The History of the Negro Vote in Mississippi

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THE HISTORY OF THE NEGRO VOTE
IN MISSISSIPPI

by
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A Thesis Submitted to the Faculty of the Graduate School
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LIFE

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CHAPTER I

PRESIDENTIAL RESTORATION

The purpose of this thesis is to investigate the history of the Negro vote in Mississippi from 1865 to 1952, and thus to note the rise and fall of Negro political activity within that state. Inasmuch as this story begins at the time of the collapse of the Confederacy and the attempted restoration of the southern states to the Union under presidential tutelage, it is necessary, first, to recall the relationship of Mississippi to the federal government just then, and to review the most important of those problems which had to be faced without delay.

According to Lincoln, the southern states had never been out of the Union, but had merely been in a state of insurrection.\(^1\) Therefore, with the failure of that insurrection, the obviously proper course was for the president, as expeditiously and simply as possible, to restore the recently rebellious areas to their proper relationship to the Union. However, there were complicating factors: the slaves had been freed or were in the process of being freed; and a segment of northern opinion demanded that the freedmen

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be granted civil rights, and, for their own protection, be allowed to vote.

The Emancipation Proclamation, a wartime measure of questioned constitutionality,\textsuperscript{2} had been directed against only those areas still in rebellion against the central authority January 1, 1863. It could not be enforced until those states were brought once again under federal control. To remove all question of constitutionality and to effect freedom in those sections exempted from the provisions of the Proclamation, Lincoln then urged emancipation by state action.\textsuperscript{3} Later, as a final and complete measure, the Thirteenth Amendment was to be proposed, passed, and submitted to the states for ratification. Thus, the southern states, in the process of presidential restoration, had to determine their attitude, first, toward emancipation, and then towards the granting of civil rights to and the enfranchisement of the freedmen. It is in regard to the attempted solution of these matters in Mississippi that we are immediately concerned.

Lincoln's attitude toward Negro suffrage can be ascertained only partially. In 1858 Ethelbert Barksdale\textsuperscript{4} quoted Lincoln as

\textsuperscript{2}Ibid., 402-403.

\textsuperscript{3}James Ford Rhodes, \textit{History of the United States} (New York, 1904), IV, 213.

\textsuperscript{4}Barksdale is best known as a member of the first Congress of the Confederate States in which he served as a representative from Mississippi. He was also editor of the \textit{Jackson Clarion}. 
having said: "I am not, and have never been, in favor of bringing about, in any form, the social and political equality of the white and black races." Yet he expressed the desire that capable Negroes be permitted the privilege of the franchise. The expression of this opinion is contained in a letter to Governor Michael Hahn of Louisiana, written on March 13, 1864:

Now you are about to have a convention which will probably define the elective franchise. I barely suggest, for your private consideration, whether some of the colored people may not be let in, as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would probably help in some trying time to come, to keep the jewel of liberty within the family of freedom. But this is only a suggestion, not to the public, but to you alone.

It was against this background that Charles Clark, the last of the Confederate Governors of Mississippi, decided that the proper thing to do was to issue a call for a meeting of the state legislature to urge the people to accept the results of the war and to discuss the steps necessary to reinstate Mississippi in the Union. On May 20th, 1865 the legislature met in Jackson, the state capitol. The Governor sent the legislature a message in which he recommended the calling of a constitutional convention, the repealing of the ordinances of secession, the remodeling of the state constitution, and the appointing of a committee to consult with the

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5 Ethelbert Barksdale, "Reconstruction in Mississippi," Why the Solid South? (Baltimore, 1890), 344. Lincoln's quotation, however, is not documented in Barksdale's work.

6 Michael Hahn had been appointed Provisional Governor during the time that Louisiana was in the process of restoration.

7 Nicolay and Hay, 496.
President on the restoration of the state. The legislature was forced to adjourn without taking action because of a military threat. General Osband, the commander of a brigade of Negro troops stationed in Jackson, threatened to arrest its members if they attempted to exercise the functions of a law-making body. The legislature did, however, plan a convention to be held on July 3. This gathering never materialized.

In July, 1865, Judge William L. Sharkey, recently appointed by President Johnson as Provisional Governor of Mississippi, ordered an election to be held the 6th of August for delegates to a state convention scheduled for the 14th of the same month. This convention was to be the first to be held in the state in keeping with the President's restoration program, and was composed of "that portion of the people of said State who [were] loyal to the United States and no others..." Two problems of importance to the entire South were to be decided upon: first, the question of the recognition of the abolition of slavery; and second, the position under the law which the freedman was thereafter to occupy.

This was the situation in Mississippi when President Johnson had been in office a sufficient length of time to formulate a

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8 Dunbar Rowland, The South in the Building of the Nation (Jackson, 1925), II, 425.

9 Robert Bowman, "Reconstruction in Yazoo County," Publications of the Mississippi Historical Society, VII (Jackson, Miss., 1903), 118.

10 Dunbar Rowland, History of Mississippi (Jackson, 1925), II, 109.
program of his own and to cause his influence to be felt. In general, he adopted a restoration policy quite similar to Lincoln's, but, in some respects, a more stringent and exacting one. However, in regard to some basic problems, his viewpoint was not at first clear. His attitude towards two of these problems, emancipation and Negro suffrage, was finally clarified in a letter addressed to Governor Sharkey, dated August 15, 1865:

I hope that without delay your convention will amend your state constitution, abolishing slavery and denying to all future Legislatures the power to legislate that there is property in man; also that they will adopt the amendment to the Constitution of the United States abolishing slavery. If you could extend the elective franchise to all persons of color who can read the Constitution of the United States in English and write their names, and to all persons of color who own real estates valued at not less than two hundred and fifty dollars and pay taxes thereon, you would completely disarm the adversary and set an example the other States will follow. This you can do with perfect safety, and you would thus place Southern States in reference to free persons of color upon the same basis with the free States. . . . And as a consequence, the radicals, who are wild upon negro franchise, will be completely foiled in their attempts to keep the Southern States from renewing their relations to the Union by not accepting their Senators and Representatives.11

The convention referred to in the quotation above was the one which began its sessions on August 14. By way of an answer, the delegates favored acquiescing in the freeing of the slaves as provided for in the Emancipation Proclamation, even though the members doubted its legality.12 Johnson's suggestion in regard to the

11Walter L. Fleming, Documentary History of Reconstruction (Cleveland, 1906), I, 177, citing President Johnson's letter to Governor William Sharkey, August 15, 1865.

12Rowland, History of Mississippi, II, 112.
franchise does not appear from the published debates to have received any attention. Before the end of August Governor Sharkey reported to the President that the application of this idea would be impossible in Mississippi.\textsuperscript{13} It is highly probable that the sentiment of the convention was against political rights for the Negro in any form.\textsuperscript{14}

In the meantime, a few of the freedmen of the state had already become interested in their possible political rights. In June, 1865, before the all-white election of delegates to the abortive constitutional convention of that month, a number of Negroes had gathered in a mass meeting at Vicksburg and had drawn up resolutions condemning the exclusion of loyal citizens from the election. They had appealed to Congress to refuse to readmit Mississippi until she voluntarily enfranchised the freedmen.\textsuperscript{15} The immediate hopelessness of their position was soon to be revealed.

The constitutional convention of August \textsuperscript{14} also provided for state elections to take place October 2, 1865. Benjamin G. Humphries was one of the three candidates nominated for governor. He won the election largely on an "opposition to Negro testimony" basis, and was inaugurated on October 16 at the State House in

\textsuperscript{13}Vernon Lane Wharton, \textit{The Negro in Mississippi, 1865-1890}, ed. A. R. Newsome (Chapel Hill, 1947), 140.

\textsuperscript{14}James Wilford Garner, \textit{Reconstruction in Mississippi} (New York, 1901), 109.

\textsuperscript{15}John Seymore McNeily, "War and Reconstruction in Mississippi" \textit{PMHS}, II (Jackson, 1918), 298.
Jackson. He took office in conjunction with a newly chosen legislature which was to be the last elected by an exclusively all-white vote until after Reconstruction was overthrown.16

On the twentieth day of the month Humphries sent a message to the state legislature in which he declared that the people of Mississippi, under the pressure of Federal bayonets and misdirected world opinion, had acquiesced in the abolition of slavery and had taken upon themselves the duty of providing for the security of the freedmen and of guarding them against the evils that might arise from their sudden emancipation.17 "The negro is free, whether we like it or not; we must realize that fact now and forever. To be free, however, does not make him a citizen, or entitle him to social or political equality with the white man."18 This statement is noteworthy in view of the fact that the President had made it clear that civil, as well as political rights, were a part of his policy of restoration. But obviously, Mississippi was unwilling to accept the President's recommendations. And as it turned out, Congress proved equally as unwilling, but for different reasons.

The parting of the ways between Johnson and the Radical faction of Congress, developed immediately after the delivery of his

17 Garner, III.
18 Fleming, Documentary History, I, 251, citing Gov. Humphries' message to the Mississippi state legislature, October 20, 1865.
message of December 4, 1865 to the national legislature in which he revealed his position regarding Negro suffrage and related matters:

Every danger of conflict is avoided when the settlement of the question is referred to the several states. They can each for itself decide on the measure, and whether it is to be adopted at once and absolutely, or introduced generally and with conditions. In my judgment the freedmen, if they show patience and manly virtues, will sooner obtain participation in the elective franchise through the states than through the general government, even if it had the power to intervene.

When the tumult of passion that has been raised by the suddenness of the social change has subsided, it may prove that they will receive the kindest usage from some of those on whom they have hitherto most closely depended. But while I have no doubt that now, after the close of the war, it is not compatible for the general government to extend the elective franchise in the several states, it is equally clear that good faith requires the security of the freedmen in their liberty and their property, their right to claim the just reward of their labor.19

The new southern state legislatures, brought into being as a result of the presidential program, inadvertently aided the Radicals in the overthrow of the easy executive plan of restoration and in the triumph of the harsh Radical plan of reconstruction.20 This was done, in part, through the enactment of the Black Codes which represented the initial efforts of the southern whites to fit the freedmen into the social, economic and civil pattern of that area. Of necessity, the Codes restricted the liberties of

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19Rowland, History of Mississippi, II, 126.

20Charles S. Mangum, Jr., The Legal Status of the Negro (Chapel Hill, 1940), p. 373.
the Negroes. These codes were misrepresented by the Radicals in their determination to undermine and overthrow the executive program. Consequently, reconstruction was carried out according to the plans of Congress. All those who had participated actively in the rebellion, including the majority of the southern whites, were disfranchised. At the same time, the political field was opened to the Negroes. This situation made worse an animosity long existent between two groups, colored and white, a situation illustrated by the following statement:

The slaves of large owners looked down upon non-slave owners because they did not own slaves; . . . this has produced hostility between the mass of the whites and the Negroes. The outrages are mostly from non-slaveholding whites against the negro, and from the negro upon the non-slaveholding whites. The negro will vote with the late master, whom he does not hate, rather than with the non-slaveholding white, whom he does hate. Universal suffrage will create another war, not against us, but a war of races.

The difficulties of the situation were complex. The North believed that the political administration of the southern states must be brought into conformity with its interpretation of the democratic ideals of the Constitution. The South contended that where a choice must be made between civilization and democracy,


22 Hon. Edward McPherson, *The Political History of Reconstruction* (Washington, D. C., 1871), 49. G. L. Stearns interviewed President Johnson on October 3, 1865. This is Stearns' account of the interview.
civilization must supersede. The North asserted that the freedmen could not protect themselves unless they were given the ballot; the South, in turn, answered that it was not the protection of the Negro, but the protection of society itself which must come first. The South was weak and the North was strong. Consequently, the will of the North was to prevail, at least temporarily.23

In November of 1866 the voters of the Union were to give to the Radicals a clear majority in Congress. Hence--this faction was able later to move rapidly in the direction of the overthrow of presidential restoration and the pushing through of congressional reconstruction. Mississippi, as well as her sister states, had accepted the Thirteenth Amendment as a required part of the executive program, but had refused to extend to the freedmen civil and political rights. Hence, all were faced with a vindictive program, designed by the Radicals, which would guarantee the Negro civil rights, give him the right to vote, and place him in political control of the states, militarily occupied, in which a majority of the whites were disfranchised. One of the least of the legacies of this period of military rule was worsened race relations, the seeds of which had already been planted.

23Edgar Gardner Murphy, Problems of the Present South (New York, 1905), 190-191.
CHAPTER II

THE UNDOING OF RESTORATION AND THE BEGINNING OF RECONSTRUCTION

When Johnson became President, Congress was not in session and it was not scheduled to reconvene until December, 1865. He refused to call it into special session, as some desired, because he wished to complete the program of southern restoration without its interference. As Lincoln had been, he was convinced that the solving of the southern problem was an executive matter, not a legislative one. It is due to these circumstances that when the Thirty-ninth Congress did convene, all the ex-Confederate states, except Texas, had completed the process of re-establishing civil government in keeping with the presidential directives.¹ New state and federal officials had been chosen, and the newly elected Senators and Representatives were merely awaiting national legislative confirmation before taking their seats in Congress.

The simplest course for the Thirty-ninth Congress to have followed would have been to accept Lincoln's basic restoration

¹Francis Butler Simkins, The South Old and New (New York, 1947), 178.
policy, to approve the additional steps taken by Johnson, and then to complete the process of restoration. This last could have been effected through the acceptance of the Senators and Representatives from the reorganized states, the admission of the states to the Electoral College, and the re-establishment of state and federal relations.

However, as previously seen, Congress was coming to be dominated more and more by those who insisted upon the reassertion of legislative prerogative. The executive program was too soft; Congress must either have a voice in the matter, or preferably, take over control of the program completely. At this time, the Republicans of Congress were divided into three major groups, the Conservatives, the Moderates and the Radicals. The Democratic minority hardly counted. The Conservatives, who were somewhat "moderate" in their viewpoint, advocated additions to the changes already realized whereby the Negro might be granted civil rights and whereby the representation of those states which denied suffrage to the freedmen might be proportionately reduced. The Moderates and the Democratic minority, for the most part, supported the presidential

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2 Walter Lynwood Fleming, The Sequel of Appomattox (New Haven, 1919), 120.


4 Fleming, Sequel, 121-122.
The Radicals, on the other hand, planned to destroy completely the state governments set up under Lincoln and Johnson and to create new governments on the basis of Negro suffrage and the disfranchisement of numerous whites. Completed presidential restoration would make impossible that control of Congress by the Radicals upon which they were determined. Thaddeus Stevens said that "If impartial suffrage [by which he meant Negro suffrage under carpetbag control] is excluded in the rebel States then every one of them is sure to send a solid rebel representative delegation to Congress to vote." The Radicals were determined to prevent the South from returning to the Union as a Democratic controlled area.

In the implementation of their program the Radicals appointed a Joint Committee of Fifteen, consisting of six Senators and nine Representatives, under the leadership of Thaddeus Stevens of the House and Charles Sumner of the Senate, which was to discuss proposals and recommend policies pertaining to their plan of reconstruction. Three Democrats, one Senator and two Representatives, were members of the Committee, but the decisions reached naturally reflected the opinion of the Republican majority. The initial

5Ibid., 122.
8Simkins, 181.
report submitted by this group June 18, 1866, consisted of the following main points:

1. Reconstruction belonged to Congress.

2. The President's previously formed southern state governments were illegal.

3. The Fourteenth Amendment, which had already been approved by both Houses of Congress, should be presented to the states for ratification.9

Inasmuch as the problem of the overthrow of the executive plan of restoration and the substitution therefor of an, as yet, unformulated congressional plan of reconstruction required time and planning, the Radicals turned their attention, first, to the controversial Fourteenth Amendment. This Amendment had had its origins, in part, in the Civil Rights Act of 1866 which had been passed by Congress, vetoed by the President, and then repassed over his veto.10 It had been properly named "An Act to protect all persons in the United States in their Civil Rights, and furnish the means of their Vindication." It had offered the first federal statutory definition of citizenship and had asserted an extensive right of federal interference in state matters.11

10Ibid., 74-80.
argument presented in Congress in its behalf was that the Negroes needed federal assistance to protect their rights. Johnson had denounced and vetoed the bill on the grounds that the subject matter contained therein was state business, and that it violated both the legislative and judicial rights of the state. Actually, the Constitution, as then interpreted, prohibited Congress from interfering in such fundamental state matters, and state authority in such fields was accepted as being supreme.12

The Fourteenth Amendment, as already approved by both Houses, contained many provisions with some of which we need not be concerned. Its first three sections, however, are pertinent to this paper inasmuch as they dealt with the subject of citizenship and a prohibition upon the states preventing them from denying equal protection of the law to new citizens; with the question of suffrage whereby the states were rewarded if they granted the franchise to the Negro and penalized if they refused to do so; and with the matter of the disqualification of ex-Confederates for holding office.

The heart of the Civil Rights Bill was included in Section I which revolved about the definition of a citizen: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United

States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."\textsuperscript{13} Hence, all Negroes born or naturalized in the United States were to become federal and state citizens with certain guaranteed rights, if this amendment were ratified. Radical Senator Lyman Trumbull of Illinois, who had been the author of the Civil Rights Bill, said that the inclusion of this section was made necessary because of the failure of the states to recognize the rights it provided for.\textsuperscript{14}

The fact that the Mississippi legislature at first rejected the amendment indicates that the whites of the state were apparently hardly any more in sympathy with the principles of this section than they were with those of the others.\textsuperscript{15}

The second section dealt with the all important question of Negro suffrage, but its moderation reflects the fact that the Radicals were not as yet secure in their control of Congress and public support and that several of the northern states had not as yet granted the ballot to the Negro. It provided:

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and

\begin{itemize}
  \item \textsuperscript{13}United States Constitution, Article XIV, Section 1.
  \item \textsuperscript{14}James G. Randall, \textit{Civil War and Reconstruction} (Chicago, 1937), 735.
  \item \textsuperscript{15}Fleming, \textit{Sequel}, 85.
\end{itemize}
Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, 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 abridge, 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.

Obviously, the Reconstruction leaders were not as yet willing to write Negro suffrage unequivocally into the Constitution. The three-fifths ratio for determining proportional representation contained in the Constitution proper had been eliminated as a result of the Thirteenth Amendment. Thus, the Fourteenth provided that representation was thereafter to depend upon the degree to which each state enfranchised its eligible citizens. There were both rewards and penalties. In regard to rewards, it was provided that a state which gave the ballot to the Negro would receive credit for its total population in determining its proportional representation. In regard to penalties, the authors of the Amendment did not express exactly what they intended in the wording of this section. What they should have said was that representation would be reduced if the voting privilege were denied because of race, color

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16 United States Constitution, Article XIV, Section 2.
17 Rowland, South in the Building of the Nation, II, 431.
19 United States Constitution, Article XIV, Section 2.
or previous condition of servitude. Instead, they said that representation would be reduced if the suffrage were denied to any male inhabitants, twenty-one years of age, and citizens, except for participation in rebellion or other crime.

Section II was based primarily upon the idea that political power in the Union should rest only upon that portion of the people of each state which was regarded as fit to exercise such power. The section had a two-fold purpose. The first was that the South was not to be allowed actually to benefit from the war's outcome and enjoy increased representation due to the emancipation of the slaves and the automatic elimination of the three-fifths ratio, unless it enfranchised the freedman. The second was that an actual inducement was held out to the states to make it to their political advantage to give the ballot to the Negro and thus increase their representation. Behind it all, however, was the realization that the grateful freedman would vote Republican and that the Party would therefore be the chief beneficiary of such a policy.

Mississippi could not be won over by such inducements or frightened by such penalties, for when free to express her own will, she rejected the amendment.

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20 Mangum, 379.
21 United States Constitution, Article XIV, Section 2.
22 Beale, 206.
23 McPherson, Political History of Reconstruction, 194, cites these figures: Senate, Jan. 30, 1867, yeas 0, nays 27.
House, Jan. 25, 1867, yeas 0, nays 88.
Having dealt with the matters of citizenship and civil rights, and with the franchise, the framers of the Fourteenth Amendment next turned their attention to the question of southern leadership. Were those who had led the South into secession and who had organized and guided the Confederacy to be allowed to remain in the seats of power? They were the accepted southern leaders, and the people of that section would, no doubt, again elect them to office, both state and federal. The decision was that disabilities must be placed upon these ex-Confederates, at least temporarily. Section III thus provided:

No person shall be a senator or representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability. 24

Actually, this clause of the Amendment made ineligible for office nearly the whole class of men to whom the South had always looked for leadership. 25 Some members of Congress favored permanent disqualification, but a clause was introduced making disability removable by a two-thirds vote of each House of Congress. In addition, President Johnson issued several amnesties, first with

24 United States Constitution, Article XIV, Section 3.
qualifying restrictions and then general and unconditional. 26 Mississippi was thus faced with the necessity, if this amendment were approved, not only of accepting the other provisions it contained, but also of agreeing to the disqualification of its accustomed leaders. This would be a first step toward Negro suffrage in the South. 27 The poor white element was scarcely better fitted to rule than were the freed Negroes. 28 Power would be put into the hands of radical southerners who would attempt to win and maintain power with the help of the Negro vote.

The Fourteenth Amendment, as thus approved by Congress and before it was submitted to the states for ratification, became an issue in the election of 1866. 29 This election would determine whether a national legislature friendly to presidential restoration or to Congressional reconstruction would be returned by the people. It was a contest between the President and the Radicals. 30 The Amendment was thus a "shrewdly conceived platform" to catch the votes of all those who favored a harsh southern policy and who were particularly sympathetic towards the freedmen. The Radicals, having in mind the partisan advantages that this constitutional

27 Beale, 200.
28 Ibid., 202.
29 Fleming, Sequel, 130.
30 Rowland, History of Mississippi, II, 126.
change would bring, developed it into an "elaborate controversy" as a part of the campaign. In a message submitted by William H. Seward on June 20, 1866, President Johnson, supported by the Democrats and the moderate Republicans, protested against the Fourteenth Amendment insofar as he doubted "whether any amendment to the Constitution ought to be proposed by Congress and pressed upon the state legislature until after the admission of the Southern representatives to Congress." But a sense of revolution was in the air. When the campaign was over and the votes were counted, it was found that a decisive victory had been obtained by the Radicals and a corresponding defeat suffered by the President's friends. However, it must be kept in mind that many additional issues and circumstances entered into the election of 1866, and that it did not turn upon this issue alone.

Mississippi, as well as the ten other unreconstructed southern states, was not directly concerned with this campaign. On the other hand, she was vitally concerned when the Fourteenth Amendment was submitted to the states for ratification after the election was over. In this regard the Radicals acted with complete inconsistency. For all other purposes, the ex-Confederate states were treated as if they were not a part of the Union. But for the purpose of ratifying an amendment, their vote was required. Thus,

31 Beale, 205.

the Mississippi Legislature, which was functioning under the authority of the presidential plan, had to make its decision. The people of the state were vitally interested in the attitude of all their elected officials in regard to this matter, especially that of their two unseated Senators. William L. Sharkey, formerly Provisional Governor, and General James L. Alcorn, recently of the Confederate Army. Inasmuch as the question of the franchise was a vital part of the Amendment, we can reasonably deduce the probable attitude of these two key figures toward the entire amendment from their known position pertaining to Negro suffrage. The Vicksburg Herald carried the following article relative to Judge Sharkey's position at this time:

As prominence is again given to the letter of President Johnson to the late Provisional Governor Sharkey, of this State, in which it is said the President urged the doctrine of "Impartial Suffrage," so called. We feel authorized to state from a recent conversation with Governor Sharkey, that he is utterly opposed to negro suffrage in any way it can be fixed, partial or impartial. He also believes that Congress has nothing to do with the subject and cannot legally touch it. It belongs exclusively to the states, each State acting for itself.

The attitude of General Alcorn had not been as recently or as clearly defined. This is indicated by an excerpt from a "Letter to the Editor" found in the same issue of this paper:

33 Both Senators, Sharkey and Alcorn, were excluded from the United States Senate until the State was recognized by Congress in January, 1870.

It would be equally gratifying to the people of Mississippi, to know that their other Senator, Gen. Alcorn has also placed himself in opposition to this nefarious measure. Will you not draw the General out on the subject of negro suffrage? It is a well known fact that last year he addressed a letter to a distinguished citizen of our State in which he boldly advocated that doctrine--That letter is still in existence, and if the General will only express such a desire, I doubt not it can be obtained for publication. Will he do so? Will he oblige his constituents with his reasons for favoring negro suffrage? Or, if he has "changed his base," and is not opposed to the views of his friend Greeley in regard to "Impartial suffrage," he will perhaps not object to tell the people what has wrought this change!

If, however, no change has "come over the spirit of his dreams"--if he is yet in favor of negro suffrage--perhaps self-respect may indicate to him that he is not a fit Representative of the people of Mississippi, and that a very ordinary regard for public opinion should induce him to resign a position he cannot hold without dishonoring himself and outraging the well known will of the people.35

But regardless of the attitudes of the Senators-elect, opposition to the Amendment was unanimous in the Mississippi legislature, and this same feeling prevailed to a large extent among the people.36 The refusal of the legislature to accord the Negro civil and political rights was due to attitudes and traditions which made up the fabric of southern life.37

By March of 1867, twelve of the thirty-seven states had rejected the amendment. This included all the southern states except Tennessee, which had ratified it before the first session of

35Ibid., 235-236.
36Ibid.
37Garner, 119.
the Thirty-ninth Congress had adjourned.38 A government loyal to
the United States had been successfully organized in this state
and recognized by Congress, but its constitution had virtually de­
prived all ex-Confederates of the right to vote.39 Therefore, a
state legislature, elected under these circumstances, had readily
accepted the amendment. (In regard to its rejection by the other
ex-Confederate states, however, Congress was soon to assure that
they would accept it.)

The Thirty-ninth Congress was due to come to an end March 2,
1867 and the Fortieth was not scheduled to convene until December
4 of that year.40 However, the Radicals were determined to push
through their own reconstruction program before adjournment, and
their distrust of Johnson was such that they feared that he would
not faithfully carry out its provisions.41 Consequently, on January
22, 1867 a law was passed to the effect that the Fortieth
Congress should not await the customary date for convening, but
would assemble March 4, immediately upon the expiration of the
Thirty-ninth.42 Thus, Congress would be in session to oversee the

38Fleming, Sequel, 85.
39Ibid., 129.
40United States Statutes at Large, XIV (Washington, 1867), 378.
41Henry W. Elson, Side Lights on American History, Series II
(New York, 1901), 172.
42United States Statutes at Large, XIV, 378.
carrying out of the First Reconstruction Act which was enacted according to schedule, repassed over the anticipated presidential veto, and became law March 2, 1867.\textsuperscript{43} There were, in all, five Reconstruction Acts during the years 1867-1868, but some of these were merely supplemental measures enacted to clarify or enlarge upon preceding, related legislation. For reasons of convenience these measures will be referred to by number in this paper, as each of them must be dealt with separately.

The First Reconstruction Act was based on the premise that no lawful government existed in the ex-Confederate states, and that Congress might therefore govern them until they were restored by Congressional decree.\textsuperscript{44} Consequently, by a stroke of the pen Congress, in effect, swept away all of the plans and accomplishments of both Lincoln and Johnson in this regard for the years 1863 to 1867, and left ten of the eleven states concerned just where they had been when Confederate authority ceased to exist in them.\textsuperscript{45} (In general terms, the measure provided for the establishment of military rule over the defeated states and the reorganization of their governments on the basis of Negro and limited white suffrage. In the carrying out of this reorganization state conventions, the delegates to which were to be chosen by the Negro and

\begin{itemize}
\item \textsuperscript{43}McPherson, Political History, 167-173.
\item \textsuperscript{44}Ibid., 167.
\item \textsuperscript{45}Tennessee had been readmitted under Lincoln’s plan by reason of its "radical" state government.
\end{itemize}
qualified white voters, were to assemble and draw up new constitutions. If these constitutions proved acceptable to Congress, the Senators and Representatives subsequently chosen would be seated in Washington, the states would be restored to their normal relationship to the Union, and the occupation troops would be withdrawn. It will be noted that the terms of this measure were most general and that specific details and directives were not included. This accounts for the fact, in part, that the additional Reconstruction Acts were later made necessary.

This Act was put into operation immediately. The affected states were divided into five military districts and each was placed under the direction of a general officer of the army. The Fourth District, consisting of the States of Mississippi and Arkansas, with headquarters at Vicksburg, was commanded by Brevet Major General E. O. C. Ord, who assumed his responsibilities within the month.

Inasmuch as the Commanding Generals were without specific directions as to how to proceed, the second Reconstruction Act of March 23, 1867, was passed whereby the officers-in-charge were instructed to take the initiative in the setting up of state governments. Accordingly, General Ord, along with the others, was directed to enroll voters, Negroes and eligible whites, hold an

46 Fleming, Sequel, 135.
47 McPherson, Political History, 179.
election for delegates to a constitutional convention, call the convention into session, summon the voters to pass on the ratification of the constitution thus prepared, and then forward it to the President for its submission to Congress. 48

The effect of the publication of these Reconstruction Acts upon the South, and especially upon Mississippi, was what was to be expected. The overwhelming majority of the whites was bitter in its denunciation, especially in regard to the matter of Negro suffrage. Some leaders and editors counselled caution and acceptance, however. Among these was Ethelbert Barksdale, who published the following advice:

Let us accept negro suffrage as an inevitable fact, not to be resented with impotent malice, nor to be treated with stolid indifference. If the new suffragan is unqualified for the important duties committed to him it is the part of wisdom that they whose interests are involved with his own, should strive to enlighten his understanding. We cannot be guiltless of any evil consequences which may flow from this last act of a remorseless and cruel party, if to aver them we fail to exhaust every effort we are capable of making. 49

Judge W. P. Harris, a distinguished jurist and native of the state, who had been prominent as a leader of the Confederacy, also advised his fellow-citizens to accept the inevitable. In a letter dated March 12, 1867, he counselled them:

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48 Ibid., 192-194.
49 McNeilly, PMHS, I, 288, citing Ethelbert Barksdale.
It is to be observed that the act of congress does not leave either the extension of the right to suffrage or the disfranchisement of a certain class of the white citizens of the state to depend on our consent. Both these results are accomplished by the act and are not demanded of us as concessions. The civil government existing here is declared to be without authority, except to the extent that it may be permitted to exercise its functions as an instrument of administration, by the district commander. This precarious existence cannot be continued without a resort to elections and these elections must conform to the principles of the act as to qualifications for suffrage, and these qualifications involve the disfranchisement of a portion of the white citizens, and the extension of the right to vote to all others without regard to race or color. Therefore whether we consent or not, no civil government can be created or protracted here, without conforming to the principles of the act of congress in these respects. Negro suffrage, therefore, must be regarded as one of the conditions on which we are to have civil government here.50

General Ord, however, was unaffected by public opinion, be it hostile or friendly, and proceeded with a literal carrying out of the Congressional directives. On April 15 he began to register the new electorate. This was the registration preliminary to determining whether the electorate was in favor of a constitutional convention for the purpose of re-establishing civil government and restoring the State to the Union, or whether they preferred to remain under military rule and without representation in Congress.51 During this period Ord permitted Negroes to serve as clerks, and later as election judges and delegates to the constitutional convention.

50 Ibid., citing a letter of Judge W. P. Harris dated March 12, 1867.
51 Garner, 176.
Among such appointees was Isaiah T. Montgomery, formerly a slave of Jefferson Davis, who was made a Justice of the Peace and was perhaps the first Negro in the state to hold public office.52

Among the results of these new policies and activities was their effect upon the freedmen. The few months of their almost total irresponsibility, which had come with the war's end and emancipation, were now at an end, and the federal government was determined to make them once again self-supporting and productive. The Freedmen's Bureau, to be discussed shortly, bore much of the responsibility for this program of self-support, and in cooperation with it, General Ord, as can be seen from the following quotation, was determined that the Negroes of Mississippi accept the responsibilities as well as the privileges of freedom and citizenship.

The most important duty devolving upon freedmen in their new condition is that of providing by their own labor for the support of themselves and families. They now have a common interest in the general prosperity. This prosperity does not depend so much on how men vote, as upon how well each member of society labors and keeps his contracts. Freedmen are therefore urged not to neglect their business to engage in political discussion, but continue to comply with their contracts and provide for themselves and families, for unless they do so, famine may come and they will have no food. When the time comes for them to have their names entered in the books of voters, which will be before next September, the General Commanding will send them word through proper United States or county officers and send the books to places near by their homes, so that every voter can have his name registered and can afterwards vote without going far from his home. Only those residing in towns will be registered to vote there.53

The majority of the whites of the state were far from reconciled to the policy of Negro suffrage and Ord's registration directive. This opinion was reflected in an item appearing in the Vicksburg Herald at this time:

We hoped that this shameful humiliation would have been spared our people, at least until the freedmen of Mississippi decide whether they will submit to negro equality at the ballot-box or elsewhere. ... General Ord has heretofore exhibited a wisdom in his administration which has been highly approved by the people, but we doubt not that lovers of peace throughout the country will condemn the order as injudicious, if not insulting to that race whom God created the superior of the black man, and whom no monarch can make his equal.54

The election of delegates was to take place November 5, 1867, and the constitutional convention was to assemble January 9 of the following year. Registration, however, proceeded slowly, for the colored population was almost entirely illiterate and had not been properly informed, either in regard to the purpose of registering or the meaning of voting. Consequently, Ord issued an instruction on June 29 whereby Bureau agents were directed to visit every important plantation, instruct the freedmen upon these subjects, and correct any erroneous notions they might have.55

Bureau agents were local representatives of the highly organized Bureau of Freedmen, Refugees, and Abandoned Lands who were responsible for the general welfare of the Negro and destitute white. The Bureau had been originally established March 3, 1865

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54American Annual Cyclopaedia (New York, 1868), VII, 515.
55Garner, 175.
for one year as an aid to the freedmen, and its purposes had at 
first aroused no opposition. On February 6, 1866 a new bill to 
renew its life was passed by Congress which, in addition, conferred 
sweeping authority upon Bureau officers to take over many functions 
of state magistrates. Also, many new personnel agents were pro-
vided for. This actually represented a drastic invasion of tra-
ditional state functions. Johnson vetoed the measure on these 
grounds February 19, 1866 but it was carried over his veto. The 
South, by this time, opposed the bill for many reasons, notably be-
cause under its provisions the daily control of domestic economy 
had been largely taken over by the agents, because its jurisdic-
tion over cases involving freedmen's claims had been increased, 
and finally because political capital was being made of it by the 
Republican party. By 1867 the Bureau had set up an elaborate 
organization in every southern state. As such, it remained a fac-
ile tool in the hands of the Republicans for the implementation of 
their policy.

56 Paul Skeels Peirce, The Freedmen's Bureau (Iowa City, 1904), 
44.

57 Ibid., 61.


59 Peirce, 69.

60 Ibid., 71.

61 Ibid., 72.
The Freedmen's Bureau was not the only useful instrument at the disposal of the Radicals whereby the Negro might be registered and trained to vote Republican. Equally as effective for these purposes was the Union League, the impact of which was becoming marked in Mississippi during 1867. The League had been established in the North in 1862 for the purpose of organizing and encouraging civilian support of the war. Its perfected organization was adopted by reconstruction leaders in the South as a devise eminently suitable for the control of the Negro vote. Understandably, the Mississippi whites protested against its activities vehemently. As he had done in regard to other reconstruction practices, Senator-elect Alcorn counselled his fellow citizens to accept the inevitable:

The Loyal League is upon you. Even a brief experience of the workings of that voting machine would satisfy you, as it has me, that all which our people claim for the influence of the "old Master" on the freedmen is neither more nor less than nonsense. The terrible necessities of our position demand blunt speaking. The "old master," gentlemen, has passed from fact to poetry.

... The colored man comes, as well as the white man comes within the scope of my proposed negotiations. All that Congress has given him I accept as his with all my heart and conscience. I propose to vote with him, to sit, if need be, in political counsel with him; and from a platform acceptable alike to him, to me, and to you, to pluck our common liberty and our common prosperity out of the jaws of inevitable ruin.

62 Beale, 366-367.
63 Rowland, History of Mississippi, II, 143.
64 Wharton, 142.
By the first of July, 1867 General Ord was able to report that the work of registration was going on in all the counties of the state. Garrisons, consisting of from eighty to two hundred and fifty men each, were stationed in the thirteen principal towns to prevent disorder. In the rural areas, the registration books were sent to localities near concentrations of freedmen's homes so that all might be enrolled. The Republicans expected to benefit from these practices as the Negroes were potential voters of that party. Some registration officials, as well as others, went to extremes in their partisanship and championship of Negro rights. This is seen in the following letter of an eye-witness to the editor of the Vicksburg Herald.

Mr. Editor—Sir: We, the undersigned, would like to ask a question stated below. The facts we will swear to. We were in the registration office of "Neshoba" county when a negro entered for registration. One of the officers asked him if he knew the responsibility of an oath. He said he did. They then went through the form of administering the oath, etc., and handed him his certificate. After this one of them rose up and told him, "If any man interferes or insults you do protect yourself; if you have any weapons about you or fire arms, do you kill him, for I would do it myself, and then go and report to the justice of the peace, and if he does not give you justice, report to us at Jackson, and we will lift him." The question is, is this the proper way to instruct the Negroes of the South. If it is, we would like to know it. Yours, with respect,

J. H. Gomillon,
S. S. Harris,
Residence: High Hill
Leake County
Mississippi

65Rowland, History of Mississippi, II, 142.
The Negroes generally came to the registration offices in large numbers. Accustomed over the generations to docility and obedience, most of them conducted themselves with restraint. That this was noted commendably by the native whites is seen in the remarks of the editor of the Hinds County Gazette who reported:

Our usually quiet village was enlivened on Monday by the presence of from three hundred to five hundred of the newly manufactured "American citizens of African descent." We must give our newly-made voters the benefit of the remark that they conducted themselves throughout the day with decorum and propriety, showing good breeding, and a proper respect for "the situation." As a consequence upon their good behavior, the largest liberty was allowed them by the whites, and we are glad to perceive that they seemed to appreciate the kindness everywhere shown them.67

In September, the work of registration was nearly completed. Of the registrants, 46,636 were white and 60,167 colored. Thirty-three of the sixty-one counties of the state had Negro majorities. These facts account for the solidification of the determination on the part of a majority of the whites to allow the election to go by default, and to await a Democratic victory in the North to redeem them.69

The carrying out of the first two reconstruction acts in the South by the military governors had not taken place without President Johnson's attempting to soften the impact of the measures upon that section. Advised by his Attorney-General, Henry

67Wharton, 145, citing Hinds County Gazette, July 12, 1867.
68Garner, 175.
69Bowman, 204.
Stanberry, that the generals could not defy the civil governments recently established but must cooperate with them,\textsuperscript{70} the Chief Executive issued a series of instructions to the commanders indicating the manner in which the laws were to be applied. Congress, which had adjourned soon after the passage of the Second Reconstruction measure, hastily reassembled on July 19, 1867 at the direction of the Radicals who saw in the presidential orders an attempt to undo their work. The Third Reconstruction Act was immediately passed which, in effect, deprived the President of his constitutional right and responsibility of executing the laws, insofar as the southern question was concerned, and placed that authority in the hands of the General of the Army.\textsuperscript{71} Moreover, it was declared that the existing civil governments in the South were not legal, but that the states were subject to the military commanders and the paramount authority of Congress.\textsuperscript{71} It was under these conditions that the registration of the Mississippi voters was completed, and the election of delegates to the constitutional convention held November 5, 1867.

The first election in which the Negroes of Mississippi were thus allowed to vote was continued for several days in some of the rural areas. Most of the whites remained at home, as did many of the colored. The returns were so delayed in being announced that many people felt that the ballot boxes were tampered

\textsuperscript{70}Beale, 204.

\textsuperscript{71}McPherson, Political Manual, 335-336.
with. The official results were never revealed, and the only figures available, quoted by the Vicksburg Herald from a very "well informed source," indicated that of 133,000 persons supposedly registered, only 62,000, or 4,000 less than one-half, had voted. Nevertheless, of the delegates declared elected, an overwhelming majority consisted of Negroes, Scalawags and Carpetbaggers, as will be seen.72

Reconstruction legislation, as enacted by this time, provided that a new southern state constitution, to be approved by the electorate, must receive the affirmative vote of a majority of the registered voters. These constitutions were not acceptable to most of the southern whites, principally because they provided for Negro suffrage. Hence, the whites of Alabama were the first to discover that by the mere devise of remaining away from the polls, the constitution could be defeated. Taking alarm at this situation, the Radicals passed the Fourth Reconstruction Act which became law by operation of the ten day rule, March 11, 1868.73 It provided that a newly submitted constitution could be approved by the affirmative vote of a majority of those voting, not of those registered.74

As a result, when the new Mississippi constitution was finally

72Fleming, Sequel, 155.
73Ibid.
submitted to the electorate for approval or rejection, the whites were not to have this weapon to use against it.

Nevertheless, the process of reconstruction went slowly in Mississippi, due to persistent white opposition. Eight of the eleven ex-Confederate states had already been readmitted by November of 1868, so that they might participate in the presidential election as Republican bailiwicks. Mississippi, Texas and Virginia were the recalcitrants. To penalize them and further strengthen their program, the Radicals enacted the fifth and last of the Reconstruction Acts in December, 1868. This measure provided that to be readmitted to the Union, these three states must ratify not only the Fourteenth Amendment, but also the Fifteenth, which had by this time been passed by Congress and submitted to the states for approval. It guaranteed the right to vote to Negroes. Rather than conform to various objectionable stipulations of the reconstruction laws, especially those pertaining to colored suffrage, Mississippi was to remain for two more years under military rule rather than reenter the Union under these conditions.

It was in this way, then, that a minority in Congress, determined, well-organized and skillfully directed, was able to overthrow the executive plan of restoration, which treated the question of the franchise as a state matter, and substitute therefor a plan of its own. The foundation stone, itself, of the Radical plan was Negro suffrage. Through various means, chiefly constitutional

75 Ibid., 398.
amendment, the Radicals tried to force this principle upon the South. Most southern whites resisted, especially those of Mississippi. In regard to this state, its history has been traced from the war's end to the meeting of the first constitutional convention under military rule. The results of that convention remain to be seen.
CHAPTER III

CONSTITUTION OF 1868 AND ELECTION OF 1869

After the passage of the first three Reconstruction Acts, the people of Mississippi faced a new situation, insofar as the franchise and political alignments are concerned. The patterns of the old days of the undivided Union, of the Confederacy, and of Restoration existed no more. During the period of military rule which lasted from 1867 to 1870, the Commanding General, carrying out the will of Congress, extended the right to vote to all eligible Negroes, but denied it to those whites who were not considered "loyal." It was under these conditions that the voters for the election of delegates to the constitutional convention of 1868 had been enrolled, principally during the summer months of 1867. Inasmuch as the whites, even the enfranchised natives, had little opportunity or time to organize themselves prior to this election, political alignments were almost non-existent at the time. Even the freedmen, overwhelmingly illiterate and inexperienced politically, merely did as they were directed by the reconstruction authorities and could hardly be considered to have been functioning as an organized part of a formal political party.1 It is

1 Wharton, 149.
against this background that the election of December 5-11, 1867 took place.\(^2\)

The results of the election were not surprising, except in regard to the fact that so few colored delegates were chosen. Of the one hundred successful candidates, only seventeen were Negroes, an indication of their inexperience and docility and of their willingness to follow the lead of the enfranchised whites.\(^3\) This is especially borne out by the fact that in thirty-three counties, Negro registrants were in a majority.\(^4\) In other words, it may be said that the freedmen allowed themselves to be "politically slighted."\(^5\) According to W. E. B. DuBois, a prolific writer on the history of his race, "The Negroes were not even trying, much less succeeding in any effort to use their numerical preponderance in order to put themselves in political power.\(^6\) The Negro voters designated white men to represent them, and a majority of the members of this convention were elected by colored voters.\(^7\).

Of the delegates selected, twenty-nine were native white

\(^2\)Rowland, History of Mississippi, II, 148.
\(^3\)Ibid., 143.
\(^4\)Garner, 175.
\(^5\)Samuel Denny Smith, The Negro in Congress, 1870-1901 (Chapel Hill, 1940), 11.
\(^6\)DuBois, 436.
\(^7\)Ibid.
Republicans and twenty were northern Republicans. These whites were to dominate the convention and to divide up among themselves the candidacies for all the state offices. The remaining delegates were not to play a significant role in the convention and cannot be identified, insofar as political persuasion is concerned.

As the date for the meeting of the convention, January 9, 1868, approached, party consciousness became more apparent and racial tension mounted. In the opening days of that month a Democratic White Man's Party was formed in Jackson to demand political supremacy for the white race. The small core of Republicans resident in the state, mostly occupation officials and personnel, increased their number through the accretion of Scalawags and Carpetbaggers, to be discussed later, and through the purposeful conversion of the Negro to Republican support through promises of political, social and economic equality. During the recent election of delegates one Negro, who had distinguished himself as a person of leadership and intelligence, James D. Lynch, now warned the white opposition:

The colored people are as anxious as any people in our broad land, to see political passions subside.

We desire to live in peace with our ex-masters—we recognize the mutual dependence of the one on the other; and

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8 Wharton, 152.
9 Rowland, History of Mississippi, II, 153.
10 DuBois, 436.
to open a breach between the races is repugnant to every feeling of our natures. . . . That we will stand by the Republican party, the only one that is pledged to equal, civil and political rights which is as dear to us as life; is as certain as the rising of tomorrow's sun. But that we seek supremacy, or to ostracise, or to force ourselves into social companionship with any class of citizens, is as unfounded as is the hope that the public opinion of the nation will ever deprive us of our rights. If local instances indicate a desire on our part to become legislators and administrators of law, it is because universal hostility, among a certain class, to our political equality, leaves us no other alternative. 11

The Democratic whites were not slow to reply. Their Executive Committee issued a warning to Lynch and his cohorts, both colored and white, to the following effect: "Freedmen of Mississippi, look before you leap. There is an awful gulf now yawning before you. The vote you cast, . . . may be decisive of your fate. If you abandon the people with whom you have ever lived and who now invite you to their protection in the future, you cast your destiny with an enemy between whom and us there is eternal war." 12

Thus, definite political lines were being formed by the time the convention came into session. While it was a foregone conclusion what the results of its deliberations would be, due to an absence of Democratic representation, there remained still the matter of ratification. It was in anticipation of this contest that the Democrats now began planning their strategy.

11Wharton, 153, citing James D. Lynch.

12Annual Cyclopedia, VIII, 573, citing the Executive Committee of the Democratic Party.
The Convention of 1868 lasted from January 9 to May 18, one hundred and fifteen days. Before getting down to the main order of business, the drawing up of a new constitution, the delegates busied themselves with other matters which seem to have been of greater interest and of more concern to them. First was the question of compensation for the members. After this point had been agreeably settled, the delegates then turned their attention to the matter of finding some means of support for the idle colored. Their efforts, though they found a solution were without avail, for the plan was set aside by General Alvan C. Gillem, who had succeeded General Ord as Military Commander of the state, two days prior to the gathering of the convention.

Finally, the members got around to the consideration of a constitution. A Committee of Fifteen was appointed to direct the work. From time to time, reports were made to the entire assemblage and sections adopted, usually without opposition. The most controversial sections were those in regard to the franchise. After much debate, they were finally approved on May 15. The most pertinent of these were as follows:

Section 2. All male inhabitants of this State except idiots and insane persons and Indians not taxed, citizens of the United States, or naturalized, twenty-one

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13Garner, 203.
14Ibid., 192.
15Ibid., 181.
16Wharton, 152.
years old and upwards, who have resided in this state six months and in the county one month next preceding the day of election, at which said inhabitant offers to vote, and who are duly registered according to the requirements of Section three of this Article, and who are not disqualified by reason of any crime, are declared to be qualified electors.

Section 3. The Legislature shall provide, by law, for the registration of all persons entitled to vote at any election, and all persons entitled to register shall take and subscribe to the following oath or affirmation: "I, , do solemnly swear (or affirm), in the presence of Almighty God, that I am twenty-one years old, that I have resided in this State six months, and in County one month; that I will faithfully support and obey the Constitution and laws of the United States, and of the State of Mississippi, and will bear true faith and allegiance to the same; that I am not disfranchised in any of the provisions of the acts known as reconstruction acts of the Thirty-ninth and Fortieth Congress, and that I admit the political and civil equality of all men, so help me God." Provided, that if Congress shall, at any time, remove the disabilities of any person disfranchised in the said reconstruction acts of the said Thirty-ninth and Fortieth Congress (and the Legislature of this State shall concur therein,) then so much of this oath, and so much only, as refers to the said reconstruction acts shall not be required of such person, so pardoned, to entitle him to be registered.17

The delegates did not adjourn without making other important arrangements. The new constitution was scheduled to be submitted to the qualified voters for approval or rejection on June 22. At the same time elections were to be held for state officers, members of the state legislature, and federal representatives and senators.18

17Jackson, Mississippi, Law Library, Journal of the Proceedings in the Constitutional Convention of the State of Mississippi, 1868 (Jackson, 1871), 732.
18Rowland, History of Mississippi, II, 153.
It was also provided that the Fourteenth Amendment, the adoption of which was now required for readmission to the Union, once rejected by the Restoration legislature, should now be presented to the legislature, soon to be elected, for action. Thus that Mississippi gathering, in the selection, representation and guidance of which Negroes had for the first time participated, came to an end May 18. The stage was now set for the second dramatic scene, the acceptance or rejection of the constitution just completed.

The Constitution of 1868 was submitted to the voters twice, June 22, 1868 and November 30-December 1, 1869. The first time it was rejected, due to a superiority of Democratic organization and strategy over that of the Republicans. The second time it was overwhelmingly approved, there thus being indicated a tremendous increase in Republican strength and political finesse during the intervening year and a half. During the 1868 election the Democrats worked furiously, using fair means and foul, to defeat

20This legislature never materialized, inasmuch as the Constitution was rejected in 1868. Therefore, no action was taken at this time on the amendment.
21Wharton, 149.
22Rowland, History of Mississippi, II, 154.
23Wharton, 153, citing the Natchez Weekly Democrat, December 23, 1869.
The Negro became the focus of a growing contempt and hatred, and threats were issued to frighten him away from the polls. Unregistered Democrats assumed the names of enfranchised Republicans and voted Democratic in their places. Democratic determination sprang principally from the franchise provisions of the constitution. If it were adopted, there would thereafter be a large participation of the Negroes in the functions of government, while the whites, to a great extent, remained disfranchised. The fear of Negro domination was very real to the whites. The reason for this fear is found in the following Article 7, Section 5 of the document:

No person shall be eligible for any office of profit or trust, civil or military in this state, who, as a member of the Legislature, voted for the call of the Convention that passed the Ordinance of Secession, or, who as a delegate to any Convention, voted for or signed any ordinance of secession, or who gave voluntary aid, countenance, counsel or encouragement to persons engaged in armed hostility to the United States or who accepted or attempted to exercise the functions of any office, civil or military, under any authority or pretended government authority, power or Constitution, within the United States, hostile or inimical thereto, except all persons who aided reconstruction by voting for this Convention, or who have continuously advocated the assembling of this Convention, and shall continuously and in good faith advocate the acts of the same; but the Legislature may remove such disability; Provided That nothing in this section, except voting

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25 Ibid., 173.
for or signing the Ordinance of Secession shall be so construed as to exclude from office the private soldier of the late so-called Confederate States army.\(^{26}\)

The results of the first contest over the ratification of the constitution was most gratifying to the Democrats. The document was rejected by a vote of 67,685 votes out of a total of 120,091 cast.\(^{27}\) Apparently, many of the Negroes, even, had opposed it. Moreover, it was obvious that the Republicans were poorly organized, ineptly led, and had not as yet enjoyed the political fruits which the Freedmen's Bureau and Union League activities were soon to bring them. Local colored leaders were to a great extent untrained and unable to conduct the affairs of the party.\(^{28}\)

Not only were the Democrats successful in defeating the newly formulated constitution the first time it was submitted for ratification; they also elected most of their slate of candidates for state and federal offices, including the governor and four congressmen.\(^{29}\) Obviously, things were not going well for the Radical Republican program in Mississippi. The Military Commander, Gen. Irwin McDowell, who assumed command on June 4, 1868, intervened and took firm action. He refused to permit the newly elected Democrats to take office. Moreover, he removed Benjamin G. Humphries, who had been permitted to remain governor, at least

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\(^{26}\) *Journal of Proceedings*, 732-733.

\(^{27}\) Wharton, 153, citing the *Natchez Weekly Democrat*, December 23, 1869.

\(^{28}\) *Ibid.*, 152.

nominally, from that office and in his place appointed Adelbert Ames, a tried and trusted Republican. So things stood when the national presidential elections of 1868 took place. Mississippi, of course, could not participate, but the outcome of that election was greatly to affect her immediate destiny.

In the off-year election of 1866 the Radicals had won control of the Republican Party and of Congress. But control of the executive branch had remained temporarily beyond their grasp. Their attempt to remove a hostile president in 1867 through impeachment and trial had failed. But the chief executive could only delay; he could not permanently defeat their policies. If, however, the Radicals could place one of their number, or a willing or unsuspecting tool in the White House as a result of the elections of 1868, they could go forward unopposed, for they had successfully intimidated the Supreme Court through coercive legislation in 1867. They now feared no opposition from that quarter.

It was under these conditions that General Ulysses S. Grant was nominated for the presidency by the Radicals. Until recently classed as a friend of the administration, he had joined the Radical camp when it became apparent that he might receive the nomination. Assured of the votes of eight of the ex-Confederate states

30Rowland, History of Mississippi, II, 153 , 154.
31Fleming, Sequel, 162-168.
32Garner, 160.
33Beale, 311.
at this time under Carpetbag rule, he received enough support throughout the rest of the nation to win the presidency. Despite the fact that the Democratic Party was charged by the Radicals as being the party of treason, and was handicapped by a lack of unity in purpose and was disturbed by factional disputes, it received surprising support in the border states and throughout the rest of the country. Grant won by a popular majority of 309,684 votes. This majority came from the Negro voters. In other words, a majority of the whites of the nation voted for Horatio Seymour, the Democratic nominee, rather than for Grant.

The Radical program of reconstruction could now proceed unimpeded, for Grant was not prepared to cope with the intentions of the Radicals to make him their agent. It was his understanding that as soon as all the southern conventions had completed their work, and the constitutions had been accepted, when civil government had been re-established and the southern representatives admitted to Congress, the Union would exist as before, except for the abolition of slavery. The Radicals, however, saw that southern debasement and their own victory in the economic and political fields were both aspects of the same question.

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34 Wharton, 152.
35 Annual Cyclopedia, VIII, 753.
36 Fleming, Sequel, 169.
37 McPherson, Political History, 480.
38 Smith, Negro in Congress, 16.
recently seceded states, the Grant period constituted the darkest days of Reconstruction.39

The effect of both the executive and legislative branches of the federal government now being firmly under the control of the Radicals was quickly felt in Mississippi. On April 10, 1869 Congress passed a special measure providing for the resubmission of the Constitution of 1868 to the voters.40 Again a controversy arose among the people, especially the opponents of that document. When former Governor Albert G. Brown41 was asked to state his views regarding the proper course to be taken, he replied:

First, then, let us have order and a rigid enforcement of the laws to the full extent of meting out equal and exact justice without stint to all men of all opinions, races, and colors; and to this end let every good man resolve to aid the civil and military authorities by every fair means in his power.

Second, let there be no factious or mere partisan opposition to the Administration of President Grant. But, as the President has shown himself kind to us, let us be generous to him. We cannot afford to be illiberal.

Third, we must stand by the issue as our opponents presented it at Washington. The convention, the Constitution, and Eggleston and Co., on the one side, the people of Mississippi on the other.

Fourth, we accept the fifteenth Amendment.42

39Randall, 847.


41Albert G. Brown was governor from 1843-1848. He served as Senator in the 32nd Congress but withdrew from the Senate on January 14, 1861.

42The Fifteenth Amendment had been approved by Congress on February 26, 1869 and was proclaimed to be in force on March 30, 1870. Its ratification by the remaining three unreconstructed states was required by the Fifth Reconstruction Act.
Fifth, we pledge ourselves one to another, disregarding color and former political opinions, to deal justly by all men, and to secure perfect equality of civil and political rights to every one before the law.

Sixth, that we set ourselves sternly against all men, of all races, and of every creed and color, who come among us to make mischief, and that we extend a cordial greeting and hearty good-will to all men, of all parties, opinions, races or color, who come with the genuine purpose of living with us, and sharing in good faith our fortunes, whether they be good or evil.43

The Republicans met in convention July 2 to formulate plans and to draw up a slate of candidates for the officers to be elected in conjunction with the constitutional referendum. They took advantage of the opportunity to state their position as follows:

Full and unrestricted rights of speech to all men, at all times and all places, with the most complete and unrestrained freedom of the ballot, including protection to citizens in the exercise of the suffrage must be recognized.

The fact that all men, without regard to race, color, or previous condition, are equal before the law; and that to be a freeman is to possess all the civil and political rights of a citizen, are not only enduring truths, but the settled and permanent doctrines of the Republican party.44

Both groups selected slates of candidates, the ones for the governorship being the most important and interesting. Each, for obviously political reasons, chose a member of the opposite camp.

43Annual Cyclopaedia, IX, 456.
44McPherson, Political History, 480.
The Democrats named Judge Louis Dent, a brother-in-law of President Grant. He was also supported by the Conservative Republicans. The Radicals in the state nominated James L. Alcorn. Alcorn, an ex-Confederate General who had been elected to the U. S. Senate during the period of presidential restoration but who had not been seated, was a native of Illinois who had been a resident of Mississippi for fifty years. The Negro race, itself, was ignored completely in the parcelling out of candidacies.

The referendum and election were to be held November 30-December 1, 1869. The Republicans, determined that they would not again suffer the humiliating defeat experienced in 1868, emphasized the organization of the Negro vote which was already proceeding with increasing intensity. By this time, the white leadership of the state Republican Party had come principally to consist of Scalawags and Carpetbaggers. The Scalawag was a renegade, southern white who consorted with Negroes or one who came from a region where secession had been opposed. A certain ex-Confederate

45 Judge Dent married the daughter of Judge Blaine of Grenada, Mississippi in California. During the later years of the war he had been a government lessee of "abandoned" lands in Coahoma County in Mississippi. He was a resident of the county at the time of Grant's election to the presidency. Upon Grant's invitation he went to live in the White House where he was residing at the time his name was suggested for the governorship.


47 Garner, 208.

48 Ibid.
General Davis unflatteringly identified the Scalawag as a "... mean, low, dirty white man, who is capable of selling himself and his honor for the sake of having an opportunity to plunder honest men; ... We apply it to Southern White men whom we know have sold themselves for office."\(^{49}\) The Carpetbagger, who was a more conspicuous member of the party, was a Northerner who came South intending to make his fortune out of disordered conditions. The Carpetbaggers were especially active in Union League activities, and were charged with promising every Negro voter "forty acres and a mule."\(^{50}\)

To illustrate the means sometimes used by these Radicals to convert the Negro voter to their cause, the following excerpt from a Republican tract published at the time is given:

Q. With which party should the colored man vote?
A. The Union Republican party.
Q. Why should the colored man vote with that party?
A. Because that party made him free and has given him the right to vote.
Q. Was Mr. Lincoln a Republican?
A. He was a Republican President.
Q. Are Republicans in favor of Universal freedom?
A. They are.
Q. Are the Radicals and the Republicans one and the same party?
A. Yes; and they are in favor of freedom and universal justice.
Q. What is the meaning of the word Radical as applied to political parties and politicians?
A. It means one who is in favor of going to the root of things; who is thoroughly in earnest; who desired that

\(^{49}\)\textit{Vicksburg Herald}, January 5, 1879, 1.
\(^{50}\)\textit{Fleming, Sequel}, 193.
slavery should be abolished, that every disability therewith should be obliterated, not only from national laws but from those of every State in the Union.

Q. To which party do the friends of the colored men in Congress belong?
A. To the Republican party.

Q. What is a Democrat?
A. A member of that party which before the rebellion sustained every legislative act demanded by the slaveholders, such as the Fugitive Slave Law, and the attempt made to force slavery upon the Western territories.

Q. Who said that a "negro had no rights that a white man was bound to respect?"
A. Chief Justice Taney, a Democrat.

Q. Was this sentiment approved by the Democracy?
A. It was, and by them only.

Q. What has the Democratic, Conservative, or Copperhead party ever done for the colored people?
A. It has tried to keep them in slavery, and opposed giving them the benefit of the Freedmen's Bureau and Civil Rights bills, and the right to vote.

Q. Why cannot colored men support the Democratic party?
A. Because that party should disfranchise them, and if possible, return them to slavery, and certainly keep them in an inferior position before the law.

Q. With whom do the disloyal white men of the South desire the colored men to vote?
A. With the Democratic party.

Q. Why do the Democrats pretend to be the best friends of the colored men?
A. Because they contend they are of a lower race, and are therefore, happier in an inferior position or in slavery.

Q. Are there any white persons who have always contended for our liberty?
A. Yes, there are many such.

Q. To which party do these tried friends of ours now belong?
A. To the Republican party.

Q. To what party do the white people of the south belong?
A. The larger portion belong to the Democratic party.

Two of the chief instruments used by the Radicals for the conversion of the Negro voter were the Freedmen's Bureau and the Union

League. The part played by the Bureau has already been explained, but the role of the League has only been referred to. This organization, sometimes called the Loyal League, was a secret, oath-bound organization. Every male Negro from eighteen to seventy years old, and every white man who would take the oath, were permitted to join. Few whites joined, but nearly all the Negroes within the specified age limits did so. Through an appeal to the Negro's emotions, senses and desire for material and political gain, and through taking advantage of his ignorance and lack of experience, the League leaders set out to make the freedmen their captives. Indoctrination sessions were regularly held, and social events were numerous and lavishly supplied with refreshments. 52

The initiation ceremony was especially impressive to the Negro, as may be judged from the following:

The candidate was blindfolded outside and was led in by the arm and required to kneel at the "altar", and place his hands upon the open Bible. The president of the league called upon the chaplain to pray. He invoked the divine blessing upon the "poor benighted brother who was about to pass from the night of bondage in slavery into the marvelous life and light of freedom." Short passages from the account of Moses leading the children of Israel from Egyptian bondage were then read. Then the candidate was catechized, something after this fashion. (A prompter answered the questions and the candidate was required to repeat the answers.) "What is your name?" "Jim Cruise" (or whatever it might be). "Are you a white man or a colored man?" "A colored man." "Were you born free or a slave?" "A slave." "Are you now a slave or a freedman?" "A freedman, thank God." "Who freed you?" "Abraham Lincoln, bless God." "Who helped to free you?"

52Rowland, History of Mississippi, II, 1143.
"The army of the Republican party." "Who fought to keep you in slavery?" "The white people of the South and the Democratic party." "Who then, are your best friends?" "The Republican party and the Northern soldiers." "Whom do you want to hold all the offices in this state and govern it, make and execute its laws?" "The Republicans and friends of the poor colored man." "Suppose the Democrats carry the elections and get back into power in the State?" "We would be put back into slavery." "God forbid." All: "Amen and amen."

An oath of allegiance to the Republican party was then administered. The blindfold was removed, and a short talk on the blessings of liberty was delivered. Through these and other methods of persuasion and conversion the Radicals were successful in enrolling 100,682 Negro Republican voters by election time.

In the meantime the Democrats, mostly native whites, had not fared nearly so well. The state was still under military rule, and the whites had by now been deprived even of most of that leadership which was still politically vocal in and had made possible their victory in 1868. They were now inadequately led, were a "poor second" in the state, and their chief demand, understandably, was for a general amnesty. They entered the election of 1869 with only 76,110 registered voters. However, they

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53 George H. Ethridge, Mississippi, A History (Jackson, Miss., n.d.) 323-324.
54 Ibid.
55 Fleming, Documentary History, II, 44.
56 Fleming, Sequel, 193.
57 Fleming, Documentary History, II, 44.
were not resourceless. They turned to those "underground" or partisan organizations which had already proved of value in other southern states in the struggle against military occupation and reconstruction policies. These were the Ku Klux Klan and the Knights of the White Camelia. The Klan, the South's answer to the Union League, was the more important of the two. Indicative of its attitude towards Negro rights, especially the franchise, are the following three questions which were put to a candidate for membership:

Are you opposed to negro equality both social and political? Are you in favor of a white man's government in this country? Are you in favor of re-enfranchisement and emancipation of the white men of the South, and the restitution of the Southern people to all their rights, alike proprietary, civil, and political?

The Klan, at first, only played upon the superstition and ignorance of the Negroes to keep them in line and away from the polls. Later, when it resorted to terrorism and violence, it fell into disrepute, insofar as the more substantial element of the population was concerned. However, its role in the undoing of Reconstruction was considerable.

It was against this background that the registered voters of

58 Fleming, Sequel, 193.
59 Ethridge, 322.
60 Stanley F. Horn, The Invisible Empire (Boston, 1939), 13.
61 Ibid., 150-154.
Mississippi went to the polls late in 1869. The white Democrats, despairing of success in view of Radical tactics, decided to let the election go by default. Insofar as the constitution is concerned, only 955 votes were cast against it, and 113,735 for it. The total registration was 176,792. General Alcorn was overwhelmingly elected governor and his hand-picked predecessor, Adelbert Ames, was chosen to take the seat in the United States Senate for which Alcorn had once been selected but had never filled.

Governor-elect Alcorn was apparently a realist or an opportunist who tried to travel the middle road. It seems that his policy was to control and utilize the Negro and yet, at the same time, to persuade the white man to join the Republican Party. This is borne out by a portion of a letter which he wrote two months prior to his inauguration to the Honorable George W. Harper of Raymond:

I am a man of the day. In the last contest I inquired not where the man battling at my side was born, I asked him not when he came into the state. . . . I did not pause to look into the face of the man who fought under the banner I bore, and still bear, to ascertain the color of his skin. . . . By my honesty in dealing here with them, I challenge their honesty in dealing with me, and expect if they come over to me, they will do so in perfect good faith, as members of the great Republican party of the State and the Union.

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62 Rowland, History of Mississippi, II, 156.
63 Ibid.
64 Ibid., 159.
65 Mississippi Archives Dept., MSS., Alcorn Family Papers, 21.
Excerpts from his inaugural address of March 10, 1869 confirm this conclusion: "The military government which I have the happiness this day to bow out of the state, was no more a subject of pleasure to me than it was to any other Mississippian whose blood glows as mine does with the instinct of self-government."66 And again: "From me individually, the colored people of Mississippi have every reason to look for a profound anxiety for the realization of their new rights. . . the most profound anxiety with which I enter my office as Governor of this State, is that of making the colored man the equal, before the law, of any other man—the equal not in dead letter, but in living fact."67 In his attempt to carry water on both shoulders, to join the native and recently arrived whites together with the Negro into one political force, Alcorn made enemies among the former Whigs, the Democrats and the Republicans.68

Grant's first election and inauguration meant not only Radical victory on the national level; it also meant that now the Vindictives could carry out their program in Mississippi without continuously effective opposition. It has already been seen that under these conditions the Constitution of 1868, which incorporated some of the provisions of the Fourteenth Amendment, was

66 Ibid.
67 Ibid.
68 Rowland, History of Mississippi, II, 159.
finally ratified by the end of 1869. But the question of the amendment, itself, remained unsettled. The Mississippi legislature had rejected it when it was first submitted to the states for action. Subsequently, Congress had ruled that one of the conditions for the readmission of the ex-Confederate states was ratification of the measure, and the Radicals greatly desired the completion of their southern program so that they could enjoy political support of the states of that area. Consequently, an additional federal measure was passed to the effect that in those states by which the amendment in question had not been approved, special legislatures chosen on the basis of Negro suffrage were to be selected, and to them there was to be submitted the Fourteenth for the expected favorable action. Under these conditions, Mississippi finally ratified the measure. The amendment, itself, was proclaimed a part of the Constitution July 22, 1868, the required number of states having at last approved.

Continuing his program of attempting to reconcile white and colored, Democrat and Republican, Governor Alcorn took immediate steps to move against extremism in both camps. He called in the leaders of both the Klan and the League, and through them and


70 Randall, 786.

71 Ibid., 787.
other means discovered the names of their members and other secrets. Then, through persuasion and pressure he worked to curtail their activities and to bring about their dissolution. Under these circumstances, both organizations tended to languish for the remaining months that Alcorn was governor. However, the whites never relented in their continuous campaign of preventing the Negro from voting and of thus recapturing the political control of the state. The poll tax was found to be an effective weapon in eliminating a large number of the extremely poor freedmen. Gerrymandering was another devise resorted to. One election district was laid out three-hundred miles long and twenty miles wide. The boundaries of "black" districts were changed from time to time, and cannot today be even identified. Such measures were only a beginning, but were forerunners of a policy whereby the whites of Mississippi were before long to negate the intent of the Fourteenth and Fifteenth Amendments for generations.

Thus, Mississippi passed into a new period of its chaotic political experiences since secession. Confederate authority had been replaced by civil government organized under the presidential program. That had given away to military rule introduced by the Radicals. And now, civil government had again been established, a government resting upon the Negro franchise and directed by

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72 Alcorn Papers, 29.
73 Smith, Negro in Congress, 3.
adventurers and renegade native whites. Mississippi had been compelled to approve the Thirteenth and Fourteenth Amendments. Before a majority of the white population of the state could devote its full attention to the overthrow of Reconstruction, they had once again to accept a measure to them humiliating and detestable. That measure was the Fifteenth Amendment.
CHAPTER IV
ADOPTION OF THE FIFTEENTH AMENDMENT AND
THE OVERTHROW OF RECONSTRUCTION

As has been seen, the states of Mississippi, Virginia and Texas, inasmuch as they had obstinately opposed the steps necessary for reconstruction, were required to approved the Fifteenth Amendment in addition to the Fourteenth Amendment before being readmitted to the Union.¹ Fear on the part of the Radical Republicans that, sooner or later, the native southern whites might again come to power and repeal those provisions of their constitutions whereby the right of the Negro to vote was forever guaranteed, prompted Congress to enact the Fifteenth Amendment.² Early in the first session of the Fortieth Congress, a resolution had been introduced on March 7, 1867 proposing an amendment to the Constitution which would prohibit a state from abridging the right "to vote or hold office on account of race, color, or previous condition."³ However,

¹The Fifth Reconstruction Act, passed in December, 1868, required the approval of the Fourteenth and Fifteenth Amendments.
²Garner, SAQ, IV, 209.
at this time, several northern states denied the ballot to the Negro, and the Radicals did not want to run the risk of losing votes over a matter which might become highly controversial in the crucial elections of 1868. Therefore, the resolution was not voted out of committee until January 15, 1869, after the Radical victory was complete, and when it was presented upon the floor of the Senate by Senator William M. Stewart. It had been amended to read as follows: "The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States, or any State, on account of race, color, or previous condition of servitude." The Senate passed the resolution on February 17. The House amended it by striking out the words, "by the United States", which would have left Congress with absolute control over Negro suffrage in violation of states rights. A short time later the words, "and hold office", were also omitted for the sake of finally arriving at an agreement. The measure was submitted to the states for ratification. With eight of the ex-Confederate states under Carpetbag control and the remaining three still under military rule, the affirmative vote of that section was assured.

6Ibid., 1318.
7Ibid., 1428.
Enough of the remaining states of the Union ratified to make it possible for the amendment to be declared adopted March 30, 1870. The state of Mississippi, already having approved the Fourteenth and now, in the meanwhile, having accepted the Fifteenth Amendment, was considered for readmission. Inasmuch as she had thus finally met with all of the requirements contained in the Reconstruction Acts, her constitution was approved, her Senators and Representatives were invited to take their seats, and she was formally received February 23, 1870.

The wording of the Fifteenth Amendment is merely negative; it does not positively confer the vote upon a single Negro. Any law made expressly for the purpose of denying or abridging the right of a citizen to vote on account of his race would be in violation of the amendment, but the control of suffrage was left with the states, which might prohibit the Negro from voting on grounds other than race, without violating its terms. The purpose of the article was to ensure the emancipation of the Negro, provide for his protection, and guard him against state discrimination on account of color. President Grant, in a special congratulatory message, spoke of the amendment as "a measure which makes at once 4,000,000 of people voters, who were heretofore declared by the highest tribunal..."
of the land not citizens, nor eligible to become so."

10 However, the southern Negroes had already voted under the Reconstruction Acts. So far as they were concerned, it appeared as if the amendment accomplished little, at least for the time being.

The conditions which existed in Mississippi, beginning in 1870 after the firm hand of military rule had been removed and civil government, even though carpetbag, had been established, can well be imagined. The native white majority now saw a greater opportunity to unseat those in power; the Carpetbaggers and Scalawags were determined to hold on to their offices and control; the Negroes were equally as determined to let nothing take place which might lessen their political and civil rights and economic opportunities. 11 No social order could long exist under conditions such as those created by the various political organizations formed to hamper or perpetuate the free exercise of the franchise. The elections always went Republican since the Negroes, Scalawags, and Carpetbaggers had control of the Republican Party. Governor Alcorn, in an address at the courthouse at Raymond, said: "My countrymen, it has been said that the Republican party in Mississippi is composed of myself, a few carpetbaggers, and the Negroes—and I think

10 Jabez L. Curry, The Southern States of the American Union (Richmond, 1895), 221, citing President Grant in a congratulatory message on the passage of the Fifteenth Amendment.

11 Mangum, 388.
that that is correct."12

For many years the Negroes supported the Republican Party, since it was Lincoln's party and to them it stood for freedom and rights. Election day in the early '70's was a great holiday for the Negroes supporting the Republican Party. They felt that the ballots they cast would determine whether they would continue to enjoy their freedom or be returned to servitude. The election of a Democrat to them would have been a calamity.13 As the processes of carpetbag rule unfolded, honest men in the South felt increasing disgust.

Friction between the Republicans and the Democrats in Mississippi soon reached its height.14 On one occasion, a number of people were killed in a riot which developed at Meridian. On another, a disturbance arose at Pontotoc, and similar riots developed in different parts of the state. Governor Alcorn offered from $500 to $5,000 for any information that would lead to the conviction of anyone who rode with the "midnight bands," and asked the legislature to authorize a reward of $25,000.15

Alcorn, who had been fairly moderate, resigned his position

12W. Calvin Wells, "Reconstruction and Its Destruction in Hinds County", PMHS, IX (1906), 91.


14Rowland, History of Mississippi, II, 167.

15Ethridge, 349.
as governor on November 30, 1870, to accept a seat in the United States Senate for the term beginning March 4. He was succeeded by Ridgley C. Powers, who temporarily became provisional governor but who was not inaugurated until the 30th of November, 1871. He, too, proved to be reasonable in the application of his policies. It was not until 1873 that Mississippi was to see true carpetbag rule. It came about in this way.

It will be remembered that Mississippi's senior senator was Adelbert Ames, who was now joined by his new colleague, Alcorn. In 1872 and 1873 Alcorn and Ames were engaged in a "bitter feud" and denounced each other frequently on the floor of the United States Senate. The result of this affair was that each announced for the Governorship of Mississippi in the election of 1873. Alcorn had denied before the Senate that Ames was a citizen of Mississippi. Ames defended himself by saying that he had fought his way into Mississippi during the war and had a right to be there. He ridiculed Alcorn's military record in the Confederate Army, saying he was disloyal to his friends and to the Negro race which, he asserted, Alcorn failed to protect during his time as governor. In the Republican state convention which followed, Ames received the solid support of the Negroes. The offices of lieutenant

16 Ibid.
17 Ibid., 351.
18 Ibid., 353.
governor, secretary of state and superintendent of education were left open for Negro candidates.\(^{19}\) It will be noted that this was the first occasion upon which Negroes were allowed to participate in state politics as possible office-holders, not merely as regimented voters.\(^{20}\) Ames was elected by a vote of 69,870 to 50,490 for Alcorn against the opposition of the Liberal Republicans, the Democrats, and the Independent Conservatives; also, through the skillful marshalling of the tremendous Negro vote and through outright fraud.\(^{21}\) On January 22, 1874, he was installed. "From the time he [Ames] was elected to the time of his resignation, carpetbag government, with all its implications, together with the fierce opposition which it engendered, was ascendant in Mississippi."\(^{22}\) He was especially adept at controlling the Negro through the machinations of the Union League, which flourished during his regime. He was a dull man himself, and appointed ignorant and corrupt public officials, mostly Negroes and Carpetbaggers.\(^{24}\) The people had no recourse to the courts, since he appointed his henchmen to

\(^{19}\) Frank Johnston, "The Public Services of Senator James Z. George," *PMHS*, VIII (1904), 202-203.

\(^{20}\) ibid.

\(^{21}\) Wirt Armistead Cate, *Lucius Q. C. Lamar* (Chapel Hill, 1935), 205.

\(^{22}\) Alcorn Papers, 36.

\(^{23}\) Ethridge, 355.

\(^{24}\) Cate, 205.
judicial positions and dictated their decisions. Lucrative jobs
were reserved for the supporters of Ames. Of him, a critic wrote
at the time:

The Ames Republicans (in Mississippi) have unscrupulously
used the ignorance and greed of the negroes to help them
in their political schemes. Controlling the negro vote
and using it as a solid mass, they have put into such of-
fices as county supervisors and treasurers, as well as in-
to the Legislature, negroes who were often not only unable
to read and write, but who were notoriously corrupt and
corrupting demagogues. For instance, the late treasurer
of Hinds county, in which the State capital lies, was a
negro who could neither read nor write, and who was killed
by another negro a few weeks ago for a disgraceful in-
trigue. In the last Legislature were several negroes who
could neither read nor write. It has happened that the
members of a grand jury were totally illiterate. A city
government was to be elected last August in Vicksburg,
and the Republicans nominated for mayor a white man at
the time under indictment for twenty-three offenses, and
for aldermen, seven colored men, most of them of low char-
acter, and one white man who could neither read nor write,
the keeper of a low grogery. . . . Of the present super-
visors of Warren county (Vicksburg), the president and
two others cannot read. It is a notorious fact that Gov-
ernor Ames has appointed to judicial places men ignoran
t of law, and that he has used his appointing power to
shield criminals, who were his adherents, and to corrupt
the judiciary of the State.

The means whereby Mississippi and the other southern states
were to be relieved of carpetbag and Negro rule had already ap-
peared as early as 1870. In the elections of that year, the
Northern Democrats had considerably increased their voting power
and had deprived the Radicals of their two-thirds control of the


26 Charles Nordhoff, The Cotton States in the Spring and Sum-
mer of 1875, (New York, 1875), n.p.
By 1872, things were even more hopeful. Many Republicans, especially of the Mid-West, had by this time rejected Radical domination and had formed themselves into a wing of the party termed Liberal Republican. Among their foremost demands were those to end Reconstruction, to restore civil rights to the ex-Confederates, and thus to conciliate the South. The Radicals had to appease them by agreeing to the Amnesty Act of May, 1872. The way was thus open, as the effects of this measure were gradually felt in the South, for the disfranchised whites again to vote and hold office, and consequently to end carpetbag rule.

In spite of the growing power of Northern Democrats and Liberal Republicans, the Radicals were able to reelect Grant in 1872. Still assured of an almost solid vote from the South, they gained enough support throughout the rest of the nation to return him to office. However, the writing was upon the wall, and it was inevitable that the whole reconstruction structure would soon crumble.

The first approach of the Mississippi ex-Confederates to the problem of restoring native white rule was to win the support of and control the Negro vote. There was little thought, at this

28DuBois, 448.
29Annual Cyclopaedia, XII, 372.
30John R. Lynch, Facts of Reconstruction (New York, 1913), 95.
31Sumner, 6-7.
early date, of the disfranchisement of the Negro by state law. The assumption was that the Negro vote was permanent and inevitable, and thus should be directed to serve the white man's purposes.\textsuperscript{32} Southern leaders, once overwhelmingly of the planter class, were now, in addition, going into, or were soon to go into industry, railroading, banking, and merchandising. Still constituting a small minority of the population, they gradually took on a new political label, Bourbon, and the control of the political destinies of their section, largely through the manipulation of the Negro vote.\textsuperscript{33}

As the Mississippi ex-Confederates were reenfranchised, they immediately threw their support behind the Democratic Party, the White Man's Party. A conflict between growing Democrats and entrenched Republicans was inevitable. The colored vote was the crucial factor in this struggle, and the party which could control it would control the state.

The Democratic party organ, the Jackson Clarion, says of the colored people at this time: "While they have been naturally tenacious of their newly-acquired privileges, their general conduct will bear them witness that they have shown consideration for the feelings of the whites."\textsuperscript{34} The colored people had shown no

\textsuperscript{32}McNeily, \textit{PMHS}, I, 288.
\textsuperscript{33}Lynch, 114.
\textsuperscript{34}Ibid.
desire to rule or dominate the white people, and no color-line
would have arisen had not the Democratic Party tried to prevent the
newly emancipated race from exercising their full constitutional
rights, especially the right to hold office. Democrats attempted
to persuade Negroes and white Radicals that their best course was
to vote Democratic. This idea they forcefully carried out in the
"Mississippi Plan," to be discussed shortly, which was imitated
in other states. Of this condition John R. Lynch wrote:

Our system of government is supposed to be one of law and
order, resting upon the consent of the governed, as ex-
pressed through the peaceful medium of the ballot. In
all localities where the local public sentiment is so dis-
honest, so corrupt, and so demoralized, as to tolerate the
commission of election frauds, and shield the perpetrators
from justice, such people must be made to understand that
there is patriotism enough in this country and sufficient
love of justice and fair play in the hearts of the Ameri-
can people to prevent any party from gaining the ascendancy
in the government that relies upon a fraudulent ballot and
a false return as the chief source of its support.

The emergence of a political color-line in the early post-
Civil War history of Mississippi and of the other southern states
is accounted for in several ways. First, the Republicans had en-
franchised the colored man, originally by law and then by the Con-
stitution, and had done everything possible to convert him to the
Republican party through gratitude, hope for gain, and fear of
southern white (Democratic) retribution. Second, the Democrats,

36 Simkins, 206.
37 DuBois, 450, citing a speech of John R. Lynch.
their civil rights restored, did not allow the Negroes to choose individually and freely between the two parties. They would vote Democratic or not at all. Under no circumstances would they be allowed to hold office. At this, the Negroes at first rebelled. Hence, the question of political affiliation came to be a matter of color. The Democratic Party was the party of the white man; the Republican, the party of the colored. The whole matter in regard to the emerging color-line is best illustrated by the following statement of Judge H. H. Miller:

I think I understand the meaning and import of the term "color-line", as understood in this State. For some years after the war the white citizens of Mississippi made an earnest effort to accommodate themselves to the new conditions of affairs, and undertook to assimilate themselves with the negro-voting population, and they endeavored to hold out every inducement to that class to discard all questions of mere condition originating from color, and in conventions, both State and county, for the nomination of public officers in carrying out this plan, they put upon our tickets colored men for various political positions. This effort was continued for six years, but met with no success. It became a well-recognized fact that every colored man who permitted his name to be put upon the ticket of what was called either the democratic or conservative party, was immediately ostracised by his own race; and no matter what had been the previous position with his race and party of any such individual, the acceptance of such a nomination resulted in his being immediately discarded by the party. After many unsuccessful efforts in that direction, a feeling grew up in the community that it was impossible to conciliate that element; that the difficulties in the way of such conciliation were insurmountable; that the prejudices of that race were continually employed against the whites by appeals made to them by what are generally known as carpet-baggers, political adventurers, and some of the worst elements of our

38 Wharton, 152.
race. These appeals were made to them upon the ground that the whites were their natural enemies. Exaggerated statements were constantly made to them of the cruelties and punishments that had been inflicted upon them while they were in a state of slavery; that the democratic or conservative party would ultimately reduce them to a condition of slavery, and that their only safety was in strictly adhering to the republican party. Every element of discord that could possibly be imagined by these people was constantly kept before them, and the result was that in every election, State, county, and municipal, for a series of years the negroes were voted almost in solid mass and almost even carried to the polls as if in military array, each body under its leaders and subordinates, where they would remain until whole columns were voted, the leaders handing to each voter his ticket as he stood by the ballot-box to deposit it, and in many cases the leader depositing the ballot himself. This condition of things produced what is known as the "color-line." The "color-line" means that the whites of this State have become satisfied that it is useless further to attempt to coalesce with the negro element in voting; that it has been demonstrated by experience that that class of the community is incapable of properly administering the duties of any office for the benefit of the community; that therefore it has been determined for the future that none but white men will be nominated or voted for office by persons who favor the color-line in this State; but that with no intention of depriving the colored citizens of the right of franchise, or of any rights guaranteed to them by the Constitution or its amendments, or the laws of Congress, or of the State of Mississippi. . . . They feel that they are driven to the "color-line" by the fact that the colored element has adhered to such a line ever since they were invested with the rights of citizens. 39

Sickened by the excesses and corruption of the Ames administration and aware of their restored political power, the Democratic whites determined to tolerate it no longer. A convention was called on January 4, 1875, irrespective of color or party, to discuss the ills under which all suffered and to draw up suggestions

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for legislative action.\textsuperscript{40} John R. Lynch, speaking again, this time in defense of the conditions against which the Democrats were protesting, declared that the Carpetbagger never had absolute control of the Mississippi government. This may be literally true, but it is obvious, from Lynch's own statement, that the Carpetbagger had virtual control:

Taking Mississippi for purposes of illustration, it will be seen that there has never been the slightest ground for such an apprehension. No colored man in the State ever occupied a judicial position above that of Justice of the Peace and very few aspired to that position. Of seven State officers only one, that of Secretary of State, was filled by a colored man, until 1873, when colored men were elected to three of the seven offices,--Lieutenant-Governor, Secretary of State, and State Superintendent of Education. Of the two United States Senators and seven members of the lower house of Congress not more than one colored man occupied a seat in each house at the same time. Of the hundred and fifteen members of the House,--which composed the total membership of the State Legislature prior to 1874,--there were never more than about seven colored men in the Senate and forty in the lower house. Of the ninety-seven members that composed the Constitutional Convention of 1868 but seventeen were colored men. The composition of the lower house of the State Legislature that was elected in 1871 is as follows:

Total membership, one hundred and fifteen. Republicans, sixty-six; Democrats, forty-nine. Colored members, thirty-eight. White members, seventy-seven. White majority, thirty-nine.

Of the sixty-six Republicans thirty-eight were colored and twenty-eight, white. There was a slight increase in the colored membership as a result of the election of 1873, but the colored men never at any time had control of the State Government nor of any branch or department thereof, nor even that of any county or municipality. Out of seventy-two counties in the State at that time, electing

\textsuperscript{40}Cate, 206.
on an average twenty-eight officers to a county, it is safe to assert, that not over five out of one-hundred of such officers were colored men. . . . There was, therefore, never a time when that class of white men known as Carpet-baggers had absolute control of the State Government, or that of any district, county or municipality, or any branch or department thereof.41

The convention referred to above was the opening move of a revolution which in a very short time ended in the overthrow of Reconstruction in Mississippi. Its organization was prompted principally by the fact that the political power of the state was held by a few alien white men, and by fewer renegade native whites who were backed by an electorate having a Negro majority of forty thousand. Under these circumstances, Negroes had been elected lieutenant governor, secretary of state, state superintendent of education, and speaker.42 However, the leaders of the convention movement realized that they must act without coming into conflict with the federal government and without provoking federal armed interference. To this end, they called upon the sympathetic Senator James Z. George, who had succeeded to Ames' seat in the United States Senate, to take the lead in the overthrow of the Ames government and in the restoration of white supremacy in the state.43

41 Lynch, 414.
42 Johnston, 202-203.
43 Ibid., 204.
Under George's leadership, the convention opened in Jackson on May 17, 1875. It was deliberately set at this time because state elections were to take place in the fall of that year. One of the most active convention participants, Lucius Q. C. Lamar, presented the following set of resolutions to be offered for adoption by local organizations throughout the state:

Resolved, That we are in favor of a vigorous and aggressive canvass in the contest now approaching in Mississippi, and we appeal to our fellow-citizens throughout the State to unite with us in our endeavors by legitimate means to regain control of our public affairs, and thus secure to all classes, white and black, the blessings of a just and honest government.

Resolved, That we favor low taxes and an immediate reduction of all public expenditures.

Resolved, That honesty and capacity are the only proper tests of official fitness.

Resolved, That all men are equal before the law, and are endowed by their creator with certain inalienable rights, amongst which is not to hold office unless the aspirant possesses the integrity and other qualifications necessary to its execution.

Lamar strongly opposed the belief that party lines should be based upon color or race.

The reality that the convention actually did transcend party lines is borne out by the fact that another of its most outspoken

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44 Cate, 217.

45 During the war Lamar was a diplomatic agent for the Confederate government. At the close of the war he turned to a policy of conciliation. In 1876 he was elected to the United States Senate, and subsequently served as the Secretary of the Interior and United States Supreme Court Justice. He was renowned as both a scholar and a statesman.

46 Cate, 218.

47 Ibid.
supporters was Thomas Walton, a Mississippi planter who was a southern white Republican. He expressed the idea prevalent among the whites when he said:

...the negroes are banded together for the purpose of governing the country and expending its money regardless of any consideration except to promote personal ends, and that they are determined to support each other to a very large extent irrespective of the claims of virtue and intelligence; and the whites are just as determined to hold together and prevent that thing from being done.48

The chief result of the Convention of 1875 was the decision that the whites must win the elections of that year and thus end Reconstruction in the state. To effect this, the "Mississippi Plan" was conceived and adopted. It was a plan whereby, if the Negro voted, he was to vote Democratic.49 To compel him to do so, persuasion, threats, even violence were to be used.50 The campaign developed into a veritable civil war.51 The Bourbons forced the Negroes, at the point of guns, to listen to "streams of abuse" from Democratic orators. At Clinton, fifteen thousand Negroes and one hundred whites were attending a Republican barbecue when Democrats fired into the crowd. Armed mobs moved in from various


49U. S. Congress, Senate, Senate Committee Report, 42nd Cong., 2nd Sess. (Washington, 1870), II, 15, 41.

50Ibid.

51Fleming, Documentary History, II, 394, citing the Mississippi Elections of 1875.
cities and at least fifty Negroes were killed on sight. Letters, such as the following, poured in upon Governor Ames: "I beg you most fully to send the United States soldiers here; they have hung six more men since the killing of Mr. Fawn; and they won't let the republican have no ticket...; fighting comense just I were closuing, 2 two killed. . .help; send troop and arms pleas. . . Send help, help, troops..."52 From Warren County came a letter from one hundred and eight Negroes who couldn't vote, for they said: "We cannot hold a meeting of no description without being molested and broken up and furthern our lives are not safe at nor in our cabins, and therefore we deem it unwise to make a target of our body to be shot down like dogs and have no protection..."53

In the meantime, the Democrats were organizing all over the state into companies, and in some cases were drilling. They elected officers and armed themselves with rifles, guns and pistols. They rode around the countryside at night, threatening to kill the colored men if they voted the Republican ticket, assaulting and beating them.54

Ames first appealed to President Grant for Federal troops. He wrote to Attorney-General Edward Pierrepont, saying: "Let the

52 Wharton, 192.
53 Ibid.
54 Mississippi in 1875, Reports of the Select Committee to Inquire into the Mississippi Election of 1875 (Washington, 1876), II, Amite County, Letter II.
odium, in all its magnitude descend on me. I cannot escape. I am conscious in the discharge of my duty toward a class of American citizens whose only offense consists in their color, and which I am powerless to protect." 55 However, Pierrepont answered, "The whole public are tired of these annual autumnal outbreaks in the South," and did nothing. 56 Later, Ames said in regard to this reply, "This flippant utterance of Attorney-General Edward Pierrepont was the way the executive branch of the National government announced that it had decided that the reconstruction acts of Congress were a failure." 57 President Grant refused to send help until the governor had used all his own available resources to obtain peace. 58

Ames then turned to the state militia, and intended to employ Negro companies for defense purposes. Both the Negroes and whites were alarmed at this drastic move, for they knew that at its first appearance the Negro militia would be slaughtered and that Federal troops would then take over. When large scale conflict seemed about to break out, a "Peace Agreement" was consented to, based on the provision that the Democrats would permit the Negroes to vote. 59

56 Ibid.
57 Mississippi Archives Dept., MSS, J. W. Garner Papers.
This sounded the "death knell" of the Radical Republican Party in the state, for the Mississippi Plan worked as it was planned so to do.60

On election day itself many of the counties were unusually quiet. Other sections, however, were not so peaceful.61 "Accidents" happened to Negroes carrying Republican tickets.62 To cite one example, at Forest it was arranged for boys with whips to rush suddenly into the crowd of Negroes. The voters feared that this was the beginning of an outbreak and left in a panic.63 This action was in compliance with an article previously written for the Register. "A white man in a white man's place. A black man in a black man's place. Each according to the 'eternal fitness of things'."64 Democrats gained a large majority in the legislature, chose four out of six Congressmen, and elected nearly all county officials.65 In Yazoo, for example, the Republican vote in 1873 had been 2,427—and in 1875, it was 7.66

60Ibid.
62Wharton, 195.
63Forrest Cooper, "Reconstruction in Scott County", PMHS, XIII (1909), 175-176.
64Wharton, 184.
65Allen, 199.
66Ibid.
commented on the new regime. "Mississippi is governed today by officials chosen through fraud and violence such as would scarcely be accredited to savages, much less to civilized and Christian people." 67

Upon the completion of the revolution of 1875, the Negroes, according to the Democrats, were never so contented and happy. 68 In opposition to this idea, one Negro from Noxubee County wrote to Governor Ames: "We are anxious for you to know the condition of our county. Here is about 25,000 raticals of we colored population never got to cast a vote. ... The Democrats have been shooting and raring around this two months. ... Although we colored people wish to have peace; but I do say we cannot live at this rate." 69

When the new legislature met early in 1876, the process of terminating the power of Negro and carpetbag rule was carried out immediately and thoroughly. The legislature impeached the lieutenant-governor, forced the resignation of the superintendent of education, and proceeded to dispose of Ames. 70 The governor denounced the legislature as illegal, but when impeachment proceedings were brought against him he resigned his office on May 29, 1876, on the

67Ibid.
68Wharton, 199.
69Senate Report No. 527. 44th Cong., 1st Sess., 1876, 73.
70Wharton, 197.
condition that impeachment charges be dropped.\textsuperscript{71} 

This native white victory in the election of 1875 marked "the beginning of the end" of Negro political activity in the state, although until 1890, when they were practically disfranchised, Negroes continued to constitute a limited factor in politics.\textsuperscript{72}

In March of 1876, apparently to aid the Republicans in the Presidential election that was approaching, the Senate passed a resolution providing for the appointment of the Boutwell Committee to investigate the Mississippi elections of 1875.\textsuperscript{73} Bruce,\textsuperscript{74} speaking in favor of this committee, pointed out that in "Mississippi the Republicans had had a majority of 20,000 in 1873; now they had a minority of 30,000. Nothing but fraud and intimidation could account, in his mind, for such a large shift, since Negroes made up ninety-five per cent of the Republican Party and nothing had occurred to make them change."\textsuperscript{75}

The Boutwell Committee admitted that the Democratic victory was due to terror and outrages against the Negroes,\textsuperscript{76} that the

\begin{itemize}
  \item \textsuperscript{71}Dunning, 280.
  \item \textsuperscript{72}Jesse T. Wallace, A History of the Negroes of Mississippi from 1865-1890 (Clinton, Miss., 1927), 53.
  \item \textsuperscript{73}Speech of the Hon. E. C. Walthall of Miss. in the United States Senate, August 27, 1888 (Washington, 1888), 3.
  \item \textsuperscript{74}Blanche K. Bruce, elected to the Senate in 1874, was the only Negro in American history to serve a regular term in the Senate.
  \item \textsuperscript{75}Smith, Negro in Congress, 29.
  \item \textsuperscript{76}Allen, 199.
\end{itemize}
legislature elected in this manner was not a legal body, and that the state was "under the control of political organizations composed largely of armed men whose common purpose is to deprive the Negroes of the free exercise of the right of suffrage and to establish and maintain the supremacy of the white-line Democracy." 77 However, of the witnesses examined upon the condition of affairs in Mississippi by the Committee, none were Democratic and only two were citizens of the State. These were former Governor Sharkey and Judge Hill. Nothing was done about the report, however, except to publish it, and this act made known the internal affairs of the state. 78

It was in this manner that Mississippi escaped from the pattern designed for it by the Radicals through the Reconstruction Acts. The means were sometimes illegal and violent, but the results were the establishment of the only way of life acceptable to a majority of the native whites. However, the Fifteenth Amendment was still on the books. It will be interesting to see first, how the Bourbons exploited it for their own purposes, and then what steps were finally taken to negate its provisions.

77 McPherson, Political History, 236.
78 Walthall, 3.
CHAPTER V

THE INTERIM, 1875-1890

The period from 1867 to 1890 has been called the "golden era" of the Negro in Mississippi, insofar as participation in politics is concerned. During these years he played a vital part, even though a continuously decreasing one, in political activity. His role and contributions from 1867 to 1875 have been traced. During the latter year, his friends in the exercise of power, the Carpetbaggers and Scalawags, were unseated and many fled the state. Their place was taken by the Bourbons, the native white aristocracy, mostly ex-Confederate, which included not only the old planter class but also leaders of prominence in newer economic fields. It was the lot of the Bourbons to decide immediately what was to be done about the Negro franchise, one of the left-overs of Reconstruction.

The recapture of the control of the southern states by the native white upper-classes was made even more firm as a result of national developments of this time.\(^1\) In the presidential elections of 1876, as a result of the first returns, the Democrats

\(^1\)Cate, 218.
were only one electoral vote short of electing their candidate, Samuel J. Tilden. However, the returns from three southern states, South Carolina, Florida and Louisiana, still under carpetbag rule, were in dispute. After much maneuvering and improvising, a compromise was agreed upon between the leaders of the two parties. The Republicans were to receive these and other contested electoral votes, and thus seat their candidate, Rutherford B. Hayes. The quid pro quo granted the Democrats was the agreement that the occupation troops should be removed from the three states mentioned above, and thus Reconstruction in them would come to an end. This was done, and there emerged the Solid South, a section of white supremacy and of the Democratic Party, which has remained an almost unbroken and unchanged entity down to the present day.²

The means whereby the Bourbons of Mississippi, as well as those of the other southern states, were able to maintain themselves in power in spite of their strictly limited numbers was this. The majority of the Negroes was concentrated in a number of plantation counties called "black" counties. The great mass of the whites, termed yeomen or small farmers, lived in counties termed "white" counties. The Bourbons lived, two or three families each, in the black counties. They so apportioned representation in the state legislature that the black counties heavily outvoted the white counties. The docile Negro, recently the tool of the

²Randall, 878.
Reconstructionist, now voted as he was directed by his former master, the Bourbon. Thus, the Mississippi aristocracy was able to dictate state policy for a number of years through the control of the Negro vote, and the majority of the whites, small farmers, had little voice in government.

Obviously, the Bourbons had no interest in the disfranchisement of the Negro. Lucius Q. C. Lamar, typical of his class, declared that disfranchisement was undesirable. He asserted, further, that it was a political impossibility short of revolution, and even if it were possible, the South would not permit it.3

In spite of these developments many Negroes and whites, who could, continued to vote Republican, but in decreasing numbers. Republican control of municipal government practically disappeared except in Jackson, where Republican white mayors and aldermen held on to control of office until 1888.4 The Bourbons brought about the gradual decline of the Republicans, frequently through fraud and suppression of free suffrage.5 In this, they were supported by the Yeomen. Elections became "farcical formalities."6 Of this situation, the following was said:

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4 Wharton, 201.
5 Lynch, 4.
6 Annual Cyclopaedia, XIII, 563.
In this state there are from 20,000 to 30,000 more colored than white voters. Not more than one-tenth of the colored voters are Democrats, and about one-third of the white voters are Republicans; and yet Mississippi is not only reliably Democratic by the official returns at every election, but every Congressional District is returned in the same way, without the slightest regard to the numerical strength of opposing parties, and without regard to the color or character of rival candidates. 7

By degrees, however, the white yeomen class began to become politically conscious. No longer were they as willing to follow blindly the lead of the aristocracy as their forebears had been before the War between the States and during the Confederacy. Moreover, the racial tension which was increasing existed between the lesser whites and the Negroes, for they were economic competitors. 8 The Yeomen, therefore, came to realize that the best way to break the political domination of the Bourbons and to eliminate the Negro as an economic competitor was to disfranchise the latter. Some efforts in this direction had already been made and have been noted. It became a serious part of the yeomen program about 1880. However, it was not to be until about 1890, in connection with the state constitutional convention of that year, that almost complete

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8 The southern whites were still divided into three social classes. At the top of the apex stood the aristocrats, now termed the Bourbons. The middle class was made up of the yeomanry or the small farmers. At the bottom of the pyramid there were those whites termed poor whites, who even as yet had practically no political voice. The Negro was an economic competitor of the yeomen and poor whites, but it was only the yeomen who had the inclination to attempt to curtail Negro competition.

9 Wallace, 144, 149.
success was to be achieved in this regard.

The first method used to keep the Negroes from voting was the requirement of a poll tax and the presentation of the tax receipt for qualifying.\textsuperscript{10} The poll tax not only disfranchised the Negro but also tended to put the political control of the state in the hands of a minority of the whites.\textsuperscript{11} The poll tax disqualified both poor whites and colored, but it is certain that more Negroes than whites were so disqualified. However, there is nothing in the text of the statute regarding the poll tax that expressly discriminates because of race or color, and the fact that the Negroes were often delinquent in the payment of their taxes was not the fault of the law. Paying a Negro's poll tax in exchange for his vote became the practice of unscrupulous politicians.\textsuperscript{12}

Another effective means used by the Yeomen, when they were able to do so, to keep the Negroes from voting was to have no election at the polls where Republicans would probably be in the majority. An example of how this could be done is found in the account of what took place in Marshall County. A certain Dr. A. M. Lyle reported:

No election was held at the Early Grove precinct in November, 1888. The judges who were appointed to hold the election would not open the box to receive the votes under the

\textsuperscript{10}Mangum, 389.

\textsuperscript{11}Dudley O. McGovney, The American Suffrage Medley (Chicago, 1949), 147.

\textsuperscript{12}Mangum, 389.
pretense that no justice was present to qualify them. I pointed out and read from the code the sections empowering one of the judges (in the absence of any one to administer an oath) competent to administer oath, to qualify others and then to be qualified himself by any one of those so qualified to act. This question was debated until about 1 p. m. when the judges, one by one, left the room without informing the electors that no votes would be received, leaving the electors powerless under the law to open the polls.

There were fully one hundred voters present to cast their votes for James R. Chalmers, for Congress, seventy colored voters, and about thirty whites.13

This, Dr. Lycle reported, had been going on for about ten years.

And finally, of course, intimidation and violence were resorted to by the less scrupulous. Several examples will suffice. In one instance, reported in the New Mississippian, "One old negro attempted to vote in the South ward about half past 9. He was an old negro and looked silly, and he was not hurt, but told to hustle out in double quick time, and he did hustle."14

(In another, we have the following account given by a Negro:

Well, on Saturday night before the election, just about an hour before day, there was a crowd of men come to my house, and I woke up about the time they got inside of the yard, and by the time they got inside of the yard they stopped, and I hear they say, "Close up all around to the other door and them windows," and when I heard them say that I got scared and I rolled out of bed. They came to the door and they hollered a third time, "Open the door," and I never answered, and in that time the back door flew open and there was about six or seven men followed right in their pistols all presented at my bed, but I was under the bed and my wife commenced hollering, and some of them said


14Wharton, 201, citing New Mississippian, January 3, 1888.
they were not going to hurt anybody, and by that time when I came out from under the bed they asked me how it was with me and politics tonight. I told them I didn't know anything about politics. They asked me didn't I join a club down here about John Smith's. I told them no, I never joined a club in my life. They said they were going around to tell we black people how to vote, and they said they were not going to vote but one ticket at Tailhold Tuesday morning, and that was the Democratic ticket, and if I thought I couldn't stomach the Democratic ticket, I hadn't better come around at all; if I voted any other ticket except the Democratic ticket they were going to start Wednesday night after the election, and have a regular hog-killing time, and they said they were going to take some of the leaders first. . . . I went to the woods. . . . and stayed just exactly one week.15

And finally, we find that several pages of the report of the committee appointed to investigate the 1883 election were devoted to the life, character, and death of J. P. Matthews, a Negro, who was shot and killed by Erasmust Wheeler, a white man, on the morning of the election. The committee made a labored attempt to blame his killing on the Democrats of Copiah County. Wheeler and Matthews were alleged to be on friendly terms. On the morning of the election Matthews deposited his ballot in the box and Wheeler, who was some distance from him, fired a gun which had not been seen by the officers of the election,16 and Matthews fell mortally

15U. S. Congress, Senate, Mississippi in 1883, Report of the Special Committee to Inquire into the Mississippi Election of 1883, 48th Cong., 1st Sess., Senate Report No. 512 (Washington, 1884) 38. In this instance, violence was used, not to prevent the Negro vote, but to insure the fact that he voted Democratic, if at all. Obviously, the perpetrators were members of the Yeomen or Poor White class, not of the Bourbon.

16The use of fire-arms, or their exhibition, at or near a polling-place, on the day of election was prohibited.
wounded. Wheeler avowed his act and delivered himself up to the sheriff, and was held by the mayor in a bond of $5,000 for his appearance at court. Wheeler was acquitted on the plea of self-defense. There was no indication that any other Democratic Party member had anything to do with the killing and yet the party was blamed for perpetrating the crime. 17

Even though the Negroes, in spite of the examples given above, retained the legal right to vote in the state until about 1890, they began to have doubts about their political affiliations. The emergence of the color-line had set them apart as a bloc to be manipulated by and for the advantage of either the Republicans or the Democrats. The fear of the loss of their freedom and rights was a political lever whereby designing white men swayed the colored vote to serve their own selfish ends. 18 Of the color-line, John R. Lynch said at the time: "The colored people are asking you every day to allow them to occupy an independent position in politics; to allow them to make their identification with a political organization a matter of choice and not of necessity; but thus far you have repulsed them on nearly every occasion." 19

The white Democrats, on the other hand, were agreed that the color-line must remain; that if the Negro voted, he must vote

18George R. Stetson, The Southern Negro As He Is (Boston, 1877), 18.
19Lynch, 5.
Democratic; and that the Republican Party must be eliminated or must be reduced to impotency so that there would be no contest between the two parties with resulting advantages for the colored.

This is borne out by the following statement:

If the races are to continue to live together, and if the negro is to continue to exercise the right of suffrage, it is better for both races that they should divide on the color line in politics, although that is a serious evil; but it is not so serious as would be the evil of a divided negro vote. If they were divided and if we had two regular parties in the South, the scramble for the negro vote would be simply disgusting. It would lead finally to the incurable demoralization of both races, and end in social equality.

When Grover Cleveland, the first Democrat to reach the White House after 1856, became president in 1884, the Negro had profound misgivings. He believed that all those prophesies made over the years by the Republicans about the Democrats would now come true. He found, however, that he "could live, move, and have his being," notwithstanding a Democratic president. But in spite of the fact that Cleveland appointed many of them to important positions, as a group they did not change their party loyalty when they had freedom of choice. Individuals became doubtful, however. One

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21 Horace Smith Fulkerson, The Negro: As He Was; as he is; as he will be (Vicksburg, 1887), 42-43.

22 Summer, 5.

of these was H. C. Carter, a prominent colored man of Vicksburg who wrote the following letter published in the Vicksburg Commercial-Herald to the Negroes of Mississippi:

The time seems to have come when some one should point out to the colored people the fact that under Democratic rule, their lives, liberty, and property are as safe as they were under a Republican President. Our guides, philosophers, and friends of the Republican faith insisted that no rights of a colored man would be regarded in case the national Government would change hands, and that even our personal liberty would be endangered. Under this party lash for years we marched to the polls voting steadily as we were bid to do, often for men whom we despised; often for men of whose moral corruption we had personal knowledge, and against men whose integrity and intelligence were beyond question, and whose kindness, advice, and judgment we implicitly relied on in all private matters. Let us hope that this lesson, at least, has been thoroughly learned by the colored man--party hacks can and will lie if it be apparently to their advantage to do so. Vote for men and not for creeds; choose the honest, capable, and sound-ideaed man, trusting that he will bring to bear on public questions those same qualities he displayed in the management of his own affairs, and you will not be deceived. Granting that we owed the Republican party a debt of gratitude, we have paid it, paid it by keeping its minions in power twenty years. We have paid it by aiding in the retention of a scheme of Federal taxation that has robbed the agricultural South to enrich the manufacturing East. We have thus robbed ourselves to enrich Northern Republicans, to whom our fate, except to subserve their interests, is a matter of utter and profound indifference.

As the year 1890 approached, it became increasingly evident to the Yeomen Whites and the Republicans that Bourbon practices and politics had brought into being a state government which to

24H. C. Carter succeeded Hiram R. Revels as Secretary of State in 1874.

them was weak, inefficient, incompetent and extravagant. This opinion prevailed especially in the white counties, where many were convinced that the state was under the control of an "infamous ring" which concealed the evils committed in the capitol. The Yeomen, by now, fully realized that the Bourbons maintained themselves in power through the control of the Negro vote and through the denial of a fair share of representation in the state legislature to the white counties. The Yeomen, therefore, determined to put an end to these conditions. The means whereby they stripped the Bourbons of their control of the Negro vote is contained in the story of the constitutional convention of 1890, which follows. The means whereby they obtained a proportional voice in the state legislature is contained in the southern phase of the Populist Movement which was just getting under way. The Populist Crusade will not be discussed in this paper, but by the time it was over, the southern Negro, including those of Mississippi, had been deprived of the ballot quite effectively, and the Bourbon monopoly over state government had been broken. From that time on, the Bourbons were to share political control with the Yeomen.

The Republicans, including some whites and most of the Negroes of the state, were equally as dissatisfied with conditions as they

26 *Annual Cyclopaedia*, XIII, 1888, 563.
27 Wharton, 207.
28 Woodward, 321.
existed, and were willing to try any means of relief, even a constitutional convention,\textsuperscript{29} from which they could actually expect very little. State elections were to be held in 1889, and in anticipation of them the Republicans considered putting a ticket in the field when they met in Jackson on September 25, 1888. They urged federal election laws whereby registration and elections might be conducted, and denounced the state administration. However, early in October, General James R. Chalmers, who had been nominated as governor by the Republicans, declined the nomination. A few weeks later the Republican State Committee withdrew the entire ticket. These were the reasons they presented.

We knew that our votes would be stolen and our voters driven from the polls, but we hoped in the larger towns and cities, at least, the semblance of free speech might still remain to us; but our candidates are not safely allowed to discuss or protest. We refer not only to such well-known slaughters as Kemper and Copiah, Clinton and Carrollton, Wahalak and Vicksburg, Yazoo City and Leflore, but the nameless killing by creek and bayou, on highway and by-way. These are the Democratic arguments which crush us. We can do no more.\textsuperscript{30}

In view of this failure, the Negroes, acting on their own, gathered in Jackson to petition the Democratic leaders for a fusion ticket for the elections.\textsuperscript{31} They stated that it was no longer a question of race but of party. But the Democrats were fearful

\textsuperscript{29}John Hope Franklin, \textit{From Slavery to Freedom} (New York, 1947) 335.

\textsuperscript{30}Annual \textit{Cyclopaedia}, XIV, 1889, 564.

\textsuperscript{31}Wharton, 208.
of Negro numbers, and nothing came of the efforts to obtain such a ticket. John R. Lynch then called another state party convention with the intention of drawing up a second slate of candidates.\textsuperscript{32} However, the Democrats broke up the meeting and Republican efforts ended in failure\textsuperscript{33} As one might have expected, the results of the elections of 1889 were overwhelmingly favorable to the Democrats\textsuperscript{34}.

It would be a mistake to maintain that one reason was more important than another for the calling of the Convention of 1890. Conflicting groups were to participate, and each had its own reasons for doing so. Many of the more reputable citizens, Bourbons and others, were by now sincerely distressed by the fraud and corruption which had been allowed to creep into state government, especially the voting process. A convention should be able to correct this situation.

The Yeomen were the most insistent in their demands for the gathering. Their reasons included the fact that the white counties were jealous of the black counties. To relieve this condition and destroy the dominance of the latter, the Negro must be stripped of

\textsuperscript{32}Ibid.

\textsuperscript{33}Ibid.

\textsuperscript{34}In the election of November the Democratic ticket was chosen without opposition, Stone receiving 84,929 votes for governor out of a total of 84,953. The Republicans elected none of the forty members of the State Senate in 1890, and but seven of the one-hundred twenty members of the lower house.
the franchise. The Yeomen frequently concealed their true motives behind the facade of a demand for ballot reform, but what they were working for was a suppression of free suffrage. On one occasion, an armed mob of them took possession of Jackson, and without any interference from the state administration, emphatically advertized their insistence upon the disfranchisement of the Negro. Prejudice, as well as reason, played an important part in the Yeomen's motivation. To them and the poor whites, everything which the Negro touched during the process of reconstruction was detestable. Such creations as the Constitution of 1868 must be destroyed or satisfactorily altered. A disfranchised Negro must never again be able thus to affect the state's destinies. And finally, in regard to the Yeomen as well as to numerous other whites, there was great concern as to what the national Republican victory of 1888 might eventually mean for the South. It was feared that laws might be passed empowering the federal government to conduct and supervise all elections, thus insuring the Negro's right to vote. The Mississippi Yeomen reasoned that if the Negro had been disfranchised by state law in the meantime, federal intervention and meddling would be of no avail. Hence - their support of the convention idea.

Even the Republicans, including the colored, supported the convention movement, for as has been seen already, their lot could hardly be worsened; it might even get better as a result of it.

35 *Annual Cyclopaedia*, XIV, 1888, 563.
And so, another milestone in the history of Negro suffrage in Mississippi is approached. Ever since 1867 the colored man had been protected in this privilege by the occupation authorities, the Carpetbaggers or the Bourbons, not for reasons of justice, but so that their own interests might be served. But the time had now arrived when the Negro was once again to be the victim of and pay the price for the white man's quarrel. The Yeomen were by now weary of Bourbon political dominance and were determined to overthrow it. To accomplish this, the Bourbons' chief instrument of power, the Negro vote, must be destroyed. How this was done in the convention of 1890 will next be seen.

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36 Weeks, 698.
CHAPTER VI

THE CONSTITUTIONAL CONVENTION OF 1890

The majority of the backers of the constitutional convention movement can be divided into two main groups: those who professed to desire the reform of the franchise, but who really wanted the disfranchisement of the Negro; and those who sincerely and earnestly desired ballot reform for its own sake. Such reform, also, actually meant disfranchisement of the Negro, for only thus could the irregular suffrage practices which had sprung up be eliminated.\(^1\)

The first group was made up principally of the Yeomen and some Poor Whites; they and their motives have already been fully discussed. The second group was made up of the more reputable and substantial citizens. These were quick to admit that they had remained in political control through corrupt practices, and they were intelligent enough to realize that democratic government could not long flourish in such an atmosphere. They were aware, first of all, that largely through corruption the Negro had risen to power, and through corruption the Negro had retained whatever influence he still possessed.\(^2\) Of this situation, Colonel G.

1Wallace, 159.

2Goldwin Smith, The United States, 300.
Gordeon Adams, a Republican, said:

The white people have borned more than I thought any people on God's earth would stand. They have been robbed and plundered by a lot of ignorant negroes, officials, and thieves, until it was narrowed down almost to a question of confiscation or fight. The negro officials, one and all, from top to bottom, are ignorant and unfit to hold office. But the country is negro four to one, and how a continuance of negro rule is to be avoided I do not see. The negroes have gotten into a political groove that will ruin any country in which they have a majority, at least until they learn better. They will not vote for a decent white man for office. They pick our negroes, and about the worse specimens they can find. You cannot do anything with them by argument.

They were aware, in the second place, that insofar as the Negro had been denied participation in politics, this had not been done through legal means, but through subterfuge and violence. A certain Judge Chrisman, who was to be a prominent member of the convention, had the following to say in regard to this circumstance:

Sir, it is no secret that there has not been a full vote and a fair count in Mississippi since 1875--that we have been preserving the ascendancy of the white people by revolutionary methods. In plain words, we have been stuffing ballot-boxes, committing perjury and here and there in the State carrying the elections by fraud and violence until the whole machinery for elections was about to rot down. The public conscience revolted. Thoughtful men everywhere foresaw that there was a disaster somewhere along the line of such a policy as certainly as there is a real judgment for nations as well as men.

No man can be in favor of perpetuating the election methods which have prevailed in Mississippi since 1875 who is not a moral idiot, and no statesman believes that a government can be perpetuated by violence and fraud.

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3Ethridge, 370.

In accordance with an enabling act passed by the state legislature, Governor John M. Stone issued a proclamation calling for the election of delegates to a constitutional convention. This special election was to be held in connection with the regular election, mentioned in the preceding chapter, scheduled for July 29, 1890. An especially assembled Democratic convention met in Jackson on June 18 to name delegates-at-large. Fourteen were nominated, and since no others entered the field against them, all were elected by substantial majorities. At the same time, 120 delegates were chosen from the various state districts. Of the combined group of state and district delegates elected, 131 were Democrats, two were Republicans and one was a Greenbacker.5

The Constitutional Convention met in Jackson on August 12, 1890.6 Judge S. S. Calhoun, a prominent jurist of the state, was chosen president and presided over the deliberations of the convention during its tenure of seventy-two days.7 The "elder statesman" of the gathering was former Governor Alcorn, who had played such a prominent part during many decades in Mississippi public life.8 The only Negro delegate was Isiah T. Montgomery,9 a wealthy

5Annual Cyclopaedia, XVIII, 471.
6Wallace, 159.
7Annual Cyclopaedia, XV, 559.
8Alcorn Papers, 40.
businessman and farmer, whose stand on the question of Negro suffrage was to prove a surprise.

The primary objective of the overwhelming majority of the delegates to the convention was the disfranchisement of the Negro, be it for reasons of ballot reform, or for the sake of disfranchisement itself.\(^{10}\) However, it was quite obvious that the Fifteenth Amendment could not be openly defied, but it could be circumvented.\(^{11}\) Moreover, the convention was limited by an act of Congress of February 23, 1870 when Mississippi was readmitted to the Union. One of the conditions of readmission had been that the constitution of the state should never be "so amended or changed as to deprive any citizen of the United States, of the right to vote, who are eligible to vote by the constitution of (1863) herein recognized, except as a punishment for such crimes as are now felonies at common law."\(^{12}\) The only way out was to declare the act an unconstitutional limitation of the power of a sovereign state, and therefore void.\(^{13}\) This, in effect, is what was meant by the following statement which was published at the time: "The regulation of the right of suffrage belongs to the State, and the only limitations thereon to be found in the Constitution of the United States, or the latest amendments thereto,

\(^{10}\) Alcorn Papers, 40.
\(^{11}\) Wharton, 212.
\(^{12}\) Weeks, 698.
\(^{13}\) Wharton, 212.
will be found in the prohibition of discrimination against persons on account of race or color. It is an idle consumption of time to talk of this as at all doubtful. The Supreme Court of the United States has more than once affirmed it. 14 It will be seen, then, that the framers of the new constitution ignored the congressional act of 1870 and found reasons other than those of race and color, as stipulated in the Fifteenth Amendment, to disfranchise the Negro. 15

The only sections of the Constitution of 1890 which concern us are those in regard to the franchise. These were shrewdly conceived and carefully phrased so that, even though they applied to whites as well as to blacks, 16 the whites were little affected by the disqualifications contained therein, whereas the colored found themselves, almost without exception, stripped of the ballot as a result of them. 17 Section 240 is of little significance to us. It reads, "All elections by the people shall be by ballot." 18 Section 241 is of great importance. It contains several provisions, any one or a combination of which might result in the

14 Annual Cyclopedia, XVII, 471.

15 Albert D. Kirwan, Revolt of the Rednecks (Lexington, Ky., 1951), 66.

16 Frank Johnston, "Suffrage and Reconstruction in Mississippi," PMHS, VI (1902), 228.

17 Kirk Harold Porter, A History of Suffrage in the United States (Chicago, 1918), 208.

18 Constitution of the State of Mississippi, November 1, 1890, (Jackson, Miss.) Article 12, Section 240.
disfranchisement of the Negro. It is as follows:

Every inhabitant of this state, except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, twenty-one years old and upwards, who has resided in this state for two years, and one year in the election district, or in the incorporated city or town in which he offers to vote, and who is duly registered, as provided in this article, and has never been convicted of bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy and who has paid on or before the first day of February of the year in which he shall offer to vote, all poll taxes which may have been legally required of him, and which he has had an opportunity to pay according to law, for the two preceding years, and who shall produce to the officers holding the election satisfactory evidence that he has paid such taxes, is declared to be a qualified elector; but any minister of the gospel in charge of an organized church or his wife legally residing with him, shall be entitled to vote after six months' residence in the election district, incorporated city or town, if otherwise qualified.19

Especially significant in this section are the crimes listed. They are those which the colored man would be the most inclined to commit and of which he could be most easily convicted, especially in a state not noted for equal justice and fair trials.20

Equally significant are the provisions concerning the poll tax. This requirement is treated more fully in a following section, but it might be noted here that the tax had to be paid a year before election day, and that failure to pay meant not only the loss of the right to vote, but also made possible the confiscation of property.21

19Ibid., Section 241.


21Annual Cyclopediá, XXXVI (1896), 491.
And finally, it should be noted that to be eligible to vote, a registrant must have been a resident of his precinct for one full year. Mississippi is the only state in the Union which has such a requirement.\(^{22}\) Inasmuch as many of the Negroes were and are itinerant farm workers, they have been especially affected by this provision.

Section 242 is the customary one regarding registration. It appears to repeat only those points contained in the preceding section. However, one word which has proved of great significance in the disqualification of Negroes is the word, propounded. If a colored man could not "truly answer all questions propounded", he would lay himself open to prosecution for perjury. The smallest error could be construed as a willfully false statement, and perjury was a crime which disqualified one from voting.\(^{23}\) The section is as follows:

The legislature shall provide by law for the registration of all persons entitled to vote at any election, and all persons offering to register shall take the following oath or affirmation: "I, \(\text{________________}\\), do solemnly swear (or affirm) that I am twenty-one years old (or I will be before the next election in this country), and that I will have resided in this state two years and \(\text{______}\\) election district of \(\text{________}\\) county one year next preceding the ensuing election (or if it be stated in the oath that the person proposing to register is a minister of the gospel in charge of an organized church, then it will be sufficient to aver there in two years' residence in the state and six months in said election district), and am now in


\(^{23}\)Love, 16.
good faith a resident of the same, and that I am not disqualified from voting by reasons of having been convicted of any crime named in the constitution of this state as a disqualification to be an elector; that I will truly answer all questions propounded to me concerning my antecedents so far as they relate to my right to vote, and also as to my residence before my citizenship in this district; that I will faithfully support the Constitution of the United States and of the state of Mississippi, and will bear true faith and allegiance to the same. So help me God." In registering voters in cities and towns not wholly in one election district, the name of such city or town may be substituted in the oath of the election district. Any willful and corrupt false statement in said affidavit, or in answer to any material question propounded as herein authorized, shall be perjury.24

Section 243 must be viewed against the background of the poll tax provisions of Section 241 to be understood. On the surface, the poll tax requirement was in no sense a discrimination against the Negro, for it was required of both white and colored.25 However, to be eligible to vote, the registrant was required to prove, by producing his receipt, that he had paid his tax. No permanent record of those who had paid it was kept by way of proof. The Negro's carelessness was such that, even though he had paid his tax, in most cases he would have lost the receipt.26 It is hardly a violation of historical accuracy and objectivity to conclude that these provisions were included in the constitution specifically as a means to disfranchise the Negro. The Mississippi Supreme Court said as much when it declared that the "poll tax requirement

24Constitution of the State of Mississippi, 1890, Article 12, Section 242.
25Mangum, 389.
26Ibid.
was primarily intended by the framers of the Constitution as a
clog upon the franchise."27 However, the Justices did not declare
it unconstitutional. Section 243 reads:

A uniform poll tax of two dollars, to be used in aid of
common schools, and for no other purpose, is hereby im-
posed on every inhabitant of this state, male or female,
between the ages of twenty-one and sixty years, except
persons who are deaf and dumb, or blind, or who are
maimed by loss of hand or foot; said tax to lien only
upon taxable property. The board of supervisors of any
county may, for the purpose of aiding the common schools
in that county, increase the poll tax in said county but
in no case shall the entire poll tax exceed in any one
year three dollars on each poll. No criminal proceedings
shall be allowed to enforce the collection of the poll
tax.28

The last of the franchise provisions of the Constitution of
1890 was the most elastic of all and was the one because of which,
even though he skimmed over all the other hurdles, the applicant
would most likely fall. It was the famous "understanding" provi-
sion which had served as the basis for the assertion that Missis-
sippi is the only state which has an intelligence test, the passing
of which is a requirement for voting.29 This is Section 244, and
it contains the following provisions:

On and after the first day of January, A.D. 1892, every
elector shall, in addition to the foregoing qualifications,
be able to read any section of the Constitution of this
state; or he shall be able to understand the same when
read to him, or give a reasonable interpretation thereof.

27Ibid.
28Mississippi Constitution, Section 243.
29Key, 557.
A new registration shall be made before the next ensuing election after January the first, A.D. 1892.30

Accordingly, a Mississippi applicant for registration in 1892 and thereafter would have to be able to read the constitution, or understand it when read to him, or give a reasonable interpretation of any portion read to him. Obviously, these provisions could work against the eligibility of the underprivileged whites as well as against the Negroes. Loopholes through the literacy barrier would have to be found for such whites.31 These were provided by the registration officials who had the discretionary power of deciding whether or not an illiterate person understood the constitution or gave a reasonable explanation of it.32 Nevertheless, opposition from the poor whites was expected, and to counter it the framers tried to appeal to their patriotism, as the slave-owners had appealed to them during the time of the Confederacy.

"Thousands of gallant sons of the South had no property in slaves or otherwise, and yet they offered their lives to protect their neighbors property, and the same noble spirit is now ready for any concession or sacrifice, that will secure and perpetuate white supremacy in Mississippi."33

30Mississippi Constitution, Section 244.

31Key, 537.

32Harold Underwood Faulkner, American Political and Social History (New York, 1948), 413.

33Woodward, Origins, 332, citing Jackson Clarion Ledger, September 18, 1890.
Opposition came from other quarters as well. The Honorable R. H. Thompson, a delegate and prominent lawyer of the state, quoted the American Law Review to the following effect: "It is quite apparent that this clause was never intended to be carried out faithfully. It will be so administered as to exclude the negro voters, hardly one of whom will be eligible under it, and so as not to exclude the ignorant white voter. The last qualification, the ability to give reasonable interpretation of any clause of the constitution of the state would exclude nearly all the lawyers and judges in the state." 34 It is amusing to note that probably more white men than colored were disqualified as a result of the understanding clause. This was due to the special circumstance described by John F. Dillon, who was President of the American Bar Association in 1892.

More negroes... have registered under the alternate or understanding clause than white men. Only 2,672 illiterate, both white and black, had up to 1893 registered under it. I have not seen the figures since. The negroes who have taken advantage of it exceed the white men who have done so in a majority of the counties of the state. It seems that the illiterate white man shrinks from an application to be registered under the "understanding clause;" a refusal to advertise his incapacity while the negroes as a rule have but little to lose; but another truth is that with scarcely an exception the negroes are thoroughly content with the constitution and are satisfied to be measured for registration and voting by its standards. 35

It was the obvious purpose of the provisions contained in

34 Hon. R. H. Thompson, Suffrage in Mississippi, 42.
35 Ibid., p. 43.
this section to make it possible for the registration officials to disqualify the Negro if he met all the other requirements for voting. Two stories will illustrate this fact. In the first, a Negro applied to be placed on the register. The examiner put this question to him: "What is the meaning of 'the Writ of Habeas Corpus', and is it suspended in time of war?" The Negro answered, "This means that no more Negroes shall be allowed to vote in this State." In the second, when a colored professor applied for the franchise he was asked the following questions: "What would be the weight of a cubic foot of water taken from mid-stream of the Mississippi River at the time of highest flood?" The professor failed to satisfy the examiners.36

Perhaps the most amazing fact about Section 244 is that it was supported by Isiah Montgomery, the sole Negro delegate, referred to before. He was elected by an all-Negro electorate, but in spite of the fact, delivered a remarkable speech in favor of the approval of these provisions. His hope was for the adoption of peace and harmony between the races. Montgomery was far too optimistic and far from realistic when he declared, after the constitution was completed, that "there is no longer a Negro problem in Mississippi."37

Realizing that the fight over the ratification of the


37 Weeks, 700.
constitution might become highly controversial due to the unpopularity of some of its provisions, the framers decided that it need not be submitted to the voters for approval, but that they were competent to declare it ratified. Under these conditions, it went into effect January 1, 1891. The constitution, in whole or in part, was both attacked and defended. For example, the Mississippi press bitterly attacked the franchise provision as a fraud and disgrace. Thirty-four papers, including all the leading journals except the Vicksburg Herald "which had the convention's patronage," were listed in absolute opposition. On the other hand, John Sharp Williams, United States Representative from Mississippi, stated on the floor of Congress that more colored than white men were admitted to the franchise through the understanding clause. He further stated that Mississippi suffrage provisions were no more capable of abuse than those of Vermont, where the constitution required that voters must be "of a quiet and peaceable behavior," and where a statute provided that "no person should be admitted ... to vote at an election until he had obtained the approbation of the board of civil authority in the town in which he resides." The effect of the franchise provisions of the new constitution upon the suffrage are difficult to determine accurately, for

38 Mississippi Constitution, Article 15, Section 285.
39 Wharton, 213-214.
40 Faculty of Political Science of Columbia College, Political Science Quarterly, XX (1905), 60.
we have only estimates to go by. In 1890, before the new constitution had gone into effect, there was a white population of 544,581 in Mississippi as opposed to one of 744,749 of the colored. Of the whites, 109,000 were of voting age; of the Negroes, 149,000 were. Montgomery estimated that under the new constitutional provisions only one-eleventh of the whites were disfranchised, but that two-thirds of the colored were. This seems too low an estimate for the Negroes. 41 A better estimate is that after 1891 two white men out of every three were eligible to vote, while only one out of every seventeen Negroes was. It seems well verified that a potential electorate of 257,305 was reduced to 76,742, and that a former Negro majority of 37,105 was converted into a white majority of 58,512. 42

And so, it is seen that by 1890 the wheel of fortune had made an almost complete revolution, insofar as the Negro was concerned. Slavery had been followed by emancipation, and with it the colored man had momentarily been catapulted into the seat of political power in Mississippi and the other southern states. However, by the last decade of the century, the Negro had again been broken, almost to the status held by him at the century's midpoint. He did not once again become a slave, but he was reduced, through the Constitution of 1890 and other means, to a state of political and economic bondage above which he has subsequently found it difficult to rise. His efforts in regard to these attempts will now be traced.

41 Weeks, p. 700.
42 Woodward, Origins, 344.
CHAPTER VII

1892-1952

The full impact of the Constitution of 1890 was not felt until 1892. The history of Negro suffrage in Mississippi after that date falls into three natural periods. During the years, 1892 to 1932, the colored man came to be almost completely eliminated as an active factor in state politics.¹ With the Democratic national victory of 1932, a new era dawned which was to last until 1944. The New Deal began cultivating the Negro vote and worked generally for the betterment of the lot of the colored.² The effects of this new circumstance soon came to be felt by the Negroes of Mississippi and of the rest of the nation. While the same New Deal and Fair Deal policies were to continue after 1944, an event of that year brought about conditions which force us to recognize a transition to the third of these periods. This was the United States Supreme Court decision that the states could not deny to the Negro the right to participate in primary elections.³

this decision upon the franchise question in Mississippi will be traced through the presidential elections of 1952. Developments since that year have been so recent that it is not considered wise to include them in the scope of this paper.

The degree of decline of Negro participation in political activity after 1892 is almost unbelievable. Few reliable statistics exist, but it is estimated that in the elections of 1904, only one Negro out of every one hundred adult males in the state voted. Whether this was due more to the effects of the disfranchisement provisions of the constitution or more to apathy, it is difficult to determine. The one-party system had by now come into full bloom in the South, and such a system does not stimulate interest in politics, even among the qualified voters, as is seen by this statement:

The following figures show either the extent of actual disfranchisement or the political apathy in the Southern States: In one county in Mississippi with a population of about 8,000 whites and 11,700 Negroes in 1900, there were only twenty-five or thirty qualified Negro voters in 1908, the rest being disqualified, it is said, on the educational test. In another county, with 30,000 Negroes, only about 175 were registered voters. In still another county in Mississippi, with 8,000 whites and 12,000 Negroes, only 400 white men and about 30 Negroes were qualified electors. In Mississippi, in 1906, only one out of eighteen males of voting age actually voted.

\[\text{Political Science Quarterly, XX (1905), 60.}\]

\[\text{John C. Rose, "Negro Suffrage: The Constitutional Point of View, " American Political Science Review, I (Nov. 1906), 20.}\]

\[\text{Gilbert T. Stephenson, Race Distinction in American Law (New York, 1910), 320.}\]
This trend continued, and apparently reliable figures show that by 1927, out of a total colored population of 290,278, twenty-one years and over, there were only 850 voters.7

In those counties and communities in which the Negro population was not great enough to be a political menace, the whites were more tolerant. Notable among these was Jefferson Davis County and the town of Laurel. However, in those areas in which there were enough Negroes to threaten white supremacy, participation in political activity by them was not permitted. This attitude is reflected in an article taken from the Greenwood Daily Common-wealth:

A good many Negroes are registering. . . Our advice to these Negroes, and all other Negroes who contemplate registering, is that they had better get this idea out of their heads as soon as possible. The Negroes are getting along mighty well with the white people of Leflore County, and they have been for some time--and they ought to have better sense than to think they will ever again have the remotest chance of voting in our elections. Such a thing is simply unthinkable, and the sooner these Negroes who have registered--and those who contemplate doing-so--realize this fact, the better for them.8

Nevertheless, some Negroes still strove to obtain a political voice. A group of them expressed themselves at this time as follows:

. . . we therefore most respectfully ask that a law be enacted whereby this i.e. the practical lack of voting

8 Van Deusen, 264.
power may no longer be said of our great State, but that Mississippi may be known the world over as the State of equal justice and fair play for all, an honest ballot and a fair count, and to this end we ask that a measure be passed whereby a registration board of three persons, each of different political faith, shall be appointed in each county for the purpose of registering all persons qualified for registration under section 4119 of the code of 1906.9

Not only were the colored people not allowed to register and vote during these years, but also they were denied the right to hold office. Of course, some of them received federal appointments, especially during Republican administrations, but no state positions were open to them. Also, some participated occasionally in local and state conventions. Other than in connection with these limited opportunities, the Mississippi Negro was gradually but effectively reduced to the status of a political non-entity by 1932.10

During the years mentioned above, the colored people remained faithful to the Republican Party, but their indifferent treatment at its hands was hardly deserved. The native white Republicans, realizing that the Negro had become politically impotent, separated themselves from the group and came to be termed, "Lily Whites."11 These whites dominated the state party machinery, and this was especially evident in connection with national party


10Leo Alilunas, "Legal Restrictions on the Negro in Politics," JNH, XXV (April 1940), 190.

11Heard, 224.
conventions and the control of federal patronage. In 1908, Ray Stannard Baker wrote that "the Republican party as now constituted in the South is even a more restricted white oligarchy than the Democratic Party."12

However, Negro Republicans of the state still worked for recognition. In 1912, they and the white Republicans sent rival delegations to the Republican National Convention.13 When the colored delegates supported William Howard Taft, Theodore Roosevelt blamed the "disruption and destruction" of the party upon them, and thereafter worked to build his southern party on a white basis. The Negroes thus received another telling blow at the hands of the popular Roosevelt.

In the struggle between the whites and the colored for the control of the Republican Party in Mississippi, an early climax was reached in 1916. In that year, the National Committeeman, a Negro, died. The state party leaders elected as his successor Perry Howard, a colored lawyer, over his opponent Mulvihill, a white man. The National Republican Committee refused to seat Howard and accepted Mulvihill instead, because the latter was supported by the two prominent state Republicans, Isiah T. Montgomery and Eugene Booze, both colored. In this way, the party machinery

12Ray Stannard Baker, Following the Color Line (New York, 1908) 261.

13Arthur S. Link, "The Negro as a Factor in the Campaign of 1912," JNH, XXXII (1947), 94.

14Ibid.
in the state came under the firm control of the whites, at least for the time being. 15

Nevertheless, the Republican Party was not unaware of the importance of southern Negro support, for things might change. As early as 1908, it had issued a statement in which "It demanded equal justice for all men, whatever their race; condemned all vices that had for their real aim, the Negroes' disfranchisement for reason of color alone; and declared "without reservation" for the enforcement in letter and spirit of the Thirteenth, Fourteenth and Fifteenth Amendments of the Constitution." 16

In the early '20's, leadership in the state party again passed rather securely into the hands of the Negroes. Prominent among them were Benjamin T. Green, E. P. Booze, C. T. Butler, J. B. Woods, W. J. Box, M. M. Mollinson and Dr. S. D. Patton. The majority of these were lawyers and most of them came from urban areas or from all-Negro communities, such as Mound Bayou. In addition, the National Committee-woman was Mary C. Booze, a Negress, and Perry Howard who was finally accepted as National Committeeman. 17

In the meanwhile, the Democrats made some efforts to win the support of whatever Negro vote existed. But the Negroes were suspicious of the Democrats, and feared that, if and when nationally

16 Sumner, 14-15.
17 Mrs. Charles C. Mosley, The Negro in Mississippi History (Jackson, 1950), 43.
successful, they would further restrict those rights which the colored had left.\textsuperscript{18} This fear was especially impressed upon them when, in 1911, James K. Vardamann\textsuperscript{19} was reelected to the United States Senate on a platform "demanding the modification of the Fourteenth and Fifteenth Amendments."\textsuperscript{20}

During the time that this was the Negro's political lot in Mississippi, a new device was found whereby the whites continued the disfranchisement of the colored. This was the primary election, a nominating medium which was a reform product of the Populist Movement. To understand how it was used for this purpose, one must recall that by now the Democratic Party had become the overwhelmingly dominant party of the state. During the 1800's, its candidates had been nominated through the party caucus system or conventions. Soon after 1900, however, the direct primary came into general use.\textsuperscript{21} Through it, nominations were made in an election participated in by registered Democrats. Since this was a party affair, election rules and voting requirements were set by the party, not by the state or federal government.\textsuperscript{22} Since Republican opposition in the state amounted to almost nothing, it was a foregone conclusion that the candidate successful in the primary

\begin{itemize}
\item \textsuperscript{18}Link, 81.
\item \textsuperscript{19}Vardaman was elected on the 57th ballot when the four other candidates withdrew.
\item \textsuperscript{20}Link, 86.
\item \textsuperscript{21}Mangum, 405.
\item \textsuperscript{22}Ibid., 410.
\end{itemize}
would be successful in the regular election. Hence, when the party hit upon the device of excluding the Negro from participating in its primary, in effect, continued to deprive him of the right to vote. 23

Seven other southern states, in addition to Mississippi, used this practice as a means of disfranchising the Negro. 24 When that state revised its voting regulations, those pertaining to the primary election appeared as follows in the Mississippi Code of 1930, Section 5887: "No person shall be eligible to participate in any primary election unless he be qualified to vote in the election for which such nomination is to be made, intends to support the nominations in which he participates." 25

Many of the more reputable people of the state, however, frowned upon this subterfuge. Among them was the editor of the Jackson Clarion-Ledger, who called attention to the Constitution of 1890, Section 247, by which it is provided that "The legislature shall enact laws to secure fairness in its party primary elections, conventions or other methods of naming party candidates." Commenting on this the Clarion-Ledger continued:

Every member of every legislature is sworn to obey that section of that Constitution. And the section does not

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23 Sumner, 18.


25 Mississippi Code of 1930 of the Public Statue Laws of the State of Mississippi, II, (Atlanta, 1930), Section 5837.
say to the members of the legislature that you may enact laws to secure fairness in primary elections,—it says you shall do so; and every member of every legislature is bound by his oath that he shall do what is commanded of him by that section. And when it has been demonstrated by experience that certain features of a primary election law are working unfairly and are producing unfair results, it is the sworn duty of the legislature to enact laws to correct that unfairness, even if every crooked politician in the state or every other kind of politician or political partisan opposed such curative enactments.26

Thus, through residence requirements, literacy tests, the poll tax and finally, the primary, the white Democrats of Mississippi made it practically impossible for the Negro to have a share in state political activity. Strangely enough, no case involving the constitutionality of these provisions was presented to the United States Supreme Court prior to 1932, except the Williams vs. Mississippi case of 1898. In this case, Williams, a Negro had been indicted by a jury composed entirely of white men. The law required that a juror should be an elector. Williams contended that Negroes were discriminated against, not by the laws, but by their application. The Supreme Court decided that such a possible evil did not invalidate the law.27 The discouragement resulting from this decision, insofar as the colored were concerned, probably explains their failure to bring additional suits.

The election of 1932 constituted a revolution in American political affairs in more ways than one. The Democratic

26 Jackson Clarion-Ledger, December 31, 1935.
27 Stephenson, 313-314.
administration which followed quickly adopted the policy of cultivating the support of such minority groups as the farmer, labor and the Negro. Although the colored people of Mississippi had little voice in politics, those who could vote switched their support from the Republican to the Democratic Party in large numbers. This was apparent as early as 1932. While the Negroes could have been joining the whites of the nation in their protest against the Republican policies of the '20's, the former were, no doubt, also profoundly affected by the promises of political emancipation held out to them by the Northern Democrats. The following table illustrates these facts:

Voting Statistics by Selected Counties in the Black Belt, 1932

<table>
<thead>
<tr>
<th>Mississippi</th>
<th>Total Pop. of County</th>
<th>Per Cent of Negro Pop.</th>
<th>Classification of Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dem.</td>
</tr>
<tr>
<td>Coahoma</td>
<td>46,327</td>
<td>77.4</td>
<td>1,672</td>
</tr>
<tr>
<td>Holmes</td>
<td>38,534</td>
<td>76.3</td>
<td>1,799</td>
</tr>
<tr>
<td>Issaquena</td>
<td>5,734</td>
<td>81.4</td>
<td>159</td>
</tr>
<tr>
<td>Jefferson</td>
<td>14,291</td>
<td>75.8</td>
<td>753</td>
</tr>
<tr>
<td>LeFlore</td>
<td>53,506</td>
<td>76.4</td>
<td>1,877</td>
</tr>
<tr>
<td>Madison</td>
<td>35,796</td>
<td>78.6</td>
<td>1,474</td>
</tr>
<tr>
<td>Noxubee</td>
<td>25,560</td>
<td>78.7</td>
<td>1,052</td>
</tr>
<tr>
<td>Tunica</td>
<td>21,233</td>
<td>85.8</td>
<td>573</td>
</tr>
</tbody>
</table>

The New Deal Wing of the party took a friendly attitude towards the colored, and did whatever it could to limit or break down those restrictions which the southern states had placed upon their rights of economic opportunity and civil and political

28 Alilunas, 190 citing the Mississippi Voting Statistics for 1932 in a specified area.
equality. For example, when Mississippi tightened its poll tax requirements in 1938 as a means of continued disfranchisement, "President Roosevelt minced no words...in his emphatic and unqualified declaration that the poll tax exacted by the States as a qualification for voting should be abolished, or greatly modified..."29

Heartened by administration friendship and support, the Negro leaders in Mississippi concluded that the complete emancipation of the race would not come until after the right of participation in local politics had been won. And the party of their choice was now the Democratic Party. Consequently, they organized the Mississippi Negro Democratic Association and elected Percy Green its chief executive.30 Through the efforts of this group, the colored vote was increased almost immediately from three hundred to twenty thousand. The fact that ninety-eight per cent of the votes cast in Mississippi in the elections of 1940 were Democratic demonstrates the point that most eligible Negroes must have voted for that party, since the white Republican vote made up almost two per cent of the total.31

However, the white Democrats of the state did not let this threat to their supremacy which had appeared in 1932 go unchallenged.

29Rayford Logan, The Attitude of the Southern White Press toward Negro Suffrage (Washington, 1940), 44.

30"Negro Leaders Set Up Democrat Association," Commercial Appeal, Memphis, Tenn. (March 5, 1940), 5.

They again tightened up all those devices used theretofore as means of disfranchisement, especially the poll tax. Concerning this requirement, they passed the Corrupt Practices Act of 1935 which required the payment of the tax annually on or before February 1. Since many whites were adversely affected by this measure, it was amended on January, 1938 "so that two years poll tax might be paid in one in order to hold the privilege of voting." It was in regard to this legislation that President Roosevelt made the statement referred to above.

A powerful leader in state politics at this time and a determined foe of the Negro franchise was Theodore Bilbo. He was in public life for three decades, and served two terms in the United States Senate, having been first elected in 1934. Typical of his campaign assertions was the statement that "red-blooded Anglo-Saxon men must use any means to keep Negroes from voting. If you can't do it otherwise, visit their home the night before election. If you're arrested you'll be tried by a white judge." He later spoke to a reporter of this policy as "good diplomacy and good strategy to keep them [the Negroes] from voting."

In spite of Bilbo and others like him, the defenses which the

32 Logan, 44.
33 Clarion-Ledger, Jackson (August 30, 1938), 3.
34 Ibid. (January 26, 1938), 3.
white Democrats of Mississippi had built against the Negro franchise began to crumble. The election of 1932 and its aftermath had prepared the way for a new day throughout the entire nation for the colored man. Try as they might and did, the whites could hardly find adequate substitutes and means to prevent increasing numbers of Negroes from voting. The most serious reverse experienced by them in this regard was a Supreme Court decision of 1944. This decision had been foreshadowed in 1941, when the Court declared that Congress had the "authority to regulate primary elections when ... they were a step in the exercise by the people of their choice of representatives in Congress."36 In 1940, Dr. Lonnie E. Smith, a Negro dentist of Texas, had sued an election official of that state who refused to let him vote in the Democratic primary. The Court handed down a decision in 1944, in the case of Smith v. Allright, by an eight to one vote to the following effect:

It may now be taken as a postulate that the right to vote in such a primary for the nomination of candidates without discrimination by the state, like the right to vote in a general election, is a right secured by the Constitution. By the terms of the 15th Amendment that right may not be abridged by the state on account of race. Under our Constitution the great privilege of the ballot may not be denied a man by the state because of his color. The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any state because of race.

This grant to the people of opportunity for choice is not to be nullified by a state through casting its' electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could thus be indirectly denied.\textsuperscript{37}

The reaction of most of the whites of the South to this decision can be summed up in the words of Congressman John E. Rankin of Mississippi who said, "One of my greatest fears has been realized."\textsuperscript{38}

As a result of this decision, voting by Negroes soon became general in the more liberal and urbanized sections of the South. However, Mississippi could hardly be classified as being either liberal or urban. Consequently, the local Democrats entered upon a renewed and more determined campaign to prevent the colored adults from exercising the franchise.\textsuperscript{39}

When, in the state primaries of 1946, two or three thousand Negroes voted, this was interpreted as a direct consequence of the decision of 1944. A special session of the legislature was called early in 1947 to deal with this problem. In spite of the fact that some white natives argued that the threat of the Negro vote was not as portentous as it seemed, the legislators were alarmed.\textsuperscript{40} They passed new laws making ineligible to participate in party

\textsuperscript{37}Stetson Kennedy, \textit{Southern Exposure} (New York, 1946), 115.
\textsuperscript{38}Ibid.
\textsuperscript{39}Bone, 704.
\textsuperscript{40}Key, 639.
primaries those persons who were not "in accord with the statement of the principles of the party holding such primary, which principles shall have been declared not less than sixty days before the primary by the State executive committee." In May, 1947 the State Democratic Committee met in Jackson to draw up this statement of party principles. In part, it read as follows:

We are opposed to any legislation on the part of Congress which attempts to usurp the right of the states to regulate and govern their internal affairs. We are opposed to the enactment by the Congress of the United States of a so-called anti-poll tax measure as being in violation of the rights of the states to fix the qualifications of electors and in violation of the provisions of the Constitution of the United States. We favor the poll tax and are opposed to any attempt to abolish it, either by federal or state legislation.

In addition, the Committee ruled that a prospective voter in the primaries had to declare his dislike for proposed federal laws dealing with lynching, the poll tax, and fair employment legislation.

This requirement was scheduled to be first applied in the gubernatorial primary of 1947. The leaders of the Mississippi Progressive Voters' League, another of the Negro groups organized in the interest of the colored franchise, underwent some intellectual discomfort in seeking a rational position on the question of swearing allegiance to these party principles. They finally

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41 Ibid., 640.
42 Ibid.
43 Simkins, 482.
advised their followers to declare that "...we believe, as the party believes, in State's rights. We believe that such things as the FEPC, poll tax and lynching law should be left to the State."^44 T. B. Wilson, Jackson Negro and League president, even went so far as to state that "I don't know what obstacles may be met at the polls, but our members are being advised to create no disturbance if their vote is challenged and they are turned away."^45

In only a few instances in the 1947 primaries was the test applied. Few Negroes registered, and of those who did, even fewer attempted to vote. Of those who did so, most replied satisfactorily if they were questioned. Most election officials did not apply the test because of the paucity of the number of Negroes appearing at the polls. Those who appeared had been advised to do so individually so as not to arouse antagonism.^46 However, in some scattered instances, the test was applied, and if the would-be voters answered unsatisfactorily, they were declared disqualified. For example, when in Pass Christian, a coastal community, two Negroes appeared at the polls they were subjected to the catechism of party orthodoxy as follows:

Q. How do you intend to vote, Democratic or Republican?
A. Democratic.
Q. Do you believe in Communism or Fascism?

^44Clarion Ledger, Jackson, Miss. (August 5, 1947), 2.
^45Ibid.
^46Key, 520.
A. No.
Q. Are you in favor of the F. E. P. C.?
A. Yes.
The judgment followed: "You boys are disqualified."47

And thus it is seen that a current, largely set in motion and supported by the national Democratic administration, was flowing in one direction; whereas another, consistently supported by Mississippi and numerous of her sister southern states, was running in another, insofar as the Negro franchise was concerned. A new move on the chess board by any branch of the federal government would be almost wholly negated by a counter-move by the southern state law-makers. In 1948, the Mississippi legislators again returned to the attack when they took up the question of additional means of disfranchisement. Moral character and new educational tests were considered but voted down, for the requirements then in existence for voting seemed adequate.48 The state Governor, Fielding L. Wright, seems correctly to have voiced the prevailing sentiment of the whites of Mississippi when, on May 9, 1948, he addressed the Negroes of the state as follows: "It should be far better for you to place your trust in the innate, uncoerced sense of justice of the white people with whom you live, moving through the slow but sure and steady processes of time, than to depend

47 Ibid.
48 Ibid., 642.
upon any artificial program of compulsion and force, as is now proposed by insincere, distant people who do not know you and who cannot conceivably have your real interests at heart."

This, then, was the situation in Mississippi as the presidential elections of 1952 approached, insofar as the Negro voters were concerned. Out of a total population of 914,000 the largest of any southern state, there were only 20,000 registered voters. Some of these remained Republican; others were Democratic. The Republican Negroes were not accepted by the state "Lily Whites," but were recognized by the National Republican Committee. Moreover, the only Mississippi Republicans seated upon the National Committee at that time were Negroes. Apparently, the party felt that all that was necessary to retain the support of the colored voters of the Northern urban centers was to give an occasional committee seat to their southern brethren.

The picture was additionally confused for the Mississippi Negro voter when the Republicans nominated Dwight D. Eisenhower for president. Many of the whites of the state, including the governor, in their revolt against "Trumanism," became Independent Democrats for Eisenhower. When Perry Howard, Negro Republican

49 Gov. Fielding L. Wright, "To the Negroes of Mississippi," The Staple Cotton Review, XXVI (June 1948), 3.
51 Summer, 16.
National Committeeman and electoral candidate, withdrew in favor of the Independent Democratic slate, he was charged with having betrayed the party. As a result of this act and other developments, Negro Republicanism was, at least for the time being, considered "dead" in the state of Mississippi.52

And so, between 1892 and the election of 1952, the Negro political participant of Mississippi experienced continuous frustration. Under the impact of national policy and sympathetic state leadership, he did meet with some limited assistance and success. However, Reconstruction had left scars too deep to be easily removed. The consciousness of the necessity of white supremacy was still too firmly imbedded to make adjustment or compromise as yet possible to any degree. Under these conditions, it is not surprising to find that the number of colored voters in the state in 1952 was so limited as to be negligible. This fact is illustrated by the map on the following page which indicates the number of registered Negro voters by counties.

CHAPTER VIII

CONCLUSION

The chief obstacle which stood in the way of emancipation of the southern slave prior to 1865 was the problem of fitting him as a freeman, socially, economically and politically, into the southern way of life. The Emancipation Proclamation of January 1, 1863, did not immediately affect the status of the slaves in Mississippi for that state remained under the authority of the Confederacy until just after Lee's surrender at Appomattox Court House, April 9, 1865. An attempt was not begun at a solution of the question of emancipation until after President Johnson initiated the processes of restoration in the state, and urged its citizens to accept the results of the war, the reality of emancipation, and the granting of the franchise to the most intelligent of the freedmen. The whites of Mississippi did accept the fact that the slaves were now free and approved the Thirteenth Amendment, as Johnson demanded, but refused to grant the right to vote to the Negro.

In the meantime, the Radicals of Congress, enemies of Johnson were determined to overthrow the executive plan of restoration and substitute therefor their own harsh scheme of reconstruction. After their victory at the polls in 1866, they were able to go forward
with their plans, delayed, but not permanently obstructed, by the president. There then began a long struggle between the federal government and the native whites of Mississippi. The former was determined to bestow upon and protect the Negro in the possession of civil rights, and in order to enable him to protect himself in the retention of these rights, the right to vote. The latter was just as determined, in the interest of the maintenance of white supremacy and of Anglo-Saxon civilization, to prevent these things from being accomplished. This struggle took place, especially during the two periods from 1867 to 1875, and from 1932 to 1952.

The triumphant Radicals enacted the Military Reconstruction Act on March 2, 1867, and implemented it with four supplementary acts during that and the following year. In keeping with the provisions of the five, ten of the ex-Confederate states were placed under military rule and were militarily occupied. In each of the states, the Military Governor was directed to register all males of voting age, colored and loyal white. These were to elect delegates to a convention, and the delegates were required to draw up a constitution providing for Negro suffrage. Furthermore, when the legislature under the new constitution first met, it was required to ratify the resubmitted, originally rejected Fourteenth Amendment. Then, and only then, could the state be readmitted to the Union and occupation be terminated. The Fourteenth Amendment contained both civil rights and conditional franchise provisions for the colored. Behind it lay the mixed motivation of
humanitarianism, revenge, and the desire to make of the South a permanent, Republican bailiwick.

The Military Governor of Mississippi proceeded to put these measures into effect in the state. Voters were registered, delegates were elected, and a constitution was drawn up. However, when it was submitted to the electorate June 22, 1868, the white Democrats succeeded in defeating it.

During succeeding months, the Republicans built up their strength in Mississippi. Carpetbaggers poured in, Scalawags came forward, and through the Freedmen's Bureau and Union League, they marshalled and solidified the Negro vote. On the last day of November and the first of December, 1869, the referendum was voted upon and an election of state officers was held. The white Democrats abstained, the Republicans swept the state, and the Constitution of 1868 went into effect. The newly elected legislature ratified the Fourteenth Amendment. Accordingly, Mississippi was readmitted into the Union, February 23, 1870.

During the early '70's, Carpetbaggism was triumphant in the state. A small minority of white Radicals remained in power through the support and manipulation of the Negro vote. However, the beginning of the end was approaching. The national Democrats made electoral gains in 1870. Joined by the Liberal Republicans, they forced the Radicals to agree to a general amnesty act in 1872. The re-enfranchised whites of Mississippi called a convention in 1875 and selected candidates for an election of state officers.
The "Mississippi Plan" was put into effect whereby, if a Negro voted, he must vote Democratic. Persuasion, threats and violence were used. In the fall elections the Democrats won, the following year the reconstruction government was overthrown, and Democratic white supremacy was reestablished.

From 1875 to 1890, the Negro in Mississippi continued to participate in politics, but to an increasingly limited degree. Prior to 1875, his vote had been dictated by the Republican Carpetbagger; after that it was dictated by the Democratic Bourbon. The Bourbons were the small white minority of aristocratic planters, industrialists, big merchants, bankers and railroad tycoons who controlled southern politics after the overthrow of reconstruction, and still do to a limited degree.

So long as the southern Yeomenry remained politically indifferent, the Bourbons exercised their power through the control of the colored franchise. However, by degrees, the small white farmer began to resent the Negro as an economic competitor, realized that the Bourbons had gerrymandered the Yeomen out of a voice in state government, and became aware of the Bourbons' use of the Negro vote. Consequently, the Yeomenry began demanding franchise reform. What they really desired was the disfranchisement of the Negro.

After agitating for several years, the Mississippi Yeomen finally succeeded in having a state constitutional convention called in 1890. The delegates drew up a new instrument of government which successfully disfranchised the colored population.
through residence requirements, the poll tax, literacy tests and disqualification resulting from crimes committed. The Negro was thus reduced to a state of political and economic bondage. For the next forty years he occupied himself with trying to escape from these bonds.

Between 1890 and 1932, the Mississippi Negro could not register, vote or hold office, except in the most limited numbers. He remained Republican, but the "Lily-White" Republicans of the state disowned him. Moreover, an additional means of disfranchisement was devised when a law was enacted to the effect that those not eligible to vote in primaries could not vote in regular elections. Since the state Democratic Party forbade the Negro to vote in its primaries, and since success in the Democratic primaries was tantamount to selection in regular elections, the colored were even more successfully excluded from an effective franchise.

In 1932 the New Deal, to be followed by the Fair Deal, came into being. Both cultivated the vote of the Negro and tried to guarantee his civil rights. It was not until 1944, however, that a dent was made in the wall of disfranchisement in Mississippi. In that year, the United States Supreme Court handed down a decision to the effect that Negroes could not be excluded from voting in primaries. The whites of the state, however, reacted with their usual resourcefulness. Democratic party leaders ruled that no one could register and vote as a Democrat who did not take an oath to oppose lynching legislation, poll tax reform and F.E.P.C.
Charmed by Roosevelt, the Negroes desired to vote Democratic, but they could not take the oath and support those measures for which Roosevelt, and later Truman, stood. Hence, few of them voted.

In 1952, the terminating year for this study, out of a total population of 914,000 Negroes in Mississippi, there were only 20,000 registered voters. All of their efforts since emancipation to win the permanent right to vote, as well as guaranteed civil rights, had amounted to practically nothing. The picture has changed little since then. Whether or not current economic and social forces can alter the pattern remains to be seen. It will be interesting to observe, in years to come, whether or not ethical, moral and Christian convictions can change a deep-seated social structure in Mississippi and the South which has endured and been successfully defended for centuries.
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APPROVAL SHEET

The thesis submitted by Sister M. Michele, O.S.F. has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

6/13/57
Date

Kenneth M. Jackson
Signature of Adviser