Capital," *Columbia Palmetto Leader*, November 13, 1926; "Attorney Thank God For N.A.A.C.P.," *Columbia Palmetto Leader*, November 20, 1926; "N.A.A.C.P. Sends Attorney General Affidavit on Miami Violence," *Columbia Palmetto Leader*, December 4, 1926; "Louisville Editor Thanks N.A.A.C.P. For Help," *Columbia Palmetto Leader*, December 25, 1926; "N.A.A.C.P. Issues 1926 Annual Report: Many Legal Victories," *Columbia Palmetto Leader*, January 8, 1927; "N.A.A.C.P. Gets Ready Response," *Columbia Palmetto Leader*, January 16, 1927; "Local N.A.A.C.P. Branch membership Drive," *Columbia Palmetto Leader*, January 22, 1927; "Our William Pickens Is Touring Europe," *Columbia Palmetto Leader*, January 29, 1927; "\$1000.00 Sent To N.A.A.C.P. by Detroit Branch of Organization," *Columbia Palmetto Leader*, January 29, 1927; "The N.A.A.C.P. Sends Message to the President and Governor Richards," *Columbia Palmetto Leader*, February 5, 1927; "Segregation Ordinance To Be Fought By N.A.A.C.P.," *Columbia Palmetto Leader*, February 12, 1927; "Denver Branch of N.A.A.C.P. Wins Case," *Columbia Palmetto Leader*, February 12, 1927; "Pennsylvania City Branch of N.A.A.C.P. Breaks Down Race Barriers," *Columbia Palmetto Leader*, March 5, 1927; "N.A.A.C.P. Wins White Primary Case," *Columbia Palmetto Leader*, March 12, 1927; "N.A.A.C.P. Commended For Victory," *Columbia Palmetto Leader*, March 19, 1927; "Colonel Roosevelt Comments On Recent N.A.A.C.P. Victory," *Columbia Palmetto Leader*, March 26, 1927; "N.A.A.C.P. Protests Brutal Beating of Innocent Negro," *Columbia Palmetto Leader*, April 2, 1927.

⁵² Letter from R. W. Jackson to Robert Bagnall, January 31, 1927; "Columbia SC, Membership Reports," January 31, 1927; R. W. Jackson to Robert Bagnall, June 7, 1927; Letter from Robert Bagnall to R. W. Jackson, June 13,

financially, and the lack of funds prevented it from becoming the vehicle that Frederick had hoped for.⁵³ But considering the extremely difficult position of most African Americans at the time, from intense racial repression to profound economic difficulties, the fact that the branch did not fold in the 1930s was a notable achievement in itself. The NAACP brought together most of the influential African American leaders in Columbia, who could discuss strategies and plans that were often outside of the scope of the NAACP.⁵⁴

The Columbia NAACP even scored some significant victories. Most important was the Ben Bess case in 1928 and 1929.⁵⁵ Convicted of raping a white woman in 1915, Ben Bess, a black farmer from Florence had served thirteen years of his thirty years sentence when Maude Collins, the alleged victim, recanted her testimony in the spring of 1928. South Carolina Governor John Gardiner Richards immediately gave Bess a full pardon. With the assistance of *The State*, which called for the governor to provide financial reparations considering the fact that Bess had worked for the state for thirteen years for free while incarcerated, the Columbia NAACP organized a fund drive to help Bess transition to freedom.⁵⁶ But in June, Collins reversed her recantation, the

1927; Letter from R. W. Jackson to Robert Bagnall, August 27, 1927; "Columbia SC, Membership Reports," September 26, 1927, NAACP Papers, Library of Congress.

⁵³ Letter from Sam Wallace to Robert Bagnall, March 10, 1928; Letter from N. J. Frederick to W. T. Andrews Jr., September 28, 1928; Letter from N. J. Frederick to Robert Bagnall, October 6, 1928; Letter from W. T. Andrews to N. J. Frederick, October 9, 1928; "Membership Report," October 13, 1928, NAACP Papers, Library of Congress.

⁵⁴ See 1927-1929 Membership Reports, NAACP Papers, Library of Congress.

⁵⁵ For detailed account of the Ben Bess case, see: Janet G. Hudson, "Ben Bess and the Dictates of White Supremacy: The Unpardonable Crime?," *Proceedings of the South Carolina Historical Association*, n.d., 15-27. For a succinct overview, see "Chronological Digest of the Ben Bess Case," October 24, 1928, NAACP Papers, Library of Congress.

⁵⁶ "Thirteen Years Shackled Slavery in Penitentiary of an Innocent Man," *Columbia State*, May 7, 1928; "Set Free After Thirteen Years When Dying Woman Admits She Lied," *Newark Evening News* (NJ), May 29, 1928; *The Nation*, June 13, 1929, NAACP Papers, Library of Congress.

governor revoked his pardon, and Bess was sent back to jail.⁵⁷ Frederick immediately challenged the legality of the governor's annulled pardon.⁵⁸ While he lost the original case, Frederick persevered through a protracted appeal that took more than a year. His effort was sustained financially by fundraising organized by the local and national NAACP.⁵⁹ In the end, Frederick prevailed as the South Carolina Supreme Court, in a very rare *En Banc* session, declared that the governor could not revoke a pardon.⁶⁰ Bess was released, and immediately boarded a train toward Homestead, Pennsylvania. Frederick had personally made the travel arrangements, fearing that Bess would face the same fate as the Lowmans.⁶¹ Once again, Frederick was lauded nationwide for his legal efforts.⁶²

Frederick also regularly used the *Palmetto Leader* to mobilize African Americans for his political reform efforts. He could be scathing toward fellow blacks who he believed did not do enough to pursue political equality. Constantly reminding his readers that no progress could be achieved without political power, he urged them to spread the word about the importance of braving the "intolerant spirit" and registering to vote.⁶³ "If you are not qualified [to vote],"

⁵⁷ "Ben Bess Back in Jail as Accuser Changes Her Story," Philadelphia *Sunday Public Journal* (PA), June 30, 1928, NAACP Papers, Library of Congress.

⁵⁸ "Columbia Attorney Presents Petition," Columbia *Palmetto Leader*, July 21, 1928; "N. J. Frederick's Legal Brief in Defense of Ben Bess," 1928, NAACP Papers, Library of Congress.

⁵⁹ "Bess Loses Liberty in S. Carolina," *Chicago Defender* (IL), September 8, 1928; "Ben Bess Released By En Banc Court After Days of Hearing," *Charleston News and Courier*, October 13, 1929.

⁶⁰ A *En Banc* session means all 18 circuit judges, rather than a small selection of them, are asked to decide on a particular case. This is an unusual procedure used in the most difficult and important cases.

⁶¹ Letter from N. J. Frederick to Walter White, October 16, 1929. NAACP Papers, Library of Congress.

⁶² Letter from Walter White to N. J. Frederick, October 14, 1929, NAACP Papers, Library of Congress; "A Remarkable Case," *Richmond Planet* (VA), October 26, 1929; *Tampa Bulletin* (FL), November 2, 1929; Letter from Walter White to W. E. B. Du Bois, November 25, 1929 NAACP Papers, Library of Congress.

⁶³ "Columbia Negro Calls His Race to the Polls," *Columbia State*, October 22, 1916; "One Party States," *Columbia Palmetto Leader*, May 23, 1925; *Columbia Palmetto Leader*, October 2, 1926.

Frederick scolded his readers, “the fault is yours.”⁶⁴ “In most instances,” Frederick admonished, “you are not qualified because you are lazy, indifferent and good for nothing to look out for your own interest.”⁶⁵ Yet Frederick was not blind to the tremendous obstacles African Americans faced. He almost always combined with these sermons a violent denunciation of the voting laws and the manner in which they were administered. He was particularly aggressive toward whites who denied that African Americans were unconstitutionally denied the franchise.⁶⁶ “Is it reasonable to suppose that of the more than 800,000 Negroes of the state,” Frederick wrote, “only about one dozen would vote in a real free democrac[y]?”⁶⁷ Frederick always stood ready to hand these disfranchisement deniers the endless “[c]ourt records which shows that Negroes who fully qualified under the law . . . were refused registration.”⁶⁸ For the entire decade, Frederick continued using his newspaper to both relentlessly call out whites’ willful blindness to the problem of disfranchisement, and to exhort African Americans to join him in making the Republican Party the political vehicle for their progressive aspirations.

“The Fight is On”

Frederick first clashed with Tolbert at the state convention of 1926 over a proposition to change party rules to make it easier for other Republicans to take over the party chairmanship. At first sight, the dispute seemed rather innocuous, as it appeared to be rooted in frustration over the

⁶⁴ “Can You Vote?,” *Columbia Palmetto Leader*, June 20, 1925.

⁶⁵ *Ibid.*

⁶⁶ “Negro Barred From Voting,” *Columbia Palmetto Leader*, January 8, 1927; “Congressman Stevenson Wrong?,” *Columbia Palmetto Leader*, January 29, 1927.

⁶⁷ “South Carolina Primary Like Illinois?,” *Columbia Palmetto Leader*, September 18, 1926..

⁶⁸ “Threats to Enforce the 14th Amendment,” *Columbia Palmetto Leader*, July 17, 1926.

extent of Tolbert's power, and not over a dissatisfaction with the party's general direction. In fact, the resolution was the brainchild of a former influential Tolbert ally and Republican veteran, L. A. Hawkins. A black real estate agent born near Columbia in the mid 1860s, Hawkins had been active in the party since the early 1890s.⁶⁹ He notably held a postmastership in the 1890s, and served both as chairman of the Seventh Congressional District and as an executive committee member of the state organization for most of the 1910s and 1920s.⁷⁰ A member of the Tolbert faction since the 1910s, he played a key role in the factional dispute of 1920, going as far as suing the leader of the opposing faction in the Seventh Congressional District.⁷¹ Tolbert and Hawkins relationship soured in the early 1920s, however, because of Tolbert's refusal to give up either the chairmanship or the position of national committeeman.⁷² It was out of this frustration that Hawkins proposed a revision of the rules, which he had brought to the floor of the state convention for the first time in 1922, and then again in 1924 and 1926.⁷³

N. J. Frederick, who had opposed this rule change in 1922 and 1924, changed camps in 1926, and came strongly in support of Hawkins' resolution. He not only voted for the resolution at the convention, but used the pages of the *Palmetto Leader* to vigorously promote it.⁷⁴ He argued

⁶⁹ "Seventh District Republican Convention," *Columbia State*, August 30, 1892; "A Republican Ticket," *Columbia State*, August 10, 1895.

⁷⁰ "Richardson For Congress," *Columbia State*, July 11, 1910; "Chairman to be White or Negro?," *Columbia State*, September 29, 1914; "District Meeting For Republicans," *Columbia State*, March 7, 1916; "Negroes Name Man For Congress," *Columbia State*, September 3, 1919; "Two Set of Delegates Elected to Convention by Negro Republicans," *Columbia State*, February 3, 1920; "Negro Republicans Meet in Columbia," *Columbia State*, May 5, 1921; "Republicans Hold Session Today," *Columbia State*, September 23, 1926.

⁷¹ "Two Set of Delegates Elected to Convention by Negro Republicans," *Columbia State*, February 3, 1920; "Negro Republican Fight In Court," *Columbia State*, April 24, 1920.

⁷² "G.O.P. of State Is Not Satisfied with Jos. Tolbert," *Columbia State*, September 17, 1922

⁷³ *Ibid.*

⁷⁴ "Unique Republican Organization," *Columbia Palmetto Leader*, October 2, 1926; *Columbia Palmetto Leader*, October 16, 1926.

that it would “add more life, vigor, and activity” to the party and “encourage the registration and voting” of Republicans across the state.⁷⁵ In fact, Frederick was the only one who voted for Hawkins after the latter challenged Tolbert and self-nominated himself to the chairmanship.⁷⁶ Frederick and Hawkins’ alliance was hardly surprising. They not only served together in the Republican Party, but they regularly collaborated in the Columbia NAACP branch and in the Knights of Pythias.⁷⁷ But more than his relationship with Hawkins, Frederick’s change of heart on the issue was primarily related to his desire to reform the party. He believed that this rule change could either bring a new leadership, or make the current leaders more responsive to minority voices like his in the party. Under the existing rules, the chairman was elected for a four-year term, and the election took place two years after the presidential election. This meant that the position of chairman and that of national committeeman overlapped for only two years. Hawkins had convinced Frederick that this overlap benefitted the man in power rather than the challengers, and suggested instead to have the party chairman’s term reduced to two years instead of the current four years.

For Frederick and Hawkins, this rule change would benefit the party by preventing one man from holding on to power for too long.⁷⁸ The manner in which Tolbert ascended to power gives some credence to this idea. Tolbert was well aware of the advantages that the chairmanship

⁷⁵ *Columbia Palmetto Leader*, October 16, 1926.

⁷⁶ Hawkins received two votes, most probably his own and that of Frederick. “S.C. Republicans Re-Elect Tolbert,” *Charleston News and Courier*, September 24, 1926.

⁷⁷ “To Supreme Lodge,” *Columbia State*, August 16, 1925; “Miller Addresses Negro Pythians,” *Columbia State*, July 30, 1927.

⁷⁸ It is curious that Hawkins did not propose a limit on terms or a rule stating that the same person could not be both national committeeman and chairman at the same time. Perhaps he believed a less direct way to address the issue would have more chance of being ratified by the convention than a rule that would openly target Tolbert.

provided in the quadrennial selection of the delegates to the national convention, the very delegates who elected the national committeeman.⁷⁹ As such, it is no surprise that Tolbert first focused on winning the party chairmanship. After being elected in 1910, he used his power as chairman to facilitate the election of delegates sympathetic to him.⁸⁰ Once elected national committeeman in 1912, he was then in position to reward those who helped him. He could either grant them federal jobs if the Republicans controlled the White House, or use party money to help these sympathetic delegates be re-elected to the following national convention. The rules also made it far more difficult to completely oust Tolbert because it meant defeating him in two successive conventions, all while he still held one key position in the party. For example, even if Tolbert had lost his position as national committeeman in 1920 or as chairman in 1922, he would still have two years to go in one of the two mandates, and could have presumably used the power of his position to try to regain the position lost. By having the chairmanship election on the same year as the election of the delegates to the Republican National Convention, potential challengers could have the opportunity to defeat him for both positions simultaneously. Frederick and Hawkins failed to sway their fellow Republicans. Once again, the resolution was easily voted down by Tolbert's supporters.

Less than a week after the convention, a frustrated Frederick retaliated. He wrote a scathing editorial attacking Tolbert as an “uncrowned King, Czar, Kaiser, or anything else that can be thought of that stands for absolute power.”⁸¹ He argued that Tolbert, “with Machiavellian

⁷⁹ The chairman could notably select the convention chairman, the most powerful position at conventions. The convention chairman was notably in charge of counting and reporting on the votes, allocating time to speakers (or shutting them down), ensuring that the agenda was followed, and keeping order.

⁸⁰ See Chapter 3.

⁸¹ “Unique Republican Organization,” *Columbia Palmetto Leader*, October 2, 1926.

cunningness,” established the rules surrounding the election of the chairman to ensure the perpetuation of his power. And he denounced that when he and Hawkins dared propose minor rule changes that nearly all other state Republican parties had already adopted, the “autocrat” and his “henchmen” welcomed it like “a case of seven years’ itch.”⁸² With Tolbert firmly in power, African Americans could only get standing in the party by acting as henchmen for Tolbert in return for “expense money or some other form of gratuity.” As a result, the “thousands” of “young, intelligent Negroes” who had no interest playing such a role lost interest in the Republican Party. Worse, Frederick wrote, when urged to register and participate in politics, the sorry state of the Republican Party led African Americans to “shrug their shoulders and say, ‘Oh what’s the use?’”⁸³

Frederick also attacked black state party leaders for their unconditional support of Tolbert and the national party leaders. These “professional Negro Politicians,” wrote Frederick, were more interested in the “ever-alluring promise” of “some minor office” or in “expense money” than they were in the advancement of their own race. They represented “the greatest hindrance to the real welfare of the colored citizens,” Frederick wrote.⁸⁴ These African American leaders failed to see how they were used as pawns by the national Republican leaders, who paraded them at Republican National Conventions to keep alive the idea that the GOP was still the party of Lincoln and Douglass. National GOP leaders expected African Americans to keep the party machinery rolling, but “after these useful acts are performed,” fumed Fredrick, “they then leave the colored brother out to live on ‘faith’ until he is needed again.”⁸⁵

⁸² “Unique Republican Organization,” *Columbia Palmetto Leader*, October 2, 1926.

⁸³ *Ibid.*

⁸⁴ “No Republicans or Democrats for Negroes,” *Columbia Palmetto Leader*, July 3, 1926.

⁸⁵ “A Shot From Greenville,” *Columbia Palmetto Leader*, August 13, 1927.

Frederick's accusations contributed to the growing sentiment in national party circles that a change of leadership was critical to the survival and the growth of Republicanism in South Carolina. To be sure, such charges were not new. Democrats and Lily-White Republicans had been making them for years. But they were far more damning coming from Frederick. He was the first well-respected black South Carolinian active in the state Republican Party to make them publicly. It became extremely difficult, if not impossible, for national Republican leaders to simply dismiss them as they had in the past.

Yet Frederick knew that as long as northern African American voters considered Tolbert's organization the legitimate representative of the Black and Tan organization, national party leaders would be reluctant to dismiss him, regardless of the severity of the accusations he faced. Frederick's articles thus sought to delegitimize Tolbert's organization in the eyes of this key constituency. Frederick argued, similarly to many southern white political correspondents, that African Americans were condemned to be Tolbert's servants, and had no real say in the party's affairs. Frederick could count on the help of the NAACP in this endeavor, since both he and the civil rights organization had something to gain from convincing northern African Americans that the status quo was not fostering progress, but hindering it. As such, even if Frederick and the NAACP echoed many of the same criticisms as Democrats or Lily-Whites, they were never as vitriolic or ill-spirited. Their frustration with Tolbert came not from deep racial animosities, but from political frustration with the lack of advancement in voting rights. In contrast to Lily-Whites and Democrats, they did not see Tolbert as an enemy, but rather as an ally who failed to live up to what they believed his full potential to be. After all, both the NAACP and Frederick had not long before praised Tolbert as one of the rare white Republicans worthy of African Americans' trust.

Frederick's attack on Tolbert was risky in ways that he himself perhaps did not anticipate. As unwilling as Tolbert had been to use his power to push for racial progress, he had been committed to ensuring that African Americans had at least a foot in southern politics. The strong relationship he developed with national party leaders had proven critical time and again to thwarting Lily-White efforts to take over the state party. If Tolbert's downfall would provide Frederick and his followers the necessary opening to enact the reforms they sought, it would also provide Lily-Whites with the same opportunity.

With the state convention of 1928 approaching, Frederick ramped up his attack on Tolbert and call for racial solidarity. Knowing the importance of patronage to the black Republican veterans, he attacked Tolbert on racial grounds for not appointing African Americans to good federal positions. "I have about concluded that when it comes to a colored Republican getting a small slice of the pie," stated the newspaper, "white Republicans are no more anxious about it than white Democrats."⁸⁶ The message was clear. If African Americans wanted a fair deal, they needed to elect one of their own at the head of the party, just as they had done in the first decade of the twentieth century, when the party launched its most important efforts in defense of black voting rights.

In early 1928, Frederick announced his candidacy for delegate at-large for the national convention. The *Palmetto Leader* broke the news by printing on its front page a stirring endorsement by Joel H. Jackson, Frederick's most trusted ally.⁸⁷ Jackson introduced Frederick as a "sane, honest, and sober-minded" attorney whose "courageous efforts" and "great achievements"

⁸⁶ "A Shot From Greenville," *Columbia Palmetto Leader*, August 13, 1927.

⁸⁷ "Prominent Columbia Attorney Would Attend National Convention," *Columbia Palmetto Leader*, January 21, 1928.

on behalf of African Americans were unmatched in the party.⁸⁸ Reminding the public of Frederick's defense of the Lowman, Jackson argued that African Americans owed it to the famed attorney to "honor him" by electing him "without the price of a few paltry dollars and a dinner."⁸⁹ Frederick also lured a number of other influential and ambitious black Republicans to his campaign, such as L. A. Hawkins, Jacob Moorner, and Spartanburg doctor and druggist W. M. Porter, who had led an unsuccessful effort to defeat Tolbert's allies in the Fourth Congressional District in 1924.⁹⁰

In the week leading to the state convention, Tolbert and his lieutenants held a number of backroom meetings to ensure the support of their key allies. Frederick reported on these efforts in the *Palmetto Leader* as a sign that Tolbert was in danger. "An awakening is at hand," Frederick wrote, and "the days of swallowing just any and everything given is over."⁹¹ He denounced as too absurd to be credible the commonly held idea among Tolbert's black supporters that the best possible outcome was to preserve the status quo. "The Negro in Republican circles is at the lowest ebb it has ever been," argued Frederick.⁹² His black opponents he presented as sell outs for opposing "upstanding Negroes . . . of real merits and achievements" like himself who wanted to make the party beneficial to more than a handful of black leaders.⁹³ Frederick promised to reveal

⁸⁸ "Prominent Columbia Attorney Would Attend National Convention," Columbia *Palmetto Leader*, January 21, 1928.

⁸⁹ *Ibid.*

⁹⁰ "Declares A Rump Session Elected Negro At Union," Greenwood *Index-Journal*, March 13, 1924; "War Against Tolbert," *Gaffney Ledger*, April 5, 1924.

⁹¹ Columbia *Palmetto Leader*, February 4, 1928.

⁹² *Ibid.*

⁹³ *Ibid.*

the names of these “simple minded parasites” in his newspaper if they continued to counter racial progress by blindly following Tolbert like “the most abject slave.”⁹⁴

The support Frederick wished for, however, never materialized. Only Richland County, which was under Hawkin’s control, elected a pro-Frederick delegate to the state convention. In nearly all other counties, Frederick’s allies were soundly defeated by Tolbert supporters.⁹⁵ The majority of Frederick’s supporters were condemned to attend the state convention as simple observers, without the power to vote. As a result, Tolbert easily controlled the state convention. With the assistance of the temporary chairman, Reverend J. C. White, the Tolbert forces “railroaded” the convention by limiting Frederick’s time to both speak and respond to his critics. The temporary chairman also suspended the rules of the convention to elect the four Tolbert-backed delegates at-large.⁹⁶ Amid the loud complaints from the back of the hall where the Frederick supporters had gathered, White announced that the motion to suspend the rule had passed and the Tolbert ticket had been elected. Frederick, Hawkins, Jackson and Porter were not ready to give up, and elected their own slate of delegates. As the *Palmetto Leader* reported, “the fight [was] on” between Tolbert and Frederick, and the “Republican National Committee will have to decide the matter” at the June 12th, 1928, Republican National Convention in Kansas City.⁹⁷

The battle moved from the floor of the state convention to the newspapers. Frederick spent the next two months attacking his opponents in preparation for the upcoming clash at the national

⁹⁴ Columbia *Palmetto Leader*, February 4, 1928.

⁹⁵ “Republican Fight Brews In State,” *Charleston News and Courier*; “Republicans To Oppose Tolbert,” *Columbia State*, February 6, 1928; “Republican Convention Meets In Columbia,” *Columbia State*, February 9, 1928; “Tolbert Rules At Convention,” *Columbia State*, February 10, 1928; “State Big Four Republicans Elected,” *Columbia Palmetto Leader*, February 11, 1928.

⁹⁶ The ticket was composed of Joseph W. Tolbert, Dr. John Goodwin, Samuel J. Leaphart, and Wesley S. Dixon.

⁹⁷ “The Republican State Convention,” *Columbia Palmetto Leader*, February 18, 1928.

convention. He attacked Tolbert's "henchmen" for facilitating the purchase of "the manhood and decency" of "ignorant" and "cheap" African Americans with false promises, money, and "a big dinner at the Taylor Hotel."⁹⁸ He particularly called out Reverend J. C. White, the "corrupt preacher" who as the convention's chairman played the critical role in electing the "clearly illegal" Tolbert ticket.⁹⁹ "[M]inisters [...] are just the same as the most ungodly tricksters," Frederick wrote, because they are both a "party" and "beneficiary" to "the dirty or degrading practices" of the "debauching of their own people."¹⁰⁰

Frederick's attacks revealed important class divisions within South Carolina's black community. He described Tolbert's supporters as part of a lower, uneducated, gullible, and spineless class; their lack of "racial consciousness and racial pride" has resulted in extreme complacency, which explained why South Carolina came to "stand at the very bottom" of all states in terms of "outstanding political characters . . . of ability and vision."¹⁰¹ Only a few decades ago, Frederick observed, the party had been led by talented, courageous, and proud African Americans like Edmund H. Deas and Robert Smalls.¹⁰² But now, Tolbert supporters were either men whose age led them to complacency or "weak, ignorant . . . farm hand Negroes" who were not even registered to vote.¹⁰³ They had so little self-respect that they allowed themselves to be sold like "hogs and cattle," and rejoiced at "the crack of [Tolbert's] whip – or should we say the jingle of

⁹⁸ "Richland County Republican Convention," *Columbia Palmetto Leader*, February 11, 1928; "Object To Preachers Leading G.O.P.," *Columbia Palmetto Leader*, July 7, 1928.

⁹⁹ "S.C. Republican Convention Summarized," *Columbia Palmetto Leader*, February 11, 1928.

¹⁰⁰ "South Carolina Politics and Ministers," *Columbia Palmetto Leader*, February 18, 1928.

¹⁰¹ "Why?," *Columbia Palmetto Leader*, March 3, 1928; "Boodle Again, Or It It Just Dumbness," *Columbia Palmetto Leader*, March 10, 1928.

¹⁰² "Orangeburg Writer Calls State Convention Poor History," *Columbia Palmetto Leader*, February 25, 1928.

¹⁰³ "Richland County Republican Convention," *Columbia Palmetto Leader*, February 11, 1928.

his dollars.”¹⁰⁴ They were to Frederick the biggest impediment to the quest of “intelligent, and progressive” African Americans for the “free and unlimited use of the ballot.”¹⁰⁵

Tolbert, for his part, demonstrated that he was only working for “his own selfish ends,” and kept himself in power through “corrupt practices” and by “coddling the ignorant and venal.”¹⁰⁶ He developed “into a science the controlling of delegates by the dirty use of money” and managed to always elect “nice, docile delegates and forgets all about them until the next ‘electing.’”¹⁰⁷ Frederick also blamed Tolbert’s lack of leadership for the decline in presidential votes for Republicans in the Palmetto state, which, between 1920 and 1924, decreased by 1,500 votes, or by more than 50%.¹⁰⁸ Under Tolbert’s leadership, Frederick contended, the state Republican Party had indeed become the “great farce” that Democrats and Lily-Whites had been denouncing since the early 1920s.¹⁰⁹ Perhaps worse, instead of providing African Americans with “high and honorable positions” through patronage, he condemned them to work as “spittoon cleaners and door minders.”¹¹⁰ Hence, Frederick concluded that Tolbert was the “worst influence that has operated among colored people since the days of the carpetbaggers and scalawags.”¹¹¹ And as long as he

¹⁰⁴ “Organization of the People,” *Columbia Palmetto Leader*, February 25, 1928.

¹⁰⁵ “Richland County Republican Convention,” *Columbia Palmetto Leader*, February 11, 1928.

¹⁰⁶ “Why?,” *Columbia Palmetto Leader*, March 3, 1928.

¹⁰⁷ “South Carolina Politics and Ministers,” *Columbia Palmetto Leader*, February 18, 1928.

¹⁰⁸ “Why?,” *Columbia Palmetto Leader*, March 3, 1928.

¹⁰⁹ “Richland County Republican Convention,” *Columbia Palmetto Leader*, February 11, 1928.

¹¹⁰ “The Republican State Convention,” *Columbia Palmetto Leader*, February 18, 1928.

¹¹¹ *Ibid.*

was at the head of the party, you could be sure that “the Negro race in South Carolina [would get] nowhere in its political aspirations.”¹¹²

Rather than recruiting Tolbert supporters, Fredrick focused on recruiting “the younger ambitious, race loving and aspiring men and women” who were tired of “buying and selling method” of Tolbert and his supporters.¹¹³ He called for African Americans to register to vote and get involved in the GOP. This would “bring a better class of men” into the party, one that would not be “so easily bought”¹¹⁴ and that could “throw off the yoke of Tolbert domination.”¹¹⁵

In focusing his attacks on the disreputable character of African American GOP leaders, Frederick, in effect, echoed, and thus reinforced, the attacks leveled by Democrats and Lily-Whites throughout the decade. In fact, he also supported the solution that these two groups had suggested, namely, of changing the party leadership. Reinforcing the ideas that many Americans already had about Tolbert’s organization was the most politically pragmatic way to achieve this.

Frederick’s attacks, combined with the intensification of congressional investigations into South Carolina patronage, forced Tolbert to lead his own public relations campaign. After most of the leading black newspapers ran a story from the Associated Negro Press about the situation in the South Carolina Republican Party, Tolbert wrote to the *Atlanta Independent*, the newspaper of Georgia Republican leader Benjamin Davis, that there was “not a contest or a protest of any kind

¹¹² “Boodle Again, Or is Just Dumbness?,” *Columbia Palmetto Leader*, March 10, 1928.

¹¹³ *Ibid.*

¹¹⁴ “Richland County Republican Convention,” *Columbia Palmetto Leader*, February 11, 1928.

¹¹⁵ *Pittsburgh Courier* (PA), March 17, 1928.

from any district.”¹¹⁶ He also wrote to Republican leader and presidential hopeful Frank Lowden to ensure him that all was fine in the state party.¹¹⁷

Tolbert denied strife publicly, but privately worked to divide Frederick’s supporters. He offered a “high ground” compromise to Frederick and Joel Jackson. In exchange for them dropping their contest, he offered to include them on the delegation for the national convention, and promised them full independence in their presidential and national committeeman vote.¹¹⁸ However, before Frederick and Jackson could decide, Hawkin and Porter, the two other delegates in the Frederick delegation, made a secret deal with Tolbert, and agreed to drop from Frederick’s ticket.¹¹⁹ As a result, Frederick and Jackson could have only brought a contest as individuals, not as a group. Even if they had won it, Tolbert would have easily been able to ensure that another delegate besides him would have been unseated in such a contest. Since Tolbert already controlled the seven delegates from the congressional districts, losing two of the four seats of delegates at large would not have hampered his chances of being re-elected as national committeeman. The only way in which Tolbert could have been threatened is if all four of Frederick’s delegates at large would have challenged as a group. Had they won such a contest, they would have unseated Tolbert, and have had a serious chance at winning the position of national committeeman, or at least at electing someone sympathetic to their reform effort. Deflated, Jackson and Frederick denounced Hawkin and Porter in the *Palmetto Leader*, and dropped their contest altogether.¹²⁰ Hence, a united

¹¹⁶ “Pandemonium Reigns In G.O.P. Meet,” *Baltimore Afro-American* (MD), February 18, 1928; “Upheaval Occurs In South Carolina G. O. P.,” *Pittsburgh Courier* (PA), March 17, 1928; “South Carolina Has No Contest In G.O.P. Ranks,” *Columbia Palmetto Leader*, March 31, 1928.

¹¹⁷ “Boss Joe’s Letter For Lowden,” *Columbia Palmetto Leader*, March 31, 1928;

¹¹⁸ “Getting Ready For the Republican National Convention,” *Columbia Palmetto Leader*, June 16, 1928.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

South Carolina delegation firmly under the grip of Tolbert attended the Republican National Convention in Kansas City, where Herbert Hoover easily won the party nomination. Adding insult to injury, Frederick and all other black journalists were denied access to the press table of what the *Palmetto Leader* termed the “Jim Crow Republican Convention.” Sarcastically, Frederick noted that a black Republican “did have the opportunity to second the nomination of the presidential nominee,” and thus African Americans should “take heart and move forward.”¹²¹

While bitter and frustrated, Frederick had known from the start that his alliance with experienced Republicans would always be tenuous. Outside of Jackson, who was among the most radical in the party, L. A. Hawkins was perhaps the least conservative of these men, but he was still a cautious, pragmatic politician. For example, although Hawkins had run for Congress in the Seventh Congressional District in 1920, his primary objective had not been so much to challenge the voting rights law as to strengthen the legitimacy of the Tolbert organization before the Republican National Committee. Thus, instead of running on a platform of African American political rights and re-enfranchisement like Aaron P. Prioleau and Alexander Dantzler had done, Hawkins adopted the far more tame national party platform.¹²² Nevertheless, Hawkins seized the opportunity to launch an attack on Jim Crow Laws. After his loss to Democrat H. P. Fulmer, Hawkins filed a challenge to the State Board of Canvassers, alleging among other irregularities that former Democratic congressmen and then lawyer Wyatt Aiken had prevented African Americans from registering by threatening them if they did not vacate the county registration

¹²¹ “Pointed Points,” Columbia *Palmetto Leader*, June 30, 1928.

¹²² Instead of casting his candidacy as a means to deal a blow to Jim Crow, like most former Republican candidates such as Prioleau, Hawkins’s platform focused mostly on national economic reforms and the dismantlement of Wilson’s League of Nations. See: “Union Republicans To Enter Candidates For Senate and Congress,” Columbia *State*, August 14, 1920; “Call League Dangerous,” Charleston *Evening Post*, October 1, 1920; “Republicans Out In Two Districts,” Charleston *Evening Post*, November 1, 1920.

office.¹²³ The Board dismissed the protest on the grounds that Hawkins had not filed the paperwork with the Richland county board in time. The county board appeared to have conspired to this end, as it met several days before the date set by law without advising the public, thereby ensuring that Hawkins could not file his protest in time.¹²⁴

Hawkins decided against bringing his case before Congress like Prioleau or Dantzler had done before.¹²⁵ This was in part because national Republican leaders did not support this course as they had done in the early 20th century, and Congress was by then stingier on allocating funds to challengers. Yet, it also demonstrated that, contrary to more militant Republicans like Frederick, Prioleau, Moorner and Dantzler, Hawkins was extremely nervous about the prospect of challenging national party leaders, presumably for fear of weakening the Black and Tan organization's standing in Washington. While he wished that the party would be more aggressive in its promotion of African American political rights, his main issue was with the structure and the distribution of power and rewards within the state party. He wanted to reform the rules to make the state party more democratic and dynamic. Frederick, on the other hand, was more ambitious. Like Hawkins, he wanted to reform the state party, but only as a means to pressure the national party leadership into taking African American rights more seriously, particularly on the issue of lynching.

Frederick and Jackson, while profoundly sour from their experiences, nevertheless remained in the party. For the next two years, they continued to urge black Republicans to “throw off the yoke of Tolbert domination and to foster the leadership of Negroes as in Georgia and

¹²³ “Democracy Wins In Richland Strongly,” *Columbia State*, November 3, 1920; “Contests For Congress,” *Charleston Evening Post*, November 13, 1920.

¹²⁴ “Board Dismisses Two Grievances,” *Columbia State*, November 25, 1920.

¹²⁵ “Democracy Wins In Richland Strongly,” *Columbia State*, November 3, 1920; “Contests For Congress,” *Charleston Evening Post*, November 13, 1920.

Mississippi.”¹²⁶ But a series of events in the late 1920s and early 1930s would force them to close rank with Tolbert against a Lily-White onslaught. While Frederick was as committed to make the party militant as he had been before, his plan for reform stood no chance if Lily-Whites took control of the state organization.

Hoover and the Resurrection of the Lily-White Faction

In 1928, Herbert Hoover and his campaign advisors had great hopes for the South. They realized that more southern states were in play for the Republican Party than in any presidential election since Reconstruction. This had less to do with Republican growth in the region and much more with the historical unpopularity in the South of Hoover’s Democratic opponent, New York Governor Al Smith, the first Roman Catholic ever to win the presidential nomination of a major political party. In addition to his religious faith, Smith was a vocal opponent of prohibition, which remained popular in the South, and was perceived to have ties to the infamous New York Tammany Hall Democratic machine. As a result, a large number of white Democrats, while refusing to change parties, gave Hoover their support in the presidential election. Southern Democrats, who usually had little to do after the primaries, were forced to lead an aggressive presidential campaign. Rather than defend Smith, southern Democrats chose instead to attack Hoover. Rumors circulated that Hoover was secretly “wet,” and that he had danced with a black woman.¹²⁷ They lambasted the GOP on the issue of corruption, reminding the public that Hoover

¹²⁶ *Pittsburgh Courier* (PA), March 7, 1928.

¹²⁷ “Hoover ignores Enemy’s Barbs,” *Columbia State*, September 24, 1928; Donald J Lisio, *Hoover, Blacks, & Lily-Whites: A Study of Southern Strategies* (Chapel Hill, NC: University of North Carolina Press, 1985), 85–86, 261–63.

had worked in Harding's cabinet and accusing him of having ignored or covered up the Tea Pot Dome Scandal.¹²⁸

In South Carolina, Democrats made sure voters would connect Hoover to Tolbert through the theme of corruption. "Hooverism is Tolbertism," reported the *Charleston News and Courier*, and a vote for Hoover was a vote for "the secret traffic of post offices" and the perpetuation of the corruption of the Harding and Coolidge administration.¹²⁹ Despite the Democrats' efforts, however, the presidential election was a resounding success for Hoover, who won 444 of the 531 grand electors and over 58% of the popular vote. What's more, Hoover succeeded in the South beyond the expectation of most observers. He not only won five of eleven Confederate states, but also came extremely close to carrying Deep South Democratic strongholds such as Georgia and Alabama.

While most Republican leaders rejoiced at this resounding success in the South, Black and Tan Republican leaders in South Carolina were worried. The Palmetto state was the only one in the nation in which Republicans got less than ten percent of the vote.¹³⁰ While Tolbert's leadership had survived worse electoral results in the past, the situation was different this time, for a number of reasons. First, Tolbert played little to no role in the nomination of Hoover. He had initially declared his support for an opponent of Hoover, and, thus, had built no political capital with the president. Secondly, while previous presidents had either remained silent or had quietly worked to

¹²⁸ "Recites Intrigue," *Columbia State*, September 25, 1928; "Smith Turns East After His Attack on G.O.P. Record," *Washington Evening Star* (DC), September 25, 1928; "Hoover Was Present at Oil Deal Meeting," *Charleston News and Courier*, September 27, 1928; David Hodges Stratton, *Tempest Over Teapot Dome: The Story of Albert B. Fall* (Norman, OK: University of Oklahoma Press, 1998), 344.

¹²⁹ "Hooverism is Tolbertism," *Charleston News and Courier*, September 15, 1928.

¹³⁰ Hoover gained only 8.5% of the vote in South Carolina. Mississippi (18%), Louisiana (24%), Arkansas (39%), Georgia (43%), Alabama (48.5%), Massachusetts (49%), and Rhode Island (49.5%) were the only other states that Hoover did not win.

protect Tolbert in the investigations against him, Hoover went the other way. He not only supported the patronage investigation, but also expressed his intention of acting on it, namely by pushing out the Black and Tan veteran leaders like Tolbert to eliminate the vestige of corrupt patronage politics that southern parties like that of South Carolina had come to be known for.¹³¹ Moreover, Hoover, a proud progressive who valued efficiency, honesty, and meritocracy in the federal government, had been insulted by how Democrats had tried to taint his reputation by connecting him to Tolbert's alleged corrupt handling of patronage.¹³² Replacing Tolbert's leadership with a new "commendable" one, thus also had both political and personal significance for Hoover.

Less than a month after ascending to the presidency, in late March 1929, Hoover announced his plan to reorganize the party in the South. Hoover explained that he pursued what other Republican presidents had sought before him, namely to "build up a sound Republican organization in the Southern States of such character as would commend itself to the citizens of those States."¹³³ After praising the party leadership in the "border states" and the notable progress in Deep South states such as Alabama and Louisiana, Hoover singled out South Carolina's organization as the most problematic in the region. Pointing to the recent federal investigations, Hoover said that the "abuse in recommendations for Federal office" by the "old organization" was "intolerable to public service," in addition to being "repugnant to the ideals and purposes of the Republican Party," and "unjust to the people of the South."¹³⁴ He concluded by sending a clear

¹³¹ Lisio, *Hoover, Blacks, & Lily-Whites*, 181.

¹³² Lisio, xv, 118–23.

¹³³ Herbert Hoover, "Statement on the Reorganization of the Republican Party in the South," March 26, 1929, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=21871> (accessed March 4, 2018)

¹³⁴ *Ibid.*

warning to the South Carolina Republican Party that patronage would be at stake. If the party leaders failed to “command confidence and protect the public service, the different Federal departments will be compelled to adopt other methods to secure advice as to the selection of Federal employees.”¹³⁵

Hoover justified the effort in common sense terms, but given the history of the GOP in the South, the decision had huge implications for what little bi-racial politics still existed in the region. Even if Hoover may not have specifically wanted the removal of black leaders, it was difficult to see how his reform would not accomplish just that. African Americans knew that in the current context, no black politician stood a chance to “commend” himself to the “citizens” of the South, for the only people enjoying full voting rights in the South were whites. And even if Hoover was not primarily motivated by racial concerns, as historian Donald Lisio argues, many of his southern advisors were.¹³⁶ Oliver D. Street, Alabama national committeeman and Lily-White leader, as well as Lily-White Virginians Bascom Slep, Henry W. Anderson, and Jennings C. Wise, were among the many Hoover advisors who believed that the party’s connection to African Americans was the most important impediment to party growth in the region. In the case of South Carolina, the racial implications of Hoover’s reforms rapidly became apparent.

Only days after Hoover’s statement about the reorganization of southern state parties, South Carolina Lily-White J. C. Hambright reported that, upon Hoover’s request, he had formed a committee of eight, which included five Republicans and three “Hoovercrats,” to handle patronage matters in the state.¹³⁷ Tolbert vehemently protested Hoover’s action, and denounced the

¹³⁵ Herbert Hoover, “Statement on the Reorganization of the Republican Party in the South,” March 26, 1929, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=21871> (accessed March 4, 2018)

¹³⁶ Lisio, *Hoover, Blacks, & Lily-Whites*.

¹³⁷ “L. D. Robinson of Columbia on Patronage Group,” *Columbia State*, March 29, 1929.

members of the committee of eight as opportunists seeking to control patronage and expel blacks from the party, who were not in any manner the men of standing that Hoover wanted to elevate. He declared that he, the chairman and national committeeman, was entitled to make patronage recommendations, and would continue to do so regardless of “Hoover’s Edict.”¹³⁸

The Hoovercrats and Lily-Whites were encouraged by the publication in March 1930 of the Senate report on the sale of federal offices. It supported the view of Tolbert and his lieutenants as disreputable crooks that had to be removed.¹³⁹ The report claimed that the evidence collected “indicate beyond a reasonable doubt that practically all the Federal offices were placed on sale by J. W. Tolbert or his through his representatives.” Importantly, however, the Justice Department elected not to prosecute Tolbert, concluding that the evidence provided against him would not stand in a court of law. In fact, the investigation into Tolbert relied heavily on hearsay, circumstantial evidence, and, more problematic, the testimony of very interested parties. For example, the testimonies of Duncan Adams, A. Murray Benson, W. F. Brown, T. P. Johnson, and Walter C. Theile, which provided most of the incriminating evidence against Tolbert, provide a good example of how Hambrights’ Lily-White organization used these investigations both to weaken Tolbert and as a public relations opportunity to bolster their faction’s standing in the eye of Hoover and Republican officials. All readily provided the committee with abundant stories suggesting that Tolbert was selling offices. But they also spent much time reassuring the committee that a change of leadership would achieve Hoover’s objective. Brown told the investigators that Joel H Jackson, the close associate of N. J. Frederick, said that “the intelligent and respectable colored people of the State of South Carolina would be glad and willing to step down and step out

¹³⁸ “Tolbert Defies Hoover’s Edict,” *Raleigh News and Observer* (NC), March 30, 1929; “Tolbert Shuns Patronage Row,” *Charlotte Observer* (NC), March 30, 1929.

¹³⁹ “South Carolina Given Attention,” *Columbia State*, March 16, 1930.

of the Republican Party if the white people would take charge of it.” Jackson reportedly added that he was confident that the “white people [would] take care of the negro” after they reorganized the party on more solid ground. It is improbable if not impossible that Jackson, one of the fiercest opponents of Lily-Whitism in the state and a notable political rights activist, ever said this. Yet, this idea that African Americans were not limited by disfranchisement, but were simply eagerly waiting for the lead of a new and respectable white leadership was a central tenet of Hoover’s plan.

Though legally cleared, Tolbert’s reputation never recovered from the nearly decade-long assault. In fall of 1930, the Hoover administration entrusted lumberman J. C. Hambright, the leader of the committee of eight, with organizing a convention that would lead to the formation of a new statewide organization.¹⁴⁰ Hambright and the other Lily-White leaders knew that maintaining a strict color line would be a political liability in the current Republican context, and could lead them to lose Hoover’s support. But they also believed that the only way forward for the party in South Carolina was to attract “Hoovercrats” into the party, and that they could only achieve this if the party appeared Lily-White. Hambright and his lieutenants thus settled for a compromise. While they ensured the presence of African Americans in their organization, they kept their presence as minimal and as invisible as possible.¹⁴¹

The 1930 convention illustrated how the new leaders walked this fine line. On the one hand, they did not prevent some thirty African Americans from joining the nearly 500 whites at the convention. On the other hand, blacks had no role in the party leadership, and were forced to

¹⁴⁰ “Republicans Form A New Organization,” *Columbia State*, October 29, 1929.

¹⁴¹ In the words of a party leader, Mrs. Messervy, who served as national committeewoman, they “would try to organize a lily-white party if [they] could, because this is the biggest handicap we have to overcome.” But she also knew that their delegation to national convention would not be endorsed by the national leadership if it was known to systematically exclude blacks. Mrs. Messervy as quoted in Ralph J. Bunche, *The Political Status of the Negro in the Age of FDR*, Documents in American History (Chicago, IL: University of Chicago Press, 1973), 520.

sit in the gallery rather than the main floor.¹⁴² When black Republican Peter Barnett sought permission to speak, the presiding officer, A. B. Kale, had the orchestra play “Dixie.” Humiliated, Barnett, alongside the vast majority of African Americans present, left the hall.¹⁴³ Besides a handful of token African Americans appearing in the party’s delegation to the nation convention, no African American had power of any kind in Hambright’s organization.¹⁴⁴ The Hambright group proudly stated they admitted only the “best-educated” and “best-known nigger . . . in the state,” and by invitation only. They treated these acceptable elite “niggers” like “Southerners ought to, that's all. We give them everything they are entitled to under the franchise, but we don't play up to them like Tolbert does. Hell! He goes around kissing their feet.”¹⁴⁵ Thus, within two years of Hoover’s election, Tolbert and the Black and Tan’s worst nightmare had come to life. Lily-Whites not only had an organized party of their own, but they had the support of the President and full control over patronage.

“We are Fighting a Much Bigger Thing Here”: The Leaphart-Kale Affair

Hoover hoped that Hambright would turn the party into a righteous, principled, and ethical organization, but it never happened. A political novice, Hambright blundered early and often. In the spring of 1931, he invited charges of nepotism – the most common and legitimate complaint

¹⁴² Peter Barnett, as quoted in Bunche, 522.

¹⁴³ “Republican Form New Organization,” *Columbia State*, October 29, 1930.

¹⁴⁴ The four black delegates of the Hambright faction in 1932 were all well-educated and economically successful African Americans. They were: J. M. Maxwell, well-known grocer from Orangeburg, Dr. S. D. Brown, a druggist from Spartanburg, Prof. J. A. Briar of Greenwood, and W. M. Rosemond, a prosperous mechanic from Pickens. The first two were delegates at large, the latter two alternates at large.

¹⁴⁵ An unspecified Sumter-based member of the Hambright faction quoted in Bunche, *The Political Status of the Negro in the Age of FDR*, 520.

against Tolbert – when he nominated his own brother, V. Q. Hambright, to the lucrative and prestigious position of collector of internal revenue to replace Major John F. Jones.¹⁴⁶ Not only did Hambright frustrate leaders of his own organization, who actually pushed for a different candidate, but he ousted one of the only white Republicans respected by both Black and Tans and Lily-White Republicans, a man who was hailed as one of the most “outstanding men in South Carolina.”¹⁴⁷ Tolbert, Jones, and the Black and Tans protested the appointment vigorously and managed to delay it considerably, but Hoover chose to side with Hambright, fearing that doing otherwise would be tantamount to declaring his reform effort a failure.¹⁴⁸

Yet it was Hambright’s decision to replace the current U.S. marshal of the Eastern District that triggered the most virulent response from the Black and Tan organization. Most Republicans assumed that Samuel J. Leaphart, the current marshal, would be renewed in this function. Leaphart had the support of virtually all power brokers in South Carolina. His re-appointment was supported by nine bar associations in the state, and nearly all the prominent lawyers of South Carolina’s Eastern District.¹⁴⁹ In addition, African Americans in general, and black Republicans in particular, strongly supported Leaphart. He notably employed African Americans in his office and in the federal building under his supervision, and one black Republican contended that he was “the first white man” to ever “put [African Americans] on the jury all over South Carolina.”¹⁵⁰ To black

¹⁴⁶ “After Major Jones’ Post,” *Charleston Evening Post*, February 11, 1931.

¹⁴⁷ “Jones Runs Strong For Collectorship,” *Columbia State*, March 4, 1931; “Maj. Jones Hopes to Keep His Job,” *Columbia State*, March 10, 1931; “V. Q. Hambright Names Collector Of Internal Revenue,” *Rock Hill Evening Herald*, May 8, 1931.

¹⁴⁸ “V. Q. Hambright Names Collector Of Internal Revenue,” *Rock Hill Evening Herald*, May 8, 1931. Lisio, *Hoover, Blacks, & Lily-Whites*, 180–86.

¹⁴⁹ “Sam Leaphart Up For Re-Nomination,” *Charleston News and Courier*, July 4, 1930.

¹⁵⁰ Letter from J. E. Blanton to Walter White, February 20, 1931, NAACP Papers, Library of Congress.

Republican L. A. Hawkins, Leaphart was “the only true and tried republican office holder in South Carolina,” because he recognized “a man's merits and not the color of his skin or the texture of his hair.”¹⁵¹

Yet Hambright recommended the thirty-three-year-old Allen B. Kale to replace Leaphart. Originally from North Carolina, Kale moved to Hartsville, South Carolina, where he became a leading cotton merchant and served as vice-president of the chamber of commerce.¹⁵² Acting as secretary of the 1930 Lily-White convention, he was the one who had ordered the band to play “Dixie” when black Republican Peter Barnett had asked for the right to speak. Ever since, he was perceived by most Black and Tan Republicans as a “Negro hater” who would “not go to any meeting where a negro is.”¹⁵³ Black Republicans concluded that the only explanation for Hambright's action was that he abhorred Leaphart's fairness toward African Americans. To them, this suggested that Hambright's racism would not stop at excluding African Americans from the party, but would also seek to replace any federal office holders who was sympathetic to them.

The previously fractious members of the Black and Tan organization put aside their divisions to rapidly mobilize in opposition to the nomination of Kale. First, insurgents like Joel H. Jackson and Nathaniel J. Frederick, silenced their criticism of Tolbert and returned to the fold. While still hoping to eventually reform the state organization into a more militant one, they perceived Lily-Whitism as a far more serious threat to black political aspirations than the leadership of Tolbert. Secondly, old-guard Republicans, who had been extremely critical of Tolbert for his failure to secure the approval of Hoover and federal patronage, rapidly closed ranks

¹⁵¹ Letter from L. A. Hawkins to Walter White, January 17, 1931, NAACP Papers, Library of Congress.

¹⁵² “Hartsville Man Picked to Serve As U.S. Marshal,” *Charleston News and Courier*, February 22, 1931; “President Names Kale as Marshal,” *Charleston News and Courier*, April 19, 1931.

¹⁵³ Letter from William Lee Williams to Walter White, September 4 1931, NAACP Papers, Library of Congress.

behind the state chairman.¹⁵⁴ While still hoping to eventually replace Tolbert with a chairman who could fall in the good graces of Hoover and recapture control of patronage, they also agreed to put their grievances aside until the Lily-White threat was tamed. Hence, after Frederick's revolt and a post-1928 election attempted putsch, Tolbert was, by early 1931, the undisputed leader of a united faction.

L. A. Hawkins and William Lee Williams, the Florence County Republican chairman, led the charge against the nomination of Kale, reaching outside of the party for help. They counted on the assistance of other notable black leaders in South Carolina, notably N. J. Frederick; Reverend Samuel B. Wallace, pastor at the prestigious and still standing Sidney Park A. M. E. Church and NAACP leader in Columbia; Corrie J. Carroll, secretary of Phyllis Wheatley YWCA branch in Columbia; and J. E. Blanton, the principal of the Voorhees School (today Voorhees College).¹⁵⁵ Believing that "the colored people will get more through [Leaphart] than through anyone else," they asked for help from the NAACP as well as from politicians and officials in Washington, including the only sitting black congressman, Oscar DePriest.¹⁵⁶ They hoped that these federal officials and the NAACP could pressure President Hoover into renewing Leaphart's appointment, or, if that failed, to convince the Senate to refuse to confirm Hambright's nominee. In his plea for help, Hawkins echoed the "door of hope" metaphor from the push to get Dr. Crum confirmed by the Senate in the early 1900s. "If Mr. Leaphart is removed from office," Hawkins argued, "all hope

¹⁵⁴ "Voice Criticism Tolbert Regime," *Columbia State*, September 23, 1930.

¹⁵⁵ Letter from S. B. Wallace to Walter White, October 22, 1930; Letter from Corrie J. Carroll to Walter White, October 27, 1930; Letter from Peter S. Barnett to Walter White, November 27, 1930; Letter from J. E. Blanton to Walter White, February 20, 1931; Letter from N. J. Frederick to W. T. Andrews, September 9, 1931, NAACP Papers, Library of Congress.

¹⁵⁶ Letter from L. A. Hawkins to Walter White, January 17, 1931; Letter from J. E. Blanton to Walter White, March 10, 1931; Letter from J. E. Blanton to Walter White, March 25, 1931, NAACP Papers, Library of Congress.

of colored citizens filling any federal position in South Carolina is gone.”¹⁵⁷ For J. E. Blanton this battle had implications far beyond patronage. “We are fighting a much bigger thing here,” he told the NAACP, “it’s the Negro’s death in politics in South Carolina.”¹⁵⁸ For them, Kale was just “another John J. Parker,” Hoover’s controversial nominee to the Supreme Court who voiced his support for the disenfranchisement of African Americans in his 1920 gubernatorial campaign in North Carolina. In large part due to a vast opposition campaign led by the NAACP, the Senate had rejected the nomination of Parker.¹⁵⁹

However, the NAACP responded that Kale’s appointment had too little implications nationally, and was thus certainly “not analogous to the Parker case.”¹⁶⁰ This is not to say that the NAACP believed that the matter was trivial. It understood the implications of Kale’s appointment for both the South Carolina Black and Tan organization and for African Americans in the Eastern District. But the NAACP knew that it stood little chance to succeed, even if it organized a massive national campaign. They had tried to get involved in blocking similar local appointments before, most famously in North Carolina in 1921. Then, President Harding had appointed Frank Linney, the Lily-White leader of the North Carolina Republican Party, to the position of U.S. district attorney. Linney, more so than Kale, was open about his racial views. He wanted a “strictly white government,” and told voters in the 1920 campaign that the state party’s policy was to keep “the

¹⁵⁷ Letter from L. A. Hawkins to Walter White, January 17, 1931, NAACP Papers, Library of Congress.

¹⁵⁸ Letter from J. E. Blanton to Walter White, March 25, 1931, NAACP Papers, Library of Congress.

¹⁵⁹ Letter from William Lee Williams to Walter White, September 4 1931, NAACP Papers, Library of Congress. For more on the NAACP campaign against John J. Parker’s nomination, see: Kenneth W. Goings, *The “NAACP Comes of Age”: The Defeat of Judge John J. Parker* (Bloomington, IN: Indiana University Press, 1990).

¹⁶⁰ Memorandum from Walter White to W. T. Andrews Jr., September 21, 1931, NAACP Papers, Library of Congress.

negro out of politics.”¹⁶¹ Black Republicans in North Carolina convinced the NAACP to mount a large effort to block Linney’s confirmation in the Senate. Despite this campaign, Linney was confirmed.¹⁶² Learning from this failure, the NAACP replied to black South Carolinians that it was “decidedly unwise” for the organization to participate “too actively in the matter of appointment.”¹⁶³

While Walter White refused to involve the NAACP in this patronage matter, he and a few of his contacts in the national capital did lobby on behalf of Leaphart. Yet, Leaphart’s greatest champion in Washington was state party chairman Joseph W. Tolbert. The party chairman and national committeeman made several trips with Republicans and South Carolina NAACP leaders to Washington where they pleaded their case with the personal secretary to President Hoover, Walter H. Newton, and to the executive director of the Republican National Committee, Robert H. Lucas.¹⁶⁴ “Mad all over,” Tolbert vowed to the president and the press that he would “follow the matter to the end.”¹⁶⁵ Tolbert notably tried to sabotage the candidacy of Kale by revealing that the would-be U.S. marshal was not even registered to vote in South Carolina. He showed an affidavit signed by a registration official from Darlington County, which had been obtained

¹⁶¹ Frank Linney, quoted in Jane Elizabeth Dailey, Glenda Elizabeth Gilmore, and Bryant Simon, eds., *Jumpin’ Jim Crow: Southern Politics from Civil War to Civil Rights* (Princeton, NJ: Princeton University Press, 2000), 225.

¹⁶² Richard B. Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896-1933* (Charlottesville, VA: University Press of Virginia, 1973), 154–55.

¹⁶³ Letter from Walter White to J. E. Blanton, March 3, 1931, NAACP Papers, Library of Congress.

¹⁶⁴ “G.O.P. Camps At Odds Again,” *Charleston Evening Post*, January 16, 1931; “Memo,” December, 1931, NAACP Papers, Library of Congress.

¹⁶⁵ “Tolbert Will Fight For Leaphart,” *Charleston Evening Post*, February 23, 1931.

through William L. Williams' Republican organization in Florence, to prove his point to the President and the press.¹⁶⁶

Leaphart even benefitted from the help of an unlikely ally, Democratic U.S. senator Cole Blease, one of South Carolina's most infamous race baiters.¹⁶⁷ After seeing the affidavit that Tolbert brought to Washington, Blease explained that Kale was ineligible for the position.¹⁶⁸ "Bringing people from other states to fill our offices in South Carolina," Blease said, is what "brought about the Hampton movement of 1876 which redeemed our state from carpet baggers, niggers and scalawags."¹⁶⁹ To Blease, it was unacceptable then, and still now to let "outsiders" like Kale "exploit our resources and humiliate our people." He apparently took the matter seriously, for he had left the bedside of his "seriously ill wife" to assist Tolbert in blocking Kale's confirmation in the Senate.¹⁷⁰ "Kale will not be confirmed during this session of Congress if I live until March 4," Blease defiantly told reporters upon his arrival in Washington.¹⁷¹ Blease's "hot fight" against Kale partly succeeded. The North Carolina native's confirmation was delayed until the new Congress convened on March 4th, 1931.¹⁷² However, in the 1930 election, Blease lost in the Democratic primary to James F. Byrne, and could thus no longer lead the opposition.

¹⁶⁶ Reprint of Congressional Record, 71st Cong. 2nd sess. March 2, 1931, 6598 in NAACP Papers, Library of Congress.

¹⁶⁷ "Tolbert Will Fight For Leaphart," Charleston *Evening Post*, February 23, 1931.

¹⁶⁸ Ibid.

¹⁶⁹ Reprint of Congressional Record, 71st Cong. 2nd sess. March 2, 1931, 6598 in NAACP Papers, Library of Congress.

¹⁷⁰ "Tolbert Will Fight For Leaphart," Charleston *Evening Post*, February 23, 1931.

¹⁷¹ "Blease Fights Kale Selection," Charleston *News and Courier*, February 26, 1931.

¹⁷² "Kale Must Wait Until Next term," Charleston *News and Courier*, February 25, 1931.

Despite the party divide, Tolbert and Blease had developed a cordial, if controversial, relationship in the 1920s.¹⁷³ Blease's attack on Kale, however, had little to do with Tolbert, and everything to do with political calculation. Like many other Democrats, Blease was often duplicitous when it came to Black and Tan Republican factions. He often scorned them in the media and in stump speeches, yet he would occasionally help Black and Tans factions in their fight against Lily-White factions. Indeed, fervent white supremacists' biggest fear was a Lily-White Republican Party. Such an organization could rapidly shed the former party's image as the black party or the party of "social equality," and could take advantage of the profound divisions within the Democratic Party. This could lead to a competitive two-party system. A fervent white supremacist like Blease believed that this system would inevitably lead greedy power-hungry white politicians to court black voters. Conversely, as long as the Republican Party was dominated by African Americans, it was unlikely to present much of a threat to either Democrats or white supremacy. Mississippi senator Theodore Bilbo reflected this idea when, in apprehension to Hoover's "house cleaning" in the South, he told a reporter that "between the black-and-tan organization that has been in power, and the leaders whom Mr. Hoover will probably select, I prefer the negroes."¹⁷⁴ As a result, when the Justice Department, brought corruption charges against Perry Howard, the black Republican leader in Mississippi, white Democrats worked behind the scenes to ensure that Howard was not recognized guilty.¹⁷⁵ Similarly, when a Democratic friend inquired to Blease as to why he endorsed Tolbert as Republican leader, he responded: "I am a

¹⁷³ Thomas W. Tolbert, grandson of Joseph W. Tolbert, recalled conversations with his grandmother, as well as correspondence (now destroyed), that suggest that Tolbert and Blease had always been on good terms personally. Furthermore, in the scandal of the election of 1922 Blease and Tolbert corresponded. See also, Congressional Record, 71st Cong., 1st sess., April 22, 1929, 248, and Chapter 4.

¹⁷⁴ *Jackson Daily News* (MS), March 27, 1929.

¹⁷⁵ Neil R. McMillen, "Perry W. Howard, Boss of Black-and-Tan Republicanism in Mississippi, 1924-1960," *The Journal of Southern History*, Vol. 48, No. 2 (May, 1982), pp. 205-224.

Democrat and . . . I'll continue to indorse [sic] him [Tolbert] as long as he lives. But when he dies I am going to indorse the next biggest ----- in South Carolina."¹⁷⁶ In this context, it is fair to assume that the word(s) struck from the Congressional Record had strong racist connotations. Hence, when fervent white supremacists like Blease felt that the status quo was threatened, they came to the help of their favorite enemies, the Black and Tan Republican Party.

Hoover took advantage of Blease's departure from Congress to appoint Kale U.S. marshal for the Eastern District of South Carolina through a recess appointment. Despite the fact that black South Carolinians and their allies had "brought all the pressure to bear that seems humanly possible," the Senate confirmed Kale in the following session, in January 1932.¹⁷⁷ Once in office, Kale acted just as black South Carolina Republicans had feared he would. He did not even wait to be confirmed before removing Charleston African American Gibbs Mitchell, the Republican chairman of the First Congressional District, who worked as bailiff in the federal court of Charleston.¹⁷⁸ Soon after, he replaced all black janitors who worked in the federal courts under his control with whites.¹⁷⁹

Yet even if both of Hambright's controversial nominees ended up confirmed by the Senate, Tolbert and the Black and Tans scored important victories ahead of the upcoming convention. The accusations of racism and nepotism against Hambright, in addition to the lengthy and difficult confirmation hearings that nearly all of Hambright's appointees had to endure, helped to erode

¹⁷⁶ Congressional Record, 71st Cong. 1st sess., April 22, 1929, 253.

¹⁷⁷ "Kale To Be Named Marshal At Once," *Charleston News and Courier*, March 8, 1931; "Kale Confirmed," *Charleston News and Courier*, January 20, 1932.

¹⁷⁸ Letter from NAACP to James A. Cobb, August 18 1932; Affidavit of Gibbs Mitchell, July 7, 1931; "Republicans of South Carolina," undated, NAACP Papers, Library of Congress.

¹⁷⁹ Letter from NAACP to James A. Cobb, August 18 1932, NAACP Papers, Library of Congress; "Republicans To Meet in Columbia Soon For Tangible Work," *Columbia Palmetto Leader*, August 8, 1931.

Hoover's faith in the Lily-White organization.¹⁸⁰ In fact, rather than encouraging a reforming effort, as he initially intended, it was becoming increasingly clear to Hoover that he had stepped into a factional dispute where neither side embodied the kind of leadership he sought to foster in the state party. Moreover, some leading national Republicans were getting increasingly irritated with Hoover's stubbornness at reforming Southern state parties.¹⁸¹ They felt that the President had much more to gain by focusing on economic recovery than on eradicating the alleged corrupt handling of patronage by southern Republicans. With the onset of the Great Depression, the American public was far more concerned by the economic matters than corruption in government and civil service.

The 1932 Convention and the End of Black and Tan Republicanism

From the summer of 1931 to the spring of 1932, the Black and Tans prepared the ground for the anticipated factional clash with the Hambright group at the upcoming national convention. N. J. Frederick's *Palmetto Leader* once again led the charge. In a long column, the paper renewed its call to African Americans to register in anticipation of the 1932 election. "We should realize," the *Palmetto* argued, "that the ballot is our best weapon to fight with for our protection in getting our rights."¹⁸² Failing to register and vote, the *Palmetto Leader* continued, meant "sinfully robbing our people the rights due to them," and that type of sin, the newspaper colorfully concluded, "is written with a pen of thorn dipped in the blood of humanity it has drawn."¹⁸³ *The Palmetto Leader*

¹⁸⁰ Lisio, *Hoover, Blacks, & Lily-Whites*, 180–89.

¹⁸¹ Lisio, 266.

¹⁸² "Republicans To Meet in Columbia Soon For Tangible Work," *Columbia Palmetto Leader*, August 8, 1931.

¹⁸³ *Ibid.*

still called for changing “the past Republican methods in South Carolina” so that African Americans could “build up something” that they could be “proud of.”¹⁸⁴ It invited all African Americans to come to a state-wide Republican meeting to do just that. But contrary to its previous calls-to-arms, the *Leader* believed that this reform could be done with Tolbert at the helm. After all, Tolbert did not prevent anyone from participating in party affairs. And more importantly, the newspaper reminded that before all, “Mr. Tolbert [was] a politician.”¹⁸⁵ In other words, the *Leader* was subtly suggesting that Tolbert would probably adjust to the sort of reform that they wanted if that was necessary to his staying in power. In any case, the newspaper strongly reminded its readers that the Hambright faction, whose federal appointees were ousting African Americans from janitorial jobs in federal buildings, was now the real enemy of African American political aspiration. “A contest is inevitable,” concluded the *Leader*, “which side are you on?”¹⁸⁶

As expected, both factions held their own convention in 1932 and both elected their own delegation for the national convention. Anticipating that a fully white delegation would be counterproductive, Hambright’s organization sought to recruit a handful of African Americans to join their group. It ended up electing four African Americans, two as delegates at large and two as alternates, to counter any charges that their group was “Lily-White.”¹⁸⁷ However, no African Americans were present on the floor of the convention. In fact, the four black delegates owed their election *in absentia* entirely to the self-proclaimed benevolence of the white organization. They were elected following the adoption of a resolution that stated that “the negro race, constituting a large portion of the population of our state, has not sought to, nor does it actively participate in,

¹⁸⁴ “Republicans To Meet in Columbia Soon For Tangible Work,” *Columbia Palmetto Leader*, August 8, 1931.

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

¹⁸⁷ “Delegation Chosen to National Meeting in Chicago,” *Columbia State*, April 26, 1932.

the leadership of the affairs of the state organization. It is the sense of this convention that the race should voluntarily be given a voice in the selection of a candidate for the President of the United States in the national convention.”¹⁸⁸ The Black and Tans, dubbed the “Union Republican Party” by the press, also elected a bi-racial delegation as it had done in the past. N. J. Frederick nominated Tolbert to head the delegation with a speech that attracted “wild applause.”¹⁸⁹ “I challenge the faction which claims to be the Republican Party to exist one month without patronage,” exclaimed Frederick.¹⁹⁰ This was because “Mr. Hambright represents a faction,” whereas Tolbert “represents the party,” said Frederick.¹⁹¹ Besides Frederick, Samuel Leaphart, J. R. Levy, Frederick Redfern, and, after re-installing himself in South Carolina after a few years in the nation’s capital, Aaron P. Prioleau, were among the delegates to the national convention.¹⁹²

The first round of the long-anticipated showdown between the two groups took place before the Republican National Committee in June 1932. In the contest hearings, N. J. Frederick, served as the attorney for the Tolbert group and focused mostly on the issue of race. Referring to the silencing of Peter Barnett at the 1930 convention and the fact that no African American was present on the floor of the 1932 convention, he accused the Hambright group of enforcing a strict color line and preventing African Americans from participating fully in party’s affairs.¹⁹³ This argument was made more convincing by the fact that even if Hambright’s delegation included four

¹⁸⁸ “Hambright Republicans Not So ‘Lily-White’ it Seems,” *Charleston Evening Post*, April 28, 1932.

¹⁸⁹ “Tolbert Outfit Names Delegates To Convention,” *Columbia State*, March 9, 1932.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² “Among the Conventioneers,” *Associated Negro Press*, June 1932, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

¹⁹³ “South Carolina Report,” Claude Barnett Papers, 1932, Chicago Historical Society, Chicago, Illinois.

African Americans, none of them attended the hearings.¹⁹⁴ The Hambright group contended that the charges of Lily-Whitism were entirely unwarranted. Not only were these African Americans in his delegation, but some of them had been appointed to office, Hambright's attorney pointed out. Moreover, his organization promised that it would keep reaching out to African Americans, and would work toward registering more Republicans, black and white alike.¹⁹⁵

After defusing the charges of racism, Hambright's attorney argued that the real question of the hearing was the record of the party under Tolbert. Ever since he had become the leader of the party in 1912, the Hambright faction claimed, "Tolbert, has discouraged large numbers of intelligent South Carolinians from affiliation with that organization, in order that they might not interfere with the manipulation by him of the fictitious 'Union Republican Party,'" which he made into "a highly profitable investment."¹⁹⁶ Hambright's group concluded that "[i]f after more than twenty years of J. W. Tolbert's leadership nothing has been accomplished and the party has practically ceased to exist, it would be idle to hope for a revival without a change in leadership."¹⁹⁷ Besides pointing to the Senate report as evidence of Tolbert's fraudulent handling of party affairs, the Hambright group also brought to the hearings a reprint of all of Frederick's incendiary *Palmetto Leader* editorials against Tolbert from the last few years.¹⁹⁸ As the Associated Negro Press reported, this provided the hearings with a surreal dimension, as Hambright's attorney kept quoting

¹⁹⁴ "South Carolina Report," Claude Barnett Papers, 1932, Chicago Historical Society, Chicago, Illinois.

¹⁹⁵ "'Uncle Joe' Tolbert – South Carolina Republican Boss Passes," *Associated Negro Press*, June 20, 1932, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

¹⁹⁶ "Legality of Election and Validity of South Carolina Delegates to the Republican Convention 1932: Grounds and Specifications, Submitted to the Republican National Committee by J. C. Hambright, George W. Beckett, and C. B. Ruffin." May, 1932; "Answer to Statement of Facts Etc. Of Jos. W. Tolbert et al." Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

Frederick's writings, thus forcing Tolbert's attorney to argue against his former self for most of the proceedings.¹⁹⁹

Surprising many, including President Hoover, the Republican National Committee recommended that Tolbert's group be recognized as the legitimate delegation from South Carolina. The decision was based on three factors. First, many leading Republicans in the national committee were concerned by Hoover's attempt at replacing a national committeeman like Tolbert simply because he was displeased with them. This, they believed could lead presidents like Hoover to bypass the democratic process by packing the convention with cronies, and thereby dictating the selection of presidential candidates.²⁰⁰ Secondly, many had developed strong personal ties with Tolbert, who was by then the most senior member of the Republican National Committee. Thirdly, many believed that removing Tolbert was unfair to the African Americans in the South who had set up the party in the aftermath of the Civil War, and that it could also hurt the party with African Americans voters in the upcoming elections.²⁰¹

To Frederick, Jackson, and the other militant Republicans, this victory was simply the first step toward the necessary transformation of the state GOP, and hardly a reason for major celebration. "While believing that neither the Tolbert nor the Hambright crowd bode very much good as far as the Negro is concerned," *The Palmetto Leader* reported, "it pleases us that of the two evils the lesser was victorious in the first skirmish."²⁰² To Frederick, Tolbert's group victory was essential only insofar as it was the only group that they believed they could potentially reform

¹⁹⁹ "'Uncle Joe' Tolbert – South Carolina Republican Boss Passes," *Associated Negro Press*, June 20, 1932, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

²⁰⁰ Lisio, *Hoover, Blacks, & Lily-Whites*, 261–63.

²⁰¹ "Hoover Administration Forces Seek to Eliminate Negro Leadership in South," *Associated Negro Press*, June 11, 1932, Claude Barnett Papers, Chicago Historical Society.

²⁰² *Columbia Palmetto Leader*, June 18, 1932.

into a militant political organization. In other words, Tolbert's Black and Tan faction had to be saved because it was still the only institutional avenue through which South Carolina's African Americans could realistically wield political power and advance their agenda. Seen in this light, their defense of Tolbert before the RNC was not as contradictory as it may have first appeared.

A few days later on the floor of convention, however, the Hoover-dominated credentials committee reversed the decision of the Republican National Committee, and chose to seat the Hambright group.²⁰³ This was not so much a vote of confidence in the Hambright group, than it was a desperate attempt by the Hoover administration to save face in light of the efforts it spent on reforming southern parties. In effect, ousting Tolbert was Hoover's consolation prize, as it allowed the President to contend that he had at least successfully "reformed" the South Carolina Republican Party. In reality, as historian Donald Lisio shows, Hoover's "house cleaning" program in the South was a complete failure.²⁰⁴ The new white leaders Hoover elevated proved to be political hacks who craved power and control over patronage, not the principled reformers that Hoover wanted. And they never managed to unite the party. As a result, Hoover's reform ended up fueling the factional disputes between Lily-Whites and Black and Tans that he had hoped to end. And just like South Carolina, a number of southern states sent two delegations to the national convention, neither of which embodied the principled, reforming spirit that Hoover had sought to impart to southern state parties. This put Hoover in a bind. If he decided to seat the Lily-Whites, he risked losing the northern black vote. On the other hand, seating Black and Tan factions like that of Tolbert in South Carolina or Perry Howard in Mississippi meant publicly recognizing that his southern reform had been a failure.

²⁰³ "Hambright Wins Tolbert Throne In Heated Fight," *Columbia State*, June 15, 1932.

²⁰⁴ Lisio, *Hoover, Blacks, & Lily-Whites*.

Hoover solved this riddle by striking a compromise with black Republican national leaders and the NAACP.²⁰⁵ He agreed to recognize Perry Howard's Black and Tan delegation from Mississippi instead of the businessman Lamont Rowlands's Lily-White faction that had previously received presidential backing. In exchange, black leaders did not oppose the removal of Tolbert's delegation in favor of the Hoover-backed Hambright group. The agreement was primarily motivated by racial electoral politics and had little to do with either Tolbert's or Howard's leadership. In fact, they were in many ways strikingly similar. Both Tolbert and Howard were nationally known as the leaders of their Black and Tan factions for over twenty years. Both had failed to grow their respective state parties. They both were the main targets of patronage investigations, although only Howard was indicted for selling federal offices. But there were significant differences too. Unlike Tolbert, Howard was among the most successful black Republican politicians of his time. He was the lone African American Republican national committeeman, and served as United States Special Assistant to the Attorney General for five years. The removal of Howard would thus have certainly triggered strong black protest, just like his indictment did, and further weaken the GOP with the black electorate.²⁰⁶

African American Republican national leaders who still remained faithful to Hoover and the GOP could thus far more easily accept and explain Tolbert's dismissal than that of a black leader like Howard. The coverage of Tolbert's delegation loss by the *Associated Negro Press*, led by Black Republican stalwart and Hoover's friend Claude Barnett, exemplified this. The press dismissed the idea that Hambright's delegation was Lily-White. It pointed out that it included four black "professional and business men far above the average" who had been expelled from Tolbert's

²⁰⁵ Lisio, 264–66.

²⁰⁶ For example of African American mobilization on behalf of Perry Howard, see: McMillen, "Perry W. Howard, Boss of Black-and-Tan Republicanism in Mississippi, 1924-1960."

group “because they were not sufficiently rubber stamps.”²⁰⁷ In contrast, Tolbert’s group only included black men of lower classes who were “largely unknown even to the colored people of their districts and states.”²⁰⁸ Moreover, it reminded its readers that Tolbert had been accused of corruption not only by a Senate committee, but also by his own lawyer and perhaps the most famous black South Carolinian Republican of the time, N. J. Frederick.²⁰⁹ Thus, Barnett, as well as most black leaders faithful to the GOP were willing to give Hoover’s reform a chance in South Carolina, and justified their position mainly through the prism of class. That is, they believed that the higher social standing of Hambright’s group leaders, the vast majority of whom were “respectable” urban professionals and thus true representatives of the New South, were more likely to lead to political progress for African Americans than an organization lead by an old, “tieless” rural gentleman-farmer like Tolbert.

The article concluded that “If Mr. Hambright, backed by such [white] liberals as D. A. Gardner of Orangeburg and J. G. Jones of Spartanburg, can prove that they mean to give the state honest administration and to give Negroes a real opportunity to participate in party affairs, that activity and that alone will justify to Negroes the attitude of the administration.”²¹⁰ Yet Barnett recognized that with the link between African Americans and the GOP at its weakest since the turn of the century, blacks would display only limited patience. He reminded the Hoover administration that the “eyes of Negroes not in South Carolina alone, but all throughout the country, will be upon the South Carolina experiment.” “If white leadership there proves to be of

²⁰⁷ “‘Uncle Joe’ Tolbert – South Carolina Republican Boss Passes,” *Associated Negro Press*, June 20, 1932, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Ibid.

the caliber it is in Alabama, Florida, North Carolina and Texas,” Barnett warned, “it is upon the administration shoulders that the responsibility will rest.” Thus, even the patience of a Republican stalwart like Barnett was wearing thin by 1932.

The NAACP was the other key black player in the backroom dealings that led to the dismissal of the Tolbert delegation. Without the organization’s approval, Hoover would have likely been forced to choose a different course.²¹¹ Contrary to Barnett and other national black Republican stalwarts, the NAACP was not so concerned by the political fallout that the party would expose itself to black voters if it abandoned Black and Tan leaders like Tolbert or Perry Howard. To the NAACP, the only important question was to determine if the Tolbert-led Black and Tan faction was important enough for black political rights to be worthy of the organization’s protection. NAACP leaders already doubted Tolbert. Walter White was in fact a strong supporter of the senatorial investigation into southern patronage, and welcomed the Senate report by stating that the “repudiation of venal Negro politicians who have been willing to sell every right of the Negro for personal gain” was “perhaps the most valuable thing that has come to the negro during the past year.”²¹²

Despite these misgivings, the NAACP decided to investigate further, and, in the midst of the Leaphart affair, contacted a number of black South Carolinians to inquire about Tolbert’s leadership and the importance of the Black and Tan organization to African Americans. While Frederick and a number of others came to the defense of Tolbert and the Black and Tan organization, the NAACP was ultimately swayed by former South Carolina Republican leader,

²¹¹ Lisio, *Hoover, Blacks, & Lily-Whites*, 266.

²¹² “Negro Will Smash Party Lines Negro Association Head Says,” December 22, 1930, NAACP Papers, Library of Congress.

and then editor of the *Baltimore Herald-Commonwealth*, W. T. Andrews.²¹³ This was hardly surprising, since Andrews was the father of W. T. Andrews, Jr., the NAACP special legal assistant at the organization's headquarters in New York, who was tasked with the investigation into South Carolina Republicans. In addition to writing to the NAACP, Andrews also penned a series of seven consecutive editorials in the *Baltimore Herald-Commonwealth* in the summer of 1931 in which he lambasted Tolbert's organization and fleshed out his vision of how African Americans should reclaim their political rights.²¹⁴

Andrews, like the NAACP and Frederick, wanted above all the re-enfranchisement of southern African Americans. But contrary to Frederick, he had completely abandoned the idea that a reform from within the Black and Tan organization could achieve this objective. To Andrews, the South Carolina's Republican Party under Tolbert was nothing but a shell organization made up of corrupt and spineless individuals unwilling to take any meaningful action on behalf of African Americans. Andrews, like many middle and upper-class African American Republicans who had lived in the South at the turn of the century, unfairly associated the reign of Tolbert with the end of distribution of well-paying federal offices to southern blacks.²¹⁵ This in part explained

²¹³ Letter from Peter S. Bennett to Walter White, November 27, 1930; Letter from William Lee Williams to Walter White, August 20, 1931; Letter from W. T. Andrews to W. T. Andrews Jr., August 28, 1931; Letter from W. T. Andrews to W. T. Andrews Jr., September 5, 1931; Letter from J. R. Levy to NAACP, September 8 1931; Letter from W. T. Andrews Jr. to E. B. Burroughs, September 11, 1931; Letter from N. J. Frederick to W. T. Andrews Jr., September 25, 1931; Letter from Gibbs Mitchell to NAACP, undated; Letter from W. F. Rapee to Mr Oliphant, undated, NAACP Papers, Library of Congress.

²¹⁴ "NO. I, Lilly-Whiteism Versus Tolbertism in South Carolina, II," *Baltimore Herald-Commonwealth* (MD), May 31, 1931; "NO. II, Lilly-Whiteism Versus Tolbertism in South Carolina," *Baltimore Herald-Commonwealth* (MD), June 6, 1931; "Lillywhitism Versus Tolbertism in South Carolina, III," *Baltimore Herald-Commonwealth* (MD), June 13, 1931; "Lilly-Whiteism Versus Tolbertism in South Carolina, IV," *Baltimore Herald-Commonwealth* (MD), June 20, 1931; "Lilly-Whitism Versus Tolbertism in South Carolina, V," *Baltimore Herald-Commonwealth* (MD), June 27, 1931; "Lilly-Whitism Versus Tolbertism in South Carolina, VI," *Baltimore Herald-Commonwealth* (MD), July 4, 1931; "Lilly-Whitism Versus Tolbertism in South Carolina, Concluded," *Baltimore Herald-Commonwealth* (MD), July 11, 1931.

²¹⁵ "Lilly-Whitism Versus Tolbertism in South Carolina, V," *Baltimore Herald-Commonwealth* (MD), June 27, 1931.

why Republican state parties faced so much criticism from ambitious and well-educated elite African Americans like Andrews. Indeed, these middle and upper-class blacks were far less vocal about the problem of southern patronage and far more understanding about the inability of the party to grow when they still had a chance to obtain a federal appointment in the late 19th century and early 20th centuries.

By the 1930s, anyone associating with Tolbert, regardless of motive, was to Andrews “a disgrace to the race.”²¹⁶ He found Frederick guilty of such offense, and told the NAACP not to trust a word from the Columbia attorney, arguing that he was nothing more than an “unprincipled political grafter,” no different from Tolbert’s other “henchmen.”²¹⁷ To Andrews, the primary objective of the NAACP in regards to the South Carolina Republican Party was to remove the false friend that they believed Tolbert and his followers were, even if it meant empowering the true enemy of the race in the process. While appalled by Lily-Whitism, Andrews thought it could serve as a powerful electroshock. If the NAACP let the Lily-Whites take over the Tolbert organization, he believed that this would make black Republicans of South Carolina so resentful that they would “arouse the masses of people in the state to exercise their suffrage and sweep the Lily-White Republicans out of control” to form a militant Tolbert-free Republican Party.²¹⁸

And even if this Lily-White takeover of the state party did not push African Americans to mobilize on their own, it would still likely lead to a positive result, he argued. According to Andrews the one-party system was the cornerstone of the Jim Crow South. Working for a two-party system, even if one for whites only at first, was thus a better long-term strategy to him than

²¹⁶ “Lilly-Whitism Versus Tolbertism in South Carolina, V,” *Baltimore Herald-Commonwealth* (MD), June 27, 1931; “Lilly-Whitism Versus Tolbertism in South Carolina, Concluded,” *Baltimore Herald-Commonwealth* (MD), July 11, 1931.

²¹⁷ Letter from W. T. Andrews Jr. to E. B. Burroughs, September 11, 1931, NAACP Papers, Library of Congress.

²¹⁸ *Ibid.*

the status quo. “Politicians want votes,” Andrews wrote, “and in South Carolina no less than in New York or Illinois, when the Negro has votes to offer and the politician needs those votes he will go after the votes without raising a question as to the color of the voter.”²¹⁹ In other words, a two-party system would inevitably lead to inclusion of African Americans in the political process, even if it at first it could mean the complete exclusion of African Americans from politics.

This argument was of course far easier to accept for someone who, living out of state, would not have to give up the only means available of political participation. But it was also shared by other important African American activists, including the handful of South Carolina African Americans like J. A. Briar who sided with Hambright. It was partly based on this idea that leading civil rights activists like Modjeska Simkins worked with the Lily-White Republican faction throughout the 1940s.²²⁰ But by the time Frederick and others passed the torch to Simkins and the new generation of activists, the situation was significantly more propitious to such a strategy. A better economic situation and the United States’ entrance into the war against the Axis Powers provided a more favorable context for black activism. And more importantly, Simkins and others could count on the help of a powerful white federal judge, Julius Waties Waring, and benefitted from a gradual shift in the formerly racially conservative U.S. Supreme Court, who, in 1944, finally outlawed white primaries.²²¹ While Simkins chose to join the Lily-White Republican faction rather than Tolbert’s Black and Tan group, she was also a leader in the Progressive Democratic Party, an

²¹⁹ “Lilly-Whitism Versus Tolbertism in South Carolina, Concluded,” *Baltimore Herald-Commonwealth* (MD), July 11, 1931.

²²⁰ Modjeska Simkins, interview by Jacquelyn Hall, July 28, 1976, interview G-0056-2, no. 4007, transcript, Southern Oral History Program Collection, University of North Carolina, Chapel Hill.

²²¹ David W. Southern, “Beyond Jim Crow Liberalism: Judge Waring’s Fight Against Segregation in South Carolina, 1942-52,” *The Journal of Negro History* 66, no. 3 (1981): 209–27; Tinsley E. Yarbrough, *A Passion for Justice: J. Waties Waring and Civil Rights* (New York, NY: Oxford University Press, 1987); Charles L. Zelden, *The Battle for the Black Ballot: Smith V. Allwright and the Defeat of the Texas All-White Primary* (University Press of Kansas, 2004).

all-black faction of the state Democratic Party formed in 1944 shortly after the Supreme Court decision in *Smith v. Allwright*.

For most southern political activists like Frederick, Andrews' ideas were distressing, if not outright insulting. Convinced that the Lily-White faction would never directly embrace African American causes – on that count, the following two decades proved them right – they refused to abandon the Black and Tan faction, as defective as it may have been. Doing so meant forsaking any hope of political power in the immediate future. And Andrews' idea that a two-party system, even if initially all-white, would ultimately lead to the re-enfranchisement of African Americans, was equally disquieting. Even if militant Republicans may have seen it as perhaps intellectually sound, they could never agree that the best they could do was to step to the sidelines and wait patiently for things to change for the better. After all, many of them had joined the Republican Party and become politically active because they opposed the wait-and-see political approach associated with former leaders like Booker T. Washington. Most black leaders of the Tolbert organization took great pride in their political activity, as limited as it was, and were unwilling to simply freely abandon the social standing that a position of leadership in the organization provided them in their community.²²²

Unfortunately for Frederick and the other militant Republicans, the national leadership of the NAACP did not sympathize with these concerns. Like Andrews at the time, none of the NAACP leaders were individuals who fully appreciated the political realities of the Deep South. None of them lived there. They were ill-equipped to grasp the critical importance of the Black and Tan Republican Party to activists like Frederick, and like Hoover and most white progressives,

²²² Numerous African American contemporary publications of the “who’s who” type describe political activities, clearly demonstrating the social importance of such activities. See for example the entry on J. R. Levy in Arthur Bunyan Caldwell, *History of the American Negro and His Institutions: South Carolina Edition*, vol. 3 (Atlanta, GA: A. B. Caldwell Publishing Co., 1919), 131–33.

these NAACP leaders failed, or perhaps refused for strategic reasons, to fully appreciate the systemic causes that constrained the state party at every turn. To Frederick and other militant Republicans, this was frustrating, for in the end, they shared the agenda of the NAACP. They believed that political power was key to blacks' progress in the South. Like the NAACP, they were increasingly distrustful of national Republican leaders, and had no qualms about encouraging black voters to support candidates promoting black rights, regardless of party affiliation. But to them, the NAACP and Andrews had failed to understand that the question at hand was not whether Tolbert was a good leader, or if the Black and Tan organization was at the time truly promoting black progress. Frederick and his followers were as displeased with Tolbert's leadership and as frustrated with the Black and Tan lack of activism as the NAACP. But they believed the organization deserved the protection of the NAACP because it was still the best, if not the only, conduit for South Carolina African Americans to mobilize politically.

An article from the Associated Negro Press perhaps best captured the momentous nature of the Black and Tan's defeat. "Nothing could have been more significant of the trend of the time than the dethroning of J. W. Tolbert, national committeeman from South Carolina," it read, "who for a score of years has led a mixed black and white delegation to conventions from the Palmetto State." While the Black and Tan faction would continue to challenge the Lily-White faction at national conventions until 1948, it never regained the importance and significance that it had prior to 1932. From there on, white South Carolinians would gradually redefine the meaning of Republicanism in the state, and move the state party away from the principles of racial inclusion and openness that had defined it since its creation of the state party in the late 1860s. African Americans were still somewhat welcome in this new party, as long as they did not participate in the party activities in too large numbers, and as long as they agreed with a platform entirely

designed by white Republicans.²²³ Any effort by African Americans to discuss political issues from their perspectives as African American was considered a violation of the party's pledge to not "arouse [...] race hatred for political purposes."²²⁴ As such, the 1932 Republican convention ended South Carolina's experience with a truly bi-racial political party until the Civil Rights Act and the Voting Rights Act led the state Democratic Party to undergo a major transformation in the 1960s and 1970s.

Despite this setback, however, African American political activists in South Carolina were resourceful. They had regrouped by the late 1930s, perhaps ironically, under the banner of the NAACP. But this time, benefitting from improved conditions and a new generation of leader like Modjeska Simkins, they created a statewide NAACP organization with numerous local chapters that could adapt its objectives and strategy to the realities of South Carolina.

²²³ See for example: "Text of remarks made in 1958 by W. W. Wannamaker Jr. before Negro group at Leevy's Funeral Home," William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

²²⁴ "South Carolina Republican State Platform – 1956," William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

Epilogue
A Time of Transition, 1932-1958

They were not people that were Republicans because they wanted to be Republicans or because they admired the actions of Lincoln or anything like that. They just didn't, could not tolerate . . . the idea of the Civil Rights Report and Truman's actions in that connection. . . . And I saw all of these tramps coming out and calling themselves Republicans and looking funny at me. . . . Well, they looked like they had crawled out of some cracks from somewhere. . . . I knew from some things they were saying in there that I wasn't going to tolerate that situation. . . . And when they talked . . . some things I didn't like to hear I gave them a little piece of my mind and walked out and slammed the French door. And that's the last I've been in the Republican meetings.

-Modjeska Simkins¹

African Americans began to seriously question their affiliation to the Republican Party during the Hoover presidency. By then, an important segment of the African American population had, just like Nathaniel J. Frederick, completely lost faith in the national Republican Party. Hoover's endorsement of Lily-Whitism, the party's repeated failure at passing anti-lynching legislation, and the 1932 party platform, which, in the midst of a severe economic depression, offered little more than empty words of hope on issues of black progress, only reinforced the sense that the Republican Party had completely moved away from its former commitment to black political and civic rights. Joel Jackson, a militant Republican and close collaborator of Frederick, best described the extreme frustration that militant black Republicans in South Carolina felt toward the GOP. During the 1932 campaign, he lamented to reporters that the party "had ignored [African Americans] in everything except taxation," and had left them with "nothing in sight but a depression with winter and hunger."² Jackson stated that he would not have it anymore. He told all

¹ Modjeska Simkins, interview by Jacquelyn Hall, July 28, 1976, interview G-0056-2, no. 4007, transcript, Southern Oral History Program Collection, University of North Carolina, Chapel Hill.

² "Negro Republicans Vote Democratic" *Columbia State*, August 29, 1932.

black Republicans “not to let the Hoover-crats fool them into voting their tickets.” Instead, they should take revenge against a party that had given African Americans “a serpent for meat, and a stone for bread” by voting for the Democrats in the 1932 elections.³ While it is impossible to determine with certainty if black Republican voters in South Carolina followed Jackson’s advice, the electoral results suggest that some heeded his call.⁴

While increasingly critical of the Republican Party, however, the vast majority of African Americans in South Carolina, just like across the nation, could not bring themselves to support the Democrats and voted for Hoover in 1932. If they faulted the Republican Party for being too non-committal on black progress, they still saw the Democratic Party, under the influence of southern whites, as outright opposed to it. A testimony to the strength of white southerners, Democrats elected the racially conservative politician from Texas, John Nance Garner III, as the vice-presidential candidate to join Franklin Delano Roosevelt on the presidential ticket in 1932. Garner had voted six times against federal anti-lynching legislation, believing that the federal government had no jurisdiction to intervene in what he saw as a state matter. A few weeks before the election, he told the *Associated Negro Press* that while he believed that “Negroes should be given the same [political and economic] consideration [as white people],” African Americans ought to give up on the notion of “social equality,” for blacks “should have too much pride to want to associate with people who do not want to associate with [them].”⁵ Hence, in the early 1930s, the few southern

³ “Negro Republicans Vote Democratic,” *Columbia State*, August 29, 1932.

⁴ After receiving the support of nearly 6,000 South Carolinians (8.54%) in 1928, Hoover gained fewer than 2,000 votes (1.9%) in the 1932 election, whereas Roosevelt nearly doubled the number of votes that the Democrats had received in the Palmetto State in the previous presidential election, from 62,000 in 1928 to over 100,000.

⁵ “Garner Advises Negroes to Get Rid of ‘Social Equality Idea,’” *Associated Negro Press*, October 1932, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

black Republicans who supported Roosevelt did so mostly out of spite for Hoover, not because they believed that the Democratic Party was the way forward.

While Hoover had given African Americans little reason to stick with the Republican Party, President Franklin Delano Roosevelt's New Deal rapidly provided them reasons to support the Democratic Party. Roosevelt never risked compromising his ambitious economic relief program by leveraging much of his power on behalf of blacks' civil and political rights. However, he surrounded himself with a number of racial progressives, like his wife Eleanor, Secretary of the Interior Harold Ickes, and civil rights activist and South Carolina native, Mary McLeod Bethune. The Roosevelt administration's rhetorical commitment to civil rights was a welcome change for African Americans and provided them with much needed hope. Even if New Deal policies were generally discriminatory and largely favored whites, they provided economic relief and opportunities to numerous African Americans in dire need.⁶ In addition, a number of African Americans were beginning to rapidly climb the ladder of local Democratic organizations in the urban north, where some were elected to office, and others appointed to federal and state positions. Under Roosevelt, the Democratic Party was becoming the African Americans' path toward middle-class economic status that the Republican Party used to be in previous decades.

⁶ Harvard Sitkoff, *A New Deal for Blacks: The Emergence of Civil Rights as a National Issue*, vol. Volume 1: The Depression Decade (New York, NY: Oxford University Press, 1978); Nancy Joan Weiss, *Farewell to the Party of Lincoln: Black Politics in the Age of FDR* (Princeton, NJ: Princeton University Press, 1983); Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill, NC: University of North Carolina Press, 1996); J. I. Hayes, *South Carolina and the New Deal* (Columbia, SC: University of South Carolina Press, 2001); Karen Ferguson, *Black Politics in New Deal Atlanta* (Chapel Hill, NC: University of North Carolina Press, 2003); Ira Katznelson, *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York, NY: W. W. Norton, 2005); Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865* (Lexington, KY: University Press of Kentucky, 2006); Anthony J. Badger, *New Deal / New South: An Anthony J. Badger Reader* (Fayetteville, AR: University of Arkansas Press, 2007); Nikki L. M. Brown and Barry M. Stentiford, eds., *The Jim Crow Encyclopedia: Greenwood Milestones in African American History* (Westport, CT: Greenwood Publishing Group, 2008); Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time* (New York, NY: W. W. Norton & Company, 2013).

As a result, African Americans nationwide began supporting the Democratic Party in significant numbers in the 1936 presidential election.⁷ Aaron P. Prioleau was among the numerous black South Carolinians who did so.⁸ Taking his former white Democratic opponents aback, Prioleau wrote a letter to the *Charleston News and Courier* in 1935 stating that “in view of [..] all relief benefits that the colored race has received from the Democratic . . . administration,” he “most respectfully indorse[s] . . . the reelection of President Franklin D. Roosevelt.”⁹ While some white Democrats welcomed Republican defectors like Prioleau, most resented them. The shock of a few African Americans voting for Democratic candidates can be registered in the hyperbole of South Carolina Democratic U.S. senator James F. Byrnes who, during debate over anti-lynching legislation, claimed, “The negro has not only come into the Democratic Party, but the negro has come into control of the Democratic Party.”¹⁰

Byrnes was talking about African American influence in the national party. In South Carolina, as encouraging as Roosevelt’s first term was to African Americans, it did little to increase black membership in the state party, which was still completely closed to African Americans. The Republican Party remained the only avenue for South Carolina’s African Americans wanting to participate in electoral politics. However, with Hambright’s Lily-Whites in control of the state organization, even the Republican Party looked increasingly like a dead end. But Lily-White control proved short-lived. The failure of Hambright to take advantage of Tolbert’s weakness and

⁷ While two-third to three-quarters of African Americans nationwide voted the Republican ticket in 1932, nearly 75% of them voted for the re-election of Roosevelt in 1936. From then on, no Republican presidential candidate would ever win more than 39% of the black vote.

⁸ For more on Roosevelt’s support among African Americans in South Carolina, see: Hayes, *South Carolina and the New Deal*.

⁹ “Rev. A. P. Prioleau Backs Roosevelt's New Deal,” *Charleston News and Courier*, October 13, 1935; “Well, Who’d a Thought it,” *Columbia State*, October 17, 1935.

¹⁰ Congressional Record, 75th Cong., 3rd sess., January 11, 1938, 310.

rally African Americans to his organization led to the downfall of his faction. In what most observers saw as a desperate attempt to woo African Americans back to the party of Lincoln, Republicans followed the advice of Black Republican leaders like Roscoe Simmons, and disavowed Hambright's all-white delegation at the 1936 Republican National Convention, choosing instead to recognize Tolbert's Black and Tan organization.¹¹ This would be the last success of the Black and Tan faction. Like the *Palmetto Leader*, most African American activists in the state received this news with ambivalence. On the one hand, they were glad to see the Lily-Whites defeated, for this offered African Americans a chance to regain their foothold in the state party. On the other hand, however, they could hardly bring themselves to cheer for the current Tolbert organization or for a national party who continued to ignore African Americans' demands.¹² While many older African Americans would remain committed to the Tolbert faction, many younger activists refused to join a faction that they saw as old, conservative, and out of touch with the burgeoning black political militancy. The rise of a new and less racially conservative Lily-White organization would provide them with what they believed was a more promising alternative.

Following its defeat at the 1936 Republican National Convention, Hambright's Lily-White organization rapidly dissolved. Some of the Hambright faction's leaders, like former national committeewoman Clara Harrigal, felt so betrayed by the Republican national leadership that they momentarily left the party to support Union Party presidential candidate and former Republican William Lemke. "Let 'Mr. Nigger' have the Republican and Democratic parties," she bitterly told

¹¹ "Tieless Joe Welcomed Back to G.O.P. Fold," *Columbia State*, June 11, 1936; "Tolbert Wins Recognition," *Charleston Evening Post*, June 10, 1936; "Bitter Blow to Southern G.O.P.," *Rock Hill Herald*, June 11, 1936; "Hambright Is Held to Blame," *Charleston Evening Post*, June 12, 1936; "Republicans Do Not Get Together," *Columbia Palmetto Leader*, October 24, 1936.

¹² "Mountain City Echoes," *Columbia Palmetto Leader*, March 7, 1936; *Columbia Palmetto Leader*, June 20, 1936; "The Union Republican Party of South Carolina," *Columbia Palmetto Leader*, September 26, 1936; "Republicans Do Not Get Together," *Columbia Palmetto Leader*, October 24, 1936.

another Lily-White leader.¹³ Seeking to enlist his help in Lemke's 1936 presidential campaign, she added, "There will not be any niggers dominating this Union Party - and we will never let them in! God made the negro to serve the Anglo Saxon race not to Command it."¹⁴

While Hambright was hoping to stay in power, members of his own organization such as Harrigal refused to follow the leader they believed was the primary cause of their defeat.¹⁵ Furthermore, with the second consecutive defeat of the GOP in the presidential election, Hambright did not have the patronage bargaining chip to assuage his critics. A former Hambright follower and a leader of the newly created state chapter of the Young Republicans, J. Bates Gerald, began to work behind the scenes to create a new organization. He quickly assembled a group of roughly 100 Republican leaders, which included a handful of anti-Tolbert African Americans, former Hambright followers, and Young Republicans ready to graduate to the main organization. On November 29th, 1938, at the Old Claremont Hotel in Sumter, South Carolina, these Republicans agreed to form a new state organization.¹⁶ To mark this new beginning, the new organization

¹³ Letter from Clara Harrigal to Marion Seabrook, July 11, 1936, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

¹⁴ Letter from Clara Harrigal to Marion Seabrook, July 11, 1936, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina. While Marion Seabrook did not follow Harrigal in the Union Party, he was probably as racially conservative as she was. Like many others in the Hambright organization, he believed that the lack of progress of Republicanism in South Carolina was primarily due to the memory of Reconstruction, "Negro Rule," and the decade of patronage corruption under Tolbert. After the election of 1936, he wrote a lengthy letter to John D. Hamilton, chairman of the Republican National Committee, requesting that the party change its name to "'Conservative,' 'Constitutional,' 'American,' 'Anti-New Deal,' or what not, but omit, 'Republican.' Our people know the record and will never follow that banner." Hamilton politely declined Seabrook's suggestion. Letter from Marion W. Seabrook to John D. Hamilton, December 10, 1936; Letter from John D. Hamilton to Marion W. Seabrook, December 15, 1936, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

¹⁵ Letter from Captain G. J. Cherry to M. W. Seabrook, September 1, 1936; Letter from Captain G. J. Cherry to W. B. Daughtrey, July 6, 1936; Letter from W. B. Daughtrey to Captain G. J. Cherry, January 21, 1939, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

¹⁶ "Program of the South Carolina Republican Party Founding Meeting," 1938, Modjeska Simkins Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina. "Republican Lists Party Officials," *Charleston News and Courier*, July 30, 1939; "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

changed its official name from the Republican Party of South Carolina to the South Carolina Republican Party. Despite being repeatedly challenged by the Tolbert group, Gerald's organization would be recognized as the official party throughout the 1940s. The new South Carolina Republican Party was truly a transitional party. While it shared many of the politically conservative stances that came to define the party in the late 1950s, it was not as opposed to black participation and influence as the party would later become.

The leader of this new party, J. Bates Gerald, represented the new breed of fiscally conservative southern white Republicans that began to join the party in the 1930s and would continue to do so for decades. The grandson of decorated Confederate veterans and a World War I veteran, Gerald had been the Democratic representative from Clarendon County in the state assembly from 1928 to 1930. There Gerald had clashed with what he called the "brazen . . . self-anointed big wigs" who ran the Democratic Party in South Carolina as if it was a private club.¹⁷ Even after spending enormous time and effort on passing the bond that would pave the roads of Clarendon County, Gerald was voted out of office in the next election. This made him loath the "average [Democratic] voter in South Carolina," whose ungratefulness and misguidedness he

¹⁷ "Lost: One Colonel!," *Columbia State*, August 9, 1932; "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina. Gerald, who was described by a leading black Republican woman as "a character out of David Copperfield," was also known for what was described as the shortest speech heard by the state legislature. In 1932, just a few weeks before publicly announcing that he joined the Republican Party, he requested the right to speak to the legislature. In what was believed to be an amusing if provocative attempt at attracting attention to the indifference of the Democratic legislature to citizens' concerns, Gerald told the legislators "I am pleased to be privileged to speak to you. I thank you for this courtesy." After this introduction, Gerald left, presumably implying that this was the most citizens could get from their tone-deaf Democratic legislature. "J. Bates Gerald Makes Short Speech," *Columbia State*, March 3, 1932; "South Carolina Interviews," Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee.

believed hampered progress in the state.¹⁸ In 1932, Gerald joined Hambright's faction of the Republican Party and helped found South Carolina's Young Republican chapter.¹⁹

An executive at the North Star Lumber Corporation, Gerald was among the many wealthy businessmen and professionals who opposed Roosevelt's New Deal and what they saw as unlawful meddling of government in business.²⁰ Like Gerald, most other white leaders in the new organization were businessmen, bankers, or urban professionals—along with their wives—who were drawn to the GOP through their opposition to the New Deal, and believed that the solution to poor and corrupt state governance was the establishment of a healthy two-party system.²¹ These upper-middle class and upper-class South Carolinians, while occasionally derided by Democrats, had enough wealth, power and family recognition to be insulated from the social and financial stigmatization that most white Republicans in the state had faced historically.²²

Gerald knew that in order to build an organization that could beat Tolbert's Black and Tans at national conventions, he needed to keep his party somewhat bi-racial. His main task during the 1940s was thus to maintain the unlikely alliance between African American activists and hardline

¹⁸ "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

¹⁹ "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; "The Birth of a Party," *Columbia Record*, June 26, 1986; "Founder of GOP, J. Bates Gerald," *Columbia State*, October 11, 1986.

²⁰ "South Carolina Interviews," Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee

²¹ South Carolina's lumber industry provided anti-Tolbert Republicans with a number of its early leaders, including Captain Gisbourne J. Cherry, whose lumber company was taken over by Gerald after Cherry's death, Captain Cherry's wife Elizabeth, W. E. Moore, W. Tate Baggett Jr., and the two Hambright brothers, to name a few. A number of the lawyers in the party, including Marion W. Seabrook, also had lumber industries among their primary clients.

²² Gerald himself alluded to this as well as Modjeska Simkins. "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; Modjeska Simkins, interview by Jacquelyn Hall, November 15, 1974. Interview G-0056-1, 4007, transcript, Southern Oral History Program Collection, University of North Carolina, Chapel Hill.

Lily-White Republicans. The defeat of Hambright's faction in 1936 helped him convince Lily-Whites that such alliance was necessary. Mrs. Messervy exemplified the grudging resignation of Lily-Whites to this reality when she confided to an interviewer that while she would prefer a Lily-White Party, she had to settle for a bi-racial one controlled by whites. "Negroes are going to be citizens. . . . We can't get rid of them," she told the interviewer, "they have got to be taken into one party or the other or they are going to be a fertile field for the Communists."²³ As a fervent anti-New Dealer who had associated with Hambright's faction, Lily-White Republicans saw Gerald as one of them, and trusted that he would not "play up to [African Americans] like Tolbert does."²⁴

Lily-Whites also trusted Gerald because of his wealth and family recognition. In contrast to many of the leaders in the former Hambright faction, Gerald was a native South Carolinian whose family had long been active in state politics. As such, they saw him as more likely to gain the confidence of fellow white South Carolinians. In addition, Gerald, a life-long bachelor who was well known for only driving new Cadillacs, was more than willing to spend his own money, which was ample, on behalf of the party.²⁵ With patronage in Democratic hands and only a small number of members from which the party could levy funds, this kind of financial help proved vital to the organization. It not only funded party operations, but it also provided Gerald with enough clout to run the party "like a tight ship just like [he] did in the army." It gave him leverage to combat the

²³ Mrs. Messervy, a member of the Hambright faction, as quoted in Ralph J Bunche (Ralph Johnson), *The Political Status of the Negro in the Age of FDR*, Documents in American History (Chicago: University of Chicago Press, 1973), 519.

²⁴ Alvin J. Baumann as quoted in Ralph J Bunche (Ralph Johnson), 520.

²⁵ Gerald notably paid for the certification of the new organization and regularly defrayed the cost of state conventions, as well as the costs associated with the South Carolina delegations trips to national conventions. "Doing the Charleston," *Charleston News and Courier*, December 21, 1971; South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

ardent factionalism that had plagued the party previously, and that would re-emerge in the early 1950s.²⁶

If Gerald was well-positioned to command the respect of Lily-Whites, he was also one of the few white Republicans who could earn the trust of African Americans as well. While Gerald certainly did not believe that the party's primary mission was the defense of African Americans' civil and political rights, he was known as a racial moderate who was open to working alongside some well-educated "respectable" African American leaders.²⁷ To Gerald, passive acceptance of limited progress for African Americans was a small price to pay for creating an effective anti-New Deal political organization. By the very narrow standards of white South Carolina, where the violent opposition to any form of direct or indirect racial progress was the default position, this openness to African Americans and Gerald's indifference to black progress was relatively progressive.

In his struggle against Tolbert to win black support, Gerald also benefitted from Tolbert's callousness toward black voters. In 1940, for example, in an interview with the *Charleston News and Courier*, Tolbert allegedly used the word "nigger" to describe African Americans.²⁸ The white press, the black press, and black leaders in the Gerald faction rapidly denounced the old leader,

²⁶ "Interview with J. Bates Gerald," February 1, 1975, Neil Thigpen Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

²⁷ Gerald left the state party organization in the late 1950s, frustrated over issues of patronage and leadership. He nevertheless remained a Republican for most of his life, with the exception of the mid-to-late 1960s. Perhaps concerned by the influx of arch-segregationists in the party with the Goldwater campaign, he ended up leading the pro-Democratic National Veterans for Johnson and Humphrey in the 1964 elections. Bates returned to the Republican fold after Goldwater's loss in the presidential election. "J. Bates Gerald Is Honored by Rep. Dorn," *Charleston News and Courier*, August 26, 1964; "Gerald Gets Invitation to Johnson City," *Charleston News and Courier*, November 5, 1964; "The Birth of a Party," *Columbia Record*, June 26, 1986.

²⁸ "Tolbert Says GOP, Wall Street, and Roosevelt Haters to Elect Willkie," *Charleston News and Courier*, July 9, 1940.

and further weakened Tolbert's already dwindling support among African American leaders.²⁹ While the precise number of African Americans who joined Gerald's faction is hard to estimate, by the early 1940s he undoubtedly secured the support of more well-known black leaders than Tolbert's faction. These leaders included Greenville NAACP branch president James A. Briar, Seymour Carroll, field representative of the American Humane Education Society, Cassandra Maxwell, the daughter of a Republican congressman during Reconstruction and the first black female admitted to the bar in South Carolina, and attorney Booker T. Smith.³⁰

The most notable and well-known black ally of Gerald, however, was Modjeska Simkins, a civil rights activist whose outspokenness and provocative nature resembled that of Gerald. Indeed, Gerald became known for his media stunts. In 1944, he told the state legislature that if they agreed to enact a secret ballot law, he would pay for all ballots in the upcoming election.³¹ In addition, in 1947, he offered to donate \$10,000 to the charity of Governor Strom Thurmond's choice if Thurmond agreed to appoint at least a single Republican to any state job.³² Similarly, in 1944, Simkins publicly challenged Democratic governor Olin D. Johnston to a public debate to "prove unequivocally and conclusively that [he] was superior to [her]," and that whites were innately more gifted than blacks.³³ A failure to accept this debate, Simkins argued, would only be evidence that white supremacy, Johnston's "favorite concept" which he had previously defended "fanatically,"

²⁹ "Should Not Be Used," *Charleston News and Courier*, July 10, 1940; "Uses Same Insulting Language That Caused His Supporters to Quit Him in Interview," *Charleston Lighthouse and Informer*, July 14, 1940.

³⁰ "Seymour Carroll Succumbs After Protracted Illness," *Columbia Palmetto Leader*, March 20, 1943; "Tieless Joe Defeat Seen as Aid to SC Republicans," *Associated Negro Press*, July 1944, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois.

³¹ "Republicans Would Pay Cost of Ballot to Get Secret Vote," *Charleston News and Courier*, August 9, 1944.

³² "Republican Leader Says Party Should Get Recognition," *Charleston Evening Post*, August 14, 1947.

³³ Letter from Modjeska Simkins to Olin D. Johnston, April 17, 1944, Modjeska Simkins Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

was nothing but “myth” without “sensible nor scientific bases.”³⁴ The press ran with the story of Simkins’s challenge, yet Johnston never replied to her.³⁵

Political pragmatism led African American leaders like Simkins to join Gerald’s whit-dominated organization.³⁶ They knew that a sizeable portion of the party was hostile to their presence, and they had no illusions that the party as constituted would confront Jim Crow head on. Yet they also knew that Gerald’s party was still a more potent vehicle for their purposes than Tolbert’s faction. They saw it as an opportunity to pursue three objectives, all of which were in service to their main goal: the re-enfranchisement and empowerment of African Americans.³⁷ First, they convinced Gerald and other white leaders to campaign against the poll tax.³⁸ Secondly, they wanted to help the establishment of a two-party system. They believed that even if both parties were mostly under white control, a two-party system was certain to weaken disfranchisement. In such a competitive system, they believed it was inevitable that, sooner or later, politicians would appeal to African Americans in order to gain an advantage over their opponents. Politicians seeking black votes would then ensure that their potential black supporters would not be illegally refused the franchise. Thirdly, they believed that, considering the persistence of traditional party

³⁴ Letter from Modjeska Simkins to Olin D. Johnston, April 17, 1944, Modjeska Simkins Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

³⁵ *Charleston News and Courier*, May 5, 1944.

³⁶ While Simkins often publicly denounced Tolbert, she was much more sympathetic to I. S. Leevy. In fact, the Gerald and Leevy factions were on relatively friendly terms. Although organized in two opposing factions, they agreed to cooperate during the 1944 and 1948 elections on the issue of the secret ballot. Shortly after the election of 1948, the Leevy faction formally integrated their regular organization. “South Carolina Interviews,” Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee; Letter from I.S. Leevy to W. B. Daughtrey, September 4, 1944; Letter from J. Bates Gerald to I.S. Leevy, September 19, 1944, South Carolina Republican Party Papers; J. Bates Gerald Scrapbook, Neil Thigpen Papers; Edgar Morris Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

³⁷ Modjeska Simkins, interview by Jacquelyn Hall, November 15, 1974, interview G-0056-1, no. 4007, transcript, Southern Oral History Program Collection, University of North Carolina, Chapel Hill.

³⁸ “Convention Announcement by Modjeska Simkins,” 1948, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

affiliation in South Carolina, the Republican Party could still play a critical role in mobilizing African Americans politically and convincing them to register.³⁹ Equally important, as one leading black Republican put it, they were “scouting” the new party as much as they were “partaking” in it.⁴⁰ Indeed, both national parties were, for most of the 1940s and 1950s, in a state of profound flux. While national Democrats had taken the lead in pushing for black advancement, national Republicans had not abandoned the idea of aggressively courting African Americans with similar policies.⁴¹ Keeping a black presence in the party was thus also a way to encourage and pressure the national party to adopt such stances.

This political activism within the Republican Party was part of a far larger effort to topple Jim Crow. By 1940, Simkins and a host of other activists had adopted a similarly multi-pronged strategy to that of Frederick in the late 1920s. Perhaps this was not surprising, considering how Simkins and Frederick had already collaborated on other projects.⁴² They revived a number of NAACP branches in the state, and united them under a newly formed state chapter.⁴³ Four years later, the NAACP recorded one of its most important victories to date, when it successfully

³⁹ “South Carolina Interviews,” Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee

⁴⁰ Ibid.

⁴¹ Timothy Nels Thurber, *Republicans and Race: The GOP’s Frayed Relationship with African Americans, 1945-1974* (Lawrence, KS: University Press of Kansas, 2013); Leah Wright Rigueur, *The Loneliness of the Black Republican: Pragmatic Politics and the Pursuit of Power* (Princeton, NJ: Princeton University Press, 2015); Joshua D. Farrington, *Black Republicans and the Transformation of the GOP* (Philadelphia, PA: University of Pennsylvania Press, 2016).

⁴² Simkins’s husband, Andrew Whitfield Simkins, was a personal friend of Frederick. Frederick, as well as I. S. Leevy, notably helped found the Victory Savings Bank. They, along with Modjeska Simkins, worked in various positions for it. This bank, which was chartered in 1921, was the first black-owned, and for many years, the only black-owned bank in the state. During the late 1940s, the brother of Simkins, Dr. Henry Dobby Monteith, served as president. “Victory Bank: A Certainty,” *Columbia Palmetto Leader*, July 16, 1921; “Report of Condition of Victory Savings Bank,” *Columbia Palmetto Leader*, January 15, 1938; “Ministers Back Bank Program,” *Columbia Lighthouse and Informer*, July 12, 1952; “Historical Marker Unveiled at Former Victory Savings,” *Columbia State*, February 24, 2014.

⁴³ See chapter 4 and Lau, *Democracy Rising*.

convinced the U.S. Supreme Court of the unconstitutionality of the white-only Democratic primary.⁴⁴ Taking advantage of this major step forward, John McCray, the founder and editor of the militant *Lighthouse and Informer*, a publication that played a similar role in the activist's efforts as Frederick's *Palmetto Leader* had in the 1920s, founded the Progressive Democratic Party in 1944. This all-black party would challenge the regular, all-white Democratic Party at the Democratic National Convention in 1948. Modjeska Simkins and other African American Republicans assisted McCray in this effort.⁴⁵ As such, while many activists like Simkins remained registered Republicans in the 1940s for state politics, they had much in common with national New Deal Democrats. The growing divide between the national Democratic Party and the Democratic Party in South Carolina necessitated that African Americans be pragmatic about their own political loyalties. Their primary task continued to be the assault on Jim Crow, and they went about it from a variety of angles.

By the late 1940s, the Republican Party was also profoundly divided along racial lines on national issues, as African Americans tended to be far more liberal than their white counterparts. The party's platform of 1948 illustrates how the white party leadership was moving toward conservatism on national issues. It was strongly anticommunist – Senator Joseph R. McCarthy was the keynote speaker at the 1950 convention – and opposed “all attempts to arouse class and race

⁴⁴ Charles L. Zelden, *The Battle for the Black Ballot: Smith V. Allwright and the Defeat of the Texas All-White Primary* (Lawrence, KS: University Press of Kansas, 2004).

⁴⁵ “South Carolina Interviews,” Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee; John McCray, interview by William Gravely, June 1983, William Gravely Oral History Collection on the Lynching of Willie Earle, South Caroliniana Library, University of South Carolina, Columbia, South Carolina; Mary Badham Kittel, *Cornelia Dabney Tucker: The First Republican Southern Belle* (Columbia, SC: R.L. Bryant Company, 1969); Sid Bedingfield, “‘Beating Down the Fear’ John H. McCray, Accomodationism and the Framing of the Civil Rights Struggle in South Carolina, 1940–1948” (master's thesis, University of South Carolina, 2010).

hatred for political purposes.”⁴⁶ It also vehemently denounced the New Deal and professed its faith in “private enterprise,” called for a “reduction in government expenditure, and opposed “unnecessary controls” of the government in economic matters. White Republicans constantly reminded South Carolinians to not let the “jingle of the guinea” blind them to the New Deal’s threat to “the America of our fathers, with its crown jewel of local self-government and the Constitution.”⁴⁷ This conservatism in national affairs led the majority of the white party leadership to support the candidacy of Robert A. Taft at the 1948 and 1952 Republican National Conventions.⁴⁸

Black Republicans did not take part in these denunciations of the New Deal. In fact, black Republicans’ support of Roosevelt’s policies led many of them to split their tickets to have the option of simultaneously supporting the Democratic presidential ticket and the Republican candidates for Congress and state offices.⁴⁹ Contrary to most white Republicans, black Republicans generally supported the interference of the federal government in the South, particularly when it came to the issue of civil rights. This tension constantly threatened to break the party apart. But Gerald and Simkins were generally able to craft compromises to satisfy both sides. In 1948, after

⁴⁶ “South Carolina Republican State Platform - 1948,” South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; “McCarthy to Keynote GOP Convention Here,” *Charleston News and Courier*, August 5, 1950.

⁴⁷ Letter from Marion W. Seabrook to Thomas P Stoney, August 8, 1936; “Meeting Minutes,” July 12, 1940; “Minutes of the 1946 convention,” May 11, 1946; South Carolina Republican State Platform,” 1940; South Carolina Republican State Platform,” 1944; “South Carolina Republican State Platform - 1948,” South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁴⁸ “S.C. GOP Delegation to Back Taft,” *Charleston News and Courier*, June 23, 1948; “S. C. Leaders Go To Chicago,” *Columbia State*, July 2, 1952.

⁴⁹ The multitude of “Republican” tickets was a source of concern for Republicans since 1936. While the party leadership of both factions put up straight Republican tickets, there were often irregularly split tickets in circulation prior to national elections. Letter from Marion W. Seabrook to John D. Hamilton, December 10, 1936; Marion W. Seabrook to D. A. Gardner, November 5, 1936, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; “6 Organizations Seek S.C. Votes in General Election,” *Charleston News and Courier*, November 4, 1944.

a heated debate between white and black Republicans, the party finally adopted a plank that stated: “We insist upon the Federal Government circumscribing its activities so as to not encroach upon States Rights except insofar as guaranteeing minority groups against discrimination with regards to questions of national effect.”⁵⁰ What “questions of national effect” precisely meant was unclear. To many in the party it would have meant that the federal government should not interfere on economic matters or pass an anti-lynching law but could presumably use some of its might to enforce the Fifteenth Amendment. Regardless, the strength of the plank was its opaqueness. It gave both sides the opportunity to attach their own meaning to it. In fact, this strategy of circling around racial issues was one of the main reasons why the party held together in the 1940s.

If the New Deal and the role of the federal government in state affairs was a constant source of tension, the party’s agenda at the state level was far more consensual. Perhaps for this reason, Republicans focused the bulk of their energy on pushing for two state-level reforms. First, the party aggressively promoted the need for a two-party system in the state. In numerous speeches, letters to the editor, leaflets, and on their party platform, Republicans voiced their opposition: “here in South Carolina as in Communistic countries [to] a one-party system.”⁵¹ For the numerous businessmen and businesswomen in the party, the one-party system contradicted the principle of competition that was the central tenet of the American capitalistic system.⁵² They argued that competition would foster better governance, would force politicians to be more responsive to

⁵⁰ “South Carolina Republican State Platform – 1948,” South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁵¹ South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁵² M. W. Seabrook to Dr. Jenkins M. Pope, August 16, 1938, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

citizens' needs, and as such, "would ensure the betterment of all conditions and classes in South Carolina."⁵³

Republicans lead their most vigorous, and ultimately most successful, campaign on behalf of the single secret ballot. On this issue, too, both white and black Republicans joined in the effort.⁵⁴ Gerald and a handful of Republican attorneys led the fight through the federal court, while others wrote letters to the press and gave speeches to educate the public.⁵⁵ However, it was a middle-aged white woman, Cornelia Dabney Tucker, who rapidly became the public face of this fight. She staged a number of one-woman pickets before the state house, extensively lobbied legislators both in person and through letters, and regularly spoke to reporters while sporting a "single-ballot" dress to publicize the issue.⁵⁶ For Republicans, the secret single ballot was critical to party growth for it could solve two major problems hampering the party. First, under the current rules, it was virtually impossible to ensure voting secrecy. While publicly arguing that this lack of secrecy was unconstitutional, Republicans were in fact concerned that they lost votes because of this issue, for they all knew some South Carolinians who wanted to vote Republican but refrained from doing so by fear of being stigmatized in their community.⁵⁷

⁵³ "Convention Announcement by Modjeska Simkins," 1948. South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁵⁴ Letter from Rev. G. Going Daniels to J. Bates Gerald, 1943, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁵⁵ "Tieless Joe Defeat Seen as Aid to SC Republicans," *Associated Negro Press*, July 1944, Claude Barnett Papers, Chicago Historical Society, Chicago, Illinois. Also see extensive clippings collection about this legal effort in: 1940s clippings, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

⁵⁶ For more on Tucker's campaign, see: 1940s clippings, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; Cornelia Dabney Tucker Papers, South Caroliniana Library, University of South Carolina, Columbia, South Carolina. Kittel, *Cornelia Dabney Tucker: The First Republican Southern Belle*.

⁵⁷ 1940s clippings, South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; "Case to Enforce Secret Ballot in S.C. is Brought," *Charleston News and Courier*, July 27, 1940; "Argument Heard in Election Case," *Charleston News and Courier*, October 20, 1940.

Secondly, Republicans believed that they would benefit from split ticket voting – the practice of supporting candidates of different parties for different offices – that the secret single ballot would enable.⁵⁸ Under the current rules, split voting was practically impossible because voters wanting to pursue that course were ultimately forced to print their own ballot. But if voters could easily pursue such a course, white Republicans believed that many Democratic voters who resented the New Deal would more likely consider voting for Republican presidential candidates if they could do so while continuing to support Democratic congressmen. Black Republicans like Modjeska Simkins, who did not mute their criticism of the national Republican leadership, supported such efforts for different reasons.⁵⁹ Split ticket voting could offer the opportunity for African Americans to simultaneously support Democratic presidential candidates and oppose the racist Democratic demagogues running in congressional elections. When South Carolina finally adopted the secret ballot in 1950, the press largely credited the “untiring effort” of the South Carolina Republican Party and particularly the efforts of Cornelia Dabney Tucker.⁶⁰

For the entire decade, this alliance between black Republicans and former Lily-Whites endured. But it was always tenuous, for the party never managed to unify on the question of racial progress. The different literature that the party produced for African Americans and whites, which was at times contradictory, reflected this tension.⁶¹ In fact, Gerald’s main strategy, with the tacit support of most black Republicans, was to avoid directly addressing the question before the whole

⁵⁸ “G.O.P. Told of S.C. Split Ticket Fight,” *Charleston News and Courier*, August 1, 1940.

⁵⁹ “South Carolina Interviews,” Southern Politics Collection, Special Collections, Vanderbilt University, Nashville, Tennessee

⁶⁰ “Secret Ballot,” *Columbia State*, November 14, 1950.

⁶¹ Modjeska Simkins Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina; South Carolina Republican Party Papers, South Carolina Political Archive, University of South Carolina, Columbia, South Carolina.

party. Instead, the party focused on consensual objectives, such as promoting the establishment of a two-party system and the adoption of the single secret ballot. As unstable as this alliance was, it suggests that prior to the 1950s, white Republicans were generally more concerned over economic issues and good governance in the state than over racial matters. By the late 1940s and early 1950s, however, a number of developments forced the party to address racial issues more directly. As a result, the tenuous bi-racial alliance rapidly crumbled.

As Jim Crow came under fire from all sides in the late 1940s, avoidance of racial issues in the state Republican Party proved impossible. African Americans were making important progress in South Carolina, thanks particularly to the Double V Campaign, the rapidly growing NAACP, and to the efforts of John McCray and the Progressive Democratic Party (PDP). This sense of momentum, combined with improving economic conditions and an increasing level of protection from the federal government enabled a level of militancy that had not been possible before. This frontal assault on Jim Crow, in South Carolina and in the nation at-large, convinced Democratic President Truman to form the President's Committee on Civil Rights in 1946. The committee's report, *To Secure These Rights*, published in 1947, made a series of recommendations including the establishment of a permanent Civil Rights Commission, a Joint Congressional Committee on Civil Rights, and a Civil Rights Division in the Department of Justice. On July 26th, 1948, in an effort to implement some of the report's recommendations, President Truman ordered the desegregation of the armed services. In addition, the South Carolina NAACP, assisted by the national organization, contested the legality of school segregation in Clarendon county. This case, *Briggs v. Elliott*, was the first of five such cases that were combined in *Brown v. Board of Education*. White South Carolinians were so concerned that in a referendum held in November

1952, they overwhelmingly approved a plan to close all public schools if the Court was to outlaw school segregation.⁶²

The increasingly liberal racial stance of the national Democratic Party led many white South Carolinians to question their political affiliations in the late 1940s and early 1950s. While most were not ready to join the Republican Party, many began to embrace independent movements. For example, in 1948, southern white Democrats formed a protest party in reaction to Truman's Civil Rights initiatives. The States' Rights Democratic Party, or the Dixiecrats, selected then governor of South Carolina Strom Thurmond as its presidential candidate and won four of the five states of the Deep South.⁶³ As historian Joseph Crespino shows, in this presidential campaign, Thurmond became "the first southerner in the postwar period to bring together on a regional scale the visceral politics of white supremacy with southern business and industrial opposition to the New Deal."⁶⁴ Thurmond was able to unite the growing numbers of fiscal conservatives with racial conservatives by arguing that both were ultimately the victim of an increasingly "socialistic" federal government that encroached on States' Rights. It was only after they borrowed, developed and promoted this conservative anti-statist ideology that the state Republican Party in South Carolina would begin its electoral ascent in the late 1950s an early 1960s.

In the early 1950s, a similar independent coalition of cosmopolitan business interests and racial conservatives formed anew in support of Republican presidential candidate Dwight D. Eisenhower.⁶⁵ Headed by Douglas McKay Jr., "South Carolinians for Eisenhower" had within its

⁶² Bruce H. Kalk, *The Origins of the Southern Strategy: Two-Party Competition in South Carolina, 1950-1972* (Lanham, MD: Lexington Books, 2001), 3–13.

⁶³ For more on this topic, see: Kari A. Frederickson, *The Dixiecrat Revolt and the End of the Solid South, 1932-1968* (Chapel Hill, NC: University of North Carolina Press, 2001).

⁶⁴ Joseph Crespino, *Strom Thurmond's America* (New York, NY: Hill and Wang, 2012), 84.

⁶⁵ For more on South Carolinians for Eisenhower, see: Kalk, *The Origins of the Southern Strategy*, 1–24.

ranks many important future important state Republican Party leaders, including Bernard Manning, Charles Boineau, and Gregory D. Shorey.⁶⁶ This coalition also benefitted from the support of Democratic Governor James F. Byrnes, who publicly broke with the national leadership of the Democratic Party and came out in favor of Eisenhower. Only two weeks after Byrnes' announcement, Eisenhower paid a visit to South Carolina, and spoke before over 50,000 people in Columbia, on a podium displaying a large "South Carolinians for Eisenhower" banner.⁶⁷ This was the first time in the 20th century that a Republican presidential candidate made a campaign stop in the Palmetto state. "South Carolinians for Eisenhower" gained so much traction that by late September, the Republican Party leaders openly encouraged its members to vote the independent ticket for Eisenhower rather than the Republican one.⁶⁸ On election day, South Carolinians were almost evenly split, but ended up giving their eight electoral votes to Democratic candidate Adlai Stevenson. Even if disappointed, Republicans in the state had much to celebrate. Never before had a Republican candidate triggered so much enthusiasm and support among white South Carolinians. Eisenhower's campaign thus provided the state Republican Party with a critical opportunity for growth.

The expected fusion between South Carolinians for Eisenhower and the state Republican Party did not materialize during Eisenhower's first term. This was in part due to the fact that the state party was in complete disarray, as it was engaged in seemingly unending factional squabbles

⁶⁶ Charles E. Boineau, Interview by Wilma M. Woods, April 6, 12, 14, and 18, 1995, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina; Gregory D. Shorey, interview by Herbert J. Hartsook, July 12, 2001, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina.

⁶⁷ "Eisenhower Comes to Columbia," *Columbia Record*, October 1, 1952; "50,000 Hear Eisenhower Slam Truman, Court SC's Eight Votes," *Columbia State*, October 1, 1952.

⁶⁸ "Text of a Resolution Pledging Support to the South Carolinians for Eisenhower Unanimously Approved by the South Carolina Republican Party," September 27, 1952, William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

over party control. The trouble began in 1950, when Gerald expelled a dozen people from the party's executive committee, including the only two black members, Modjeska Simkins and Cassandra Maxwell.⁶⁹ The expelled members immediately formed a new faction to try to take down Gerald and his followers. This triggered nearly four years of lawsuits between the two factions. While some of those originally expelled were more liberal than most other Republicans, these factional fights had far more to do with personality clashes than with political ideology or strategy.⁷⁰ In any case, they left many South Carolinians confused as to who were the real leaders of the state GOP. And it hardly made a good impression on potential recruits.

But if state Republicans were divided over party leadership, they were all equally apprehensive of a potential fusion with the "South Carolinians For Eisenhower." After all, most of these independent voters were more angry at the national Democratic Party than enthusiastic about the Republican Party. It was unclear to most Republicans if these independents had voted for Eisenhower, or just against Stevenson. In fact, most of them continued to support the Democrats at the congressional and state level. As a result, Republicans were afraid that these new recruits would leave the party as fast as they joined it if the presidential nominee was not to their liking. And while they desperately wanted new members, they wanted committed ones, willing to stick to the party and work for it in all races. They did not want to cede party control to "364-day so-called Republicans, who vote the Democratic ticket on the 365th day."⁷¹

⁶⁹ "SC Republicans Group Said to Have Fired 2," *Columbia State*, July 4, 1950; "Four Reported Dropped by SC Republicans," *Columbia State*, July 5, 1950; "S.C. Republican Squabble Aired," *Charleston News and Courier*, September 4, 1950; Cassandra Maxwell Birnie, "Race and Politics in Georgia and South Carolina," *Phylon* 13, no. 3 (1952): 236–44.

⁷⁰ William D. Workman Papers; Edgar Morris Papers; South Carolina Republican Party Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

⁷¹ H. K. Koebig to W. D. Workman, June 12, 1952, William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

Conversely, members of the group “South Carolinians For Eisenhower” were also apprehensive of joining the Republican Party.⁷² Historian Bruce Kalk argues that this apprehension was largely based on the poor and ill-repute nature of the Republican Party leadership.⁷³ Gregory D. Shorey, a leader in the “South Carolinians For Eisenhower,” suggests that this was indeed the case. He described Republican leaders of the early 1950s as a “selfish Post Office Bunch” who “had no inclination of trying to grow or build a party.”⁷⁴ This was not a very fair criticism, however. While the Republican leaders of the time may not have been particularly skilled or sophisticated political organizers, they certainly tried. They poured a significant amount of their own money into the party, they regularly ran candidates – in fact, J. Bates Gerald himself ran for the U.S. Senate in 1948 – and developed and distributed a guide to help county leaders build their organizations at the precinct level.⁷⁵ In fact, it was not because of Republicans’ poor organization skills or alleged “obstructionism” or “selfishness” that Independents distrusted them. It was rather rooted in race and white supremacy. Independents clung to their Democratic political identity because they still believed that most “Republicans still consider that theirs is the party of Lincoln.”⁷⁶ Some of them, like Charles E. Boineau, believed that the party was still “controlled by

⁷² Journalist and future Republican senatorial candidate W. D. Workman polled a large number of South Carolinians for Eisenhower to inquire if they wanted to continue as independent or join the GOP. See: “Questionnaire to South Carolinians For Eisenhower,” in William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

⁷³ Kalk, *The Origins of the Southern Strategy*.

⁷⁴ Gregory D. Shorey, interview by Herbert J. Hartsook, July 12, 2001, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina.

⁷⁵ Gerald actually fared relatively well in his U.S. Senate race in 1948. He received only 4% of the vote, but the 5,000 votes he received was still more votes than what any other candidate had obtained since the turn of the century. “State GOP Still divided,” *Charleston News and Courier*, September 7, 1950; “Working Field File,” undated, William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

⁷⁶ Frank E. Harrison to W. D. Workman, undated, William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

blacks” and that I. S. Leevy was its chairman.⁷⁷ In other words, these Independents did not want to join a party that had anything to do with African Americans for their objective was to “keep the negro question out of politics in the South.” As a result, the two organizations remained separate until 1956.

That year, taking advantage of a leadership vacuum, a small group of wealthy businessmen, many of whom were from independent organizations like “South Carolinians for Eisenhower,” took over the state party organization. The two main leaders behind this take over were David Dows and Gregory D. Shorey. Dows, a native of New York state and fervent anti New-Dealer, first became first involved in politics in the early 1930s when he was elected as chairman of the Nassau County Republican finance committee.⁷⁸ Dows became involved in South Carolina politics after he bought a 2,000 acre farm in Aiken County in 1942 to spend his winters away from the cold. In the mid-1950s, he was approached by his personal friend Leonard W. Hall, then the Republican National Committee chairman, and asked to reorganize the party. Thanks to Hall’s support, Dows was elected state party chairman in 1956. However, already in his seventies, Dows needed the help of a younger and more energetic organizer to do the grassroots work. For this, he counted on the help of Gregory D. Shorey, who while not having the title, acted as de facto party chairman until he was actually elected chairman in 1958. A native of Massachusetts and a graduate of Boston University’s School of Communications, Shorey relocated to South Carolina in 1949 to take over a struggling textile company.⁷⁹ Under their leadership, most of the old guard gradually

⁷⁷ Charles E. Boineau, interview by Wilma M. Woods, April 6, 12, 14, and 18, 1995, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina.

⁷⁸ “David Dows: Important to S.C. GOP Development,” Florence *Morning News*, July 11, 1977; Neil Thigpen Papers, South Carolina Political Collections, University of South Carolina, Columbia, South Carolina.

⁷⁹ Gregory D. Shorey, interview by Herbert J. Hartsook, July 12, 2001, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina.

reintegrated into the party. But the leadership was now firmly in the hands of the new recruits, most of whom were urban fiscally conservative businessmen who were either native South Carolinians or transplants seeking to take advantage of the business-friendly climate of South Carolina.⁸⁰ Spartanburg textile magnate Roger Milliken proved perhaps one of the most powerful of these new recruits. A fierce conservative who was in touch with a number of prominent politicians and intellectuals of the burgeoning conservative moment, Milliken provided so much funding for the state party that Democrats in South Carolina dubbed him the GOP's "Daddy Warbucks."⁸¹

While these new Republican leaders were motivated by fostering a two-party system in the state, their primary motive was national in scope. They were part of a nascent conservative movement that aimed at reforming the Republican Party at both the state and national levels into a coherent and solidly conservative organization. By slowly draining the conservatives away from the state Democratic Party, they thus simultaneously contributed to making the Democrats the liberal party. As such, Republicans in the late 1950s and early 1960s refrained from attacking their conservative state Democratic opponents and instead constantly campaigned against the national party's liberal tendencies.⁸² Borrowing from Strom Thurmond's 1948 presidential campaign, they united racial and fiscal conservatives by selling their party as the "only bulwark against out-and-out statism" of the increasingly socialistic national Democratic Party, which manifested itself both by the Supreme Court trying to enforce integration and in the federal government's economic encroachment on free enterprise. It was because of this ardent conservative impulse that, starting

⁸⁰ Besides Dows and Shorey, William A. Kimbel, Constance Armitage, and Dabney Barnes, were other northern Republicans who had resettled in South Carolina. Kalk, *The Origins of the Southern Strategy*, 29–31.

⁸¹ Kalk, 33; Crespino, *Strom Thurmond's America*, 128.

⁸² Charles E. Boineau, interview by Wilma M. Woods, April 6, 12, 14, and 18, 1995, South Carolina Political Collections Oral History Project, University of South Carolina, Columbia, South Carolina.

in 1958, South Carolina Republicans played a leading role in helping Barry Goldwater secure the Republican presidential nomination in 1964.⁸³

While the record-setting level of support that Palmetto African Americans gave to Eisenhower in 1956 suggested that blacks had a future in the South Carolina Republican Party, the new state leadership made clear that this was not so. Contrary to previous leaders like Gerald, the new state party leaders had no intention of compromising with African Americans. In 1958, W. W. Wannamaker Jr., an Orangeburg businessman and then national committeeman, made this very clear in a speech before an entirely black audience at I. S. Leevy's Funeral Home in Columbia. He told black Republicans that they should take pride in the fact that they had "the privilege of participating as individuals in most Party activities."⁸⁴ The key word here was "individual," for it meant that black Republicans should have no illusions that the party would tolerate their participation. In what amounted to a not-so-subtle threat, he told his audience that if they made an "attempt to dominate or dictate or change the objectives [of the party], there would be a . . . knockdown-dragout fight with no holds barred."⁸⁵ This would inevitably lead to the "deterioration of race relations" and to the complete re-segregation of politics in the state. Wannamaker thus asked African Americans to surrender all positions of leadership to whites so as to not hamper the recruitment of whites. "To summarize," Wannamaker said at the end of his remarks, "I hope you will continue to participate in Party activities but voluntarily limit the participation to numbers which can be absorbed without endangering our objectives."

⁸³ Crespino, *Strom Thurmond's America*, 128–84.

⁸⁴ "Text of remarks made in 1958, following state Republican convention by W. W. Wannamaker Jr. before Negro group at Leevy's Funeral Home." William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

⁸⁵ *Ibid.*

If Wannamaker's objective was to expel African Americans from the party, he was quite successful. But if his goal was to have the black Republicans in attendance "persuade more and more of [their] people that voting Republican will best serve their present interest and future aspirations," then he lamentably failed.⁸⁶ By the late 1950s and early 1960s, it had become clear to most African Americans that the old principles of Republicanism such as racial fairness and inclusion had been completely replaced with an entirely new set of racially insensitive or outright discriminatory principles wrapped in putative colorblindness. Thus, in 1970 when I. S. Leevy Johnson, the grandson of Republican and NAACP leader I. S. Leevy, Herbert U. Fielding, and James L. Felder became three first black members of the South Carolina General Assembly since the turn of the twentieth century, they did so under the Democratic banner.⁸⁷ Hence, the old principles of Republicanism that Prioleau, I. S. Leevy, Frederick, the Tolberts, and Moorner had fought to defend were still alive, but by then they dressed in a different partisan garb.

⁸⁶ "Text of remarks made in 1958, following state Republican convention by W. W. Wannamaker Jr. before Negro group at Leevy's Funeral Home." William D. Workman Papers, South Carolina Political Collections, University of South Carolina Libraries, Columbia, South Carolina.

⁸⁷ While perhaps fortuitous, the fact that Herbert Ulysses Fielding shares the name of two of the most famous Republican politicians, Herbert Hoover and Ulysses S. Grant, is noteworthy.

Bibliography

Manuscript Collections

Chicago Historical Society, Chicago, Illinois
 Claude Barnett Papers

Jean and Alexander Heard Library, Vanderbilt University, Nashville, Tennessee
 Alexander Heard Papers

Library of Congress, Washington, DC
 Carter G. Woodson Papers
 NAAC. Papers

National Archives, College Park, Maryland
 Record Group 60, General Records of the Department of Justice

South Caroliniana Library, University of South Carolina, Columbia, South Carolina
 Cochran Family Papers
 Cornelia Dabney Tucker Papers
 Fredrick C. Redfern Papers
 I.S. Leevy Papers
 N. J. Fredrick Vertical File
 South Carolina Republican Party Vertical File
 William Gravely Oral History Collection on the Lynching of Willie Earle
 WPA Federal Writers' Project Papers

South Carolina Political Archive, University of South Carolina, Columbia, South Carolina
 Edgar Morris Papers
 Modjeska Simkins Papers
 Neil Thigpen Papers
 South Carolina Republican Party Papers
 William D. Workman Papers

South Carolina Department of Archives and History, Columbia, South Carolina
 Governor Robert K. Scott Papers
 South Carolina Death Records

South Carolina Historical Society, Charleston, South Carolina
 John D. Meyer Papers

Special Collections and University Archives, University of Massachusetts Amherst,
 Massachusetts
 W.E.B. Dubois Papers

Special Collections, Vanderbilt University, Nashville, Tennessee
Southern Politics Collection

Stuart A. Rose Manuscript, Archives, and Rare Book Library, Emory University, Atlanta,
Georgia
Elbert Tuttle Papers

W.S. Hoole Special Collections Library, University of Alabama, Tuscaloosa, Alabama
Oliver Street Papers

Newspapers

Alabama

Birmingham Age-Journal
Montgomery Advertiser
Montgomery Daily Advertiser

California

San Diego Union
San Francisco Call
San Francisco Western Outlook

Colorado

Walsenburg World

Florida

Tampa Bulletin

Georgia

Atlanta Constitution
Atlanta Daily World
Atlanta Georgian
Atlanta Journal
Augusta Chronicle
Columbus Daily Enquirer
Greensboro Record
Hawkinsville Dispatch News
Macon Daily Telegraph
Macon Telegraph

Illinois

Chicago Broad Ax
Chicago Daily Tribune
Chicago Defender
Rockford Republic

Indiana

Indianapolis *Freeman*

Kansas

Kansas City *Plaindealer*

Wichita *Negro Star*

Kentucky

Lexington *Leader*

Louisiana

New Orleans *State*

New Orleans *Times-Democrat*

New Orleans *Times-Picayune*

Maryland

Baltimore *Afro-American*

Baltimore *Herald Commonwealth*

Shreveport *Caucasian*

Massachusetts

Boston *Daily Globe*

Boston *Evening Transcript*

Boston *Herald*

Daily Boston *Globe*

Springfield *Republican*

Michigan

Dearborn *Independent*

Minnesota

Minneapolis *Journal*

St Paul *Appeal*

Mississippi

Jackson *Daily News*

Missouri

Kansas City *Star*

Lexington *Intelligencer*

Montana

Anaconda *Standard*

New Jersey

Newark *Daily Ledger*

Newark Evening News
Trenton Evening Times

New York

New York Age
New York Amsterdam News
New York Call
New York Herald Tribune
New York Times
New York Tribune
New York World
Waukesha Freeman

North Carolina

Charlotte Observer
Raleigh News and Observer

Ohio

Cleveland Gazette

Oklahoma

Tulsa World

Oregon

Portland Oregon Journal

Pennsylvania

Philadelphia Inquirer
Philadelphia Sunday Public Journal
Pittsburgh Courier

South Carolina

Abbeville Press and Banner
Anderson Intelligencer
Bamberg Herald
Batesburg Advocate
Bennettsville Marlboro Democrat
Charleston Evening Post
Charleston Lighthouse and Informer
Charleston News and Courier
Charleston Weekly News and Courier
Cheraw Chronicle
Columbia Daily Phoenix
Columbia Light
Columbia Palmetto Leader
Columbia Record

Columbia Southern Indicator
Columbia State
Dillon Herald
Edgefield Advertiser
Fort Mill Times
Gaffney Ledger
Greenwood Daily Journal
Greenwood Index-Journal
Greenville News
Kingstree County Record
Lancaster Ledger
Lexington Dispatch
Lexington Dispatch News
Manning Times
Newberry Herald
Newberry Herald and News
Orangeburg Democrat
Orangeburg Times
Orangeburg Times and Democrat
Pickens People's Journal
Pickens Sentinel
Rock Hill Herald
Sumter Watchman and Southron
Union Daily Times
Union Times
Walhalla Keowee Courier
Weekly Union Times
Winnsboro Fairfield News and Herald
Yorkville Enquirer

South Dakota

Aberdeen Daily News

Texas

Dallas Express
Dallas Morning News

Utah

Salt Lake Telegram

Virginia

Indianapolis Freeman
Norfolk New Journal and Guide
Richmond Planet
Richmond Times Dispatch

Washington, D.C.

Washington Bee
Washington Colored American
Washington Herald
Washington Post
Washington Times
Washington Evening Star

Periodicals

Atlantic
Christian Educator
Colored American Magazine
Crisis
Nation
Independent
People's Magazine
Pharmaceutical Era
Sewanee Review
Southeastern Reporter

Oral Histories

South Carolina Political Archive, University of South Carolina, Columbia, South Carolina
 Political Collections Oral History Project
 Charles E. Boineau, April 1995
 Gregory D. Shorey, August 1995, July 2001

South Caroliniana Library, University of South Carolina, Columbia, South Carolina
 William Gravely Oral History Collection on the Lynching of Willie Earle

Southern Oral History Program, University of North Carolina, Chapel Hill
 Modjeska Simkins, July 28, 1976

Published Private Correspondence and Speeches

Booker T. Washington Papers. Vol. 5-7, 9-11. Edited by Louis R. Harlan and Raymond W. Smock, Urbana, IL: University of Illinois Press, 1976-1981.
Marcus Garvey and Universal Negro Improvement Association Papers. Edited by Robert A. Hill, Berkeley, CA: University of California Press, 1987.
Present Day Problems: A Collection of Addresses Delivered on Various Occasions. William Howard Taft. New York, NY: Dodd, Mead & Company, 1908.
Selections from the Papers and Speeches of Warren G. Harding, 1918-1923: The Twenty-Ninth President of the United States of America. Edited by Leonard C. Schlup and John Henry Hepp. Lewiston, NY: Edwin Mellen Press, 2008.

Government Publications

- A Historical and Legal Digest of All Contested Elections in the House of Representatives From the Fifty-Seventh to and Including the Sixty-Fourth Congress 1901-1917.*
 Edited by Merrill Moores. Washington, DC: Government Printing Office, 1917.
- Halford, J. *Official Congressional Directory for the Use of the United States Congress.* 59th Cong., 2nd sess., Washington, DC: Government Printing Office, 1906.
- Rowell, Chester Harvey. *A Historical and Legal Digest of All the Contested Election Cases in the House of Representatives of the United States from the First to the Fifty-Sixth Congress, 1789-1901.* Washington, DC: U.S. Government Printing Office, 1901.
- US Congress. *Contested Election Case of Aaron P. Prioleau v. Richard S. Whaley from the First Congressional District of South Carolina.* Washington, DC: U.S. Government Printing Office, 1915.
- US Congress. House. Committee on Elections. *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina.* 59th Cong., 1st sess., June 5, 1906, H. Rep. 4779.
- US Congress. House. Committee on Elections. *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina.* 60th Cong., 2nd sess., January 5, 1909, H. Rep. 1818.
- US Congress. House. Committee on Elections. *Contested Election Case of Aaron P. Prioleau v. Richard S. Whaley, From the First Congressional District of South Carolina.* Washington, DC: U.S. Government Printing Office, 1915.
- US Congress. House. Committee on Elections. *Contested Election, Thomas E. Miller vs. William Elliott, South Carolina.* 52nd Cong., 2nd sess., February 25, 1893, H. Rep. 2569.
- US Congress. House. Committee on Elections No. 1. *Contest of Isaac Myers v. James O. Patterson, South Carolina.* 59th Cong., 1st sess., June 5, 1906, H. Rep. 4780.
- US Congress. House. Committee on Elections No. 2. *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina.* 62nd Cong., 2nd sess., August 6, 1912, H. Rep. 1148.
- US Congress. House. Committee on Elections No. 3. *Contested Election, Aaron P. Prioleau v. George S. Legare, South Carolina.* 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1639.
- US Congress. House. Committee on Elections No. 3. *Contested Election Case R. R. Tolbert Jr. vs. A.C. Latimer from the Third Congressional District of South Carolina.* Washington, DC: U.S. Government Printing Office, 1899.
- US Congress. House. Committee on Elections No. 3. *Contested Election of Isaac Myers v. James O. Patterson, South Carolina.* 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1640.
- US Congress. House. Committee on Elections No. 3. *Contested Election, R.H. Richardson v. Asbury F. Lever, South Carolina.* 61st Cong., 2nd sess., June 18, 1910, H. Rep. 1638.
- US Congress. House. Committee on Elections No. 3. *Contested Election, Thomas B. Johnston v. J. William Stokes, South Carolina.* 54th Cong., 1st sess., April 13, 1896, H. Rep. 1229.
- US Congress. House. *Contested Election Case of Prioleau v. Legare: Hearing Before the Committee on Election No 2.* Washington, DC: U.S. Government Printing Office, April 19, 1912.

- US Congress. Senate. Committee on Post Offices and Roads. *Influencing Appointments to Postmasterships and Other Federal Offices, Part 1: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 70th Cong., 2nd sess., July 9-12 and December 11-13, 1928.
- US Congress. Senate. Committee on Post Offices and Roads. *Influencing Appointments to Postmasterships and Other Federal Offices, Part 3: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 71st Cong., 1st sess., on March 23 and Apr. 5, 1929.
- US Congress. Senate. Committee on Post Offices and Roads. *Influencing Appointments to Postmasterships and Other Federal Offices, Part 4: Hearings before the United States Senate Committee on Post Offices and Post Roads*, Subcommittee on S. Res. 193, 71st Cong., 2nd sess., June 21, 27-29 and July 1, 1929.
- US Congress. Senate. Committee on Privileges and Elections. *Denial of the Elective Franchise in South Carolina at the Election of 1875 and 1876*, 44th Cong., 2nd sess., 1877, S. Doc. 177.
- US Congress. Senate. Committee on Privileges and Elections. *Presidential Campaign Expenses, Vol. 1*. 66th Cong., 2nd sess., 1920.
- US Congress. Senate. Committee on Privileges and Elections. *South Carolina in 1876: Testimony as to the Denial of the Elective Franchise in South Carolina at the Elections of 1875 and 1876, Taken Under the Resolution of the Senate of December 5, 1876, Volume II*. Washington, DC: Government Printing Office, 1877.
- US Congress. Senate. Judiciary Committee. *Nomination Hearing of Joseph W. Tolbert*. 67th Cong., 4th sess., December 19, 1922.
- US Congress. Senate. Special Committee Investigating Presidential Campaign Expenditures. *Hearings on Presidential Campaign Expenditures*. 70th Cong., 1st Sess., May 5, 1928.
- US Department of the Interior. *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service, Together with a List of Vessels Belonging to the United States, Volume II, Post Office and Department and The Postal Service*. Washington, DC: U.S. Government Printing Office, 1899.
- US Department of the Interior. *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*. Washington DC: U.S. Government Printing Office, 1901.
- US Department of the Interior. *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*. Washington DC: U.S. Government Printing Office, 1903.
- US Department of the Interior. *Official Register of the United States, Containing a List of the Officers and Employees in the Civil, Military, and Naval Service Together with a List of Vessels Belonging to the United States*. Washington DC: U.S. Government Printing Office, 1905.

State Documents

Acts and Joint Resolutions of the General Assembly of the State of South Carolina Passed at the Special Session of 1873 and Regular Session of 1874. Columbia, SC: Republican Printing Company, 1874.

Acts and Joint Resolutions of the General Assembly of the State of South-Carolina Passed at the Regular Session of 1906. Columbia, SC: Gonzales and Bryan, State Printers, 1906.

Journal of the Constitutional Convention of the State of South Carolina. Columbia, SC: Charles A. Calvo, Jr., State Printer, 1895.

State Board of Agriculture of South Carolina. *South Carolina, Resources and Population, Institutions and Industries.* Charleston, SC: Walker, Evans & Cogswell, 1883.

Party Proceedings

Blumenberg, Milton W. *Official Proceedings of the Thirteenth Republican National Convention.* Minneapolis, MN: Harrison & Smith Co., 1904.

Blumenberg, Milton W. *Official Report of the Proceedings of the Fourteenth Republican National Convention.* Columbus, OH: Press of F. J. Heer, 1908.

Blumenberg, Milton W. *Official Report of the Proceedings of the Fifteenth Republican National Convention.* New York, NY: The Tenny Press, 1912.

Democratic National Committee and Democratic Congressional Committee, *Democratic Campaign Book.* Isaac Goldman Printing Company, 1924.

Hart, George Luzerne. *Official Report of the Proceedings of the Seventeenth Republican National Convention.* New York, NY: The Tenny Press, 1920.

Other Printed Primary Sources

Allen, Walter. *Governor Chamberlain's Administration in South Carolina: A Chapter of Reconstruction in the Southern States.* New York, NY: G.P. Putnam's Sons, 1888.

Annual Catalog of Claflin College. Orangeburg, SC: Claflin College, 1890, 1907, 1909.

Brooks, Ulysses Robert. *South Carolina Bench and Bar.* Vol. 1. Columbia, SC: State Company, 1908.

Caldwell, Arthur Bunyan. *History of the American Negro and His Institutions: South Carolina Edition.* Vol. 3. Atlanta, GA: A. B. Caldwell Publishing Co., 1919.

"Communications." *The Journal of Negro History* 7, no. 4 (1922): 419–26.

Hamilton, James Albert. *Negro Suffrage and Congressional Representation.* New York, NY: Winthrop Press, 1910.

Henderson Jr., Daniel Sullivan, Peronneau Finley Henderson, and T. R. Henderson. *Life and Addresses of D.S. Henderson.* Columbia, SC: R. L. Bryan Company, 1922.

Houston, Charles H. "The Need for Negro Lawyers." *The Journal of Negro Education* 4, no. 1 (1935): 49–52.

Hoyt, James Allen. *The Phoenix Riot.* Columbia, SC: Kosmos Club, 1935.

Kennedy, John A. *The Negro in Medicine.* Tuskegee, AL: Tuskegee Institute Press, 1912.

Lynch, John Roy. *The Facts of Reconstruction.* Chicago, IL: Neale Publishing Company, 1913.

Maxwell Birnie, Cassandra. "Race and Politics in Georgia and South Carolina." *Phylon* 13, no. 3 (1952): 236–44.

- Minutes of the General Assembly of the United Presbyterian Church in the United States of America*. Philadelphia, PA: Office of the General Assembly, Witherspoon Building, 1926.
- Moorer, Lizelia Augusta Jenkins. *Prejudice Unveiled: And Other Poems*. Boston, MA: Roxburgh Publishing Company, 1907.
- Popenoe, Paul, and Roswell Hill Johnson. *Applied Eugenics*. New York, NY: The Macmillan Company, 1918.
- Pringle, Henry F. *The Life and Times of William Howard Taft*. Vol. 1. New York, NY: Farrar and Rinehart, 1939.
- Reuter, Edward Byron. *The Mulatto in the United States: Including a Study of the Role of Mixed-Blood Races Throughout the World*. Boston, MA: Richard G. Badger, 1918.
- Statistical Report of the Contributions of the Churches Received by the Boards and Other Permanent Agencies of the Presbyterian Church of the United States of America*. Auburn, NY: F. E. Beecher Printer, 1913.
- Thirty-Fifth Annual Session of Biddle University*. Charlotte, NC: Observer Printing House, 1904.
- Tolbert, Joseph Warren. *The Story of Old Star Fort at Ninety Six, Greenwood Co., South Carolina*. Greenwood County, SC: J.W. Tolbert, 1921.
- White, James Terry. *The National Cyclopaedia of American Biography*. Clifton, NJ: J.T. White, 1904.
- Work, Monroe N., ed. *Negro Year Book: An Annual Encyclopedia of the Negro, 1921-1922*. Tuskegee, AL: Negro Year Book Publishing Company, 1922.
- Wright Jr., Richard R., and John Russell Hawkins, eds. *Centennial Encyclopedia of the African Methodist Episcopal Church*. Philadelphia, PA: Book Concern of the A. M. E. Church, 1916.

Books and Articles

- Ackerman, Robert Kilgo. *Wade Hampton III*. Columbia, SC: University of South Carolina Press, 2007.
- Alexander, Shawn Leigh. *An Army of Lions: The Civil Rights Struggle Before the NAACP*. Philadelphia, PA: University of Pennsylvania Press, 2011.
- Andrew, Rod. *Wade Hampton: Confederate Warrior to Southern Redeemer*. Chapel Hill, NC: University of North Carolina Press, 2009.
- Ayers, Edward L. *The Promise of the New South: Life After Reconstruction*. New York, NY: Oxford University Press, 2007.
- Badger, Anthony J. *New Deal / New South: An Anthony J. Badger Reader*. Fayetteville, AR: University of Arkansas Press, 2007.
- Baggett, James Alex. *The Scalawags: Southern Dissenters in the Civil War and Reconstruction*. Baton Rouge, LA: Louisiana State University Press, 2004.
- Bailey Jr., Harris M. "The Only Game in Town: The South Carolina Republican Party in the Post-Reconstruction Era." *Proceedings of the South Carolina Historical Association*, 1992, 76–86.
- Baker, Bruce E. *What Reconstruction Meant: Historical Memory in the American South*. Charlottesville, VA: University of Virginia Press, 2007.
- Ballard, Allen. *One More Day's Journey: The Story of a Family and a People*. Bloomington, IN: iUniverse, 2011.

- Bates, J. Leonard. "The Teapot Dome Scandal and the Election of 1924." *The American Historical Review* 60, no. 2 (1955): 303–22.
- Bedingfield, Sid. "'Beating Down the Fear' John H. McCray, Accommodationism and the Framing of the Civil Rights Struggle in South Carolina, 1940–1948." M.A., University of South Carolina, 2010.
- Behr, Edward. *Prohibition: Thirteen Years That Changed America*. New York, NY: Skyhorse Publishing, 2011.
- Blight, David W. *Race and Reunion: The Civil War in American Memory*. Cambridge, MA: Belknap Press of Harvard University Press, 2001.
- Brenner, Samuel. "Airbrushed Out of the Constitutional Canon: The Evolving Understanding of *Giles v. Harris*, 1903-1925." *Michigan Law Review* 107, no. 5 (2009): 853–80.
- Brown, Mary Jane. *Eradicating This Evil: Women in the American Anti-Lynching Movement, 1892-1940*. Studies in African American History and Culture. New York, NY: Garland Publishing, 2000.
- Brown, Nikki L. M., and Barry M. Stentiford, eds. *The Jim Crow Encyclopedia: Greenwood Milestones in African American History*. Westport, CT: Greenwood Publishing Group, 2008.
- Brown, Richard Maxwell. *Strain of Violence: Historical Studies of American Violence and Vigilantism*. New York, NY: Oxford University Press, 1975.
- Browne-Marshall, Gloria J. *The Voting Rights War: The NAACP and the Ongoing Struggle for Justice*. Lanham, MD: Rowman & Littlefield, 2017.
- Brundage, William Fitzhugh. *Under Sentence of Death: Lynching in the South*. Chapel Hill, NC: University of North Carolina Press, 1997.
- Bunche, Ralph J. *The Political Status of the Negro in the Age of FDR*. Documents in American History. Chicago, IL: University of Chicago Press, 1973.
- Bunch-Lyons, Beverly A. *Contested Terrain: African American Women Migrate from the South to Cincinnati, 1900-1950*. New York, NY: Routledge, 2014.
- Burke, W. Lewis. *All for Civil Rights: African American Lawyers in South Carolina, 1868–1968*. Athens, GA: University of Georgia Press, 2017.
- . "Killing, Cheating, Legislating, and Lying: A History of Voting Rights in South Carolina After the Civil War." *South Carolina Law Review* 57 (2006): 859–88.
- . "Pink Franklin v. South Carolina: The NAACP's First Case." *American Journal of Legal History* 54, no. 3 (2014): 265–302.
- . *Matthew J. Perry: The Man, His Times, and His Legacy*. Columbia, SC: University of South Carolina Press, 2004.
- Burton, Orville Vernon. *In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina*. Chapel Hill, NC: University of North Carolina Press, 1985.
- Carle, Susan D. *Defining the Struggle: National Racial Justice Organizing, 1880-1915*. New York, NY: Oxford University Press, 2013.
- Carlton, David L. *Mill and Town in South Carolina, 1880-1920*. Baton Rouge, LA: Louisiana State University Press, 1982.
- Casdorph, Paul D. *Republicans, Negroes, and Progressives in the South, 1912-1916*. Tuscaloosa, AL: University of Alabama Press, 1981.
- Cauthen, Charles Edward. *South Carolina Goes to War, 1860-1865*. Southern Classics Series. Chapel Hill, NC: University of North Carolina Press, 1950.

- Cecelski, David S, and Timothy B Tyson, eds. *Democracy Betrayed the Wilmington Race Riot of 1898 and Its Legacy*. Chapel Hill, NC: University of North Carolina Press, 1998.
- Chace, James. *1912: Wilson, Roosevelt, Taft and Debs -The Election That Changed the Country*. New York, NY: Simon and Schuster, 2009.
- Channing, Steven A. *Crisis of Fear: Secession in South Carolina*. New York, NY: Simon and Schuster, 1970.
- Chestnut, Trichita M. "Lynching: Ida B. Wells-Barnett and the Outrage over the Frazier Baker Murder." *Prologue*, Fall 2008, 21–29.
- Cobb, James C. *Industrialization and Southern Society, 1877-1984*. Lexington, KY: University Press of Kentucky, 1984.
- Cooper, John Milton. *Woodrow Wilson: A Biography*. New York, NY: Vintage Books, 2011.
- Crespino, Joseph. *In Search of Another Country: Mississippi and the Conservative Counterrevolution*. Princeton, NJ: Princeton University Press, 2007.
- . *Strom Thurmond's America*. New York, NY: Hill and Wang, 2012.
- Dailey, Jane Elizabeth, Glenda Elizabeth Gilmore, and Bryant Simon, eds. *Jumpin' Jim Crow: Southern Politics from Civil War to Civil Rights*. Princeton, NJ: Princeton University Press, 2000.
- Davis, Margaret Leslie. *Dark Side of Fortune: Triumph and Scandal in the Life of Oil Tycoon Edward L. Doheny*. Oakland, CA: University of California Press, 2001.
- Davis, Marianna W. *The Enduring Dream: History of Benedict College, 1870-1995*. Columbia, SC: Benedict College, 1995.
- Dean, John W. *Warren G. Harding*. The American Presidents Series. New York, NY: Times Books, 2004.
- Degler, Carl N. *The Other South: Southern Dissenters in the Nineteenth Century*. Lebanon, NH: University Press of New England, 1974.
- Drago, Edmund L. *Charleston's Avery Center: From Education and Civil Rights to Preserving the African American Experience*. Athens, GA: University of Georgia Press, 2006.
- DuRocher, Kristina. *Ida B. Wells: Social Activist and Reformer*. New York, NY: Routledge, 2017.
- Edwards, Pamela C. "Southern Industrialization and Northern Industrial Networks: The New South Textile Industry in Columbia and Lyman, South Carolina." *The South Carolina Historical Magazine* 105, no. 4 (2004): 282–305.
- Farrington, Joshua D. *Black Republicans and the Transformation of the GOP*. Philadelphia, PA: University of Pennsylvania Press, 2016.
- Feldman, Glenn. *The Disfranchisement Myth: Poor Whites and Suffrage Restriction in Alabama*. Athens, GA: University of Georgia Press, 2004.
- Ferguson, Karen. *Black Politics in New Deal Atlanta*. Chapel Hill, NC: University of North Carolina Press, 2003.
- Fields, Corey. *Black Elephants in the Room: The Unexpected Politics of African American Republicans*. Oakland, CA: University of California Press, 2016.
- Finnegan, Terence. *A Deed So Accursed: Lynching in Mississippi and South Carolina, 1881-1940*. Charlottesville, VA: University of Virginia Press, 2013.
- Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York, NY: Harper & Row, 1988.
- Fordham, Damon L. *True Stories of Black South Carolina*. Mt. Pleasant, SC: Arcadia Publishing, 2008.

- Frederickson, Kari A. *The Dixiecrat Revolt and the End of the Solid South, 1932-1968*. Chapel Hill, NC: University of North Carolina Press, 2001.
- Gatewood, Willard B. *Aristocrats of Color: The Black Elite, 1880-1920*. Fayetteville, AR: University of Arkansas Press, 2000.
- . “Theodore Roosevelt and Southern Republicans: The Case of South Carolina, 1901-1904.” *The South Carolina Historical Magazine* 70, no. 4 (1969): 251–66.
- . “William D. Crum: A Negro in Politics.” *The Journal of Negro History* 53, no. 4 (1968): 301–20.
- Gille, Frank H., and Nancy Capace, eds. *Encyclopedia of South Carolina*. Vol. I. St. Clair Shores, MI: Somerset Publishers, Inc., 2000.
- Gilmore, Glenda Elizabeth. *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920*. Chapel Hill, NC: University of North Carolina Press, 1996.
- Ginzl, David J. “Herbert Hoover and Republican Patronage Politics in the South, 1928-1932.” Ph.D., Syracuse University, 1977.
- . “Patronage, Rape, and Politics: Georgia Republicans During the Hoover Administration.” *The Georgia Historical Quarterly* 64, no. 3 (1980): 280–93.
- . “The Politics of Patronage: Florida Republicans During the Hoover Administration.” *The Florida Historical Quarterly* 61, no. 1 (1982): 1–19.
- Goings, Kenneth W. *The “NAACP Comes of Age”: The Defeat of Judge John J. Parker*. Bloomington, IN: Indiana University Press, 1990.
- Gould, Lewis. *Grand Old Party: A History of the Republicans*. New York, NY: Random House, 2003.
- Grant, Donald Lee. *The Way It Was in the South: The Black Experience in Georgia*. Athens, GA: University of Georgia Press, 1993.
- Green, Matthew N. “Race, Party, and Contested Elections to the U.S. House of Representatives.” *Polity* 39, no. 2 (2007): 155–78.
- Gregory, James N. *The Southern Diaspora: How the Great Migrations of Black and White Southerners Transformed America*. Chapel Hill, NC: University of North Carolina Press, 2006.
- Grossman, James R. *Land of Hope: Chicago, Black Southerners, and the Great Migration*. Chicago, IL: University of Chicago Press, 1989.
- Hahn, Steven. *A Nation Under Our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration*. Cambridge, MA: Harvard University Press, 2003.
- Haram, Kerstyn M. “The Palmetto Leader’s Mission to End Lynching in South Carolina: Black Agency and the Black Press in Columbia, 1925-1940.” *The South Carolina Historical Magazine* 107, no. 4 (2006): 310–33.
- Harrison, Alferdteen. *Black Exodus: The Great Migration from the American South*. Jackson, MS: University Press of Mississippi, 1992.
- Hathorn, Guy B. “C. Bascom Slep: Virginia Republican Boss, 1907-1932.” *The Journal of Politics* 17, no. 2 (1955): 248–64.
- Hauser, Robert E. “‘The Georgia Experiment’: President Warren G. Harding’s Attempt to Reorganize the Republican Party in Georgia.” *The Georgia Historical Quarterly* 62, no. 4 (1978): 288–303.
- Hayes, J. I. *South Carolina and the New Deal*. Columbia, SC: University of South Carolina Press, 2001.

- Heard, Alexander. *A Two-Party South?* Chapel Hill, NC: University of North Carolina Press, 1952.
- Heersink, Boris, and Jeffery A. Jenkins. "Southern Delegates and Republican National Convention Politics, 1880–1928." *Studies in American Political Development* 29, no. 01 (April 2015): 68–88.
- Henri, Florette. *Black Migration: Movement North, 1900-1920*. Norwell, MA: Anchor Press, 1975.
- Hine, Darlene Clark. *Black Victory: The Rise and Fall of the White Primary in Texas*. Millwood, NY: KTO Press, 1979.
- Hixson, William B. "Moorfield Storey and the Defense of the Dyer Anti-Lynching Bill." *The New England Quarterly* 42, no. 1 (1969): 65–81.
- Hoffman, Edwin D. "The Genesis of the Modern Movement for Equal Rights in South Carolina, 1930-1939." *The Journal of Negro History* 44, no. 4 (1959): 346–69.
- Hollings, Ernest F., and Kirk Victor. *Making Government Work*. Columbia, SC: University of South Carolina Press, 2008.
- Hudson, Janet. *Entangled by White Supremacy: Reform in World War I-Era South Carolina*. Lexington, KY: University Press of Kentucky, 2009.
- Hudson, Janet G. "Ben Bess and the Dictates of White Supremacy: The Unpardonable Crime?" *Proceedings of the South Carolina Historical Association*, 1999, 15–27.
- Justesen, Benjamin R. *Broken Brotherhood: The Rise and Fall of the National Afro-American Council*. Carbondale, IL: Southern Illinois University Press, 2008.
- Kalk, Bruce H. *The Origins of the Southern Strategy: Two-Party Competition in South Carolina, 1950-1972*. Lanham, MD: Lexington Books, 2001.
- Kantrowitz, Stephen. *Ben Tillman and the Reconstruction of White Supremacy*. Chapel Hill, NC: University of North Carolina Press, 2000.
- Katznelson, Ira. *Fear Itself: The New Deal and the Origins of Our Time*. New York, NY: W. W. Norton & Company, 2013.
- . *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America*. New York: W.W. Norton, 2005.
- Kerr, Audrey Elisa. "The History of Color Prejudice at Howard University." *The Journal of Blacks in Higher Education*, no. 54 (2006): 82–87.
- . *The Paper Bag Principle: Class, Colorism, and Rumor and the Case of Black Washington*. Knoxville, TN: University of Tennessee Press, 2006.
- Key, Valdimer Orlando. *Southern Politics in State and Nation*. New York, NY: A. A. Knopf, 1949.
- Keyssar, Alexander. *The Right to Vote: The Contested History of Democracy in the United States*. New York, NY: Basic Books, 2009.
- Kibler, Lillian Adele. *Benjamin F. Perry, South Carolina Unionist*. Durham, NC: Duke University Press, 1946.
- Kittel, Mary Badham. *Cornelia Dabney Tucker: The First Republican Southern Belle*. Columbia, SC: R.L. Bryant Company, 1969.
- Klarman, Michael J. *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*. New York, NY: Oxford University Press, 2004.
- Kousser, J. Morgan. *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910*. New Haven, CN: Yale University Press, 1974.

- Kruse, Kevin Michael. *White Flight: Atlanta and the Making of Modern Conservatism*. Princeton, NJ: Princeton University Press, 2007.
- Lassiter, Matthew D. *The Silent Majority: Suburban Politics in the Sunbelt South*. Princeton, NJ: Princeton University Press, 2006.
- Lau, Peter F. *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*. Lexington, KY: University Press of Kentucky, 2006.
- Lerner, Michael A. *Dry Manhattan: Prohibition in New York City*. Boston, MA: Harvard University Press, 2007.
- Leuchtenburg, William E. *Herbert Hoover*. American Presidents Series. New York, NY: Times Books, 2009.
- Lewinson, Paul. *Race, Class and Party: A History of Negro Suffrage and White Politics in the South*. New York, NY: Oxford University Press, 1932.
- Lisio, Donald J. *Hoover, Blacks, & Lily-Whites: A Study of Southern Strategies*. Chapel Hill, NC: University of North Carolina Press, 1985.
- Litwack, Leon F. *Trouble in Mind: Black Southerners in the Age of Jim Crow*. New York, NY: Knopf, 1998.
- Longacre, Edward G. *Gentleman and Soldier: A Biography of Wade Hampton III*. Lincoln, NE: University of Nebraska Press, 2009.
- Mack, Tom, ed. *The South Carolina Encyclopedia Guide to South Carolina Writers*. Columbia, SC: University of South Carolina Press, 2014.
- Marks, Carole. *Farewell, We're Good and Gone: The Great Black Migration*. Bloomington, IN: Indiana University Press, 1989.
- Marszalek, John F. *A Black Congressman in the Age of Jim Crow: South Carolina's George Washington Murray*. Gainesville, FL: University Press of Florida, 2006.
- Mays, Benjamin Elijah. *Born to Rebel: An Autobiography*. Athens, GA: University of Georgia Press, 2003.
- McCartney, Laton. *The Teapot Dome Scandal: How Big Oil Bought the Harding White House and Tried to Steal the Country*. New York, NY: Random House Publishing Group, 2008.
- McGirr, Lisa. *The War on Alcohol: Prohibition and the Rise of the American State*. New York, NY: W. W. Norton & Company, 2016.
- McGovern, James R. *Anatomy of a Lynching: The Killing of Claude Neal*. Baton Rouge, LA: Louisiana State University Press, 1982.
- McMillen, Neil R. *Dark Journey: Black Mississippians in the Age of Jim Crow*. Urbana, IL: University of Illinois Press, 1990.
- . "Perry W. Howard, Boss of Black-and-Tan Republicanism in Mississippi, 1924-1960." *The Journal of Southern History* 48, no. 2 (1982): 205–24.
- McPherson, James M. *The Abolitionist Legacy: From Reconstruction to the NAACP*. Princeton, NJ: Princeton University Press, 1995.
- Mee Jr., Charles L. *The Ohio Gang: The World of Warren G. Harding*. New York, N.Y.: M. Evans, 1981.
- Meier, August. *Negro Thought in America, 1880-1915: Racial Ideologies in the Age of Booker T. Washington*. Ann Arbor, MI: University of Michigan Press, 1963.
- Meier, August, and Elliott Rudwick. "The Rise of Segregation in the Federal Bureaucracy, 1900-1930." *Phylon* 28, no. 2 (1967): 178–84.
- Merrill, Horace Samuel, and Marion Galbraith Merrill. *The Republican Command, 1897-1913*. Lexington, KY: University Press of Kentucky, 1971.

- Mickey, Robert. *Paths Out of Dixie: The Democratization of Authoritarian Enclaves in America's Deep South, 1944-1972*. Princeton, NJ: Princeton University Press, 2015.
- Mixon, Gregory. "The Making of a Black Political Boss: Henry A. Rucker, 1897-1904." *The Georgia Historical Quarterly* 89, no. 4 (2005): 485–504.
- Morris, Edmund. *Theodore Rex*. New York, NY: Random House Publishing Group, 2001.
- Mourtada-Sabbah, Nada, and Bruce E. Cain. *The Political Question Doctrine and the Supreme Court of the United States*. New York, NY: Lexington Books, 2007.
- Newby, Idus A. *Black Carolinians: A History of Blacks in South Carolina from 1895 to 1968*. Columbia, SC: University of South Carolina Press, 1973.
- . *Jim Crow's Defense: Anti-Negro Thought in America, 1900-1930*. Baton Rouge, LA: Louisiana State University Press, 1965.
- Norrell, Robert Jefferson. *Up from History: The Life of Booker T. Washington*. Cambridge, MA: Harvard University Press, 2009.
- Okrent, Daniel. *Last Call: The Rise and Fall of Prohibition*. New York, NY: Simon and Schuster, 2010.
- Peck, Garrett. *Prohibition in Washington, D.C.: How Dry We Weren't*. Mt. Pleasant, SC: Arcadia Publishing, 2011.
- Perlstein, Rick. *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus*. New York, NY: Hill & Wang, 2001.
- Perman, Michael. *Struggle for Mastery: Disfranchisement in the South, 1888-1908*. Chapel Hill, NC: University of North Carolina Press, 2003.
- Pildes, Richard H. "Democracy, Anti-Democracy, and the Canon." *Constitutional Commentary* 17, no. 2 (2000): 295–319.
- Poole, W. Scott. *Never Surrender: Confederate Memory and Conservatism in the South Carolina Upcountry*. Athens, GA: University of Georgia Press, 2004.
- Powell, Ruth Gilliam. "History of the Southern Commission on Interracial Cooperation." M.A. Thesis, University of South Carolina, 1936.
- Powers, Bernard E. *Black Charlestonians: A Social History, 1822-1885*. Fayetteville, AR: University of Arkansas Press, 1994.
- Prather Sr, H. Leon. "The Origins of the Phoenix Racial Massacre of 1898." In *Developing Dixie: Modernization in a Traditional Society*, edited by Winfred B. Moore, Joseph F. Tripp, and Lyon G. Tyler. Westport, CT: Greenwood Press, 1988.
- Rigueur, Leah Wright. *The Loneliness of the Black Republican: Pragmatic Politics and the Pursuit of Power*. Princeton, NJ: Princeton University Press, 2015.
- Riser, R. Volney. *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908*. Baton Rouge, LA: Louisiana State University Press, 2010.
- Riser, Robert Volney. "Between Scylla and Charybdis: Alabama's 1901 Constitutional Convention Assesses the Perils of Disfranchisement." M.A., University of Alabama, 2000.
- Robeson, Elizabeth. "An 'Ominous Defiance': The Lowman Lynchings If 1926." In *Toward the Meeting of the Waters: Currents in the Civil Rights Movement of South Carolina During the Twentieth Century*, edited by Orville Vernon Burton and Winfred B. Moore. Columbia, SC: University of South Carolina Press, 2008.
- Rubin, Hyman. *South Carolina Scalawags*. Columbia, SC: University of South Carolina Press, 2006.

- Rubio, Philip F. *There's Always Work at the Post Office: African American Postal Workers and the Fight for Jobs, Justice, and Equality*. Chapel Hill, NC: University of North Carolina Press, 2010.
- Schneider, Mark R. *"We Return Fighting": The Civil Rights Movement in the Jazz Age*. Boston, MA: Northeastern University Press, 2002.
- Schweninger, Loren. *Black Property Owners in the South, 1790-1915*. Urbana, IL: University of Illinois Press, 1997.
- Sherman, Richard B. *The Republican Party and Black America from McKinley to Hoover, 1896-1933*. Charlottesville, VA: University Press of Virginia, 1973.
- Simkins, Francis Butler. *Pitchfork Ben Tillman, South Carolinian*. Baton Rouge, LA: Louisiana State University Press, 1944.
- Sinha, Manisha. *The Counterrevolution of Slavery Politics and Ideology in Antebellum South Carolina*. Chapel Hill, NC: University of North Carolina Press, 2000.
- Sitkoff, Harvard. *A New Deal for Blacks: The Emergence of Civil Rights as a National Issue*. Vol. Volume 1: The Depression Decade. New York, NY: Oxford University Press, 1978.
- Smith, Jr., J. Clay. *Emancipation: The Making of the Black Lawyer, 1844-1944*. Philadelphia, PA: University of Pennsylvania Press, 1999.
- Smith, Ron, and Mary O. Boyle. *Prohibition in Atlanta: Temperance, Tiger Kings & White Lightning*. Charleston, SC: American Palate, 2015.
- Smith, Rosemunde Goode. "Dying to Vote: The Negroes' Struggle to Secure the Right to Vote in Upcountry South Carolina 1868-1898." M.A., Morgan State University, 2008.
- Southern, David W. "Beyond Jim Crow Liberalism: Judge Waring's Fight Against Segregation in South Carolina, 1942-52." *The Journal of Negro History* 66, no. 3 (1981): 209-27.
- Stokes, Melvyn. *D.W. Griffith's The Birth of a Nation: A History of the Most Controversial Motion Picture of All Time*. New York, NY: Oxford University Press, 2007.
- Stratton, David Hodges. *Tempest Over Teapot Dome: The Story of Albert B. Fall*. Norman, OK: University of Oklahoma Press, 1998.
- Sullivan, Patricia. *Days of Hope: Race and Democracy in the New Deal Era*. Chapel Hill, NC: University of North Carolina Press, 1996.
- . *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement*. New York, NY: New Press, 2009.
- Sussman, Robert W. *The Myth of Race: The Troubling Persistence of an Unscientific Idea*. Cambridge, MA: Harvard University Press, 2014.
- Thurber, Timothy Nels. *Republicans and Race: The GOP's Frayed Relationship with African Americans, 1945-1974*. Lawrence, KS: University Press of Kansas, 2013.
- Tindall, George Brown. *South Carolina Negroes, 1877-1900*. Columbia, SC: University of South Carolina Press, 1952.
- . *The Emergence of the New South, 1913-1945*. Baton Rouge, LA: Louisiana State University Press, 1967.
- Trotter, Joe William, ed. *The Great Migration in Historical Perspective: New Dimensions of Race, Class, and Gender*. Bloomington, IN: Indiana University Press, 1991.
- Tullos, Allen. *Habits of Industry: White Culture and the Transformation of the Carolina Piedmont*. Chapel Hill, NC: The University of North Carolina Press, 1989.
- Waldrep, C. *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America*. New York, NY: Palgrave Macmillan, 2002.

- Waldrep, Christopher. *Lynching in America: A History in Documents*. New York, NY: New York University Press, 2006.
- Walton, Hanes. *Black Republicans: The Politics of the Black and Tans*. Metuchen, NJ: Scarecrow Press, 1975.
- Waters, Harold. *Smugglers of Spirits: Prohibition and the Coast Guard Patrol*. New York, NY: Hastings House Publishers, 1971.
- Weaver, John Downing. *The Brownsville Raid*. College Station, TX: Texas A&M University Press, 1970.
- Webb, Samuel L. *Two-Party Politics in the One-Party South: Alabama's Hill Country, 1874-1920*. Tuscaloosa, AL: University of Alabama Press, 1997.
- Weiss, Nancy J. "The Negro and the New Freedom: Fighting Wilsonian Segregation." *Political Science Quarterly* 84, no. 1 (1969): 61–79.
- Weiss, Nancy Joan. *Farewell to the Party of Lincoln: Black Politics in the Age of FDR*. Princeton, NJ: Princeton University Press, 1983.
- Wells, Tom Henderson. "The Phoenix Election Riot." *Phylon* 31, no. 1 (1970): 58–69.
- Wilk, Daniel Levinson. "The Phoenix Riot and the Memories of Greenwood County." *Southern Cultures* 8, no. 4 (2002): 29–55.
- Wilkie, Laurie A. *The Archaeology of Mothering: An African-American Midwife's Tale*. New York, NY: Routledge, 2012.
- Williamson, Joel. *After Slavery: The Negro in South Carolina During Reconstruction, 1861-1877*. Chapel Hill, NC: University of North Carolina Press, 1965.
- Wolgemuth, Kathleen L. "Woodrow Wilson and Federal Segregation." *The Journal of Negro History* 44, no. 2 (1959): 158–73.
- Wright, Gavin. *Old South, New South: Revolutions in the Southern Economy Since the Civil War*. New York, NY: Basic Books, 1986.
- Xi, Wang. *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860-1910*. Athens, GA: University of Georgia Press, 1997.
- Yarbrough, Tinsley E. *A Passion for Justice: J. Waties Waring and Civil Rights*. New York, NY: Oxford University Press, 1987.
- Yellin, Eric S. *Racism in the Nation's Service: Government Workers and the Color Line in Woodrow Wilson's America*. Chapel Hill, NC: University of North Carolina Press, 2013.
- Zangrando, Robert L. *The NAACP Crusade Against Lynching, 1909-1950*. Philadelphia, PA: Temple University Press, 1980.
- Zelden, Charles L. *The Battle for the Black Ballot: Smith V. Allwright and the Defeat of the Texas All-White Primary*. Lawrence, KS: University Press of Kansas, 2004.