

Liberty University

**Unmasking the Resistance: A Comprehensive Study of Anti-Ku Klux Klan Endeavors in  
Upcountry South Carolina during the Reconstruction Era**

A Thesis Submitted to  
the Faculty of the History Department  
in Candidacy for the Degree of  
Master of Arts in History

Department of History

By

Jacob Moule

December 2023

## Contents

Acknowledgments.....	2
Introduction.....	3
Chapter 1: Merrill in Missouri.....	25
Chapter 2: The Ku Klux Insurgency.....	47
Chapter 3: The Counterinsurgency.....	69
Conclusion.....	91
Bibliography.....	115

## Acknowledgments

No writing project is ever accomplished alone and this work is no exception. I certainly want to extend a thanks to my advisors on this project Dr. Robert Slater, Dr. Larry Toll, and Dr. Allen York. All of whom provided valuable assistance in the drafting phases of this project helping with identifying areas that needed revision or additional research to help cross the finish line. It takes a considerable amount of time to read through the twenty pages of each chapter and consider and recommend changes to these drafts.

I also want to extend a thanks to Zach Lemhouse the Historian and Director of the Southern Revolutionary Institute for the Yorkville Historical Society. While we only communicated briefly he was incredibly willing to share some of the primary sources from their archives free of charge and also had a wealth of understanding of events leading up to Merrill's deployment to York County. Certainly, no other person likely understands the events that occurred leading up to and on the night of Jim Williams Raid in 1871. While this event was not the focus of this work it was an event that prompted Merrill's deployment only a few months later.

Lastly, I would like to extend a thanks to my wife Emilie. She has been incredibly patient through this process as her husband has been busy writing and researching while, at times, neglecting some of his duties at home. She has also patiently listened to me read aloud drafts of my work and provided considerable feedback in the drafting process sometimes with a plate of warm cookies and snacks. Without her assistance, much around me would have collapsed as I found myself busy working, researching, and writing over the past few months while working on this work.

## Introduction

To many, the American Civil War ended on April 9<sup>th</sup>, 1865, when Robert E. Lee surrendered to Ulysses S. Grant at Appomattox Court House. Not only did it end on this date, but it ended peacefully and with a gentleman's handshake as it was depicted in 1865 by Thomas Nast.<sup>1</sup> This image creates a feeling that the nation came back together peacefully and set out together hand in hand as reunited brothers.

Certainly, this was the feeling Lincoln expressed only a month before Lee's surrender when he gave his Second Inaugural Address to the nation. Lincoln urged citizens that they should greet the end of the war "with malice toward none, with charity for all" and "to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations".<sup>2</sup> While Northerners may have welcomed the end of the war desiring a peaceful conclusion to the end of hostilities Southerners did not.

From the beginning, Southerners resisted reentry into the Union. The first example of this was Robert E. Lee himself. When Lee was informed by General Armistead Lindsay Long that their retreat from the Appomattox was cut off Lee stated that "then there is nothing left but for me to go see General Grant, and I would rather die a thousand deaths".<sup>3</sup> Lee wanted to do anything but accept defeat and only did so when faced with absolute annihilation. While Lee

---

<sup>1</sup> Thomas Nast, "LEE'S SURRENDER 1865. 'Peace in Union.' The Surrender of General Lee to General Grant at Appomattox Court House, Virginia," *Granger Historical Picture Archive*, 1865, <https://www.granger.com/results.asp?image=0075751&itemw=4&itemf=0003&itemstep=1&itemx=1>.

<sup>2</sup> Abraham Lincoln, "Lincoln's Second Inaugural Address," Avalon Project - Documents in Law, History and Diplomacy, accessed August 17, 2023, [https://avalon.law.yale.edu/19th\\_century/lincoln2.asp#:~:text=With%20malice%20toward%20none%2C%20with,and%20cherish%20a%20just%20and.](https://avalon.law.yale.edu/19th_century/lincoln2.asp#:~:text=With%20malice%20toward%20none%2C%20with,and%20cherish%20a%20just%20and.)

<sup>3</sup> A. L. Long, *Memoirs of Robert E. Lee*, ed. Stanley Schindler East Bridgewater, MA: JG Press, 2012, 165.

would eventually encourage Southerners to reconcile the feeling he expressed in 1865 was not singular.

This feeling is certainly an understandable one. Southern soldiers had spent four years of hard fighting to assert independence and to establish a nation whose “corner-stone rests, upon the great truth that the negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition”.<sup>4</sup> Southerners could accept that they lost the conventional war against United States Armies but they were determined to not give up the beliefs that they held before they seceded in 1861. While there is considerable discussion on when Reconstruction ended it is a far more interesting question to ask when did the Civil War end? The answer to this question is that the Civil War did not end in 1865 in McLean’s Parlor but rather ended in 1876 with the physical retreat of U.S. Troops from the South.

The sentiment expressed by Robert E. Lee on April 9<sup>th</sup>, 1865, is also expressed in Confederate Major James Innis Randolph’s popular 1866 song *O’ I am a good old rebel* which would become an anthem to white Southerners after the war. Randolph fills the song with many verses rejecting all things related to the United States ranging from the Declaration of Independence to the U.S. Constitution.<sup>5</sup> More importantly, Randolph proudly asserts that “I killed a chance o’ Yankees, I’d like to kill some mo’” and that he “won’t be reconstructed”.<sup>6</sup>

Southerners took both of these verses to heart. Southerners rejected free-labor policies, which encouraged freedmen to work for a wage to eventually become either small landowners or local industrialists, and would frequently attack those they believed supported these policies,

---

<sup>4</sup> Stephens, Alexander. “Cornerstone Speech.” American Battlefield Trust. Accessed August 17, 2023. <https://www.battlefields.org/learn/primary-sources/cornerstone-speech>.

<sup>5</sup> “O I’m A Good Old Rebel,” Library of Congress, accessed July 23, 2023, <https://www.loc.gov/resource/ihas.200002507.0/?sp=1&st=image>, 3.

<sup>6</sup> *Ibid.*

including isolated U.S. Soldiers. Major General Carl Schurz noted in his 1865 *Report on the Condition of the South* that a majority of Southerners believed that “you cannot make the negro work, without physical compulsion” and that Freedmen would not work for even a wage.<sup>7</sup> While Schurz did acknowledge that “all organized attacks upon our military forces stationed in the south have ceased” he noted that “there are still localities where it is unsafe for a man wearing the federal uniform... outside of the immediate reach of our garrisons”.<sup>8</sup> In many ways, the sentiments Schurz viewed were the beginnings of an insurgency against the U.S. Government.

It is easy to forget that the American experience after World War II in occupying passively defeated enemies was a unique moment in world history. It is rare for defeated nations to accept defeat both ideologically and physically as was the case in World War II. In reality, insurgencies are a common issue that victorious nations face when they conquer independent nations, which the Confederacy was. The experiences of Iraq, Afghanistan, and Vietnam are the norm not the exception to victory. The beliefs and motivations of nations do not die in defeat but frequently live on seeking an opportunity to reassert themselves. Southerners used a combination of violence and law to attempt to restore the world that existed before the war. From 1865 through 1866 Southern Governments began passing Black Codes to ensure that free labor ideology would not threaten their society. These codes mandated that freedmen remain employed and not homeless, prohibited firearm ownership, reinstated a pass system from slavery, and

---

<sup>7</sup> Carl Schurz and Ulysses S. Grant, *Report on the Condition of the South*, Amazon United Kingdom: Dodo Press, 2009, [https://read.amazon.com/?ref=dbp\\_ebk\\_r00\\_pcb\\_rnvc00&\\_encoding=UTF8&asin=B086XFM7B1](https://read.amazon.com/?ref=dbp_ebk_r00_pcb_rnvc00&_encoding=UTF8&asin=B086XFM7B1), Location 494.

<sup>8</sup> *Ibid*, Location 220 - 230.

forbid freedmen from engaging in business ownership, trade work, or industrial pursuits except for agricultural work.<sup>9</sup>

When Northern Republicans in Congress began to sense that Southerners were rejecting the results of the war, they took action. Initially, by passing the 1866 Civil Rights Act to prohibit Southern Black Codes then resorting to the 14<sup>th</sup> Amendment to ensure continued enforcement of the 1866 Civil Rights Act. Under the 14<sup>th</sup> Amendment passed later in 1866, Congress sought to address many of the emerging issues from a resistant South. First, they ensured the prohibition of the Black Codes by stipulating that “All persons born or naturalized in the United States ... are citizens of the United States and of the State wherein they reside” continuing to drive home the point that “no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States”.<sup>10</sup> Next, the 14<sup>th</sup> Amendment prohibited anyone from holding office who had previously served in an insurrection against the US Government.<sup>11</sup> The 14<sup>th</sup> Amendment ultimately did not address the right to vote directly but rather encouraged Southern governments to grant voting rights to African Americans on the understanding that their representation would be based on voting population.<sup>12</sup> Later, in 1869, Congress would pass the 15<sup>th</sup> Amendment to solidify voting rights in the South and remove them from the purview of Southern legislatures.

To ensure the ratification of the 14<sup>th</sup> Amendment, Congress also passed a series of laws known as the Reconstruction Acts in 1867. These acts divided the former Confederacy,

---

<sup>9</sup> “The Codes,” *The Edgefield Enquirer*, January 3, 1866, <https://www.newspapers.com/image/46418178/>, 1.

<sup>10</sup> “14th Amendment to the U.S. Constitution (1868),” National Archives and Records Administration, accessed August 17, 2023, <https://www.archives.gov/milestone-documents/14th-amendment#:~:text=No%20State%20shall%20make%20or,equal%20protection%20of%20the%20laws.>

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

excluding Tennessee, into five military districts led by a district commander, reduced former Confederate states to the status of territories till their new state constitutions were accepted by Congress (which tacitly implied that Southern states adopt the 14<sup>th</sup> Amendment), and required that all office holders could take the “Ironclad Oath” pledging that they had not served in the Confederacy or aided it. These laws in combination with the 14<sup>th</sup> Amendment caused the *New York Herald* to conclude that these laws “were literally building up a new government, from the ruins of the old”.<sup>13</sup> While not expressly stating it these policies were a form of nation-building attempting to make something new out of the old.

The Reconstruction Acts were a response to President Andrew Johnson’s policy of leniency for the Southern states. Johnson had issued thousands of pardons for former Confederates returning them to political and social power in the South. Johnson also ignored the pleas of freedmen about the violence being brought upon them for exercising their newly found freedom. In many ways, Johnsons' presidency helped facilitate a Southern insurgency by turning a blind eye to the wild abuses occurring right in front of him. This aspect of Johnsons' Presidency caused Ulysses S. Grant biographer Ron Chernow to conclude that Grant's run for the Presidency was partially motivated by Johnson turning “a deaf ear to anguished pleas from black and white Republicans that armed terror from the Ku Klux Klan had proliferated and met no resistance from white lawmen” in the South.<sup>14</sup>

The Klan had become the South's main tool to resist Northern changes in Southern society. Founded in 1866 in Pulaski, Tennessee by a group of bored former Confederate military officers, they initially sought only to create elaborate and silly rituals. From the beginning, the

---

<sup>13</sup> “Reconstruction in Eight Months,” *The New York Herald*, April 4, 1867, <https://www.newspapers.com/image/339334922/>, 2.

<sup>14</sup> Ron Chernow, *Grant* New York, NY: Penguin Books, 2018, 613.

group existed as a secret society and was designed to be implemented in local communities in which Klansmen were unable to visibly identify others in Klans outside their community. If the group had begun as apolitical in 1866 it had quickly drifted away from this origin. The 1868 Constitution prohibited members from being former Republicans or veterans of the Union Army, demanded members oppose “negro equality, both social and political”, and required members to be “in favor of maintaining the Constitutional rights of the South”.<sup>15</sup> These rules mandated political involvement in the community. To enforce many of these rules and to “maintain the Constitutional rights of the South” members would have to be willing to ensure White Southern Republicans, Northern Carpetbaggers, and Blacks were unable to vote.

This could not be truer in any other state than South Carolina. Since the days of British Colonialism, the state had had a majority African American population which threatened to ensure that the state would remain in Republican control for the foreseeable future. Klan violence was uncommon in the Lowcountry of South Carolina where black populations could reach up to sixty percent or more of the local populations. However, in the Upcountry counties populations between whites and blacks were much closer with blacks only making up forty to fifty percent of the population and living in rural homesteads isolated from one another. Here white Southerners had the best chances of intimidating freedmen and their few white allies into not participating in local, state, or federal elections.

Klan violence in South Carolina began in 1868 surrounding the presidential campaign of Republican nominee, General Ulysses S. Grant, and Democratic nominee, former New York Governor Horatio Seymour. While Grant carried the state in 1869 Klan violence in the

---

<sup>15</sup> Wilson, D.L., and J.C. Lester. 1884. *Ku Klux Klan: Its Origin, Growth, and Disbandment*. “Revised And Amended Prescript of Ku Klux Klan” Edited by Walter Fleming. Columbia, SC 223 – 224.

Upcountry had already begun to have a considerable effect on local elections. In York County, the previous election in April 1868 had only given Republicans a small majority of 225 which dropped to a razor-thin margin of ten votes in November.<sup>16</sup> The impact of this change was significant as Southern Democrats were able to retake two of South Carolina's four congressional seats. More importantly, the Klan ensured that local offices, like sheriffs, mayors, and most importantly county solicitors, were now Southern Democrats able to turn a blind eye to Klan atrocities if not participating in the activities themselves.

Klan violence was not unknown to the Republican-led state government in South Carolina, but little could be done to ensure the peace. The state militia was integrated, meaning whites and blacks served shoulder to shoulder, and frequently whites refused to serve alongside or under the command of African Americans. As a result, these organizations were made up primarily of African-American militiamen who quickly drew the ire of local whites whenever they drilled or organized. Further, there was a considerable concern that the militia would not be able to enforce the law even if it attempted to do so. South Carolina Governor Robert K. Scott was convinced "it would have been folly... to have placed inexperienced and unarmed men against organized and disciplined ex-Confederate soldiers".<sup>17</sup> In effect, the militia was a paper tiger.

Scott was not wrong either. When the militia did attempt to enforce the law, they were frequently trounced and routed. In March of 1871, South Carolina militia became engaged in combat with the Ku Klux Klan in Chester, South Carolina and after several days of fighting the militia was defeated and routed from the field after ex-Confederate leaders were able to

---

<sup>16</sup> Herbert Shapiro, "The Ku Klux Klan During Reconstruction: The South Carolina Episode," *The Journal of Negro History* 49, no. 1 (1964): 34–55, doi:10.2307/2716475, 38.

<sup>17</sup> Robert K. Scott, bill, *Additional Papers in the Case of Wallace vs Simpson*, *Additional Papers in the Case of Wallace vs Simpson* §, 1431 17 (n.d.), 46.

outmaneuver the inexperienced militiamen.<sup>18</sup> Ultimately, Scott's assumptions about the militia were confirmed. Without experienced troops led by experienced officers, both of which the Klan had, the militia was not going to be able to respond effectively to disturbances in the Upcountry nor were they going to be able to protect voters on election day.

Ultimately, the Federal government would deploy eight companies from the 18<sup>th</sup> U.S. Infantry and three troops of the 7<sup>th</sup> Cavalry under the command of Major Lewis Merrill to the region to keep the peace. Merrill would arrive with his cavalymen in Yorkville, South Carolina only a week after the disturbances in Chester.<sup>19</sup> After only a year Merrill would conclude that "the principles and policies for which we fought for four years and a half, and my experience in South Carolina convinces me that the fight is still going on".<sup>20</sup> Merrill expressed that many in South Carolina felt that the war had not ended but was being carried out in different means.

South Carolinians frequently expressed that they were engaged in "war" with the state and Federal Government. Major Joseph Abney, a Confederate veteran, wrote to the newspaper in 1868 in Edgefield County, South Carolina that "it is made our duty to God and our country, by all lawful means, to wage incessant, resistless, and eternal war".<sup>21</sup> By waging war South Carolinians did not entirely mean physical killing of the "enemy" but rather sought to wear Northerners down into withdrawing troops and giving up on enforcing the 14<sup>th</sup> Amendment and

---

<sup>18</sup> "Letter from Chester," *The Yorkville Equirer*, March 16, 1871, <https://www.newspapers.com/image/339366596/>, 2.

<sup>19</sup> Lewis Grist. "Arrival of a Cavalry Company." *Yorkville Enquirer*, March 30<sup>th</sup>, 1871, 17 Edition, sec.13 <https://www.newspapers.com/image/339366701/?terms=Lewis%20Merrill&match=1,2>.

<sup>20</sup> Lewis Merrill, "Lewis Merrill to Adjutant General of the Army," 1872 - File No. 3994 (Elliott, Robt B - South Carolina) Yorkville, SC: National Archives, 1872, <https://catalog.archives.gov/id/142849979?objectPage=13,2>.

<sup>21</sup> Joseph Abney, "To the People of the District," *The Edgefield Advertiser*, June 10, 1868, <https://www.newspapers.com/image/72182522/?terms=war&match=3,2>.

later the 15<sup>th</sup> Amendment. South Carolinians sought to create their nation within the nation till once again the South could rise against the Federal Government.

At times they did attack their enemies in the dead of night. Two prominent black leaders in Upcountry, South Carolina would be either killed or attacked. Captain Jim Williams would be lynched by the Klan after refusing to turn in weapons issued to his men just a few weeks before the arrival of Lewis Merrill and his cavalymen. Elias Hill a crippled African American Minister would be savagely beaten by the Klan not long after the arrival of Merrill to the community. Hill would eventually leave York County with a group of Freedmen for Liberia with the local newspaper refusing to acknowledge the reason behind his departure only friendly remarking that “the entire number is made up of the most industrious negroes in that section of the county, many of whom, since their emancipation, have shown themselves to be thrifty and energetic, and not a few of them had accumulated money”.<sup>22</sup>

Many of these efforts to violently or extralegally put down freedmen were frequently supported by the media. Democratic newspapers frequently questioned the veracity of reports of Southern violence against freedmen and others. Articles like Baltimore’s *The Sun* would run headlines like “Inquiry into the Ku-Klux: The So-Called “Organization”-its caused and purposes-the Self Defense of an Oppressed and Plundered People” which simultaneously claimed the Klan may not even exist and if it did its actions might be justified.<sup>23</sup> Even after members of the Klan were convicted *The Sun* remained unconvinced that the Klan existed and portrayed many of the convicts as victims of the whole affair.<sup>24</sup> This view would be common

---

<sup>22</sup> Lewis Grist, “Gone to Liberia,” *The Yorkville Enquirer*, November 2, 1871, <https://www.newspapers.com/image/339368477/?terms=Lewis%20Merrill>, 2.

<sup>23</sup> “Inquiry into the Ku-Klux: The so-Called ‘Organization’--Its Causes and Purposes--the Self-Defense of an Oppressed and and Plundered People--What Military Rule Menu--South Carolina an American Poland,” *The Sun (1837-)*, November 16, 1871.

<sup>24</sup> “Sentence Day in South Carolina Ku Klux Court,” *The Sun (1837-)*, December 30, 1872.

even in Southern Newspapers that had previously run advertisements for Klan recruitment before it had become illegal to operate as a Klansman in the South.<sup>25</sup> Even a Democratic member of a congressional committee sent to investigate the Klan in the South refused to acknowledge that the Klan existed despite listening to hundreds of people describing Klan atrocities in their communities.

Within this context, the South was mildly successful. They managed to reduce freedmen to sharecroppers and control some of their economic activities. However, this was not absolute, and freedmen's descendants would continue to slowly advance up the social ladder and would successfully regain many of their rights in the 1960s with the Civil Rights movement. In many ways, while it is saddening to see the progress of Reconstruction be partially reversed after the withdrawal of Federal troops it cannot be forgotten that the Reconstruction era laid the groundwork for later progress. Neither was every cause of Reconstruction abandoned as historian Allen C. Guelzo highlights "Post- Reconstruction Republican presidents continued to appoint attorneys general who prosecuted voting- rights violations" and they continued to appoint Southern blacks to Federal jobs in the South.<sup>26</sup>

Despite an optimistic spin it is hard to acknowledge the reality that the history of Reconstruction is frequently a disappointing endeavor for anyone who engages in a serious study of the topic.

Whether a historian views the goals of Reconstruction to be noble or views them to be an unmitigated disaster they are likely to be frustrated by the events of Reconstruction.

Furthermore, as historian Allen Guelzo puts it, Reconstruction lacks "the conflict and the personalities that make the Civil War so colorful; it also lacks the climactic battles and dissipates

---

<sup>25</sup> Lewis Grist, "K.K.K- Mysterious," April 2, 1868, <https://www.newspapers.com/image/339356707/?terms=Ku%20Klux%20Klan&match=1,2>.

<sup>26</sup> Allen C. Guelzo, *Reconstruction: A Concise History* New York, NY: Oxford University Press, 2018, 128.

into a confusing and wearisome tale of lost opportunities, squalid victories, and embarrassing defeats” which help engage the reader.<sup>27</sup> Despite this, Reconstruction is an important part of understanding the present day in America and deserves serious study. Furthermore, how historians interpret the broad events of Reconstruction frequently colors how they interpret Federal intervention against the Ku Klux Klan.

One of the first influential historians on Reconstruction was William Archibald Dunning. Dunning had an active academic career from the 1890s to the 1920s and had written extensively on Reconstruction establishing the first major school of interpretation on Reconstruction fittingly named “The Dunning School”. Dunning would write several works on Reconstruction with his first work being a journal article “Military Government in the South” (1897) followed by two books *Essays on the Civil War and Reconstruction and Related Topics* (1897) and *Reconstruction, Political and Economic, 1865-1877* (1907). In these works, Dunning portrays an initially submissive white South that is punished by vindictive Northern Politicians with corrupt state governments run by illiterate freemen and corrupt carpetbagger politicians from the North. To Dunning freedmen were undeserving of equality before the law as it encouraged social equality which in turn threatened to perpetrate “...the hideous crime (rape) against white womanhood”.<sup>28</sup>

Dunning’s characterization of Reconstruction led to one of the most impactful works on Reconstruction in the 20<sup>th</sup> Century, Thomas Dixon Jr’s *The Clansman* (1905). Unlike most of the works on Reconstruction, *The Clansman* is not a history book but rather a novel. Thomas Dixon sought to “correct” the history of the Klan and depicted them not as the villains of the novel but

---

<sup>27</sup> Allen C. Guelzo, “Reconstruction as a Pure Bourgeois Revolution,” *Journal of the Abraham Lincoln Association* 39, no. 1 (2018): 50–73, <http://www.jstor.org/stable/45094946>, 50.

<sup>28</sup> William Archibald Dunning, *Reconstruction, Political and Economic, 1865-1877* New York, NY: Harper & Bros., 1907, 214.

rather as the heroes. To Dixon, the Klan was a class of honorable and noble men “with their tall spiked caps made a picture such as the world had not seen since the Knights of the Middle Ages rode their Holy Crusades”.<sup>29</sup> In Dixon's novel these “knights” protect white women, drive out illiterate freedmen from the state legislature, and overthrow military rule. Dixon's novel would be adapted into the first blockbuster film *Birth of a Nation* (1915). As a result, the Klan began to be widely viewed as an all-American group much like the Minutemen in the American Revolution which led to a new Klan in the 1920s.

While Dunning and Dixon's views remained prevalent until the 1950s, they were not without their critics in their own time. Francis Simkins a historian from South Carolina directly challenged Dixon's interpretation of the Ku Klux Klan in his 1927 article “THE KU KLUX KLAN IN SOUTH CAROLINA 1868-1871”. Simkins argues that Reconstruction in South Carolina was not a period “Of fair ladies in danger from black brutes, of gallant gentlemen going to the rescue clad in vestments as resplendent as those of crusaders” not only was the Klan not gallant knights but they failed to materialize “as a masterful organization vanquishing impudent Negroes and making possible the return to political power of virtue and honesty”.<sup>30</sup> Simkins ultimately concludes that in the light of the Klan's actions “one must lose complete faith in Southern chivalry to believe that South Carolinians of standing could have committed the horrible crimes of which the Klan was actually guilty”.<sup>31</sup> Simkins argues that the Klan is ultimately an unimportant episode in Reconstruction history due to their inability to effect serious change before being crushed by the Federal Government for a variety of reasons.

---

<sup>29</sup> Thomas Dixon, *The Clansman* New York, NY: Routledge, 2001, 156.

<sup>30</sup> Francis B. Simkins, “The Ku Klux Klan in South Carolina, 1868-1871,” *The Journal of Negro History* 12, no. 4 (1927): 606–47, doi:10.2307/2714040, 606.

<sup>31</sup> *Ibid*, 618.

Simkin was not alone in the mid-20<sup>th</sup> century in working against the Dunning School. Perhaps the most famous author critical of Dunning from this period would be W.E.B. DuBois. DuBois' *Black Reconstruction in America* (1935) argued that Reconstruction was a time in which "The slave went free; stood a brief moment in the sun; then moved back again toward slavery".<sup>32</sup> DuBois interprets the actions of freedmen through a Marxist lens and posits that wealthy Southern Landowners and Northern industrialists moved against both the freedman and white laborer to contain a potential socialist revolution. To do this Northerners sacrificed Civil Rights for freedmen to ensure that they lacked the political power to overthrow the economic system. The Ku Klux Klan plays a role in DuBois' narrative as enforcers of the economic order ensuring that freedmen do not step out of line. While DuBois agrees with Simkins on the collapse of the Klan he focuses much more on the brutal acts the Klan perpetrated against Freedmen and white Republicans. The Klan is a villain in the truest sense in DuBois' work.

Despite the commendable nature of both Simkin and DuBois, they were largely unable to overturn the narratives of Reconstruction presented by Dunning, Dixon, and their students. The 1960s produced a new generation of historians who sought to continue much of this work. Herbert Shapiro's article "The Ku Klux Klan During Reconstruction: The South Carolina Episode" (1964) sought to revise Simkins's original arguing that "serious modification of some of the conclusions reached in previous studies is called for".<sup>33</sup> These modifications did not work towards interpreting the Klan as "benevolent" but rather Shapiro questioned Simkins's claims that the South Carolina Klan was primarily composed of poor whites arguing "it is clear that the

---

<sup>32</sup> W.E.B DuBois , *Black Reconstruction in America; an Essay toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* New York, NY: Atheneum, 1935, 26.

<sup>33</sup> Herbert Shapiro, "The Ku Klux Klan During Reconstruction: The South Carolina Episode," *The Journal of Negro History* 49, no. 1 (1964): 34–55, doi:10.2307/2716475, 35.

Klan drew its members and leaders from all classes of the white population in the upcountry” as well as enjoying the public support of a majority of the community.<sup>34</sup> Overall, Shapiro challenges Simkins on the effectiveness of the Klan. Lastly, Shapiro questions whether the Klan was fully defeated as soundly as Simkins portrays concluding his work by stating “the Klan members of 1870 needed their masks; the rifle club members who brought Hampton to power in 1876 relied only on their guns and the acquiescence of a passive Federal government”.<sup>35</sup>

Shapiro’s work is followed by Allen W. Trelease’s *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (1971). Trelease is one of the first historians to posit the claim that “the Klan became in effect a terrorist arm of the Democratic party” in the South.<sup>36</sup> This is a break away from Shapiro and Simkins who while acknowledging that the group had political goals divorced it from the Democratic party as a whole. While Trelease’s work focuses on the South as a whole his narrative is one of the first that has Major Lewis Merrill be a much more active participant in events in South Carolina. While Trelease focuses on Merrill's work he does not explore deeply how Merrill accomplished the suppression of the Klan like he had. Rather Merrill is a method of documenting Klan activities in the region and explaining how the early Klan disappeared. However, Merrill's more active role in the narrative marks a change from Simkin and Shapiro’s works respectively.

1988 would significantly help change the broader narratives of Reconstruction. Two popular works would be published that would challenge the narratives put forth by Dunning in the late 1800s. The first of these would be Eric Foner’s *Reconstruction: America's Unfinished Revolution*. Foner’s work largely built off of the work of W.E.B DuBois *Black Reconstruction*

---

<sup>34</sup> *Ibid*, 48, 51.

<sup>35</sup> *Ibid*, 55.

<sup>36</sup> Allen W. Trelease, *White Terror* Westport, CT: Greenwood Press, 1971, xlvii.

arguing that “Reconstruction can only be judged a failure” as it did not deliver sweeping land reform, blacks lost most of their political rights, and did not result in “far-reaching economic change” that was initially hoped.<sup>37</sup> Like DuBois Foner largely interprets the events of Reconstruction through a Marxist lens viewing the conflict as a missed opportunity not just for the freedmen but the white laboring classes of both the North and South. Yet Foner also acknowledges that Klan violence played an important part in wearing down Northern resolve and rolling back some of the major changes of Reconstruction.

Another 1988 book would be Richard Nelson Current’s *Those Terrible Carpetbaggers* and like Foner Current reversed a considerable amount of Dunning scholarship. Current challenged the stereotype of carpetbagger politicians who moved to the South during the close of the American Civil War. Current’s work is a semi-autobiographical work of ten Reconstruction governors in the South. While he is critical of some of the governors he ultimately concluded that the group was not uneducated men but rather “were much better educated and much more literate than the average for their time”, had served in the Union Army during the war, nor had they “waited until the grant of suffrage to Southern blacks” before they traveled South to run in politics.<sup>38</sup> In short, Current effectively rejects the idea that carpetbagger governors had come to the South to cause any particular trouble to prey upon freedmen’s “ignorance”. Current’s work is immensely important in understanding the nature of state governments during Reconstruction and why they sometimes failed to act or even why they couldn’t act at all when faced with obstacles. Most importantly Current does not attempt to clear carpetbagger governments of corruption but attempts to contextualize it to the period it existed

---

<sup>37</sup> Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* New York, NY: HarperPerennial, 2011, 603.

<sup>38</sup> Current, Richard Nelson. *Those Terrible Carpetbaggers*. New York, NY: Oxford Univ. Press, 1988, 1

highlighting that it was nothing unique for the era and that the Democratic party was just as likely to be equally corrupt when given the opportunity.

A considerable amount of material continues to get published on the Klan examining the effectiveness of Klan tactics or questioning the success of Federal intervention. Richard Zuczek's work is a breakaway from earlier historians examining Reconstruction in South Carolina. In both Zuczek's article "The Federal Government's Attack on the Ku Klux Klan: A Reassessment" (1996) and his book *State of Rebellion* (2009) he argues that "the North stopped fighting- Physically and mentally- in 1865; the South, however, did not".<sup>39</sup> Under this interpretation, former Confederates in South Carolina either passively or violently resisted the Reconstruction. To them, the war never ended. As such Zuczek largely interprets the Klan as an active insurgent group against the state and Federal government highlighting that revolutionaries "may also operate within normal channels, using elements accessible to revolutionaries (the judiciary, for instance) to weaken a government. In some cases, illegal means are used to gain access to legal channels; violence carries an election and then counter-revolutionary legislators implement their changes".<sup>40</sup> However, Zuczek pushes back on the success of federal military operations arguing that "it is difficult to argue that such an operation had anything but a negative strategic impact" as the violence stopped before federal troops arrived in South Carolina and Federal Prosecution failed to follow through on what action that was taken.<sup>41</sup>

One new school of interpretation of Reconstruction has begun to emerge. This one rejects both Dunning and the Foner school of interpretation of Reconstruction. While this school of

---

<sup>39</sup> Richard Zuczek, *State of Rebellion Reconstruction in South Carolina* Columbia, SC: University of South Carolina Press, 2009, 6.

<sup>40</sup> *Ibid*, 5.

<sup>41</sup> Richard Zuczek, "The Federal Government's Attack on the Ku Klux Klan: A Reassessment," *The South Carolina Historical Magazine* 97, no. 1 (1996): 47–64, <http://www.jstor.org/stable/27570136>, 64.

thought agrees with Foner and other progressives that Reconstruction was a worthwhile endeavor they disagree on the Marxist narrative. Chief among these historians is Allen C. Guelzo whose *Fateful Lighting* (2012), “Reconstruction as a Pure Bourgeois Revolution” (2018), and *Reconstruction: A Concise History* (2018) all argue that the chief conflict of both the American Civil War and Reconstruction was the competition of a free-labor system of agricultural economy and an aristocratic form of economy and that Southern “redemption was an anti-free-labor strategy as much as it was a strategy of political exclusion”.<sup>42</sup> Southerners, as highlighted earlier, refused to believe emancipation and a free economy would work. In South Carolina Black Codes they expressly attempted to ensure that Southern Blacks would not be able to move up the economic chain past agricultural laborer. More importantly, Guelzo highlights that the conflict was also not a conflict between an industrialized North against an agrarian South but rather the two competing agrarian systems. Of most broad narratives of Reconstruction Guelzo’s is the most compelling as it openly acknowledges the reality of both Northern and Southern economies while also recognizing that Reconstruction had achieved something and was not a complete failure which is common in Progressive historian narratives.

The historiography surrounding Reconstruction and the Ku Klux Klan has gone a long way since 1897 and has undergone considerable revision. A considerable amount of documentation of the Klan has been undertaken and the original Dixon interpretation has been effectively debunked in Simkin, DuBois, Shapiro, Trelease, and Zuczek’s works respectively. Of the interpretations covered, Zuczek likely is correct in his interpretation that South Carolina was in a *State of Rebellion* for much of Reconstruction, as it was presented earlier in this work, but he fails to recognize the limits of Federal action as well as the tendency of the Klan to go

---

<sup>42</sup> Allen C. Guelzo, *Reconstruction: A Concise History* New York, NY: Oxford University Press, 2018, 119.

underground when faced with direct Federal intervention. This work also accepts Guelzo's conclusions concerning the nature of Reconstruction as it is unlikely that Southern Freedmen were well acquainted with the particulars of Marx and Engels to have desired to completely overthrow the economic systems of both North and South. Rather they simply sought to join the middle class of American society and were set back considerably by both the Klan and Redemption governments after the withdrawal of troops. Ultimately, all of these works have displayed little interest in Major Lewis Merrill and the 7<sup>th</sup> Cavalry's operation in South Carolina. While Trelease and a few other popular works have focused on this question a bit it has only been done to further document Klan activities. The work that does exist is limited in nature as is the case in Andrew Meyer's "Prelude to Little Bighorn" (2013) which is primarily focused on studying the "The ordinary soldiers who served in the upcountry" as they have "remained faceless" in the studies of Trelease and others.<sup>43</sup> However, Merrill and the 7<sup>th</sup> Cavalry have remained footnotes in much of it with little interest being dedicated towards understanding how Merrill identified members of the Klan and produced so many effective arrests. As such Merrill's efforts are important in gaining a greater understanding of how insurgencies can be defeated in the field as well as how these efforts can be undermined by a lack of civil support and sustained military intervention.

South Carolina was undoubtedly in a form of open rebellion as indicated earlier in this paper. This was even acknowledged during this time in Grant's proclamation on October 17<sup>th</sup>, 1871, when he announced that "the privileges of the *writ of habeas corpus* within the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield"

---

<sup>43</sup> Andrew H. Myers et al., "The Seventh U.S. Cavalry in the South Carolina Upcountry," *Unexplored Moments in Nineteenth-Century Upcountry South Carolina History* University of South Carolina Press, 2013, 53–86, <http://www.jstor.org/stable/j.ctv6wgj61.7>, 53.

had been suspended until “the continuance such rebellion” should cease.<sup>44</sup> Every rebellion had its combatants which were the Klan which served as a terrorist and insurgent wing to the Democratic Party in South Carolina. Southern reaction to this measure was aggressive as one would expect. An article in the *Yorkville Enquirer* continued the rejection that the Klan even existed by stating “rebellion means, in the constitution, the uprising of any citizens against the law and authority of the government”.<sup>45</sup>

It is the American experience in Vietnam, Iraq, and Afghanistan that has caused many to conclude that insurgencies are impossible to suppress. In each of these cases, including Reconstruction, American servicemen were deployed with incredible enthusiasm initially only to be abandoned ten years later when political opinion concluded the endeavor had failed. Yet a careful examination of American history proves that counterinsurgency operations are not a forlorn endeavor but rather have enjoyed considerable success before the 20th Century. One of the most poignant examples of this is the Reconstruction of the Post Civil-War South. In many ways, Reconstruction was America’s first step in nation-building. Reconstruction was not just a physical rebuilding of the South’s infrastructure and industry but also demanded a change in Southern culture. As illustrated earlier in this work, Southerners had to contend with the consequences of defeat in the war.

Most profoundly of which was the elevation of the slave to citizen. Slaves who only but a moment before, in the words of Chief Justice Robert Taney in 1857 just eleven years before the

---

<sup>44</sup> Ulysses S Grant, “Proclamation, 17 October, 1871,” The Papers of Ulysses S. Grant, Last modified October 17, 1871, <https://rotunda.upress.virginia.edu/founders/GRNT>.

<sup>45</sup> Lewis Grist, “Habaes Corpus,” *Yorkville Enquirer*, November 2, 1871, <https://www.newspapers.com/image/339368477/?terms=Lewis%20Merrill>.

14<sup>th</sup> Amendment, did not have any rights “a white man was bound to respect”.<sup>46</sup> Yet the new world the Civil War created not only passed the 14<sup>th</sup> Amendment but reduced Southern states to the status of territory, disenfranchised former Confederates, and attempted to economically elevate the former slaves. The result of this elevation was a concerted effort by white Southerners to overturn the result of the war violently. They did this by forming insurgencies in the form of the Ku Klux Klan enabling them to strike their enemies and fade into the population. Yet the Klan was successfully dismantled by the U.S. Army during Reconstruction. The most successful of these operations conducted by the U.S. Army was done by the Seventh Cavalry in the Upcountry of South Carolina. This was done through a combination of military action and a secession of new federal laws designed to implement the 14<sup>th</sup> Amendment into Southern Society. These laws would be the three enforcement acts each of which addressed a different issue within the South in implementing the 14<sup>th</sup> Amendment. The First Enforcement Act passed in May of 1870 prohibited disguised people from riding the highways and roads with the intent to intimidate others into not voting.<sup>47</sup> The Second Enforcement Act in February 1871, granted the federal government increased authority to regulate elections in the South to ensure the vote was valid and not fraudulent.<sup>48</sup> The last and final Enforcement Act, also known as the Ku Klux Law, was passed in April of 1871 granting the Federal military the authority to enforce the previous enforcement act as well as granting the president the authority to suspend the *Writ of Habeas*

---

<sup>46</sup> Robert Taney, “Chief Justice Taney’s Opinion,” Chief Justice Taney < The Dred Scott Case < 1826-1850 < Documents < American History From Revolution To Reconstruction and Beyond, accessed August 18, 2023, <http://www.let.rug.nl/usa/documents/1826-1850/dred-scott-case/chief-justice-taney.php>.

<sup>47</sup> First Enforcement Act: Civil Rights Act of 1870, accessed August 18, 2023, <https://sharengov.tnsosfiles.com/tsla/exhibits/blackhistory/pdfs2/1870%20First%20Enforcement%20Act.pdf>.

<sup>48</sup> “The Second Enforcement Act,” Teaching American History, Last modified July 8, 2022, <https://teachingamericanhistory.org/document/the-enforcement-acts/>.

*Corpus* to enforce the law.<sup>49</sup> These laws all served to assist in counter-insurgency efforts in the South against the Klan by providing a legal basis for federal prosecutors and the U.S. military to take action against the South.

The efforts of the 7th Cavalry under the command of Major Lewis Merrill successfully collapsed the Ku Klux Klan in Upcountry South Carolina through an organized and modern counterinsurgency campaign. Lewis Merrill did this with few false arrests which were frequently the result of misidentification and not from negligence. Only one man would file suit against Merrill for false imprisonment and even this man was under indictment for being a Klansmen once the suit was brought against Merrill.<sup>50</sup> As such Lewis Merrill's successful operation in South Carolina removes credence from the myth that militaries are unable to soundly defeat insurgencies in the field. As such counterinsurgency efforts are frequently considered failures not due to the failure of the troops in the field but from political undermining of operations and economic turmoil back home.

The first chapter of this work will focus primarily on the background of Major Lewis Merrill and explore his time operating against guerrilla forces in Missouri during the American Civil War. This will help establish Merrill's views on insurgencies and how to best counter them moving forward. Missouri was a source of immense conflict in the American Civil War and was the birthplace of hard war military policy. The killing of civilians was common while trying to combat Confederate guerillas as a form of retribution for the killing of American soldiers. Yet,

---

<sup>49</sup> "Ku Klux Klan Act of 1871, 'an Act to Enforce the Provisions of the Fourteenth Amendment to the Constitution of the United States, and for Other Purposes,'" National Constitution Center – Constitutioncenter.Org, accessed August 18, 2023, <https://constitutioncenter.org/the-constitution/historic-document-library/detail/ku-klux-klan-act-of-1871-april-20-1871-an-act-to-enforce-the-provisions-of-the-fourteenth-amendment-to-the-constitution-of-the-united-states-and-for-other-purposes>.

<sup>50</sup> AH Whipple, "Assistant Adjutant General to Secretary of War," 1872 - *File No. 3622 (Merrill, Louis - South Carolina)* Yorkville, SC: National Archives, 1872, <https://catalog.archives.gov/id/142848229>.

despite being forged in Missouri many of the aspects of hard war were missing in Merrill's counterinsurgency policy. These same characteristics were common in other battles with the Klan in Arkansas. As such this chapter seeks to explore and answer what made Merrill's experience in Missouri different and how it impacted his career in South Carolina.

This will be followed by a chapter focused on the Ku Klux Klan. While this work is not an exclusive study of the Klan it is important to establish that the organization was a guerrilla group. This will be done by examining briefly the history of South Carolina, the goals of the Ku Klux Klan which will argue that they were political, and finally their methods of operation. It is important to establish that there is indeed an insurgency in South Carolina not just a criminal organization operating in the Upcountry of South Carolina.

The final chapter of this work will be focused on the actions of the 7th Cavalry under his command in South Carolina. This will serve as a cross-examination of his lessons learned in Missouri and an examination of how he identified members of a secret society. This section will attempt to focus on the day-to-day aspects of anti-Klan duty in the South and examine procedures followed by Merrill and those under his command. Ultimately this chapter seeks to answer why Merrill's efforts were more successful than other efforts in the United States to flush out the Klan and bring about mass arrests.

## Chapter 1: Merrill in Missouri

To understand the success Major Lewis Merrill experienced in South Carolina it is necessary to understand his background. As previously mentioned most studies into Merrill's actions against the Klan in South Carolina are primarily focused on the Ku Klux Klan as the central point of interest. As such these histories are far less interested in how the Klan was investigated and prosecuted but much more interested in dismantling the original myth about the Klan presented in *The Clansmen* and the subsequent film *Birth of a Nation* in which the Klan is presented as the heroes of Reconstruction.

While it is needed to push back on this myth and correctly view the Klan as it was, a violent organization capable of horrific racial and political violence, these histories have spent little time attempting to understand Merrill and ultimately take for granted his immense success in routing out the Klan. Even in histories in which Merrill is more the center focus of the narrative his Pre-Civil War and Civil War background remains a footnote. For example, in J. Michael Martinez' *Carpetbaggers, Cavalry, and the Ku Klux Klan* which spends a considerable amount of time focused on Merrill's time in South Carolina the author chalks up Merrill's background to a single paragraph highlighting its impact on his military career without going into much detail.<sup>51</sup> This is also true in Scott Farris' *Freedom on Trial* in which Farris goes into more detail than Martinez still only devotes a few pages to Merrill's background drawing some comparisons to his time in South Carolina.<sup>52</sup> While both of these historians acknowledge Merrill's time out West fighting a variety of insurgent forces neither of them have taken the time

---

<sup>51</sup> J. Michael Martinez, *Carpetbaggers, Cavalry, and the Ku Klux Klan: Exposing the Invisible Empire during Reconstruction* Lanham, MD: Rowman & Littlefield, 2007, 137.

<sup>52</sup> Scott Farris, *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression*, Amazon Kindle Guilford, NC: The Lyons Press, 2021, [https://read.amazon.com/?asin=B08JXJXQT5&ref\\_=kwl\\_kr\\_iv\\_rec\\_8](https://read.amazon.com/?asin=B08JXJXQT5&ref_=kwl_kr_iv_rec_8), Location 2052 - 2079.

to determine exactly how or even if this experience significantly impacted Merrill's operations in South Carolina.

Their inexperience in understanding Missouri's impact on Merrill is clear when these historians have interpreted Merrill's use of the term "pukes" when referring to captured Klansmen. Farris interprets Merrill's use of this term as his reaction to Klansmen confessing or "puking" their crimes to him.<sup>53</sup> Martinez also accepts this same interpretation of the term highlighting the connection between Merrill's use of the term when talking about those who confessed or provided him information.<sup>54</sup> Yet this is not what the terms "puke", "pukes" or "puking" meant to Merrill. These terms originated in Missouri before the Civil War and meant to call these Klansmen "poor southern white trash" which "represented to Northerners the degraded material and moral condition the slave system forced upon the independent white of modest means."<sup>55</sup> Merrill was not calling these men "pukes" because they "puked" information to him, rather he was calling them white trash likely referencing many of these men's social status in the community.

While the misunderstanding surrounding the term "pukes" is a minor point, it highlights the lack of understanding many historians have about Merrill's past and its apparent influences on how he viewed events around him. The term "pukes" indicates that Merrill viewed events in South Carolina as an extension of his time in Missouri and sheds further light on Merrill's belief in 1872 when he would state "the principles and policies for which we fought for four years and

---

<sup>53</sup> *Ibid*, Location 282.

<sup>54</sup> J. Michael Martinez, *Carpetbaggers, Cavalry, and the Ku Klux Klan: Exposing the Invisible Empire during Reconstruction* Lanham, MD: Rowman & Littlefield, 2007, 139.

<sup>55</sup> Michael Fellman, *Inside War: The Guerilla Conflict in Missouri during the American Civil War* New York, NY: Oxford Univ. Pr., 1989, 13 - 14.

a half, and my experience in South Carolina convinces me that the fight is still going on.”<sup>56</sup> The challenges Merrill faced in South Carolina likely mirrored his experiences in Kansas before the Civil War and in Missouri during the Civil War. This mirroring of his experience is also overlooked by historians who attempt to portray the Klan violence as something Merrill was not prepared for with Martinez going so far as to state that Merrill “found the situation markedly different than anything he had experienced previously.”<sup>57</sup> Much of this misinterpretation stems from Merrill’s testimony to the Congressional Committee in 1871 in which he tells the congressmen “I fully believed that the stories in circulation were enormous exaggerations, and that the newspaper stories were incredible” that were coming from South Carolina and that he “came here with the idea that they were sporadic instances of mob violence, fully impressed with the notion that they were a few occasional cases that might be regarded rather as vigilance committee matters than anything else.”<sup>58</sup> Merrill like many other Northerners believed the war ended in 1865 and that the violence in the South was the product of crime not organized resistance to the United States Government. As established earlier Merrill began to view his time in South Carolina as an extension of the Civil War not a separate period of time. He like many

---

<sup>56</sup> Lewis Merrill, “Lewis Merrill to Adjutant General of the Army,” 1872 - File No. 3994 (Elliott, Robt B - South Carolina) Yorkville, SC: National Archives, 1872,

<https://catalog.archives.gov/id/142849979?objectPage=13,2>.

<sup>57</sup> Scott Farris, *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression*, Amazon Kindle Guilford, NC: The Lyons Press, 2021,

[https://read.amazon.com/?asin=B08JXJXQT5&ref\\_=kwl\\_kr\\_iv\\_rec\\_8](https://read.amazon.com/?asin=B08JXJXQT5&ref_=kwl_kr_iv_rec_8), Location 2079.

J. Michael Martinez, *Carpetbaggers, Cavalry, and the Ku Klux Klan: Exposing the Invisible Empire during Reconstruction* Lanham, MD: Rowman & Littlefield, 2007, 137

<sup>58</sup> Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States and John Scott, report, Report of the Joint select committee appointed to inquire in to the condition of affairs in the late insurrectionary states : so far as regards the execution of the laws, and the safety of the lives and property of the citizens of the United States and Testimony taken, 3 Report of the Joint select committee appointed to inquire in to the condition of affairs in the late insurrectionary states : so far as regards the execution of the laws, and the safety of the lives and property of the citizens of the United States and Testimony taken § (1872),

<https://archive.org/details/insurrectionstate03goverich/page/n9/mode/2up>, 1482.

Northerners who investigated Klan violence came to determine that the War had not ended in the South, and it was actively being waged. As previously established Merrill's pre-Civil War and Civil War experience was not one filled with organized battles with clear battlelines but was frequently faced with combatants who did not wear uniforms, conducted hit-and-run attacks on isolated Federal troops, and terrorized local civilians.

Merrill's time in Missouri had probably convinced him more than anything that the war was still ongoing in South Carolina. Merrill served in very few "standard" engagements during the War. The "standard" engagements Merrill had served in were smaller battles and were never campaigns to the size of Gettysburg, Vicksburg, Sherman's March to the Sea, or the Overland Campaign. When Merrill did participate in conventional campaigns, he frequently found himself reassigned to anti-guerrilla efforts in the operational area ending the war "in operations against guerrillas in Northwest Georgia and Alabama, and escorting trains from Chattanooga to Atlanta."<sup>59</sup> As such Merrill's Civil War was unlike the common view of the war with clear lines of battle and well-understood enemies. Rather his enemy was violent and cruel in a way that was not too dissimilar to Klan attacks in the 1870s.

Guerrilla violence in Missouri was personal and violent frequently resulting in neighbor-on-neighbor feuds in which extreme violence was common. Historian Michael Fellman characterized the conflict in Missouri as "overwhelmingly violent, if temporary, assertions of power" as guerrillas "relied on speed of movement, knowledge of the country, hideaways, a network of civilian abettors, and threats of renewed violence to intimidate unfriendly civilians

---

<sup>59</sup> George W. Cullum, *Biographical Register of the Officers and Graduates of the U.S. Military Academy, from 1802 to 1867. Rev. Ed., with a Supplement Continuing the Register of Graduates to January 1, 1879*, vol. II New York, NY: J. Miller, 1879, 406.

into acquiescence.”<sup>60</sup> Much of these same characteristics could be applied to the Ku Klux Klan in South Carolina. The Klan was frequently mounted moving quickly through the region to various homes they sought to intimidate making it hard for the infantry to respond to Klan movements. On top of this many of the Klansmen were local to the region Merrill operated in giving them an edge in moving around the Upcountry avoiding Merrill’s cavalry patrols. Once Merrill started making arrests Klansmen at times could be difficult to arrest as they ran away into the local community avoiding large gatherings, their homes, and family. Lastly, like the violence in Missouri, the Klan frequently intimidated those who informed them to Merrill and his officers.

More interestingly the nature of violence and the goals of the Klan visits frequently had similar goals as Missouri guerrillas. In an incident on February 7<sup>th</sup>, 1863, which Fellman called “typical” in Missouri a group of Confederate Guerrillas arrived at the home of a local Union family at night breaking in and initially wounding the husband.<sup>61</sup> After a standoff between the wife and the guerrillas they demanded she hand over the guns in the home and “they would not bother me or my husband any more and that they would not take my critters” after the wife relented the guerrillas entered the home executing her husband, taking her weapons, and making away with their horses all because they believed her husband had “reported them to the Federals.”<sup>62</sup> This incident is remarkably similar to Klan acts of intimidation in South Carolina. Both attacks would be characterized by a demand for firearms to be surrendered to the attackers with violence frequently being applied to the patriarch of the family whenever possible. Women frequently served as mediators in both disputes frequently caught in the crosshairs of assailants when husbands were not located.

---

<sup>60</sup> Michael Fellman, *Inside War: The Guerilla Conflict in Missouri during the American Civil War* New York , NY: Oxford Univ. Pr., 1989, 23.

<sup>61</sup> *Ibid*, 24.

<sup>62</sup> Statement of Mrs. Nancy C. Leavitt, Court-Martial of Thomas J. Thorp, Pilot Knob (April 14, 1864).

While the details of Klan violence will be covered later in this work as a testament to Merrill's investigative abilities it is well worth comparing this incident in Missouri with the murder of South Carolina National Guard Captain Jim Williams in 1871 in York County, South Carolina. Both incidents highlight the remarkable similarities of guerrilla violence. Williams was a former slave who had escaped from enslavement in York County during the Civil War and would serve in the United States Army for the rest of the war. After completing his service, he returned home to his wife in York County and later became an organizer for the local militia in the state's National Guard.

As such Williams became a nuisance to local Klansmen and was increasingly seen as an insurrectionary radical in the community. While the validity of these claims will be examined later it is important to note that Williams was targeted due to his prominent status in the local community. On the night of the raid, the Klansmen searched the homes of a few militiamen of which one Klansman remembered "few of the militiamen were at home; but in most cases their women handed the guns out the doors and we had no trouble" until they arrived to the home of Jim Williams, who was hiding under the floor of the home, demanding his wife hand over all weapons in the home before locating Williams under the floorboards.<sup>63</sup> After finding Williams the Klansmen brought him to a nearby forest and hung him. Like in Missouri this attack on the community happened at night, targeted the patriarch of the home, and confiscated weapons.

The Williams case would receive no investigation till the arrival of Merrill and his men. However, the attack on Williams and many others in the community likely reminded Merrill of his wartime service. The incidents followed similar patterns to those in Missouri and while these

---

<sup>63</sup> Milus Carroll, "Views and Interviews: Remembers the Jim Williams Raid," *Yorkville Enquirer*, February 18, 1921, <https://www.newspapers.com/image/339443081/?terms=Jim%20Williams&match=1>, 1.

incidents carried a more racial undertone which was absent from some of the attacks in Missouri it was carried out for similar purposes. To intimidate those in the local community into silence and inaction, to remove arms to prevent retaliation, and to remove organizers.

In both Missouri and South Carolina these perpetrators, like all guerrilla groups, were difficult to identify and pursue. Acts were not committed openly and with community guerrilla sympathizers unwilling to cooperate in investigations and those willing to testify being too scared of retaliation without proper protections are all difficulties that are common in counter-insurgency operations. On top of this, any misidentified individual or killing of a guerrilla can result in public outcry locally causing a surge in recruiting for guerrilla forces or deepening their resolve. This reaction can be exasperated if there is a failure in military policy which causes further deepening of resentment in the community. These difficulties remained an issue in Missouri during the American Civil War as Missouri saw the birth of hard war military policy which came to characterize the Civil War as a whole contributing to Sherman's March to the Sea and Philip Sheridan's Shenandoah Campaign. Here military retributions were common against communities seen harboring guerrillas and the execution of prisoners would be common. Yet this did not characterize Merrill's operations in South Carolina as such it is well worth taking a deeper dive into conditions in Missouri and Merrill's experiences there to determine what set his operations apart in South Carolina.

As previously indicated, military policy in Missouri was much harsher than the policies pursued by Merrill in South Carolina. It is important to note that many of these differences in policies stem from how the laws of war were understood on who qualified as a legal combatant under military law. The major force behind the implementation of hard war military policy would be Major General Henry Halleck who before the war had translated several books on

international laws of war from French to English. In 1862 he commissioned Francis Lieber to publish *Guerrilla Parties: Considered with Reference to the Laws and Usages of War* to govern the treatment of guerrillas and partisans in Missouri. The terms guerrillas and partisans are deliberate as this work was concerned with “the term Guerrilla is often inaccurately used, and its application has been particularly confused at the present time” continuing to highlight that guerrillas are disconnected from “the army, as to its pay, provision, and movements, and it is irregular as to the permanency of the band, which may be dismissed and called again together at any time.”<sup>64</sup> Ultimately guerrillas are not members of the standard army and are civilians acting either in concert with a military or on their own local goals against an occupying force. Lieber approaches partisans as a separate group.

To Lieber, and by extension Halleck, partisans are a different type of irregular force. They define partisans as “designate bodies detached from the main army” to act “chiefly upon the enemy's lines of connection and communication, and outside of or beyond the lines of operation of his own army, in the rear and on the flanks of the enemy.”<sup>65</sup> While both guerrillas and partisans operate in similar regions one, the partisan, is a legal combatant and the other is not. The primary distinction between the groups is the holding of an official military commission and rank in an opposing army.

Under Lieber's policy, these two groups would be entitled to different rights under military law. When United States troops captured guerrillas, they were to be “universally considered, if captured, brigands, and not prisoners of war” to be executed when possible.<sup>66</sup> Alternatively despite the lack of uniform partisans were considered part of the *levy en masse*

---

<sup>64</sup> Franz Lieber, *Guerrilla Parties, Considered with Reference to the Laws and Usages of War* New York, NY: D. Van Nostrand, 1862, <https://archive.org/details/guerrillaparties00lieb/page/n11/mode/2up>, 5, 8.

<sup>65</sup> *Ibid*, 11.

<sup>66</sup> *Ibid*, 20.

thus entitled to the rights of war and to be taken as prisoners as legal combatants.<sup>67</sup> Many of the irregular groups in Missouri would be determined to be guerrillas which would result in harsh retributions against these groups time and time again.

This policy in action would take a few different forms. While these orders by General John Pope were published in 1861, they reflect the typical treatment of these guerrilla activities. Tired of constant repair of rail lines in Northern Missouri Pope ordered that if these disturbances continued “without conclusive proof of active resistance on the part of the population” then “the settlement will be held responsible, and a levy of money or property sufficient to cover the whole damage done will be at once made and collected.”<sup>68</sup> While group punishment on this scale hardly seems fair historian Mark Grimsley highlights that these policies prevented the need for troops to be dispatched “to root out the guerrillas directly” which “would have led to bloody fighting, house-to-house searches, and the arrest of potentially innocent persons.”<sup>69</sup> In many ways, this policy offered the opportunity of creating more guerrillas. For the most part, it also worked, as General Pope ordered \$10,000 from Marion County and \$5,000 from the town of Palmyra after a train was attacked in the region and as noted by Grimsley produced success.<sup>70</sup>

Financial punishments for guerrilla activities were common, likely due to their ability to be applied bloodlessly, and discouraged local communities from continuing to engage in these

---

<sup>67</sup> *Ibid*, 18 – 19.

<sup>68</sup> Robert N. Scott, H. M. Lazelle, and John Pope, “General John Pope’s Notice to Northern Missouri, July 21st, 1861,” essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, vol. III, I Washington, D.C.: Govt. Print. Off., 1880, 403–4,

<https://babel.hathitrust.org/cgi/pt?id=coo.31924079597021&view=1up&seq=418,404>.

<sup>69</sup> Mark Grimsley, *The Hard Hand of War* New York, NY: Cambridge University Press, 1995, 38.

<sup>70</sup> Robert N. Scott, H. M. Lazelle, and John Pope, “To Mayor and Authorities, City of Palmyra, State of Missouri: August 19, 1861,” essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ..* Washington, D.C.: Govt. Print. Off., 1880, 135, 135. *Ibid*, 39.

types of conflicts. Another form financial punishments could come in was in the form of assessments of private property owned by Rebels by the state government of Missouri. These assessments would then charge the owners with a property tax putting these owners in immense debt. In theory, it discouraged populations from engaging in guerrilla actions against the government. Ultimately however, “the assessment policy backfired; the guerrillas imitated the Union example by ‘taxing’ loyal citizens” and caused local moderates, who were needed to maintain Union power in the state, to believe “the assessments were perpetuating discord in the state.”<sup>71</sup> Eventually, these assessments would cease from the urging of the Lincoln administration with much concern from some local officers, notably Merrill.

Merrill would frequently side with easier measures that would bring stability to the region and would prevent potential outbursts of violence. Throughout his career, he would side with mercy over harsher measures when possible and would show leniency when prudent as well. In a circular to locals in Missouri Merrill would urge citizens “to let your Representatives have a knowledge of your feelings” on continued support for the assessment policy.<sup>72</sup> While in retrospect it is likely that these assessments exasperated the guerrilla problem as historian Mark Geiger highlighted that guerrilla violence in Missouri was frequently linked with indebtedness and that “guerrillas from the counties with the heaviest land sales belonged disproportionately to these dispossessed families.”<sup>73</sup> A system of taxation on land and the subsequent forfeiture of the

---

<sup>71</sup> W. Wayne Smith, “An Experiment in Counterinsurgency: The Assessment of Confederate Sympathizers in Missouri,” *The Journal of Southern History* 35, no. 3 (1969): 361–80, doi:10.2307/2205763, 372.

<sup>72</sup> Robert N. Scott, H. M. Lazelle, and Lewis Merrill, “Circular to Northeastern Missouri January 20, 1863,” essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ..* Washington, D.C.: Govt. Print. Off., 1880, 64, 64.

<sup>73</sup> Mark W. Geiger, “Indebtedness and the Origins of Guerrilla Violence in Civil War Missouri,” *The Journal of Southern History* 75, no. 1 (2009): 49–82, <http://www.jstor.org/stable/27650402>, 50.

land would have increased this issue in Missouri. However, what is important here is Merrill advocating for milder policies in Missouri.

While Merrill may have advocated for milder policies in Missouri, even into 1863 things began to change around him in response to Lieber's policies. These changes are best illustrated in General John Pope's infamous General Orders No. 5, 6, and 7 to the *Army of Virginia* in 1862. Orders No. 5 and 6 mandated subsistence from the land through foraging and the use of baggage trains and issued rations. However, it is General Order No. 7 which governs the conduct of civilians in the region. Like in Missouri Pope employed group punishments for localities that had heavy guerrilla activity making the responsibility of keeping the peace on the inhabitants in the region with punishments if they failed to act to prevent guerrilla acts. For the destruction of railroads and telegraph wires by guerrillas Pope mandated that "the citizens living within 5 miles of the spot shall be turned out in mass to repair the damage" and would be liable for the damages.<sup>74</sup> Pope continued by warning that "if a soldier or legitimate follower of the army be fired upon from any house the house shall be razed to the ground, and the inhabitants sent prisoners to the headquarters of this army."<sup>75</sup> These policies were new to the East and caused considerable controversy however, as Grimsley notes "they resembled the sort of occupation orders that were quickly becoming the norm in the Western theater."<sup>76</sup>

The impact of these increasingly severe policies towards civilians would continue to develop in both the West and the East can be seen in how commanders at the tactical level carried them out. The diaries of Colonel Elisha Hunt Rhodes recounted that in 1864, a time in

---

<sup>74</sup> Robert N. Scott, H. M. Lazelle, and John Pope, "General Orders No. 7," essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. Pub. under the Direction of the ... Secretary of War ..., 2nd ed., vol. 12, 1 Washington, D.C.: Govt. Print. Off., 1880, 51, <https://babel.hathitrust.org/cgi/pt?id=coo.31924077728222&view=1up&seq=53>, 51.

<sup>75</sup> *Ibid.*

<sup>76</sup> Mark Grimsley, *The Hard Hand of War* New York, NY: Cambridge University Press, 1995, 87.

which hard war policy was common in the Eastern Theater, he had been informed that Colonel Mosby planned to attack his command in Kernstown, Virginia. Rhodes sent a courier to Mosby telling him “to get out of the town or I would burn it” when questioned by the courier if he had orders allowing him to do so Rhodes replied, “we would have the fire and get orders afterwards.”<sup>77</sup> Rhodes was not unique in implementing the policies Pope advocated only two years before. Rhodes was not alone in these hard war policies that characterized the late war in Sherman’s March to the Sea and Sheridan’s Shenandoah campaign, but they were far more common out West.

While these policies are severe in the modern context, they were frequently intended to restrict more severe measures or control the violent tendencies of troops. Overall, the Lieber Code and previously mentioned General Orders from General Pope and others sought “to limit violence, in the absence of any other rule.”<sup>78</sup> It is easy to forget that modern military law and policies are built off of the foundations of the past and that Lieber’s Code sought to channel violence into legal and illegal applications. Ultimately, Union military policy throughout the war whether it was conciliatory or not was an attempt to reduce insurgent efforts against the U.S. Government and encourage populations through a combination of incentives or punishments to discourage guerrilla violence. As highlighted by another historian the Lieber Code was “the foundation of a new and enduring set of rules of war” adopted to avoid the difficulties Napoleon faced in Spain in the early 1800s from wanton military violence.<sup>79</sup>

---

<sup>77</sup> Elisha Hunt Rhodes and Robert Hunt Rhodes, *All for the Union the Civil War Diary and Letters of Elisha Hunt Rhodes*, ed. Geoffrey C. Ward New York, NY: Orion Books, 1991, 187.

<sup>78</sup> Burrus M. Carnahan, “Lincoln, Lieber and the Laws of War: The Origins and Limits of the Principle of Military Necessity,” *The American Journal of International Law* 92, no. 2 (1998): 213–31, doi:10.2307/2998030, 213.

<sup>79</sup> Benjamin J. Swenson, “‘Measures of Conciliation’: Winfield Scott, Henry Halleck, and the Origins of U.S. Army Counterinsurgency Doctrine,” *Journal of Military History* 86, no. 4 (October 2022): 859–81, 880 - 881.

As previously established Merrill did advocate for more lenient policies which sought to prevent the need for troops to engage directly with local populations through financial incentives. However, Merrill did not hesitate to engage in aspects of hard war policy when he believed he needed to. The most famous of these instances in Merrill's career would become known as the Palmyra Massacre on October 18<sup>th</sup>, 1862. The term massacre is a bit of a misnomer as it draws upon images of hapless civilians being gunned down by Federal troops or defenseless and innocent men being unfairly targeted. Rather the Palmyra "Massacre" was a response to events occurring in Missouri and does not exist in a pure black-and-white context.

On September 12<sup>th</sup>, 1862 Confederate Partisan Colonel Joseph Porter captured the town of Palmyra, Missouri and according to an initial report "liberated all the prisoners; took the guard, about 26 men" paroling them.<sup>80</sup> However, Porter did not parole everyone and took with him "Colonel Lipscomb prisoner and 7 others" and had "taken the telegraph instruments, and cut the wires west of Palmyra between Palmyra and the junction" continuing to open fire on a nearby train and also seizing control of another train engine.<sup>81</sup> All of these actions called for retaliation in some form from the Federal Forces. This retaliation would be far more severe since most Federal commanders in the region did not consider Porter a Partisan but rather a guerrilla entitled to no rights of war.

---

<sup>80</sup> Robert N. Scott, H. M. Lazelle, and J.T.K Hayward, "Colonel J.T.K Hayward to General Merrill September 12, 1862," essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ..* Washington, D.C.: Govt. Print. Off., 1880, 626,

<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=640&q1=Palmyra&start=1>, 626.

<sup>81</sup> Robert N. Scott, H. M. Lazelle, and Charles Moore, "Charles Moore to General Merrill September 12, 1862," essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ..*, 1st ed., vol. 13, 1 Washington: Govt. Print. Off., 1880, 625,

<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=639&q1=Palmyra&start=1>, 625.

On October 8<sup>th</sup>, 1862, Colonel John McNeil, Porter's chief antagonist, had finally resecured the town of Palmyra and began to take stock of who was missing. Ultimately, it was determined that the seventy-year-old Andrew Allsman had been taken from the town. Much controversy surrounds the taking of Allsman but regardless of whether or not Allsman was a valid combatant or not McNeil demanded that Porter return Allsman "unharmd to his family within ten days from date (October 8<sup>th</sup>, 1862)" or "ten men, who have belonged to your band and unlawfully sworn by you to carry arms against the Government of the United States and who are now in custody, will be shot, as a meet reward for their crimes."<sup>82</sup> Allsman would never be returned to Palmyra and his fate remains unknown. However, after the ten days passed McNeil's orders were carried out and ten prisoners were selected and executed.

Initial newspaper reports in the North did not outrightly condemn this action. They were frequently reprinting the *Chicago Tribune* article "The Bushwhackers Shot" which just casually reported the incident offering no condemnation or condoning of the action.<sup>83</sup> A more detailed account would be printed ten days later again not fully praising or condemning McNeil but heavily lamenting the death of Mr. Allsman and highlighting that there was ample time for Porter to respond.<sup>84</sup> Other papers ran the same article but slightly altered highlighting that "it seems

---

<sup>82</sup> Robert N. Scott, H. M. Lazelle, and W.R. Strachan, "W.R. Strachan to Joseph C. Porter October 8th, 1862," essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 1st ed., vol. 13, 1 Washington: Govt. Print. Off., 1880, 719,

<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=733&q1=Palmyra&start=2>, 719.

<sup>83</sup> "From Palmyra, MO. Ten Bushwackers Shot," *The Chicago Tribune*, October 20, 1862, XV edition, sec. 89, <https://www.newspapers.com/image/349265210/?terms=Palmyra&match=1>, 1.

<sup>84</sup> "Ten Rebels Shot by Order of Gen. McNeil," *The Chicago Tribune*, XV edition, sec. 98, accessed September 24, 2023, <https://www.newspapers.com/image/353936729/?terms=Palmyra>, 3.

hard that ten men should die for one. Under ordinary circumstances it could not be justified. But severe diseases demand severe remedies.”<sup>85</sup>

Unsurprisingly the Southern Press was in an uproar over the incident. With *The Charleston Mercury* stating, “in the *New York Times*, of the 31<sup>st</sup>, we find a tale of horror, which we here copy, that presents us with an atrocity to be avenged, and a terrible precedent for the treatment of the cases of outrage first above alluded to.”<sup>86</sup> The *Richmond Enquirer* echoes the same sentiment stating that “those ten good men that were fully murdered by a coward ruffian who calls himself General demand to be avenged.”<sup>87</sup> While McNeil's, and by extension Merrill's, actions were well announced and understood under the laws of war this had the potential of causing a tit-for-tat situation with prisoners on both sides. This began immediately when news reached Southern troop's ears resulting in Confederate Brigadier General M.E. Green writing up a resolution asking “that some measures be adopted by the President that shall avenge the death of our fellow-soldiers and prevent the repetition of like outrages in future .... So that our citizen soldiery shall not be brutally murdered on its own soil and by their own firesides with impunity.”<sup>88</sup> This would unleash a firestorm which threatened to cause the exchange of executions between both sides.

---

<sup>85</sup> *The Weekly Pioneer and Democrat*, November 7, 1862, XIV edition, sec. 21, <https://www.newspapers.com/image/890057348/?terms=Palmyra>, 7.

<sup>86</sup> “From the Northern Papers,” *The Charleston Mercury*, November 8, 1862, LXXXI edition, sec. 11,599, <https://www.newspapers.com/image/605430031/?terms=Palmyra&match=1>, 1.

<sup>87</sup> “Slaughter of Prisoners,” *Richmond Enquirer*, November 7, 1862, MX edition, sec. 63, <https://www.newspapers.com/image/339046052/?terms=Palmyra&match=1>, 1.

<sup>88</sup> Robert N. Scott, H. M. Lazelle, and M.E. Green, “Camp at Abbeville, Miss., November 11, 1862,” essay, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ..*, vol. 13, 1 Washington, D.C.: Govt. Print. Off., 1880, 910, <https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=924&q1=McNeil&start=2>, 909 - 910.

Merrill would be summoned to Washington to answer for the events in Palmyra. Of which Merrill accounted himself well highlighting that “the men killed at Palmyra were ten of the twenty-two who had been selected by regular military commissions from 300 or 350...who had been terrorizing that section until I found that it was necessary to make an example” Merrill continues to highlight that these men “were spies, murderers, deserters; in short, the list included men guilty of an infinity of crime.”<sup>89</sup> Merrill’s interactions with Lincoln also highlighted a considerable amount about Merrill in which he informed the President “I telegraphed you, asking for your approval of the order a number of times and asking you, Mr. President, to issue the order... as it was a necessity, I took the responsibility... I have never felt a twinge of conscience that suggested I did other than right to my trust” to which Lincoln replied by laying his hand on Merrill’s shoulder “remember, young man, there are some things which should be done which it would not do for superiors to order done.”<sup>90</sup> While this account is published long after Merrill claimed it happened it does highlight Merrill’s willingness to engage in the hard war policies of the time but to do so in a calculated manner. Merrill would go on to highlight that he had ordered similar things to be done in Macon City and Mexico, Missouri never understanding “why the Palmyra affair should have elicited to McNeil so much criticism, when scarce a mention was made of the Mexico and Macon City executions.”<sup>91</sup>

While Merrill may have pondered why McNeil received so much criticism for this incident it becomes clearer why Merrill’s name was not dragged through the mud while McNeil’s had by looking at McNeil’s reputation compared to Merrill’s. As seen in the Palmyra incident Merrill was careful in the selection of prisoners to be executed and approved the

---

<sup>89</sup> “Gen. Merrill Defend McNeil,” *St. Louis Globe-Democrat*, April 2, 1889, 14 edition, sec. 306, <https://www.newspapers.com/image/571286122/?terms=lincoln>, 4.

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*

measure overall selecting prisoners who had been found guilty to a military commission giving them a small measure of due process. Alternatively, McNeil frequently did not provide this small courtesy. This is well illustrated in one historian's observation that "Brigadier General John McNeil favored immediate execution on the spot" for captured guerrillas or partisans drawing little to no distinction between the groups.<sup>92</sup> Even the previous Confederate accounts mentioned here, offer more of a condemnation of McNeil and Merrill's name remains absent in their condemnation of the event. Overall, the outcry around this event comes more from McNeil's reputation as a counterinsurgency commander than from Merrills.

Most importantly, Merrill claims that at the end of the Palmyra affair, he had only issued the orders reluctantly and was "prone to be merciful" in his duties.<sup>93</sup> This is what defined Merrill's actions even if they were tainted by the Palmyra affair. Even though Merrill claims this nearly twenty years after the Palmyra Massacre there seems to be some truth to this claim of his. This is well observed in his treatment of captured guerrillas or later captured Klansmen.

In several court-martial documents from the war, Merrill frequently requested leniency for guerrillas. In the case of eighteen-year-old James Quisenberry who had been found guilty of attacking the rail lines in Northern Missouri, the court-martial found Quisenberry guilty and sentenced him to be shot.<sup>94</sup> Merrill intervened writing a recommendation that "in consideration of the youth of the above named James Quisenberry and the fact evident to the mind of the court

---

<sup>92</sup> Leo E. Huff, "Guerrillas, Jayhawkers and Bushwhackers in Northern Arkansas during the Civil War," *The Arkansas Historical Quarterly* 24, no. 2 (1965): 127–48, doi:10.2307/40027595, 131.

<sup>93</sup> *Ibid*

<sup>94</sup> Robert N. Scott et al., "Trial of James Quisenberry for Aiding and Abetting the Destruction Railroad Property," in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, vol. I, II Washington, DC: Govt. Print. Off., 1880, 448–50, <https://babel.hathitrust.org/cgi/pt?id=coo.31924079618736&view=1up&seq=464&q1=Lewis+Merrill>, 450.

that his crime was the result of too much confidence in the representations of designing men much older than himself” that Quisenberry be granted clemency and “be pardoned and released on taking the oath of allegiance and giving bonds for his good behavior.”<sup>95</sup> Merrill would do the same for James N. Lane being tried for the same incident as James.<sup>96</sup> However, Merrill would not extend this same mercy to William F. Petty accused of the same crime on March 1<sup>st</sup>, 1862 who was a twenty-nine-year-old. Here the court found Petty to be guilty and “there fore sentence the said W.F. Betty as followed: to be shot to death at such time and place as the commanding general of the department may direct.”<sup>97</sup> Merrill displays a keen ability to understand when men should be punished to the fullest extent of the law and when leniency should be granted. This is a characteristic that would follow Merrill to South Carolina perhaps best shown in how he treated one of the Klansmen.

This reputation is likely why the Missouri newspapers continued to happily track Merrill’s career after the war. The *St. Louis Globe Democrat* would continue to defend Merrill time and time again. In an 1890 article, the paper would vent frustration in Southern senators holding up Merrill’s promotion to Brigadier General highlighting the fact that Merrill had “served in the West with distinction during the war.”<sup>98</sup> The paper also highlighted Merrill’s death on February 27<sup>th</sup>, 1896 by stating “Gen. Merrill graduated with high military honors from the

---

<sup>95</sup> *Ibid.*

<sup>96</sup> Robert N. Scott et al., “Trial of James N. Lane for Aiding and Abetting the Destruction Railroad Property,” in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, vol. I, II Washington, DC: Govt. Print. Off., 1880, 451 – 452.

<sup>97</sup> Robert N. Scott et al., “Trial of William F. Petty for Aiding and Abetting the Destruction Railroad Property,” in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, vol. I, II Washington, DC: Govt. Print. Off., 1880, 471 – 478.

<sup>98</sup> “Vented Their Spleen,” *St. Louis Globe-Democrat*, October 2, 1890, 16 edition, sec. 125, <https://www.newspapers.com/image/571294636/?terms=Lewis%20Merrill&match=1,1>.

West Point Military Academy” highly exaggerating his actual placement of twentieth out of twenty-four in his class.<sup>99</sup> This elevated view of Merrill existed in Missouri in large part because his service there had been measured and fair.

It is this measured manner that made Merrill unique in his operations in South Carolina. Merrill made several arrests in South Carolina and was remarkably accurate in the arrests he made. However, just as he understood the application of mercy in Missouri he also applied it to his operations in South Carolina. In a story recounted by Merrill’s stenographer Louis Post, one gets a clear picture of how Merrill carried his Missouri experiences with him. When informed that one of the prominent Klansmen sought to speak to him Merrill exclaimed to Post that “at last...one of the big ones wants to puke.”<sup>100</sup> However, once the man reported to Merrill he requested “Major... my little boy is sick; he is dying; my wife send me word; I want to see him; may I go home on parole? I give you my honor to come back.”<sup>101</sup> Merrill would grant the man’s parole and, on his honor, he did return as promised.<sup>102</sup> This aspect of Merrill was something that impressed Post causing him to remark that “I have thought as warmly of the courageous generosity of Major Merrill disclosed in that incident.”<sup>103</sup> It is here that likely made Merrill such a successful counterinsurgency commander an ability to know when to grant mercy and when not to. When to push and when not to push in an attempt to win over the community. Surely, Merrill was aware that news of this action would spread into the local community and ease tensions. While Merrill’s death would later be celebrated by the Yorkville Community unlike in

---

<sup>99</sup> “Gen. Lewis Merrill,” *St. Louis Globe-Democrat*, February 28, 1896, 21 edition, sec. 284, <https://www.newspapers.com/image/571317567/?terms=Lewis%20Merrill&match=1>, 6.

<sup>100</sup> Louis F. Post, “A ‘Carpetbagger’ in South Carolina,” *The Journal of Negro History* 10, no. 1 (1925): 10–79, doi:10.2307/2713666, 45.

<sup>101</sup> *Ibid.*, 46

<sup>102</sup> *Ibid.*, 48.

<sup>103</sup> *Ibid.*

Missouri which mourned his passing, it is important to note the careful and considerate approach Merrill took in his work.

Overall, Merrill was an excellent choice for command in South Carolina as he was able to make decisions in a calculated manner that eased tensions with the community as a whole. As such it is well worth comparing and contrasting his command with that of Governor Powell Clayton's efforts against the Klan in Arkansas. Clayton like Merrill served in Missouri and Kansas during the Civil War and like Merrill viewed the Klan as a guerrilla movement against the Federal government. However, the way Clayton pursued the Klan is vastly different than how Merrill pursued the Klan in South Carolina.

Clayton like Merrill was ultimately successful in his pursuit of the Klan but did so vastly differently than Merrill and faced considerable resistance from the Klan. The Klan would attack Clayton's militia and arms shipments time and time again. However, unlike Governor Scott in South Carolina Clayton governed a state that had a sizable white Unionist population from before the war which he could call upon for assistance against the Klan. Clayton's militia would fight a running battle with the Klan after he declared martial law in 1868 and 1869. Clayton's militia would act like the United States Army had in Missouri waging a soft version of hard war policy. Men would be tried under military commission and would be frequently punished with death sentences. Clayton believed that this policy was largely successful remarking in his Memoirs that "the arrest and execution of Griffith showed that Genera Catterson was not groping in the dark."<sup>104</sup> This "Missouri" approach is also seen in the military commission organized against Klansmen Stokely Morgan in Arkansas in which the commission found Morgan guilty of murder and then executed him with Clayton concluding that "the execution of Morgan had a

---

<sup>104</sup> Clayton Powell, *The Aftermath of the Civil War, in Arkansas* London: Forgotten Books, 2015, <https://archive.org/details/aftermathcivilw00claygoog/page/n120/mode/2up>, 115.

very salutary effect, resulting immediately in the flight from the State of thirteen desperadoes from the County.”<sup>105</sup> Overall, Clayton’s approach showed that the Missouri approach could be taken against the Klan however, it had its considerable drawbacks as well.

Clayton was condemned in the press for his actions. One newspaper in Leavenworth, Kansas called him an “unscrupulous and blood-thirsty Governor of a State” for the deploying of his “negro” militia.<sup>106</sup> Another newspaper proclaimed, “The circular which we publish above will place the name of ‘Powell Clayton’ high up in the pantheon of infamy.”<sup>107</sup> While not every newspaper in the nation denounced Clayton it does highlight the controversial nature of martial law now held in society. The war in the Northern public mind was over and Southerners wanted to remind them it was. While Clayton’s actions would have been seen as normal during the war they were now viewed as extreme measures even if people supported him in his efforts. While Clayton would successfully drive out the Klan in his state, he did it at great cost to the cause of Reconstruction nationally. Further, Clayton did these actions relatively early in Reconstruction during which time support for these types of harsh measures would be far more tolerated than they would be in 1871 and 1872.

Ultimately, Merrill’s measured actions in South Carolina were not likely the result of a complete change in how he viewed warfare but likely stemmed from the restrictions of his command. Merrill was frequently frustrated in South Carolina with the lack of authority he held and anxiously waited for martial law or the suspension of the *writ of habeas corpus* so that he could make his arrests. If allowed Merrill certainly would have placed Klansmen on similar

---

<sup>105</sup> *Ibid*, 118.

<sup>106</sup> “Clayton and Arkansas,” *Leavenworth Daily Commercial*, January 8, 1869, <https://www.newspapers.com/image/425255121/?terms=Powell%20Clayton&match=1,1>.

<sup>107</sup> “Conspiracy. The Governor of Arkansas at the Head of a Conspiracy. He Secretly Advises Bloody Work. Arms Already Distributed,” *Nashville Union and American*, November 20, 1868, I edition, sec. 74, <https://www.newspapers.com/image/79870349/?terms=Powell%20Clayton&match=1,1>.

military commissions and executed those, he believed shared the most amount of fault for events in the community. However, this would never happen due to the political instability of allowing Federal troops to go that far in the South. Rather, Grant and others likely learned from Clayton's "success" against the Klan and opted to not go so far in an area of dubious legality to begin with. What South Carolina speaks to is Merrill's incredible ability to adapt to the operational environment he found himself in. This environment will be more thoroughly explored in the following chapter.

## Chapter 2: The Ku Klux Insurgency

Before delving into Merrill's operations in South Carolina it is important to look into the history of South Carolina to get a deeper understanding of the cultural elements at play in the state leading up to secession in 1861. South Carolina had always been a reluctant member of the United States as early as 1776. It is easily forgotten that the decision to declare independence in 1776 was approached and accepted for different reasons for each colony. Further, the document contained radical ideas on equality with Jefferson famously stating in the document "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness".<sup>108</sup> Some states embraced this ethic enthusiastically most notably the State Constitution of Massachusetts written by John Adams which contained the phrase that "all men are born free and equal".<sup>109</sup> This phrase alone led to the abolition of slavery in Massachusetts in 1780. When considering Adam's assertion that "all men are born free and equal" Chief Justice John Cushing instructed a Massachusetts jury in the Quock Walker case that Adam's Constitution had in Cushing's judgment "slavery is... as effectively abolished as it can be by the granting of rights and privileges wholly incompatible and repugnant to its existence".<sup>110</sup> The jury agreed and not long after slavery had been abolished in the State it was found unconstitutional.

While some Northern States embraced these revolutionary ethics enthusiastically South Carolina and later the broader region of the South did not. As one historian highlights "during

---

<sup>108</sup> Thomas Jefferson, "Declaration of Independence: A Transcription," National Archives and Records Administration, accessed November 4, 2023, <https://www.archives.gov/founding-docs/declaration-transcript>.

<sup>109</sup> John Adams, "Constitution of Massachusetts," Constitution of Massachusetts, 1780, accessed November 4, 2023, <http://www.nhinet.org/ccs/docs/ma-1780.htm>.

<sup>110</sup> John D. Cushing, "The Cushing Court and the Abolition of Slavery in Massachusetts: More Notes on the 'Quock Walker Case,'" *The American Journal of Legal History* 5, no. 2 (1961): 118–44, doi:10.2307/844116, 133.

the Revolution, an overwhelming majority of whites in the lower South fought to protect their property and their freedom to dispose of it as they pleased; their vision of liberty and the American dream entailed the use of slave labor to accumulate more wealth”.<sup>111</sup> This is best illustrated in South Carolina’s response to the Continental Congress’ request that the state “take measures immediately for raising three thousand able bodied negroes” in response to the invasion of the state in 1780 by the British Army.<sup>112</sup>

Despite the desperate military situation in the State in the late 1780s after the American defeats at Camden and Waxhaw the South Carolina legislature rejected the congress's suggestion. Rather the state doubled down on the institution of slavery, something which will become a hallmark for the state. The State decided to solve its recruiting crisis by offering recruits into the South Carolina Continental Line a slave for each year of service for a three-year enlistment.<sup>113</sup> Further, earlier in the war in 1775 Edward Rutledge, the South Carolina delegate to the Continental Congress, sought to force George Washington to “shall discharge all the Negroes as well Slaves as Freemen in his Army”.<sup>114</sup> Essentially, South Carolina was “ahead” of the times in their approach to race which would be more similar to the 1850s than the 1700s, which viewed freemen as threats to the body politic who were not to be trusted with firearms. Neither would South Carolina embrace the ethics espoused in the Declaration of Independence

---

<sup>111</sup> Gregory D. Massey, “The Limits of Antislavery Thought in the Revolutionary Lower South: John Laurens and Henry Laurens,” *The Journal of Southern History* 63, no. 3 (1997): 495–530, doi:10.2307/2211648, 530.

<sup>112</sup> Ford, Worthington Chauncey, Gaillard Hunt, John Clement Fitzpatrick, Roscoe R. Hill, Kenneth E. Harris, and Steven D. Tilley. *Journals of the Continental Congress, 1774-1789*. Vol. XIII Washington: U.S. G.P.O., 1904, 387.

<sup>113</sup> Thomas Cooper and David James McCord, “An Act to Procure Recruits and Prevent Desertion,” in *The Statutes at Large of South Carolina*, vol. 4 Columbia, S.C., SC: A.S. Johnston, 1841, pp. 513-515, [https://link.gale.com/apps/doc/CY0108301834/SABN?u=vic\\_liberty&sid=bookmark-SABN&xid=dde8b263&pg=549](https://link.gale.com/apps/doc/CY0108301834/SABN?u=vic_liberty&sid=bookmark-SABN&xid=dde8b263&pg=549), 513-515.

<sup>114</sup> Richard Smith, “Letters of the Delegates to Congress,” *Letters of the Delegates to Congress*, accessed September 7, 2022, [http://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field\(DOCID+@lit\(dg00279\)\)](http://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field(DOCID+@lit(dg00279))):

primarily because the state never fully accepted the document as the States' delegates decided to sign the document according to Jefferson "for the sake of unanimity" with the other colonies.<sup>115</sup>

After the American Revolution, South Carolina still was a reluctant state within the Union. Considerable debate surrounded the Slave Trade Clause of the Constitution which prohibited the international slave trade in 1808. The debates in the South Carolina House of Representatives highlight considerable alarm at this clause with one delegate stating "Without negroes this State would degenerate into one of the most contemptible in the Union" continuing to highlight that "Negroes were our wealth, our only natural resource, yet behold how our kind friends in the North were determined soon to tie up our hands, and drains us of what we had".<sup>116</sup> Ultimately, the State accepted the argument of General Charles Pinckney who argued that "the southern States are weak... we are so weak that by ourselves we could not form an Union strong enough for the purpose of effectually protecting each other. Without union with the other States, South-Carolina must soon fall."<sup>117</sup> South Carolina by 1788 was deeply concerned with the preservation of slavery so much so that it considered not signing the Constitution over fears that Northern states would eventually seek to end the institution. A concern only mitigated by concerns of self-defense. South Carolina wanted nothing to do with the ethics espoused in the Declaration of Independence but was forced into a Union with Northern states out of necessity not out of shared values.

---

<sup>115</sup> Thomas Jefferson, "Notes of Proceedings in the Continental Congress 7 June to August 1776," Notes of Proceedings in the Continental Congress 7 June to August 1776 Philadelphia, 1776, <https://rotunda-upress-virginiaedu.eu1.proxy.openathens.net/founders/default.xqy?keys=TSJN-search-1-2&expandNote=on>.

<sup>116</sup> A E Miller, *Debates Which Arose in the House of Representatives of South-Carolina, on the Constitution Framed for the United States, by a Convention of Delegates Assembled at Philadelphia: Together with Such Notices of the Convention as Could Be Procured*, Google Books Charleston, SC: Printed by A.E. Miller, 1831, <https://play.google.com/books/reader?id=f06EhGPTz74C&pg=GBS.PP6&hl=en>, 19.

<sup>117</sup> *Ibid*, 28.

South Carolina would continue to push against the Federal Government throughout much of the Early 19<sup>th</sup> century. Most notable would be the Nullification Crisis during the Jackson Administration in 1832 – 1833. South Carolina sought to nullify a Federal Tariff claiming the right to supersede the Federal government when it came to enforcement of the law. Further, the state threatened to secede if their demands were not met. Ultimately, the situation was diffused when South Carolina was unable to muster the support of other Southern states for secession after Jackson received approval to use military force and Congress lowered the tariff to a rate that South Carolina found acceptable. Yet even here one finds a defense of slavery woven into the argument for nullification penned by the architect himself South Carolinian John C. Calhoun. Calhoun would state to a friend that the controversy of the tariff was just

the occasion, rather than the real cause of the present unhappy state of things. The truth can no longer be disguised, that the peculiar domestick institutions of the Southern States (slavery)...has placed them in regard to taxation and appropriation in opposite relation to the majority of the Union; against the danger of which, if there be no protective power in the reserved rights of the states, they must in the end be forced to rebel or submit to have... their domestick institutions exhausted by Colonization and other schemes, and themselves & children reduced to wretchedness. Thus situated, the denial of the right of the state to interfere constitutionally in the last resort, more alarms the thinking than all other causes.<sup>118</sup>

South Carolina had to retain the ability to stave off Federal law to help ensure that they would be able to preserve the institution of slavery. The tariff was an important concern for the state but the Constitutional principle of nullification, according to Calhoun, was far more important to help ensure that the state would be able to prevent the abolition of slavery.

---

<sup>118</sup> William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina 1816-1836*, Internet Archive New York, NY: Harper Torchbooks, 1966, <https://archive.org/details/preludetocivilwa0000unse/page/256/mode/2up>, 257.

Certainly, this all came to a head in 1860 with the election of Abraham Lincoln. Southerners had become increasingly convinced that for the institution of slavery to continue it would need to expand into new territories and eventually into new states. This stemmed from reasons ranging from agricultural and political. If Southerners were unable to keep parity with Northern population numbers they would need to ensure that they would be able to have equal representation in the Senate. As highlighted by historian Allen C. Guelzo Lincoln's insistence that slavery would not be brought into the territories and any new states in his administration "meant that slave-based agriculture had no future, and since the states that would one day be formed in the territories would now be free states... would eventually permit the Republicans to create and adopt amendments to the Constitution for abolishing slavery outright."<sup>119</sup>

To preserve the institution South Carolina seceded from the Union on December 20<sup>th</sup>, 1860. South Carolina's Declaration of Secession confirms Guelzo's assertion as it highlights the motive behind secession being directly caused by the "election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery" continuing to highlight "He is to be entrusted with the administration of the common Government, because he has declared that that 'Government cannot endure permanently half slave, half free,' and that the public mind must rest in the belief that slavery is in the course of ultimate extinction".<sup>120</sup> In other words, the threat to end the institution in a far-off and uncertain future was too much for South Carolina to bear. It would be better to risk it all than to submit to Lincoln and the slow death of slavery.

---

<sup>119</sup> Allen C. Guelzo, *Fateful Lightning: A New History of the Civil War & Reconstruction* Oxford : Oxford University Press, 2012, 129.

<sup>120</sup> "Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union," Avalon Project - Confederate States of America - Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union, accessed November 4, 2023, [https://avalon.law.yale.edu/19th\\_century/csa\\_scarsec.asp](https://avalon.law.yale.edu/19th_century/csa_scarsec.asp).

The following four years after the secession of many of the Southern States from the Union resulted in devastating consequences. In the four years of hard fighting the Confederacy lost one-quarter of military-aged males, two-fifths of livestock, and nearly destroyed their economy completely, ultimately seeing “two-thirds of assessed southern wealth vanished in the war.”<sup>121</sup> Not only did these young, and sometimes old men, march away to war in 1861 to create a new nation whose “corner-stone rests, upon the great truth that the negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition” they had nothing to show for it after enduring the horrors of war.<sup>122</sup> Their entire system that Southerners, and more specifically South Carolinians, had attempted to uphold for over one hundred years had been swept away in four years. It is important to note that loss on the conventional front from 1861 to 1865 did not mean Southerners just threw up their arms accepted their loss and returned home.

Rather they did what all societies have done; they resisted the changes to their society. Historians have frequently critiqued Confederate military policy critiquing Lee’s leadership along these lines pointing out that “if he had wisely preserved his manpower by remaining on the strategic and tactical defensive” the South could have won.<sup>123</sup> Much of this critique centers on the belief that Lee should have operated much like Washington had during the American Revolution. Washington operated a very flexible defense against the British army. When faced with overwhelming numbers Washington engaged in fighting retreats only picking battles his army could win on the defensive. When on the offensive Washington chose to attack the British

---

<sup>121</sup> James M. McPherson, *Battle Cry of Freedom* New York, NY: Oxford University Press, 2003, 818.

<sup>122</sup> Stephens, Alexander. “Cornerstone Speech.” American Battlefield Trust. Accessed August 17, 2023. <https://www.battlefields.org/learn/primary-sources/cornerstone-speech>.

<sup>123</sup> Edward H. Bonekemper, *The Myth of the Lost Cause: Why the South Fought the Civil War and Why the North Won*, Kindle Washington, DC: Regnery History, 2022, [https://read.amazon.com/?asin=B012LMP2MK&ref\\_=kwl\\_kr\\_iv\\_rec\\_1](https://read.amazon.com/?asin=B012LMP2MK&ref_=kwl_kr_iv_rec_1), 104.

army where it was weak and vulnerable. Washington's war was one of survival not one of territory won or lost.

This critique fails to acknowledge the fact that Lee's leadership served the purposes of the Confederacy and no other strategy would have satisfied the Confederacy's war goals. Primarily this flexible style of warfare exposes a "threat of such chaos in a slave-based society" as "such a strategy would have accelerated the process by which slaves came into contact with Federal armies."<sup>124</sup> In other words, this flexible strategy of withdrawal in the face of Union armies to pick better ground threatened increased Emancipation of Southerners' human property, especially after Lincoln's Emancipation Proclamation in 1863 even more so after Northern Armies began to penetrate deeper into Southern territory in 1864 and 1865. Yet if slavery was a primary cause for Southerners to avoid a guerrilla military from 1861 to 1865 the end of formal hostilities in 1865 and the general emancipation of slaves in the South made guerrilla warfare a valid strategy.

This is the purpose of the Ku Klux Klan and adjacent groups from 1868 to 1876. The Klan served to be an enforcer of the pre-war racial order seeking to ensure that while slavery was legally dead with the 13<sup>th</sup> Amendment it would not be practically dead in the South. Many historians have highlighted the purpose of the Klan being a subversive military force to the United States Government. Foner would describe the Klan as "a military force serving the interests of the Democratic party, the planter class, and all those who desired the restoration of white supremacy."<sup>125</sup> Foner is supported in his assessment of the Klan by Allen Trelease who in

---

<sup>124</sup> Gary W. Gallagher, *The Confederate War: How Popular Will, Nationalism, and Military Strategy Could Not Stave off Defeat*, Amazon Kindle Cambridge, MA: Harvard Univ. Press, 1999, [https://read.amazon.com/?asin=B095T1CKHM&ref\\_=kwl\\_kr\\_iv\\_rec\\_2](https://read.amazon.com/?asin=B095T1CKHM&ref_=kwl_kr_iv_rec_2), Locations 1943, 1969.

<sup>125</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* New York, NY: HarperCollins Publishers, 2014, 340.

his seminal work *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* argued that “the Klan became in effect a terrorist arm of the Democratic party.”<sup>126</sup> It is historian Richard Zuczek who takes his assessment of Southern violence during Reconstruction a step further arguing that “the North stopped fighting- Physically and mentally- in 1865; the South, however, did not.”<sup>127</sup> Zuczek takes both of these historians' assertions about the Klan to the logical conclusion that Southerners did not surrender their ideas in 1865 and continued to resist through both physical violence and the legal system to exhaust Northern support to sustain the occupation of the South. While previously established that Merrill viewed his time in South Carolina as an extension of his wartime service it is well worth examining the nature of the Klan in South Carolina to get an understanding of what Merrill observed here that drew his mind back to Missouri.

What separates guerrilla groups from being simply bands of violent outlaws is that frequently these groups have a distinct political goal which in turn characterizes their violence towards achieving this political goal. Further, the group must be able to avoid confrontation with local authorities while also subverting local authorities' ability to administer law and order. The South Carolina Klan fit all of these criteria of what exactly one would consider a guerrilla group. The group had a clear political goal as Merrill observed in a report back to headquarters that “the object of the order as explained to novitiates is to defend the whites of the South against dangerous secret organizations of the negroes, and to restore the political supremacy of the white race” continuing to highlight that “the object of the organization in this vicinity is to terrify the

---

<sup>126</sup> Allen W. Trelease, *White Terror* Westport, CT: Greenwood Press, 1971, xlvii.

<sup>127</sup> Richard Zuczek, *State of Rebellion Reconstruction in South Carolina* Columbia, SC: University of South Carolina Press, 2009, 6.

negroes into obeying the whites in voting or to compel them to stay away from the polls.”<sup>128</sup> Merrill’s informants or novitiates as he called them fully articulated to him what the group’s Constitution sought to achieve through their exclusion of former Republicans or Veterans of the Union Army and its demand that members oppose “negro equality, both social and political” and made it the member's duty to maintain “the Constitutional rights of the South.”<sup>129</sup> All of these objectives sought to tear down the new political order of the South that emerged in the post-Civil War world.

These goals did not just remain political goals solely focused on preventing African Americans from voting but extended into what occupations African Americans could participate in. Southerners initially attempted to control African Americans in what occupations they could work through the legal system. As noted in the introduction many Southern governments, including South Carolina, passed legislation known as the black codes which frequently sought to ensure that freedmen remained employed and not homeless, prohibited firearm ownership, reinstated a pass system from slavery, and forbade freedmen from engaging in business ownership, trade work, or industrial pursuits except for agricultural work.<sup>130</sup> In effect, this system attempted to keep slaves enslaved all but in name. While these laws were eventually made unconstitutional by the 14<sup>th</sup> Amendment they remained in force by the Klan. It was not uncommon for the Klan in many areas of the country to run African Americans off their land

---

<sup>128</sup> Lewis Merrill to AAG Department of the South, “Merrill to AAG Department of the South,” 1871 - *File No. 2586 (Terry, A H - Kentucky)* Washinton D.C.: National Archives, June 9, 1871, <https://catalog.archives.gov/id/142816081?objectPage=3>, 6.

<sup>129</sup> Wilson, D.L., and J.C. Lester. 1884. *Ku Klux Klan: Its Origin, Growth, and Disbandment*. “Revised And Amended Prescript of Ku Klux Klan” Edited by Walter Fleming. Columbia, SC 223 – 224.

<sup>130</sup> “The Codes,” *The Edgefield Enquirer*, January 3, 1866, <https://www.newspapers.com/image/46418178/>, 1.

back onto plantations.<sup>131</sup> In short, the Klan sought to prevent the results of the war, maintain a form of regional independence, and return to the pre-Civil War status quo as much as possible.

All commanders in Merrill's position are faced with several challenges while engaging in counterinsurgency operations. According to counterinsurgency specialist John Le Beau counterinsurgency operations are focused on a variety of goals such as "denying<sup>[sic]</sup> domestic and foreign safe haven...", "limit insurgent access to weapons and explosives...", "break insurgent military organizations and incapacitate leadership elements", be able to provide security for the population and reduce the enemy's ability to conduct operations, and finally deny foreign support to the insurgency."<sup>132</sup> Yet all of these criteria focus on what a commander needs to prevent the insurgency from doing. For the most part, counterinsurgency is primarily reactive not proactive in its approach to preventing conflict. As such, it is well worth examining what aspects made the Klan an insurgent group more specifically by examining some of these criteria.

Much information on the Klan in this region of South Carolina would come from several highly detailed reports on the Klan written by Merrill that he submitted to his commander Brigadier General Alfred Terry in Kentucky. Each of these reports frequently found its way to the desk of Attorney General Amos T. Ackerman and eventually the eyes of President Ulysses S. Grant. Merrill's ability to identify members of the Klan in exact detail is impressive considering the fact the organization placed considerable effort in maintaining its secrecy. As such these reports are extremely valuable, along with other sources, on understanding the nature of the Klan in South Carolina.

---

<sup>131</sup> Samuel Agnew, "January 6, 1869," *Diary of Samuel A. Agnew* Chapel Hill, NC: University of North Carolina, January 6, 1869, [https://finding-aids.lib.unc.edu/00923/#folder\\_14#1](https://finding-aids.lib.unc.edu/00923/#folder_14#1).

<sup>132</sup> John J. Le Beau, "Examining Twenty-First Century Insurgencies and Government Responses," *Connections* 7, no. 1 (2008): 154–66, <http://www.jstor.org/stable/26323325>, 168.

Like many guerrilla groups, the Klan operated in a local community and relied heavily upon anonymity to ensure operations were maintained. As such the Klan went through considerable effort to keep its operations both secure and its membership unknown to the broader community. These efforts are illustrated in the group's adoption of grips, signs, and songs to identify different members and its organizational structure which made overall leadership and direction murky in the local community. Merrill collected a considerable amount of information on the signs the group used to identify different members like the “hailing sign: three taps on the left ear with the left hand” with the reply being “right hand in right hand pocket (of either pantaloons, coat, or vest/ generally of pantaloons) thumb outside the pocket, fingers inside, left foot slightly advanced.”<sup>133</sup> Many of these grips and signs were similar all being very innocuous actions which to a casual observer would have meant nothing. Further, simply learning them provided little inherent value as “these signs never to be used idly or through curiosity, or in such manner as to attract attention.”<sup>134</sup>

This system is further reinforced by how the local Klan was organized in a manner to makes it difficult to pursue. Merrill highlights that “each county or district of the state is controlled by one headman or chief” who commanded several divisions in their district each with their own chief, and finally each Division was made up of several squads “being composed of from ten to eighteen members”.<sup>135</sup> Most importantly, as Merrill notes, these squads are aware of who their squad leader and fellow squad members are but “are not allowed to know other members of the order when engaged in any act ordered by the leader of the order” and while

---

<sup>133</sup> Lewis Merrill to AAG Department of the South, “Merrill to AAG Department of the South,” 1871 - *File No. 2586 (Terry, A H - Kentucky)* Washinton D.C.: National Archives, June 9, 1871, <https://catalog.archives.gov/id/142816081?objectPage=3>, 3)

<sup>134</sup> *Ibid*

<sup>135</sup> *Ibid*, 3 – 4.

operating are only acknowledge “by their numbers... which numbers are fixed at the time of their joining”.<sup>136</sup> This whole system helped ensure that if one member of one squad was successfully apprehended, interrogated, and confessed to authorities they would be unlikely to identify no more than ten men in an organization numbering in the thousands. Further, only trusted leaders of the group had an idea who made up the membership of the Klan, and would be much more difficult to apprehend much less get a confession on membership numbers and names.

This aspect of the Klan was acknowledged as a major obstacle in pursuing the Klan by those present with Merrill. Most notable would be Merrill’s stenographer, Louis F. Post, who spent a considerable amount of time observing Merrill’s arrests in York County and would later record these events in an article called “A ‘Carpetbagger’ in South Carolina” in 1925. Post observed in this article that the organization of the group meant that

no member of a township klan could expose any but his fellow members; the chief of a township klan could expose no one but his township associates and his own aid, unknown as such to anybody but himself and to the county chief; township aids could expose no one but members of their respective township klans and their respective county chiefs; a county chief could expose no one but township aids and his own State aid.<sup>137</sup>

Post continues this system up to the national level of the organization in Nashville. Yet even to those present they understood and acknowledged that this decentralized structure made it extremely difficult to pursue the group as each township would have to be routed out to identify major leaders of the group.

---

<sup>136</sup> *Ibid*, 4.

<sup>137</sup> Louis F. Post, “A ‘Carpetbagger’ in South Carolina,” *The Journal of Negro History* 10, no. 1 (1925): 10–79, doi:[https://doi.org/10.2307/2713666open\\_in\\_new](https://doi.org/10.2307/2713666open_in_new), 70.

Further, the group's secrecy was aided by the denial of its existence from the national and local press. Articles existed in prominent national newspapers questioning the group's existence as early as 1868 not long after the group had begun their reign of terror in the South. A *New York Times* article in 1868 reprinted a report from South Carolina with no editorial which openly claimed that “there is no society here or even in the State; but yet there is a good deal said about it – a good deal of banter and practical joking, conducted by that style of persons at the expense of those over nervous parties.”<sup>138</sup> In other words, the group does not exist and accounts that seem to indicate that it does are exaggerated. The *New York Times* was not alone in its assertion that the Klan did not exist. The prominent Baltimore newspaper *The Sun* printed an article in 1871 titled “Inquiry into the Ku-Klux: The So-Called ‘Organization’” which not only denied the Klans' existence in York Country South Carolina but asserted that rather the group may have been run by radical Republicans' to stir up political support.<sup>139</sup> While the local newspaper in York Country *The Yorkville Enquirer* would later deny the existence of the Klan it had done so knowing all too well that in 1868 the paper ran an advertisement for the group with a corresponding article “K.K.K Mysterious” in which the editor coyly suggested that the message from the group has left the author “at a loss to know what they mean”.<sup>140</sup> Lastly, this doubt of the organization's existence did not just exist in the media but even within the Congressional subcommittee sent to investigate its existence. In the minority report of the subcommittee’s investigation, Congressman Philadelph Van Trump concluded, after hearing hundreds of

---

<sup>138</sup> “South Carolina,” *The New York Times*, April 26, 1868, XVII edition, sec. 5175, <https://www.newspapers.com/image/20573079/?terms=South%20Carolina>, 10.

<sup>139</sup> “Inquiry into the Ku-Klux: The so-Called ‘Organization’--Its Causes and Purposes--the Self-Defense of an Oppressed and and Plundered People--What Military Rule Menu--South Carolina an American Poland,” *The Sun (1837-)*, November 16, 1871, 1.

<sup>140</sup> Lewis Grist, “K.K.K Mysterious,” *The Yorkville Enquirer*, April 2, 1868, 14 edition, sec. 14, <https://www.newspapers.com/image/339356707/?amp%3Bmatch=1.&terms=K.K.K>.

testimonies from victims and investigators like Merrill, that he denied that those perpetrating these crimes “that these men have any general organization, or any political significance, or that their conduct is indorsed by any respectable number of white people in any state.”<sup>141</sup> Lastly, the denialism surrounding the Klan was a feature not a bug and as historian Elaine Frantz Parsons highlights the Klan “usually committed their violence in isolated areas, in disguise, and at nighttime and often threatened victims and witnesses with more violence if they reported the incident” also highlighting that “Elites involved with the Klan denied that they knew anything about it. Klan groups tried to avoid keeping written records, pledged members to secrecy, and required them to perjure themselves.”<sup>142</sup> All of these aspects combined made it easy for politicians and the media to deny the groups existence.

In short, the Klan had created significant doubts due to its secrecy if it even existed. In its entirety, it made any attempt to pursue it with Federal troops appear to the general public as if the Federal government was pursuing a wild goose chase. Something Van Trump ultimately concluded after his investigation of the South. As such, even before Merrill arrived in South Carolina in March of 1871 he was fighting an uphill battle to convince the Northern public that the war was still raging in the South and if this war and its many combatants even existed. At most to those who questioned the group's existence, the Klan was just a bunch of brigands engaging in random violence for personal gain detached from all political goals. Its very nature meant that the group was locally organized and sworn to secrecy as such it was a standard

---

<sup>141</sup> Luke P. Poland and John Scott, *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872: So Far as Regards the Execution of the Laws, and Safety of the Lives and Property of the Citizens of the United States*, vol. 1 Washington, DC: United States Government Printing Office, 1872, <https://archive.org/details/reportofjointse101unit/page/292/mode/2up>, 292.

<sup>142</sup> Elaine Frantz Parsons, “Klan Skepticism and Denial in Reconstruction-Era Public Discourse,” *The Journal of Southern History* 77, no. 1 (2011): 53–90, <http://www.jstor.org/stable/27919387>, 60.

guerrilla group capable of coming out of the woodwork to strike targets and then fade back into the population. Merrill's task was enormous when he arrived in South Carolina he faced a foe difficult to identify and one many doubted existed.

This was not the only obstacle Merrill faced when he arrived in South Carolina in 1871. Merrill could not pursue the Klan as he had with guerrillas during the Civil War. Martial law did not exist in South Carolina on a Federal level and as a result, Merrill was not going to be able to haul members of the community in before military tribunals and sentence them to death. Even if he could as previously indicated he would have faced the public backlash that Governor Clayton faced in Arkansas. As such Merrill was also limited initially on how he could pursue prosecution in a law enforcement capacity. As noted in his testimony to the Subcommittee Merrill's initial orders " was to aid the civil authorities of both the State and the United States, should they call upon me for assistance, and I was instructed by my commanding officer to exercise all the moral influence possible to bring about .a better state of things here, and in any case to protect individuals against mob violence or illegal arrest, should they seek the shelter of my camp."<sup>143</sup> Upon examining these orders it is clear that Merrill did not have any ability to prosecute crime. The most he could do was provide additional manpower to the local sheriff or state constables to make arrests in the community. In other words, Merrill and his men were at the whims of the local and state government and what they were willing to prosecute if they were willing to do so at all. Merrill eventually concluded after three months in South Carolina that "it is idle to attempt anything through the local civil authorities" as they would frequently acquit violent offenders

---

<sup>143</sup> Luke P. Poland and John Scott, "The Testimony of Major Merrill," essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, vol. 5 Washington, D.C.: Govt. Print. Off., 1872, 1463–87, <https://archive.org/details/reportofjointsel05unit/page/1464/mode/2up?q=Merrill>, 1464.

despite the availability of proof.<sup>144</sup> This accusation of the local court system is also echoed by Post who observed many years after the fact that “an attempt to get indictments in York County failed; possibly for lack of evidence, but more likely because six members of the grand jury were also members of the Kuklux Klan.”<sup>145</sup> As such Merrill’s command, until President Grant suspended the *Writ of Habeas Corpus* in October of 1871, would have to contend with investigating the actions of the Klan to build a Federal case for 14<sup>th</sup> and 15<sup>th</sup> Amendment violations, focus on protecting key witnesses, and preserving the order in the local community.

The first Federal troops to arrive in York County in February of 1871 would arrive under the command of Captain John Christopher of the 18<sup>th</sup> U.S. Infantry just a little over a month before Merrill would arrive with his cavalymen. Christopher’s journey to the County had been a difficult one. While en route to Yorkville, the company was forced to halt after the Klan had destroyed a portion of the tracks of the Kings Mountain Railroad.<sup>146</sup> This action was done deliberately so that same night the Klan launched an attack on the County Treasurer, a White Republican, who could be driven from the town before the infantry company’s arrival.<sup>147</sup> By the time Christopher and his men arrived in the town the next day they would have been confronted with the chaos caused by the night before. This whole incident illustrates a considerable amount of coordination and community involvement in Klan operations. The community managed to notify the local Klan that troops were on the way and the group was able to quickly mobilize and

---

<sup>144</sup> Lewis Merrill, “Merrill to AG Department of the South,” 1871 - File No. 2586 (*Terry, A H - Kentucky*) Washington D.C.: National Archives, June 10, 1871, <https://catalog.archives.gov/id/142816081>, 6.

<sup>145</sup> Louis F. Post, “A ‘Carpetbagger’ in South Carolina,” *The Journal of Negro History* 10, no. 1 (1925): 10–79, doi:[https://doi.org/10.2307/2713666open\\_in\\_new](https://doi.org/10.2307/2713666open_in_new), 70.

<sup>146</sup> Luke P. Poland and John Scott, “The Testimony of Major Merrill,” essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, vol. 5 Washington, D.C.: Govt. Print. Off., 1872, 1463–87, <https://archive.org/details/reportofjointsel05unit/page/1464/mode/2up?q=Merrill>, 1465 - 1466.

<sup>147</sup> *Ibid.*

prevent the entry of troops into the town. In many ways, this action highlights the wealth of military experience these Klansmen had. However, their reign of terror did not end there.

The night that Christopher and his men arrived in York County was the night of the Jim Williams raid which was discussed briefly in the previous chapter. The Klan likely sought to eliminate Williams on this night to prevent cooperation between Williams's militia and Christopher's troops as well as highlight to the community that Christopher was unable to respond to the fast-moving horse-mounted Klan raids. This is certainly well illustrated because when Christopher did respond to the raid it was hours after it had finished and the few arrests, he did make ultimately amounted to nothing after these Klansmen were released.<sup>148</sup> This whole incident made Federal military authorities seem weak and ineffective to the community.

What likely also did not help is the fact that Christopher seemed to at minimum appear extremely rattled by these events. One observer would testify to the committee that upon Christopher's arrival into the county "he came with the belief that there was a regular organized band of Ku-Klux; that everybody was a Ku-Klux. He was actually scared when he came there".<sup>149</sup> While upon initial observation this might seem absurd if not cowardly for a U.S. Army officer to fear the local population. Just in the initial period of 48 hours of being in the county, the Klan made itself known that it was highly mobile, capable of striking anywhere in the county in numbers much greater than his command, and was highly aware of his movements. Further, his troops would not be able to respond to ongoing incidents until they were long over. Yet, there is some justification for Christopher being concerned about his situation. Whether it was known

---

<sup>148</sup> *Ibid*, 710.

<sup>149</sup> Luke P. Poland and John Scott, "Testimony of Thomas Graham," essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872* Washington, D.C.: Govt. Print. Off., 1872, 701–25, <https://archive.org/details/reportofjointsel04unit/page/700/mode/2up>, 709.

by Christopher or Merrill, Federal troops had been attacked previously in the South during Reconstruction.

Frequently, the Klan, or Southerners more broadly, are portrayed as if these groups never outrightly attacked Federal troops stationed in the South after Appomattox. Yet the following two incidents highlight this was far from the truth. Perhaps the most dramatic event occurred in 1866 as the 33<sup>rd</sup> United States Colored Infantry transferred from Anderson County back to Charleston to muster out of service. While en route, the regiment's train had been isolated on a large bridge and sustained heavy fire from locals who set fire to the bridge attempting to kill the entire regiment before the engine returned pulling the regiment to safety.<sup>150</sup> Ultimately, the regiment only survived because of advanced notice the regiment's colonel had received from a local politician.<sup>151</sup> This was not isolated either. In 1870, only a year before Christopher and Merrill arrived in York County, Federal troops were attacked by local Klansmen. The *Yorkville Enquirer* provides many of the details on the situation about a small detachment of seven U.S. Troops, a U.S. Marshal, and a U.S. Tax Commissioner were attacked in neighboring Spartanburg County by a force numbering two hundred or more demanding the release of a prisoner they held.<sup>152</sup> In turn, this event also caused locals to fear attacks on Federal Troops as one local in Spartanburg county testified that this event made him apprehensive about being with Federal Troops as he was convinced the Klan would be willing to attack if the opportunity presented itself.<sup>153</sup>

---

<sup>150</sup> Joseph T. Glatthaar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* Baton Rouge, LA: Louisiana State University Press, 2000, 215 - 216.

<sup>151</sup> *Ibid*, 216.

<sup>152</sup> "Lewis Grist, "The Spartanburg War," *The Yorkville Enquirer*, January 20, 1870, 16 edition, sec. 3, <https://www.newspapers.com/image/339393137/>, 2.

<sup>153</sup> Luke P. Poland and John Scott, "Testimony of C.L. Casey," essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two*

Lastly, there was a threat of attack on the military post even after Merrill arrived in the county boosting and reinforcing Christopher's beleaguered command. In June of 1871, there was considerable alarm in the U.S. Army post as rumors began to seep into the command that the Klan was contemplating an attack on the post. On June 10<sup>th</sup>, 1871 Merrill would write a report warning that he believed "truthfully that they (the Klan) have contemplated an attack on my camp" and that he was quickly making preparations for such an attack that coming Saturday.<sup>154</sup> While no attack ended up occurring Merrill had become aware of the attack through a variety of sources he had in the community. By all means the threat was credible if not likely. When this incident is taken into view with previous incidents of violence against U.S. Troops it does give some credence to Captain Christopher's fears upon his arrival in York County.

Ultimately, the Klan would attempt to undermine Merrill's command in different ways for the majority of the time he was stationed in the County. One method was to increase "dissatisfaction among the soldiers" in Merrill's camps and then "induce and assisting desertions" with one company of the 18<sup>th</sup> Infantry losing 22 men to these enticements and one cavalry troop losing 14 men.<sup>155</sup> These are considerable losses to these already undermanned units amounting to nearly a quarter of each unit's combat strength. Further, this is not the unique way in which the Klan harassed Merrill's troops. In 1872, a Klansman would bring charges against

---

*Houses of Congress, February 19, 1872*, vol. 4 Washington, D.C.: Govt. Print. Off., 1872, 941–65, <https://archive.org/details/reportofjointsel04unit/page/964/mode/2up?q=Christopher>, 944.

<sup>154</sup> Lewis Merrill, "Major Merrill to AAG Department of the South," *1871 - File No. 2051 (Terry, Alfred H - Kentucky)* National Archives, June 10, 1871, <https://catalog.archives.gov/id/142816081?objectPage=29>, 30.

<sup>155</sup> Lewis Merrill to AAG Department of the South, "Merrill to AAG Department of the South," *1871 - File No. 2586 (Terry, A H - Kentucky)* Washinton D.C.: National Archives, June 9, 1871, <https://catalog.archives.gov/id/142816081?objectPage=3>, 4.

Merrill for false imprisonment while under indictment for being a member of the Klan.<sup>156</sup> Frivolous lawsuits like these threatened to eat up Merrill's time forcing him to go to court to defend himself. Both methods of resistance highlight the unique aspects of Klan resistance to military authorities in the region. They were at this point domestic insurgents capable of using the local law system or the proximity of U.S. Troops to eat away at morale. Attacking U.S. troops in this situation was pointless if these troops could be lured away dissolving the commands with the added benefit of making the local commanders seem incompetent to stem the tide.

Lastly, the Klan was largely a guerrilla group in the traditional sense with the amount of assistance they received from the white community in York County. Merrill ran into two major roadblocks with local officials who were at minimum sympathetic if not outright members of the Klan. Both individuals highlighted major issues with operating in the community as well as highlighting how many eyes were on Merrill and his men. The first of these individuals to come to the front would be the county Sheriff whom Merrill had worked with to execute some arrests on a Klansmen raid only to have the Sheriff back out and the Klansmen fail to ride that night.<sup>157</sup> This caused considerable issues in early operations as the sheriff was crucial to ensuring that arrests made were legal with local arrest warrants. However, if the sheriff could not be trusted as Merrill believed then his operations with local civil authorities had to be guarded. Further, Merrill also lacked secure lines of communication. Only a few days after discovering the difficulties with the sheriff Merrill discovered that all of his reports and local transmissions were

---

<sup>156</sup> Lewis Merrill, "Merrill to AAG United States Army," <https://Catalog.Archives.Gov/Id/142848229?objectPage=2>, September 20, 1872, <https://catalog.archives.gov/id/142848229?objectPage=2>.

<sup>157</sup> Lewis Merrill to AAG Department of the South, "Merrill to AAG Department of the South," 1871 - File No. 2586 (Terry, A H - Kentucky) Washinton D.C.: National Archives, June 9, 1871, [https://catalog.archives.gov/id/142816081?objectPage=3, 7](https://catalog.archives.gov/id/142816081?objectPage=3,7).

being copied by a Klan sympathetic telegraph operator giving the Klan advanced notice of many of Merrill's operations.<sup>158</sup> This also caused considerable issues as Merrill now had to ensure that all of his messages remained vague if not outrightly ciphered to ensure that his communication was not tapped. Overall, the Klan supported immense support from the community whether it was from outright intimidation of public officials or those public officials being sympathetic to their cause.

While a considerable amount of time can be spent on analyzing the insurgent aspects of the Klan it is important to note that the Klan was viewed as insurrectionary for its time. Even before Klan violence began to peak in the South there was a considerable amount of ongoing debate concerning whether the Civil War was over or not. President Andrew Johnson to much controversy declared on April 2<sup>nd</sup>, 1866 “that the insurrection which heretofore existed in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida is at an end and is henceforth to be so regarded”.<sup>159</sup> This drew considerable reaction from Northerners with the *Chicago Tribune* thundering that there was not sufficient loyalty in these states to be considered no longer insurrectionary.<sup>160</sup> This also highlights the fact that this generation was unsure exactly when to determine when the Civil War was officially over. This is further supported by President Grant’s October 17th Proclamation suspending the *writ of habeas corpus* within the counties where Merrill was stationed. Grant openly stated that these counties were in an open state of rebellion and were filled with

---

<sup>158</sup> Lewis Merrill, “Merrill to AAG Department of the South,” 1871 - File No. 2586 (Terry, A H - Kentucky), June 11, 1871, <https://catalog.archives.gov/id/142816081?objectPage=39>, 39.

<sup>159</sup> Andrew Johnson, “April 2, 1866: Proclamation on the End of the Confederate Insurrection,” Miller Center, Last modified August 29, 2023, <https://millercenter.org/the-presidency/presidential-speeches/april-2-1866-proclamation-end-confederate-insurrection>.

<sup>160</sup> “Loyalty Not Sufficient,” *Chicago Tribune*, April 21, 1866, XIX edition, sec. 321, <https://www.newspapers.com/image/466129254/?terms=Johnson>.

“insurgents engaged in such unlawful combinations and conspiracies” against both the Federal and state government.<sup>161</sup> Yet much of the violence and resistance to both of these entities were rampant in South Carolina since 1865. All that had changed with the surrender of Confederate Armies was how the soldiers fought their war against the Federal government and an adjustment of expectations of an independent slave republic.

As such what makes Merrill’s operations impressive is the fact that he was able to dismantle an extensive network of insurgent cells in these Upcountry Counties. The primary key to any successful counterinsurgency operation is going to be a commander's ability to obtain information, protect friendly populations, and eliminate hostile forces. Merrill did all three of these things in his approach to the Klan which will be more thoroughly explored in the following chapter.

---

<sup>161</sup> Ulysses S Grant, “October 17th Proclamation,” *The Papers of Ulysses S Grant* Charlottesville, VA: University of Virginia, 2023, <https://rotunda-upress-virginia-edu.ezproxy.liberty.edu/founders/default.xqy?keys=GRNT-search-1-1&expandNote=on>.

### Chapter 3: The Counterinsurgency

Given the secretive and insurgent-like nature of the Klan, it is impressive that Merrill's operations in South Carolina were as successful as they were. The Klan was embedded in white society in Upcountry, South Carolina. Before Merrill's arrival, the Klan had successfully intimidated local freemen and white Republicans into silence and inaction. Further, the Klan had successfully disarmed and intimidated the local militia into compliance. Not only this but the organization frequently portrayed itself as a phantom organization that did not exist in Southern society and had done so successfully. For this organization to be rooted out it would require a committed officer who was dedicated to the mission before any operations commenced

In this regard, Merrill was the best-suited officer for this task. Merrill was a dedicated Republican which overall made him sensitive to the issues in York County. While Merrill would be evasive with the Congressional Subcommittee investigating the Klan in 1871 about his political affiliation stating that "I am an officer in the Army, bred up in the school which taught me that officers of the army were not proper persons to mix in politics" conceding after further questions that his "political opinions coincide more nearly with the republican than with any other party" but that he was overall politically inactive.<sup>162</sup> While Merrill was evasive to a Democrat on the subcommittee he freely identified with the Republican party in a report to the Adjutant General of the Army stating that his "...personal political opinions are entirely in

---

<sup>162</sup> Luke P. Poland, John Scott, and Lewis Merrill, "Testimony of Major Lewis Merrill," essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, vol. 5 Washington, D.C.: Govt. Print. Off., 1872, <https://archive.org/details/reportofjointse105unit/page/1464/mode/2up?q=Merrill>, 1470.

sympathy with the republican party.”<sup>163</sup> Merrill’s political sympathies are most likely inherited from his family situation.

Merrill came from a family of lawyers, abolitionists, and soldiers. His father, James Merrill, was a prominent Pennsylvania lawyer who worked with the Radical Republican Thaddeus Stevens on numerous abolitionist causes. Most notably James Merrill served on the 1837 Pennsylvania Constitutional Convention. While the Convention debated several issues of reform to the state’s constitution the most prominent of these debates was the removal of voting rights for African Americans.<sup>164</sup> Merrill’s father argued frequently in the debates that there “was reason to apprehend danger from these concessions to the people” who rioted in the streets over issues like black voting.<sup>165</sup> Merrill’s father consistently acted as an obstructionist to keep the 1790 Constitution as intact as possible. Ultimately, though he would sign the 1838 Constitution prohibiting African American voting.<sup>166</sup> While not every son is the product of their father it is clear that Merrill’s claims of sympathy with the Republican party likely stemmed from his family history just as much as his own beliefs.

Merrill being a committed Republican did not automatically mean that he would be capable of rooting out the Klan nor was it a requirement for successful operations. However, his political ideology helped ensure that he was committed to the mission once deployed. If Merrill

---

<sup>163</sup> Lewis Merrill, “Major Lewis Merrill to Adjutant General of the U.S. Army,” 1872 - *File No. 3994 (Elliott, Robt B - South Carolina)* Washington D.C: National Archives, October 22, 1872, <https://catalog.archives.gov/id/142849979?objectPage=13>, 14.

<sup>164</sup> “Constitution of the Commonwealth of Pennsylvania – 1790,” PA Constitution, Last modified December 11, 2017, <https://www.paconstitution.org/texts-of-the-constitution/1790-2/>. The previous state constitution in 1790 defined citizenship to those who were freemen. While there is debate on how many African Americans actually voted under this provision it was the center of some debate in 1837.

<sup>165</sup> *Proceedings and Debates of the Convention of the Commonwealth of Pennsylvania, to Propose Amendments to the Constitution : Commenced and Held at Harrisburg, on the Second Day of May, 1837.* v.4, vol. 4 Harrisburg, PA: Not Identified, 1837, <https://babel.hathitrust.org/cgi/pt?id=umn.319510020893537&seq=434&q1=Merrill>, 430.

<sup>166</sup> “The Constitution of the Commonwealth of Pennsylvania,” *Lancaster Examiner*, June 14, 1838, <https://www.newspapers.com/image/568717954/?terms=James%20Merrill&match=1>, 4.

believed the Klan did not exist or vehemently disagreed with President Grant's Reconstruction Policy he may have sought to undermine it. If Merrill had more sympathies with the white community of York County he may have turned a blind eye to issues plaguing the community. Take for example the differences between Generals Philip Sheridan and Winfield Scott Hancock in Louisiana and Texas. Sheridan shared a deep concern for freedmen and white Republicans in Louisiana reporting to General Grant in 1867 that he believed that the state was being "rapidly northernized" but would be derailed if "martial law were revoked or troops withdrawn".<sup>167</sup> Further, Sheridan also "actively assisted the formation of Union Leagues and the Republican party, and used his powers to remove numerous officeholders" who acted against the Federal government.<sup>168</sup>

President Andrew Johnson removed Sheridan from command for enforcing these policies and replaced him with Winfield Scott Hancock. Hancock was an outspoken and well-known Northern Democrat and upon his arrival to New Orleans, he issued General Order No. 40 which promised that since the war was over "the military power should cease to lead, and the civil administration resume its natural and rightful dominion."<sup>169</sup> A few days later Hancock would conclude that "Many of the best men, having the interests of the city at heart, are, I believe, inclined to cooperate with me in restoring its affairs" but he was unable to place them into civil office since they had served in the Confederate Government in some capacity.<sup>170</sup> While Hancock would not have tolerated open insurrection he was willing to empower the same individuals in

---

<sup>167</sup> C. B. Comstock and Merlin E. Sumner, *The Diary of Cyrus b. Comstock* Dayton, OH: Morningside, 1987, [https://archive.org/details/isbn\\_0089029518/page/330/mode/2up](https://archive.org/details/isbn_0089029518/page/330/mode/2up), 331.

<sup>168</sup> Eric Foner, *Reconstruction, 1863-1877* New York, NY: Harper & Row, 1988, 254.

<sup>169</sup> "General Hancock's Order," *The Daily Picayune*, November 30, 1867, <https://www.newspapers.com/image/27277237/?terms=Hancock&match=1>, 1.

<sup>170</sup> Winfield Scott Hancock, "General Winfield Scott Hancock to Ulysses S. Grant," *The Papers of Ulysses S. Grant* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda.upress.virginia.edu/founders/GRNT-01-18-02-0021>.

Southern society who had only a few years before been fighting viciously to preserve slavery and the racial hierarchy of the South.

Overall, Merrill was prepared to operate in this environment because he was more like Sheridan committed to the policies of Congressional Reconstruction. If Merrill had been a committed Democrat, it is likely that he, like Hancock, would have taken prominent citizens in the community's word that they were not involved in the violence and that the Klan did not exist. Rather, upon arrival in York Merrill listened to these members of the community who according to Merrill "assured me that the state of affairs in the county was bettering rapidly and that there was every prospect now that the negro militias were disbanded of permanent peace."<sup>171</sup> In other words according to these men, all of the upset in the community before Merrill and Christopher's arrival was the fault of Captain Jim Williams and his militia, and now that they were dead, disarmed, and dispersed Merrill and his men were no longer needed. If Merrill had just accepted these men at their word, then he may have just accepted Klan violence as general lawlessness, not a concerted effort to overthrow the legally constituted state government and federal law. Take for example Major Marcus Reno in neighboring Spartanburg County. Reno reported in September of 1872 to Senator John Scott, a member of the congressional subcommittee that investigated the Klans, that some of the prominent men in the community desired that he report that "there has not been to my knowledge any outrage committed in the county" since the subcommittee left.<sup>172</sup> Yet even in this same report, Reno mentions a whipping that has occurred

---

<sup>171</sup> Lewis Merrill, "Major Lewis Merrill to AAG Department of the South," 1871 - File No. 2051 (Terry, Alfred H - Kentucky) Washington D.C.: National Archives, May 4, 1871, <https://catalog.archives.gov/id/142810837?objectPage=51>, 1-2.

<sup>172</sup> Marcus Reno, "Major Marcus Reno to Senator John Scott," *South Carolina: Register of Letters Received, 1874 - 1884 / Source-Chronological File: January 1871 - October 1872*, Letters Received Washington D.C.: National Archives, September 6, 1871, <https://catalog.archives.gov/id/210098693?objectPage=184>, 1 - 2.

in the county but does not attribute it to the Klan.<sup>173</sup> Perhaps the outrage was not committed by the Klan but Reno's report is not a thorough reporting of events which was a hallmark of reports written by Merrill. While Reno did take action against outrages and was running active operations, his troopers are the only ones to write about their experiences here, it is clear that this was not a passion of his. Reno, like Hancock, was more than willing to trust the propertied men in the region to keep the peace something Merrill, like Sheridan, wisely never did.

Likely what made Merrill's operations the most successful Anti-Klan effort during Reconstruction is thanks to his extensive network of informants, witnesses, and sympathizers willing to risk their lives to assist him and his men in their investigation. Human intelligence is an immensely valuable asset to any military operation but even more valuable in counterinsurgencies. Those who live in a community are aware of who the bad actors are, where they live, and the best ways to get to them. However, this form of intelligence is also finicky since people can forget things, remember things incorrectly, or be intimidated into silence refusing to continue to assist. Yet Merrill's success in this region is directly attributed to his ability to work with these groups of people to gather information on the Klan and eventually collapse the organization when his troopers began their day and night raids.

Unlike Captain Christopher, Merrill arrived in South Carolina on March 26<sup>th</sup>, 1871, with little to no incident. While Merrill would not report on conditions in the county till May 4<sup>th</sup> he immediately went to work attempting to gain information on what was going on in the county. As previously indicated he did meet and hear out the local leaders but also displayed a willingness to hear out the freedmen in the community from the beginning. These freedmen would be his first informants, outside of Captain Christopher. However, Merrill's greatest

---

<sup>173</sup> *Ibid*, 2.

struggle was gaining these individuals' cooperation in the prosecution of their attackers. Despite this it began Merrill's journey in gaining a greater understanding of the violent nature of the Klan. By May 4<sup>th</sup> Merrill reported to the Assistant Adjutant General of the Department of the South that Klan raids had resumed in the county after a brief pause around the time he arrived in the county.<sup>174</sup> This report also includes documentation of six different Klan raids or suspected raids that have occurred since he was posted in the county.<sup>175</sup> In each of these cases, freedmen traveled to report to him what had happened to them providing a mix of reliable and unreliable information. However, all were unwilling to testify in court unless Merrill could "assure them of protection afterwards, or could provide some way for them to get out of the county, they would willingly do it, but that while they have to live and work where they do, it would be more than their lives are worth to testify."<sup>176</sup> While freedmen were willing to speak to Merrill they needed to ensure that he would not abandon them to be murdered by the Klan for standing up against it.

Yet Merrill was not fully empty-handed in his efforts to pursue the Klan. In this report, he highlights that one of the prominent members of the local Klan was a man who "is a physician who has for year practiced among them (the freedmen)".<sup>177</sup> It is very likely that this physician was J. Rufus Bratton who was one of the leaders of the Klan in York County and later would be revealed had placed the noose around Captain Jim Williams' neck on the night of his hanging. Bratton had, like many Klan members, served in the Confederate Army as a surgeon and sheltered President Jefferson Davis as he fled Richmond through North Carolina into South

---

<sup>174</sup> Lewis Merrill, "Major Lewis Merrill to AAG Department of the South," 1871 - File No. 2051 (Terry, Alfred H - Kentucky) Washington D.C.: National Archives, May 4, 1871, <https://catalog.archives.gov/id/142810837?objectPage=51>, 2.

<sup>175</sup> These raids were all beatings, whippings, attempted murders, firearm confiscations, or a combination of these types of raids. Only one raid was a robbery of a freedman which Merrill assumed was not an official Klan raid but used the Klan garb to achieve a petty robbery. *Ibid*, 2 -7

<sup>176</sup> *Ibid*, 5.

<sup>177</sup> *Ibid*, 4.

Carolina in his Yorkville home. Most interestingly, Bratton's home was right next door to Merrill's headquarters in the Rose Hotel. While Merrill could not get freedmen to testify against Bratton he was already aware through these men who a leader of the Klan was.

This need for protection from the Klan was something Merrill did not take lightly. Merrill quickly turned his camp and his headquarters in the Rose Hotel in the center of Yorkville, South Carolina into a base of operations offering not just protection from the Klan but an open door to provide Merrill with much-needed information. Protection for those with valid concerns about their life had always been offered as early as Captain Christopher had been stationed in the county. Even Merrill's orders explicitly stated that he was to provide protection to those who needed it.<sup>178</sup> However, Merrill displayed a keen understanding that the simple offer of protection was not enough as many freedmen could not remain in a military encampment constantly as their "only bread is procured by their daily labor" which was only made worse by freedmen's reliance on subsistence agriculture.<sup>179</sup> As such Merrill also felt that he could not "advise them to return to their work" since they would surely be killed for doing so.<sup>180</sup> With this in mind, Merrill began "endeavoring to procure work for them in the vicinity of the village where it is safer" which worked in some cases but ultimately "the amount of work to be then done is small and they do not get (paid) enough for it".<sup>181</sup> In response, Merrill began to issue limited rations to these people

---

<sup>178</sup> Lewis Merrill, "Major Lewis Merrill to AAG Department of the South," 1871 - File No. 1906 (*Lewis, Merrill - South Carolina*), Letters Recieved Washington D.C.: National Archives, May 17, 1871, <https://catalog.archives.gov/id/142809975?objectPage=5>, 1.

<sup>179</sup> *Ibid*, 1 – 2.

<sup>180</sup> *Ibid*, 3.

<sup>181</sup> *Ibid*, 3.

to prevent starvation and their continued cooperation something his chain of command later authorized him to do increasing his ration supply.<sup>182</sup>

In many ways, this helped ensure that Merrill's encampment turned into a successful version of the Vietnam-era village program. By finding work for those in need, providing food to help supplement a family's nutrition, and providing a safe place to hide from the Klan Merrill was able to separate the victims from their attackers. Further, these actions highlight Merrill's ability to engage with and understand the needs of the community he was serving. By instituting work requirements for rations he also helped stymie attempts from some freedmen to fabricate claims to get a free meal. While this is overall a small part of Merrill's achievements it served as a foundation for future operations and also provides some context for Klan targeting of his encampment. If the encampment was no longer safe for those seeking protection Merrill's ability to retain the initiative would have begun to vanish.

Merrill would receive some boost of support from the Federal Government after President Grant issued a proclamation on May 3<sup>rd</sup> warning Southern States in active rebellion that if they continued to engage in "persistent violations of the rights of citizens of the United States, by combinations of lawless and disaffected persons" that he would accept "the duty of putting forth all its (the Federal Governments) energies for the protection of its citizens of every race and color, and for the restoration of peace and order throughout the entire country."<sup>183</sup>

While there were ultimately some issues with this proclamation which shall be discussed in Merrill's May 26<sup>th</sup> report it did send the community of York County into confusion. Many of the

---

<sup>182</sup> Lewis Merrill, "Major Lewis Merrill Ration Request," 1871 - File No. 1906 (*Lewis, Merrill - South Carolina*), Letters Received Washington D.C.: National Archives, May 17, 1871, <https://catalog.archives.gov/id/142809975>, 1 - 3.

<sup>183</sup> Ulysses Grant, "A Proclamation," *The Papers of Ulysses S. Grant* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda.upress.virginia.edu/founders/GRNT-01-21-02-0115>.

prominent members of the community, many of whom were Klansmen, met with Merrill on May 13<sup>th</sup> to determine how they might be pursued under the letter of the law. This meeting reveals a considerable amount about how Merrill handled this community whom he was quickly coming to understand were the leaders of the Klan itself. Merrill made it clear to these men that “he had in his possession the names of a number of the parties who had engaged in these lawless acts; and was also in possession of proof amply sufficient to convict some of the persons before any impartial jury.”<sup>184</sup> In many ways, these statements were likely calculated to gather a reaction to confirm his suspicions about some of these men but also to warn them of what he knew. As such Merrill had made it known to these community and Klan leaders that he hoped that these “influential citizens of the county to adopt prompt and decisive measures to suppress any further disturbance, and thereby avoid the consequences of military interference.”<sup>185</sup> Just like in Missouri during the Civil War Merrill hoped to use local pressure to turn up results. A soft approach before a hard approach by his troopers. Further, he was able to communicate to many of these men that he was aware of their membership in the Klan and could potentially arrest them if they did not comply with his demands.

This meeting did have some results with the local community. On May 25<sup>th</sup> the local newspaper printed a notice titled “To the Citizens of York County” in which there were over a hundred signers of the notice “pledge out individual efforts and influence to prevent further acts of violence and will aid and support the civil authorities in bringing offenders to justice.”<sup>186</sup> Yet many of the names on the list were Klansmen who would be arrested by Merrill only a few

---

<sup>184</sup> Lewis Grist, “A Conference --- The Ku-Klux Law,” *Yorkville Enquirer*, May 18, 1871, 17 edition, sec. 20, <https://www.newspapers.com/image/339367213/?terms=Lewis%20Merrill>.

<sup>185</sup> *Ibid.*

<sup>186</sup> “To the Citizens of York County,” *Yorkville Enquirer*, May 25, 1871, 17 edition, sec. 21, <https://www.newspapers.com/image/339367266/>, 2.

months later. Yet this further highlights the Klan's willingness to be duplicitous. As will be seen later in this chapter Merrill also remained suspicious of the letter's effect on the community and also acknowledged concerns over whether the sentiments in this letter were genuinely felt by the community.

A few days later on May 26<sup>th</sup> Merrill would submit another report to the Adjutant General of the Department of the South. This report paints a rather dire issue with his previous warning to the community and addresses the issue with the recent Ku Klux Bill. Merrill highlights a major issue with a lack of a proper division between the local and federal governments on pursuing Klan atrocities. Much of Merrill's report concerns President Grant's May 13<sup>th</sup> directive that Merrill with U.S. Commissioner assistance begin "to arrest and break up disguised night marauders".<sup>187</sup> While on its face this certainly extended Merrill's powers to enforce the law it caused considerable concern. Merrill would frustratingly report that he "has on two different occasions addressed letters to the U.S. Commissioner for South Carolina... I have received no reply."<sup>188</sup> Further, Merrill highlights a growing distrust of local officials particularly a local judge whom he believes will "discharge" all arrests he did make which would only serve "to encourage and embolden" the Klan to engage in more acts of violence.<sup>189</sup> Merrill understands that arrests can only be made when backed up by the force of the law. It would be far more damaging to arrest known Klansmen and then release them back into the broader public with no

---

<sup>187</sup> Ulysses S Grant, "President Ulysses S Grant to Secretary of War William Belknap," *The Papers of Ulysses S Grant: Digital Edition* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda-upress-virginia-edu.eu1.proxy.openathens.net/founders/default.xqy?keys=GRNT-search-2-1&expandNote=on>.

<sup>188</sup> Lewis Merrill, "Major Lewis Merrill to AAG Department of the South," *1871 - File No. 2051 (Terry, Alfred H - Kentucky)*, Letters Received Washington D.C.: National Archives, May 26, 1871, <https://catalog.archives.gov/id/142810837?objectPage=63, 1>.

<sup>189</sup> *Ibid*, 2.

punishment. In other words, his meeting with the local leaders was ultimately just a bluff to put pressure on these leaders to take action as he was still unable to do some on his own.

Merrill displays a keen understanding of the conflict he is engaging in in this report. One on which appearances and not showing one's hand is incredibly important. While Merrill could execute arrests, he knows that ultimately, they will go nowhere. If his command is allowed to look weak and ineffective as Captain Christopher had once, he had arrived in the county violence will increase and would be incredibly difficult to check. In turn, this will increase the number of refugees Merrill is caring for in his encampment, straining limited resources. On top of this, he still had pressure to ensure that arrests would be pursued at some point. For even those who had come to speak to him were already being threatened and intimidated into silence.<sup>190</sup>

Despite this Merrill did seek to work with the white community as much as possible to build up good relationships with the community. One of these initiatives was launched on May 26<sup>th</sup> after Merrill had received a request from local clergy who had “been informed that the troops under your command are at present without the services of a Chaplain” and were requesting “to conduct, in rotation, worship in Camp, on the afternoon of each Lord’s Day.”<sup>191</sup> Merrill accepted this offer and then extended “an invitation to the citizens to participate in the services.”<sup>192</sup> More than anything, this helped associate Merrill with the religious authorities as a potential lever to push to gain compliance in the community. It also indicates that Merrill had not made himself odious to those he pursued yet as the article lacks the usual condemnation that Merrill would receive later as the paper praised Merrill stating that his acceptance of the offer “reflects credit upon him as a gentleman, and indicates his fitness for the position he

---

<sup>190</sup> *Ibid*, 4.

<sup>191</sup> Lewis Grist, “The Clergy and the Military,” *Yorkville Enquirer*, June 1, 1871, 17 edition, sec. 22, <https://www.newspapers.com/image/339367319/?terms=Ministers>.

<sup>192</sup> *Ibid*.

occupies.”<sup>193</sup> Merrill had up to this point not made himself the enemy yet and was able to court some appreciation from the local community.

Yet despite whatever passive view the community had Merrill remained active for the rest of May. On June 9<sup>th</sup> he would submit two more additional reports which highlighted the ever-expanding amount of information that he had acquired. By now Merrill deeply understood the structure of the Klan, their methods of communication, and membership requirements.<sup>194</sup> Perhaps the most important information Merrill learned was how the Klan communicated through its series of grips, songs, words, and hand gestures. Merrill could instruct his troopers in identifying these communication methods to help him identify Klansmen. Further, informants could be trained to communicate directly with Klansmen in this manner as well. Merrill also learned that the sheriff could not be trusted after Klansmen were notified of a trap to arrest them which could only have been notified by the sheriff.<sup>195</sup> Yet all of this information was obtained by Merrill’s still mysterious Klansman informant which he confirmed through two other informants and by testing things, like the grips, when possible.<sup>196</sup> Most of all these systems of information were established quickly in the community. In less than three months, Merrill had embedded informants in the Klan, likely men whom he had befriended or come to know by being active in the community. Overall, this is an impressive achievement because the Klan was a secret society seeking to prevent this type of infiltration.

---

<sup>193</sup> *Ibid.*

<sup>194</sup> These aspects of Merrill’s reports were crucial in the prosecution of the Klan later on. Lewis Merrill, “Major Lewis Merrill to AAG Department of the South,” 1871 - File No. 2586 (Terry, A H - Kentucky), Letters Received Washington D.C.: National Archives, June 9, 1871, <https://catalog.archives.gov/id/142816081?objectPage=9>, 1-7.

<sup>195</sup> *Ibid*, 8.

<sup>196</sup> *Ibid.*

Yet Merrill's second report on June 9<sup>th</sup> painted a greater picture of how these informants worked with him. Merrill's system of informants included three Klansmen, African Americans, and others in the community.<sup>197</sup> The most remarkable aspect of this report is how aware Merrill was of Klan leadership meetings and what was discussed through his paid informants. Further, this report also highlights the fact that the Klan also was working to gain greater access to Merrill's private communication. Merrill reports in detail the purpose of each Klan meeting and has a strong understanding of what the order intends to do. Merrill is aware that the letter in the *Yorkville Enquirer* in May was a farce to bring some peace to the county just long enough in hopes that "the military would be removed, and that by the latter part of fall would have the whole game in their own hands."<sup>198</sup> In other words, the Klan hoped to convince the Federal Government it did not exist in York County, South Carolina and Merrill was unneeded. Further, Merrill is also becoming increasingly aware of the Klan's capabilities as well and he highlights that the Klan had come into possession of his May 26<sup>th</sup> report and is regularly going through his office attempting to gain information on his operations.<sup>199</sup>

What all of this indicates is the entrenched nature of the Klan in the community. A sentiment that is pervasive throughout most of Merrill's reports. His June 9<sup>th</sup> report indicates that several prominent members of the community are members of the Klan ranging from a trial judge, the mayor, businessmen, and of course Dr. J. Ruffus Bratton.<sup>200</sup> This is further supported when Merrill reported that nearly "three fourths of the white men in this part of the State" were

---

<sup>197</sup> Lewis Merrill, "Major Lewis Merrill to AG Department of the South 2nd Report," 1871 - File No. 2586 (Terry, A H - Kentucky), Letters Received Washington D.C.: National Archives, June 9, 1871, <https://catalog.archives.gov/id/142816081?objectPage=14, 2>.

<sup>198</sup> *Ibid*, 6

<sup>199</sup> *Ibid*, 5, 12.

<sup>200</sup> *Ibid*, 13.

members of the Klan.<sup>201</sup> Lastly, this information primarily speaks to Merrill's ability to gather information on the community through this system of informants with possibly an informant in Klan leadership capable of informing on Klan meetings or someone close to a leader of the Klan. He can quickly gain a great awareness of not just the methods of the Klan but also the size and organization of the Klan in the county. Further, he is gathering not just eyewitness testimony but physical evidence.

This perhaps more than anything highlights the nature of Merrill's counterinsurgency operations. All of Merrill's reports do not read like an after-action report given after his men made contact with a Klan ambush. Rather, they are law enforcement reports detailing the progress of the investigation. Merrill's operations could not take the shape of his Missouri operations because the insurgents he pursued were American Citizens entitled to the rights afforded to them in the Constitution of the United States. There had to be due process and a trail of evidence that could meet the standard of reasonable doubt. More frustratingly to Merrill was the fact that even when he did make arrests it could not be for murder, rape, assault and battery, or the myriad of other violent crimes the Klan committed but for violating the 14<sup>th</sup> and 15<sup>th</sup> Amendment rights of their victims. However, despite this Merrill's reports do record the violence of the Klan. Without his meticulous documentation of Klan atrocities, they would have been lost to the ages. The "gallant" Klansman depicted by W.E.B Griffith in his film *The Birth of a Nation* or Thomas Dixon Jr.'s *The Clansman* would have remained unchallenged if not the only view of the Klan.

Further, many of Merrill's informants faced considerable risk in bringing him information or assisting in his investigation. One man, a local blacksmith and freedman Charley

---

<sup>201</sup> *Ibid*

Good, had been tied “to a tree with his own suspenders” by the Klan who then shot him in the head with buckshot leaving him for dead still tied to the tree.<sup>202</sup> A few days later the Klansmen returned finding him still alive and proceeded to beat him to death with their rifles.<sup>203</sup> Good’s great crime was placing markings on the horseshoes of suspected Klansmen so that their horses could be identified by authorities investigating the scenes of Klan atrocities.<sup>204</sup> While none of these horseshoes still exist confirming whether this was the case it highlights the bravery of some of the Klans victims. Good had to have known that if discovered he would be killed by the Klan. Yet despite this, he risked his life along with many others in the community to do something to assist Merrill and his men.

Good’s work likely assisted Merrill’s men who would patrol the region on a nightly basis looking for Klansmen. Little information remains on what life was like for Merrill’s troopers and the best information comes from one of Major Marcus Reno’s troopers, Sergeant John Ryan. Ryan highlights many times that the troopers would, while stationed in communities, do “the usual drilling and fatigue and guard duty pertaining to a cavalry camp, also details on the road scouting after K-K-K’s.”<sup>205</sup> These men in York County could follow Klansmen operating on roads in the area easily by looking for special hoof prints created by Good.

Local roads were also an aid to the troopers operating in the area in an unexpected manner. Sergeant Ryan noted that the cavalry patrols had to operate in thick pine forests which forced the troopers to “ride our horses single file through them” due to how narrow the roads

---

<sup>202</sup> Jerry Lee West, *The Reconstruction Ku Klux Klan in York County, South Carolina, 1865-1877*, Internet Archive Jefferson, NC: McFarland & Co, 2002, <https://archive.org/details/reconstructionku0000west/page/62/mode/2up>, 63.

<sup>203</sup> *Ibid.*

<sup>204</sup> “Just A-Rolling Along the Way,” *The Yorkville Enquirer*, July 14, 1933.

<sup>205</sup> John Ryan and Sandy Barnard, *Ten Years with Custer: A 7th Cavalryman’s Memoirs* Terre Haute, IN: AST Press, 2001, 145.

were.<sup>206</sup> Naturally, these tight conditions slowed groups down as they moved down these narrow roads as someone could easily be knocked off their horse by limbs leaning into the roadways.<sup>207</sup> Yet this served as an advantage to Merrill's troopers as they also took up the whole roadway allowing them to easily spot others on the roads at night. They also served to prohibit Klan movement as a roadway used by the Cavalry was inaccessible and impossible to not be noticed on. This was a proactive method of preventing Klan raids as the Klan could not operate on nights of heavy cavalry patrols. Further, it highlights the importance of cavalry in these operations. Infantry moved too slowly to patrol the roads nightly, but cavalry could patrol roadways easily and be able to pursue Klansmen encountered on these roadways. It seized the initiative away from the Klan and put it into the hands of the cavalry.

Merrill and his trooper's patrols had a profound impact on the community. By the time the Congressional Subcommittee came to the county in July of 1871, there was some sense of security in the community. Reverend Elias Hill, a crippled freedman and local civil rights leader, who had been beaten by the Klan testified to the committee what had happened to him and why. Yet he admitted that without Merrill and his troopers "I would not have then have come up here to report for anything in the world, for I would have expected to have been killed to-night if I had."<sup>208</sup> Further, Hill also testified that the men he knew to be Klans men were afraid and that "they cannot bear to see a blue-coat coming out there; they cannot bear to hear the officers bringing them up here; it frightens them" they were so frightened of Merrill's troopers that "now the white men, the young men and boys, from fifteen to the gray-headed, are out, some by night

---

<sup>206</sup> *Ibid*, 158.

<sup>207</sup> *Ibid*.

<sup>208</sup> Luke P. Poland and John Scott, "Testimony of Elias Hill," essay, in *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, vol. 5 Internet Archive; Washington, D.C.: Govt. Print. Off., 1872, <https://archive.org/details/reportofjointse105unit/page/1410/mode/2up>, 1410.

and hunting by day, an excuse that if a summons should come for them they would be absent.”<sup>209</sup>

Yet the blue-coats would come for them very soon.

Not long after the subcommittee left South Carolina and completed the rest of their investigation they returned to D.C. By September the Committee’s Chairman Senator John Scott of Pennsylvania urged Grant to “exercise of the power conferred upon you by the 4th Section of the Act of 20th April 1871” and suspend the *writ of habeas corpus* in South Carolina and begin making arrests.”<sup>210</sup> This recommendation was sustained by Attorney General Amos T.

Ackerman. Ackerman was a former Confederate military officer who after returning home from the war had become a committed Republican politician. Grant’s Secretary of State Hamilton Fish commented in his diary that “Akerman introduces Ku Klux (in the cabinet meetings) – he has it on the brain” which provided an apt description of how seriously the Attorney General took the situation even if Fish was tired of it.<sup>211</sup> After Ackerman did his tour of the South confirming what he believed to be true he came to agree with Senator John Scott. On October 7<sup>th</sup>, 1871 Ackerman advised the President that after he arrived in Yorkville and inspected the situation himself he would notify the War Department if they needed to suspend the *writ of habeas corpus*.<sup>212</sup> Six days later Grant issued his proclamation suspending the *writ of habeas* in the region.

---

<sup>209</sup> *Ibid.*

<sup>210</sup> John Scott, “Senator John Scott to Ulysses S Grant,” *The Papers of Ulysses S Grant* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda.upress.virginia.edu/founders/GRNT-01-22-02-0067>.

<sup>211</sup> Hamilton Fish, “November 24th Entry,” *The Papers of Ulysses S Grant Digital Edition* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda-upress-virginia-edu.eu1.proxy.openathens.net/founders/default.xqy?keys=GRNT-print-01-22-02-0076#GRNT-01-22-02-pb-0201>.

<sup>212</sup> Amos T Ackerman, “Attorney General Amos T. Ackerman to Benjamin Bristow,” *The Papers of Ulysses S Grant* Charlottesville, VA: University of Virginia Press, 2018, <https://rotunda.upress.virginia.edu/founders/GRNT-01-22-02-0067>.

Merrill's troopers did not take long to begin making their arrests of suspected Klansmen in the community. The diary of Mary Davis Brown, a local woman in the community, captured the tension that existed in York County a few days after Grant's proclamation when she commented on Sunday, October 15<sup>th</sup>, 1871 that "we have no preachen to day...it is reported that marshall law is declared and that the yankeyes will commence arresting the men at eney time."<sup>213</sup> By October 26<sup>th</sup>, 1871 Merrill had already made the arrests of seventy-nine suspected Klansmen and operations commenced daily with "squadrons of cavalry marching out in various directions" making arrests of all those identified in Merrill's investigation.<sup>214</sup> By January 1872 Merrill and his troopers would bring this number to nearly five hundred Klansmen arrested primarily in Union, Spartanburg, and York counties.<sup>215</sup> Remarkably, out of all these arrests, Merrill would incorrectly identify only nine of them all of whom shared a name with someone that was a Klansman.<sup>216</sup>

These arrests were frequently done in a manner to prevent the escape of those to be arrested as much as possible. Sergeant Ryan describes operations on a typical day starting at midnight with the troopers mounting up and moving to nearby communities surrounded the towns by daylight with orders to "allow everybody to go in, but nobody to go out" then when the U.S. Marshals arrived groups of men would move into the towns making arrests.<sup>217</sup> One historian highlights that many of these "methods used resembled the 'cordon and search' tactics described

---

<sup>213</sup> Mary Davis Brown, *The Diary of Mary Davis Brown*, Microsoft Word Yorkville, SC: The Yorkville Historical Society, 2023, 71.

<sup>214</sup> Lewis Grist, "Arrests of Citizens," *The Yorkville Enquirer*, October 26, 1871, 17 edition, sec. 43, <https://www.newspapers.com/image/339368356/?terms=Lewis%20Merrill>.

<sup>215</sup> "The Enforcement Act," *The New York Times*, January 16, 1872, <https://www.newspapers.com/image/20320042/>, 1.

<sup>216</sup> Lou Falkner Williams, *The Great South Carolina Ku Klux Klan Trials, 1871-1872* Athens, GA: University of Georgia Press, 2004, 49.

<sup>217</sup> John Ryan and Sandy Barnard, *Ten Years with Custer: A 7th Cavalryman's Memoirs* Terre Haute, IN: AST Press, 2001, 154.

in more recent U.S. Army field manuals” on counterinsurgency operations.<sup>218</sup> At its core, the cordon and search operations are “conducted to seal off an area to search it for persons or things such as items, intelligence data, or answers to PIR.”<sup>219</sup> Merrill certainly extracted a considerable amount of information from these operations.

Merrill’s information gathering did not stop when the arrests began. In many ways, they only began to escalate once arrests began to pour in as each Klansman needed to be interrogated for additional information. Frequently, Merrill sought to gain confessions to specific crimes. One of which was the murder of Charley Good. According to the *New York Tribune* Merrill had one of the Klansmen demand “what you’d got agins me, Major ... I’m a pore man, and I’ve got a wife and two children, and ef I don’t git to go home I don’t know where they’ll get bread to eat.”<sup>220</sup> Merrill replied to the young man “you know what I’ve got against you as well as I do ... you are one of the men that helped kill Charle Goode... you and three other men killed Charley Goode. You know it and you know I know it”.<sup>221</sup> At this point, the man confessed to the murder admitting that he hardly knew Goode and that he only committed the murder at the direction of his Klan chiefs.<sup>222</sup> While this man was culpable for the murder of Goode it highlights the central failings of Merrill’s arrests.

Ultimately, Merrill and his troopers failed to make the arrests of many of the major leaders of the Klan. They frequently arrested the pawns who had played no part in the grander

---

<sup>218</sup> Andrew H. Myers et al., “The Seventh U.S. Cavalry in the South Carolina Upcountry,” *Unexplored Moments in Nineteenth-Century Upcountry South Carolina History* University of South Carolina Press, 2013, 53–86, <http://www.jstor.org/stable/j.ctv6wgj61.7>, 75.

<sup>219</sup> *Tactics in Counterinsurgency*, Army Publishing Directorate Washington, D.C.: Headquarters, Department of the Army, 2009, [https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/fm3\\_24x2.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/fm3_24x2.pdf), 132.

<sup>220</sup> “The Ku-Klux in Jail,” *The New York Tribune*, November 23, 1871, <https://www.newspapers.com/image/85364132/>.

<sup>221</sup> *Ibid.*

<sup>222</sup> *Ibid.*

strategy. While many of these men were willing to turn on men like J. Rufus Bratton and Major James Avery who had masterminded much of the violence if not been active forces in the acts themselves. Both men would flee to Canada a nation that would refuse to extradite either of these men to the United States to face trial for their crimes. They were not alone, nearly 2,000 Klansmen would flee the nine upcountry counties to other states or other nations to avoid Merrill and his troopers.<sup>223</sup> Yet these numbers highlight how entrenched the Klan was in South Carolina society. That Merrill arrested nearly five hundred Klansmen only for nearly 2,000 to flee highlights Merrill's assumptions that a majority of the white population of the region was members of the Klan if not outrightly sympathetic.

Overall, Merrill's operations have been determined to be successful by many historians. Lou Falkner Williams who is very critical of the handling of the ensuing Ku Klux Klan Trials praised Merrill stating that "Merrill was the person primarily responsible for uncovering the information that would enable the federal government to bring the Klansmen to justice."<sup>224</sup> Williams is echoed by popular historian Scott Farris would states that "Merrill's doggedness in pursuing the Ku Klux was perhaps the primary reason why, of all the locations in the South where the Ku Klux crackdown might have occurred, York County was the focal point of federal prosecutions."<sup>225</sup> These men are not alone in correctly identifying the success Merrill had here. Only one modern historian has been critical of Merrill's work, Richard Zuczek.

While this work accepts Zuczek's assertion that South Carolina and the South more broadly were in a state of open rebellion during Reconstruction it rejects that Merrill's troopers

---

<sup>223</sup> Eric Foner, *Reconstruction, 1863-1877* New York, NY: Harper & Row, 1988, 363.

<sup>224</sup> Lou Falkner Williams, *The Great South Carolina Ku Klux Klan Trials, 1871-1872* Athens, GA: University of Georgia Press, 2004, 45.

<sup>225</sup> Scott Farris, *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression*, Amazon Kindle Guilford: The Lyons Press, 2021, Location 285.

ultimately did little to prevent outrages in South Carolina. Zuczek's argument that Merrill's troopers did little rests primarily on the assertion that there was "a movement against violence (in the Upcountry) was underway long before the intervention" of both federal infantry and cavalry.<sup>226</sup> Further, Zuczek cites the observations of Reno and others that there had been a decline in violence in the community. However, at no point does Zuczek acknowledge Merrill's multiple allegations that this was being done by the Klan to convince the federal government to withdraw federal troops. The absence of violence while the police patrol the neighborhood does not indicate that violence would not be occurring in the absence of enforcement.

Ultimately, Merrill's operations were successful in South Carolina not entirely because they were a military operation but so much more that they were a law enforcement operation. Merrill's troopers were never engaged in a sustained firefight while they operated in the region despite operating against an insurgent group that had violently resisted before. They certainly had confrontations with Klansmen such as the case of Minor Paris who in 1872 was shot and killed while resisting arrest in York County.<sup>227</sup> Rather, Merrill ran a traditional law enforcement operation likely heavily influenced by his experience operating in Missouri during the war in how to deal with guerrilla forces. Yet since Merrill lacked many of the powers he had during the war he did what all good military commanders do, they adapt to the situation at hand. This adaptation of treating this insurgent force as a band of criminals meant that the group was documented as if they were just a lawless band of bandits operating in the Western Plains.

---

<sup>226</sup> Richard Zuczek, "The Federal Government's Attack on the Ku Klux Klan: A Reassessment," *The South Carolina Historical Magazine* 97, no. 1 (1996): 47–64, <http://www.jstor.org/stable/27570136>, 59.

<sup>227</sup> Lewis Merrill, "Major Lewis Merrill to Adjutant General War Department," 1872 - File No. 1432 (*Merrill, Lewis - South Carolina*), Letters Received Washington D.C.: National Archives, April 17, 1872, <https://catalog.archives.gov/id/142835341?objectPage=2>.

It certainly would be a great misgiving to forget the other major aspect that assisted Merrill in his operations, his informants. Without a large community of freedmen and allied whites, Merrill's operations would have been dead on arrival when he arrived in South Carolina. Both of these groups risked a considerable amount to assist Merrill in tracking down the various Klansmen and giving him enough evidence to prove not just that the Klan existed but that it needed to be put down quickly before it fully overthrew a state government. Overall, these men, like Charley Goode, deserve nearly just as much credit as Merrill in ensuring that the Klan was deconstructed in the manner that it was.

## Conclusion

After all the arrests Merrill and his troopers made it resulted in what would become known as the Great Ku Klux Trials in November of 1871. These trials frequently were focused not on the violent acts that these Klansmen had perpetrated but rather on the intent of the violence. As U.S. Attorney David Corbin argued in court these Klansmen were guilty of conspiring “together to overthrow or to put down or to destroy, by force, the Government of the United States” and that while engaging in this conspiracy Klansmen had sought to ensure that representatives of the Federal Government were prevented from doing their work “by force, intimidation or threat.”<sup>228</sup> Corbin did not stop there he also argued that these men, as illustrated by Merrill’s investigation, had interfered with the courts of the United States through witness, jury, and judicial intimidation and had sought to “go in disguise upon any public highway, or upon the premises of another, for the purpose, either directly or indirectly, of depriving any person, or any class of persons, of the equal protection of the laws.”<sup>229</sup> Certainly, each of these men was guilty of engaging in these acts in some manner. Of course, some of the crimes that these Klansmen committed to achieve these ends were sometimes heinous.

While this work is not focused on the legal aspects of the cases and as there is far too much to cover it is well worth looking at the case of a few. Take for example the case of Amzi Rainey a freedman in York County whose family had been attacked by the Klan. In court Rainey openly stated that he had in the last election voted the Republican ticket causing the Klan to

---

<sup>228</sup> Benn Pitman and Louis F. Post, “Opening Arguments,” essay, in *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 1871* Columbia, SC: Published by the Columbia union, 1872,

<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>, 11.

<sup>229</sup> *Ibid*

arrive at his home.<sup>230</sup> When they arrived at his home they began to remove the hinges to his door to gain entry to the home and once they entered they began to beat Rainey's wife "four or five licks before they said a word."<sup>231</sup> After they beat his wife they began to search the home with her help the whole time stating "God damn him, I smell him; we'll kill him!"<sup>232</sup> Once they located Rainey they began to threaten to kill not just Rainey but also his wife.<sup>233</sup> Terrified from all of the threats to kill her father Rainey's young daughter came out of her room pleading with the Klansmen to not "kill my pappy; please don't kill my pappy" only to be shoved back by one of the Klansmen who threatened "You God Damned little bitch; I will blow your brains out!"<sup>234</sup> Then the Klansman leveled his revolver shooting her in the head and grazing her forehead with the round.<sup>235</sup> After they shot Rainey's daughter the Klansmen dragged Rainey outside and threatened to kill him unless Rainey "raise my hand before him and my God, that I never would vote another Radical ticket".<sup>236</sup> After making this pledge Rainey returned home finding out one of his teenage daughters had been raped by the Klansmen in front of his wife and other children.<sup>237</sup> Rainey's story is not atypical of what happened to freedmen. Nearly all African American men hid when their families were visited by the Klan. Many would be threatened with death if they were present.

---

<sup>230</sup> Benn Pitman and Louis F. Post, "Testimony of Amzi Rainey," essay, in *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 1871* Columbia, SC: Published by the Columbia union, 1872, <https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>, 279.

<sup>231</sup> *Ibid*

<sup>232</sup> *Ibid.*

<sup>233</sup> *Ibid.*

<sup>234</sup> *Ibid*, 280

<sup>235</sup> *Ibid*

<sup>236</sup> *Ibid.*

<sup>237</sup> *Ibid*, 281.

It was not unusual for the Klan to take advantage of freedmen's wives when they were not home. Harriet Simril had the Klan visit her home twice the first they spoke to her husband the second time he had left the home and hid before they arrived.<sup>238</sup> After the Klansmen could not locate her husband on the second visit, they dragged Harriet out "into the big road, and they ravished me out there."<sup>239</sup> Three men would rape Harriet out on the road before they would leave her dazed on the road.<sup>240</sup> The Klansmen would never visit her home again but their message to her husband was clear, you cannot protect your family from us. Something historian Scott Farris also noted as the decision to rape Harriet on the road was likely calculated to make "these husbands and fathers ... so enraged that they emerged from hiding" to be murdered or to send "the message that black men were as hobbled in protecting their families in freedom as they had been in slavery."<sup>241</sup>

While the Great Ku Klux Trials will have mixed results subject to justified criticism which will be explored later they did, through Merrill's investigative work, expose what the Klan was compared to how it may have wished to be remembered. To read about the Klan's atrocities one is faced with the face of evil that will crop up time and time again in history. The Klan in reality was a far cry from the depiction in Dixon's novel *The Clansman* which depicted the Klan as a class of honorable and noble men "with their tall spiked caps made a picture such as the

---

<sup>238</sup> Benn Pitman and Louis F. Post, "Testimony of Harriet Simril," essay, in *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 1871* Columbia, SC: Published by the Columbia union, 1872,

<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>, 501-502.

<sup>239</sup> *Ibid*, 502.

<sup>240</sup> *Ibid*.

<sup>241</sup> Scott Farris, *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression* Amazon Kindle; Guilford, NC: The Lyons Press, 2021, [https://read.amazon.com/?asin=B08JXJXQT5&ref\\_=kwl\\_kr\\_iv\\_rec\\_2](https://read.amazon.com/?asin=B08JXJXQT5&ref_=kwl_kr_iv_rec_2), Location 4383.

world had not seen since the Knights of the Middle Ages rode their Holy Crusades.”<sup>242</sup> Rather the reality is much more how historian Francis Simkins argued that “one must lose complete faith in Southern chivalry to believe that South Carolinians of standing could have committed the horrible crimes of which the Klan was actually guilty.”<sup>243</sup> The most interesting aspect is that Simkins and Dixon are both right and wrong about the Klan.

Both men managed to capture some real aspects of the Klan while overlooking certain others. As previously indicated Dixon thought the Klan was members of the higher sort of society. Men filled with chivalry and patriotism seeking to save a South that had “lost” its Constitutional rights in the Civil War. Dixon was correct that the Klan contained men from the upper classes of society and they did seek to restore a past Constitutional order that had been lost in the Civil War. This is something South Carolina Attorney General Daniel Chamberlain highlighted in the trials informing the jury that the Klan's claim to uphold “Constitutional liberty as bequeathed to us by our forefathers” undoubtedly meant that “it means the Constitution before it was amended by the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> Amendments.”<sup>244</sup> Yet at the same time, Simkin is correct in his assertion that the Klan was a violent organization with no chivalry but incorrect in his argument that the “South Carolina Klan was composed of a much lower type than is popularly believed.”<sup>245</sup> The Klan, as Dixon highlighted, was made up of doctors, lawyers, local government officials, and men of the “lower type”. Yet when one examines the trials in South

---

<sup>242</sup> Thomas Dixon, *The Clansman* New York, NY: Routledge, 2001, 156.

<sup>243</sup> Francis B. Simkins, “The Ku Klux Klan in South Carolina, 1868-1871,” *The Journal of Negro History* 12, no. 4 (1927): 606–47, doi:10.2307/2714040, 606.

<sup>244</sup> Benn Pitman and Louis F. Post, “Arguments of D.H. Chamberlain,” essay, in *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 1871* Columbia, SC: Published by the Columbia union, 1872, <https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=593&skin=2021>, 589.

<sup>245</sup> Francis B. Simkins, “The Ku Klux Klan in South Carolina, 1868-1871,” *The Journal of Negro History* 12, no. 4 (1927): 606–47, doi:10.2307/2714040, 618.

Carolina one discovers that the primary people brought to trial are the “lower type” who lacked the resources to escape the county before Merrill and his men came to make their arrests.

The trials rarely tried anyone associated with the Klan who was above rank and file or minor leadership in the Klan. In Attorney General Daniel Chamberlain’s closing arguments for Klansman Robert Hayes Mitchell, a man who participated in the murder of Captain Jim Williams, he asked the jury “who can have on this occasion any feeling but pity?”<sup>246</sup> Why should the jury feel any pity for this man who had participated in so many horrid acts? Well according to Chamberlain it was because men like Major James William Avery was the one “who enticed this poor prisoner” but was now hiding with Dr. James Rufus Bratton “in foreign lands, where they cannot be reached.”<sup>247</sup> In Chamberlain’s view yes, Mitchell was guilty of participating in an insurgency against the Federal government, but only because his social betters had convinced him to participate. Chamberlain was a Massachusetts man who carried with him the same prejudices about Southern society as Merrill had when he arrived in the South.

Certainly, these prejudices about Southern society had existed long before Reconstruction started on how white Southerners worked together. Perhaps no one articulated it better than General William Tecumseh Sherman in 1863 while campaigning in Mississippi. Responding to a letter from General Halleck, concerning the Reconstruction of Louisiana, Mississippi, and Arkansas governments, Sherman divided Southern society into four classes. The first class of citizens in the South according to Sherman was “the large planters, owning lands, slaves, and all

---

<sup>246</sup> Benn Pitman and Louis F. Post, “Closing Arguments of Daniel Chamberlain in Robert Hayes Mitchel Trial,” essay, in *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 1871* Columbia, SC: Published by the Columbia union, 1872, <https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=402&skin=2021>, 397 - 398.

<sup>247</sup> *Ibid*, 388.

kinds of personal property. These are, on the whole, the ruling class of society.”<sup>248</sup> This class also was part of the Fourth class of society “the young bloods of the South: sons of planters, lawyers about towns...men who never did work and never will.”<sup>249</sup> Sherman judged these men to be “the most dangerous set of men” and as such needed to “be killed or employed by us before we can hope for peace.”<sup>250</sup> Certainly, much of the Klan leadership in York County was made up of these two classes of men. Take, for example, the Bratton and Avery families in York County. Both of these families were lawyers, doctors, and plantation owners before the war started.

Yet the second class of citizens according to Sherman would be where men like Robert Hayes Mitchell belonged to. This class of men were “the smaller farmers, mechanics, merchants, and laborers. This class will probably number three-quarters of the whole; have in fact, no real interest in the establishment of the Southern Confederacy.”<sup>251</sup> Why then, according to Sherman, did these men fight in the Confederacy? Well, they fought for the Confederacy because they labored under “the false theory that they were to be benefited somehow” by the outcome of the war but in reality “they will follow blindly the lead of the planters.”<sup>252</sup> Those who did not follow what the planters commanded were part of the third class of men, Southern Unionists, whom Sherman argued were cowards “afraid of shadows.”<sup>253</sup>

It would be incorrect to treat Sherman’s statements as a definitive statement of truth about Southern society but it does carry some indication of how Northerners felt about the different classes of Southern society. Initially, Merrill approached the situation in South Carolina

---

<sup>248</sup> William T. Sherman, “General William Tecumseh Sherman to General H.W. Halleck September 17, 1863,” essay, in *Memoirs of General W.T. Sherman* New York, NY: Library of America, 1990, 360–67, 361.

<sup>249</sup> *Ibid*, 363.

<sup>250</sup> *Ibid*,

<sup>251</sup> *Ibid*, 362.

<sup>252</sup> *Ibid*.

<sup>253</sup> *Ibid*.

with this view of Southern society in mind. His frequent demands that men like, Dr. Bratton, Major Avery, and others like them condemn the violence seems to indicate that Merrill believed these men had sway over poor white Southerners. Further, Merrill's constant use of the term pukes when referring to captured Klansmen certainly sheds light on how Merrill viewed the poor white Southerners he arrested as white trash. To Merrill, Corbin, Sherman, Chamberlain, and many other Northerners poor Southern whites belonged to a class of men who were subservient to a better class of men. While Northerners did think these men were guilty of the crimes, they committed they also believed that they would not have done these acts if men like Bratton and others did not encourage them to commit these acts. While they were not the victims of the crimes they had committed they had, in the Northern view, been dupped into engaging in the activities. This certainly was not the case but what is important is that Northerners had believed it was the case.

All being told the trials that were held throughout the South, not just in South Carolina, had produced some convictions in 1871 before the trials went into recess. All in all, sixty-five Klansmen in all of the South were convicted of Enforcement Act violations of which forty of these sixty-five were from York County.<sup>254</sup> Yet the biggest issue facing the court system in these trials was that there was by the end of 1872 1,188 cases were waiting to be tried.<sup>255</sup> Simply put, the court system was overwhelmed by the amount of untried cases. Furthermore, most of these cases were these poor white Southerners. To help ease the system the new U.S. Attorney General George Williams announced in 1873 "that the prosecutions now pending in the courts for

---

<sup>254</sup> Scott Farris, *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression* Amazon Kindle; Guilford, NC: The Lyons Press, 2021, [https://read.amazon.com/?asin=B08JXJXQT5&ref\\_=kwl\\_kr\\_iv\\_rec\\_2](https://read.amazon.com/?asin=B08JXJXQT5&ref_=kwl_kr_iv_rec_2), Location 5312.

<sup>255</sup> Lou Falkner Williams, *The Great South Carolina Ku Klux Klan Trials, 1871-1872* Athens, GA: University of Georgia Press, 2004, 111.

violations of the Enforcement acts will be suspended or discontinued” and that they would only continue prosecution of “exceptional cases of great aggravation where the Government would insist upon conviction and punishment.”<sup>256</sup> At the same time the Federal Government was reducing the workload on the court system if not outrightly eliminating it President Grant had begun to issue pardons for those Klansmen already found guilty.

This decision to release these men came as a result of a lengthy process. Surprisingly, it began with abolitionist Gerritt Smith visiting the Klansmen locked up in Albany, New York in late 1872. At the end of his visit, Smith recommended to Grant that some of the men receive clemency “after the election on the ground that it will be thought that the clemency was prompted by interested motives” of boosting election prospects in November of 1872.<sup>257</sup> Not long after Smith visited these prisoners they received another visit from Secret Service Chief Hiram C. Whitley. Whitley had assisted in the investigation of Klansmen all across the South resulting in his conviction record against the Klan. Whitley would report to Attorney General Williams that these men had been “betrayed by unscrupulous and designing men of more enlightened minds, their mutual want of intelligence, and their extreme poverty, all appeal for mercy.”<sup>258</sup> Whitley, like Sherman, had articulated what had been articulated by many other Northerners, yes these men were part of an insurgency but they were not the leaders of the insurgency and belonged to that second class of Southerners who just did what the planter class told them to do. Grant would accept the recommendation of Whitley and Smith and begin to

---

<sup>256</sup> George Williams, “The Ku Klux Prisoners ,” *The New York Times*, August 1, 1873, <https://www.newspapers.com/image/20562331/>.

<sup>257</sup> Lewis Grist, “Pardon for Ku Klux ,” *The Yorkville Enquirer*, August 8, 1872, <https://www.newspapers.com/image/339394693/>.

<sup>258</sup> Hiram Whitley, “Col. Whitley’s Ku-Klux Report,” *Yorkville Enquirer* , August 22, 1872, <https://www.newspapers.com/image/339394812/?terms=Betrayed&match=1>.

issue pardons to these Klansmen. Eventually, all of them would be released from Federal custody and permitted to go home.

Grant has received a considerable amount of criticism for this decision from historians and understandably so. On its face, it seems like a clear retreat from the spirit of Reconstruction. However, under the general understanding most Northerners had of Southern society, it certainly made sense. These Klansmen were not the ring leaders and as a result, deserved some leniency from some of their actions. Merrill's response to these developments was one of disappointment. Merrill would write a lengthy letter to Attorney General Williams in September of 1872 highlighting the impact these policy decisions would have on the local community. Merrill agreed that prominent men in the community had driven the decisions on violence and that one of those men would not face justice from the lack of enforcement, the Honorable L. Black. Black according to Merrill was "by social position, ability, and education one of the most prominent men in this part of the state. He was before the war a man of prominence enough to be a member of the South Carolina legislature."<sup>259</sup> Merrill charged that Black had used his status to be an "instigator and promoter of Ku Klux Organization in this County, and a leading member of it."<sup>260</sup> Further, Merrill pointed out to Williams that Black had been a member of "a council of some seven or eight leading members of the Ku Klux" in the county that had decided to kill a freeman named Roundtree in the community.<sup>261</sup> The men Black and these conspirators gathered to commit this murder were "chiefly young men, most of them of little education and most of them

---

<sup>259</sup> Lewis Merrill, "Major Lewis Merrill to Attorney General George Williams," *South Carolina: Register of Letters Received, 1874 - 1884 / Source-Chronological File: January 1871 - October 1872*, Letters Received Washington D.C.: National Archives, September 30, 1872, <https://catalog.archives.gov/id/210098693?objectPage=985>, 3.

<sup>260</sup> *Ibid.*

<sup>261</sup> *Ibid.*, 4-5

going to the meeting ground with no knowledge that a murder was contemplated.”<sup>262</sup> Black had convinced these men to commit “a diabolical murder for which his own motive was private gain” by convincing these young men it had to do with Roundtree’s “political hostility” to the white community.<sup>263</sup> Merrill would continue his story of Black and Roundtree by highlighting the virtues of Roundtree and that his large family at “the time of his death were in comfortable circumstances through the industry and thrift of Roundtree” but now Roundtree’s wife and family had been “driven from her home and eking out a miserable existence on the charity of the United States” only surviving off of “the small quantities of bread and meat which by an order of the War Department I am allowed to issue.”<sup>264</sup> The main reason Merrill likely recounted this story was to highlight the impact the Justice Department had on local communities by dropping ongoing investigations or indictments against Klansmen who had fled the region. By doing so no justice could be truly given to Mrs. Roundtree as the man who manipulated these men of low intellect into committing these crimes would be able to return home free of any prosecution. In short, they would no longer be pursuing even aggravated cases with this new change of policy.

Merrill also expressed his extreme displeasure with the news of clemency for some of the convicted Klansmen. Merrill highlighted that many of the men who were receiving pardons were “the very worst and most culpable men of all who have been convicted” and that in York County there were “some five or six hundred members of the Ku Klux who are of varying minor grades of guilt who are quietly at home.”<sup>265</sup> Merrill highlights that this amounted to a form of clemency that if one was “familiar with all the facts would be amazed to find, given the violent and

---

<sup>262</sup> *Ibid*, 6.

<sup>263</sup> *Ibid*, 7

<sup>264</sup> *Ibid*.

<sup>265</sup> *Ibid*, 9

inhuman character of the crimes” these men were walking free<sup>266</sup> Who was at fault for this abundance of clemency? Well, Merrill pointed the finger at “the inadequacy of the machinery of the United States Courts, and the utter worthlessness of the state courts in this section.”<sup>267</sup> Merrill’s chief concern was that the release of those few already convicted would convince some in the community “that the day of punishment for the Ku Klux had passed.”<sup>268</sup> Merrill warned that violence against witnesses never really went away as only two days before his letter to Williams a white man “had his throat cut almost from ear to ear and is now lying between life and death.”<sup>269</sup> Merrill however, ultimately attributes all of this violence to the fact that what drove the violence was still present in society “the blind unreasoning, bigoted hostility to the results of the war is only smothered not appeased or destroyed.”<sup>270</sup> Because of this, the local community would not consider this to be another Appomattox where Grant had shown considerable clemency to Lee but rather they would accept these men back “as heroes whose suffering had been martyrdom for the rights of the south.”<sup>271</sup>

The central issue at play here is the difference between the reality of what is occurring on the ground and the demands of Federal policymaking. From a federal level, there was a perceived need to grant clemency to the lowest-level offenders they had in custody. As the Federal government lacked any high-level offenders or the leaders of the organization Grant released who he had in custody. While it was known at a Federal level from Merrill’s report that plenty of clemency had been granted it was not going to be enough to appease Northern Democrats who wanted a shift in policy. Something had to be done to make a public statement

---

<sup>266</sup> *Ibid*, 10.

<sup>267</sup> *Ibid*.

<sup>268</sup> *Ibid*

<sup>269</sup> *Ibid*, 12.

<sup>270</sup> *Ibid*, 13

<sup>271</sup> *Ibid*, 14

making a magnanimous gesture both Grant and Merrill were known for doing in their Civil War service. These detachments for the reality on the ground and demands for policy change on a federal level are nothing new and are frequently the first steps the United States has taken before withdrawal from counterinsurgency operations.

In his 2015 book *America in Retreat: The New Isolationism and the Coming Global Disorder* author Bret Stephens focused on American considerations of withdrawal from Afghanistan. While embedded with Marines in Sangin he found that in two years the Marines had trained local Afghans successfully “to take control of their security, first on patrols with Americans in the lead, then with Afghans in the lead, then without any Americans at all.”<sup>272</sup> Certainly, these Afghan troops had borne a considerable brunt of local operations as Stephens notes “thousands of Afghan troops have died in the effort; in Sangin alone, one Afghan battalion alone lost more than six hundred men over the course of eight years.”<sup>273</sup> Stephens had expertly highlighted that on a local level, some progress had been made and with time things would hold.

Yet the American people in 2015 “aren’t interested in learning that we’re winning, or that Afghans are making progress. They just want out.”<sup>274</sup> As Stephens highlighted on a national level in 2015 it appeared that “the Taliban gets pushed back; they creep forward; they get pushed back again. The Afghan government seems to repay generosity with corruption ... tells Americans that no Afghan can ever fully be trusted.”<sup>275</sup> Since Stephens wrote his book American troops have left Afghanistan resulting in the disastrous withdrawal from Kabul airport in 2021.

---

<sup>272</sup> Bret Stephens, *America in Retreat: The New Isolationism and the Coming Global Disorder*, Amazon Kindle New York, NY: Sentinel, an imprint of Penguin Random House LLC, 2015, [https://read.amazon.com/?asin=B00G3L11BC&ref\\_=kwl\\_kr\\_iv\\_rec\\_96](https://read.amazon.com/?asin=B00G3L11BC&ref_=kwl_kr_iv_rec_96), location 158.

<sup>273</sup> *Ibid*

<sup>274</sup> *Ibid*, Location 179.

<sup>275</sup> *Ibid*.

What he articulates is the frustration with all counterinsurgency operations. What he said about Afghanistan is just as true about Vietnam or Reconstruction.

By 1872, there was a rumbling in society rejecting Reconstruction and wanting the nation to move on from the war. Grant would run against newspaper editor and abolitionist Horace Greeley and the Liberal Republican Party in 1872. While Grant would sweep the election in 1872 achieving “nearly 56 percent of the vote, the biggest percentage between Andrew Jackson and Theodore Roosevelt” and had managed to gain an additional “six hundred thousand more votes than four years earlier” the Liberal Republicans had highlighted a change in Northern Society.<sup>276</sup> The Liberal Republicans had been primarily composed of some of the most prominent abolitionists from before the war. Men like Charles Francis Adams Sr, Lyman Trumbull, Salmon Chase, Carl Schurz, and Horace Greeley; who would ultimately serve as the Party’s nomination for president. The party was focused primarily on “civil service reform, sound money, low tariffs, and states’ rights” frequently they would “espouse the withdrawal of federal troops from the South and railed against ‘bayonet rule’.”<sup>277</sup> Greeley’s acceptance letter of the nomination for President made a few promises to restore political rights to white Southerners who had participated in the rebellion and a return to self-government with “no Federal subversion of the internal polity of the several States and municipalities” with a strong desire that “the nation clasp hands across the bloody chasm which has too long divided them, forgetting that they have been enemies in the joyful consciousness that they are and must henceforth remain brethren.”<sup>278</sup> While Greeley did not win the Presidency his constant critiques of Reconstruction

---

<sup>276</sup> Ron Chernow, *Grant* New York, NY: Penguin Books, 2018, 938.

<sup>277</sup> *Ibid*, 924

<sup>278</sup> Horace Greeley, “Horace Greeley’s Letter of Acceptance,” *The American Presidency Project* Santa Barbara, California: US Santa Barbara, May 20, 1872,

governments as corrupt had gained traction. As Foner noted “few Northern Republicans actually defended the Reconstruction governments. More commonly, they seemed to accept the characterization of these regimes as inept and venal.”<sup>279</sup> This was certainly the first step towards the rejection of Reconstruction even if it did not become the official policy of the Federal government.

To make matters worse, in 1873 the nation went through a catastrophic economic downturn. The Panic of 1873 was caused by the collapse of the Jay Cooke & Company, one of the largest Wall Street companies, which led to “toppling one Wall Street house after another” and the stock exchange halting all trading for ten days.<sup>280</sup> Grant biographer, Ron Chernow, excellently illustrated that the economic downturn was so catastrophic that “it would be termed ‘the Great Depression’ until eclipsed by the 1930s downturn.”<sup>281</sup> As a result of the economic downturn, Democrats would seize control of the House of Representatives in 1874 in “a stunning repudiation of Grant and his inflation bill veto” which had been aimed at increasing the money supply to decrease the effects of the economic depression. The far greater consequence of this shift in political leadership was that Democrats used the powers of the House of Representatives to achieve the goals of the Liberal Republican party by shining a “searchlight on executive department to ferret out corruption, a tactic used to discredit the administration on Reconstruction.”<sup>282</sup> More devastatingly “half the House committee chairmanships were handed over to southerners, who attempted to block further racial progress.”<sup>283</sup>

---

<https://www.presidency.ucsb.edu/documents/letter-accepting-the-liberal-republican-party-presidential-nomination>.

<sup>279</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877: Updated Edition* New York, NY: Perennial Classics, 2014, 402.

<sup>280</sup> Ron Chernow, *Grant* New York, NY: Penguin Books, 2018, 968.

<sup>281</sup> *Ibid.*

<sup>282</sup> *Ibid.*, 977

<sup>283</sup> *Ibid.*

On a local level some state legislatures in the South that had been bastions of Republican government since the end of the war were being flipped in 1874. In nearly every case some form of voter intimidation if not outright violence had been used to ensure Democrats had seized power of the state houses. While the Klan had been dismantled by 1874 it had been replaced by new guerrilla organizations that operated openly not as secret societies. These groups went by a variety of names, White Leagues, Rifle Clubs, Saber Clubs, or Red Shirts in South Carolina. Unlike the Klan, these groups did not ride at night and visit people at home but operated openly in society and targeted government institutions, not individuals. The first success of the White League was undoubtedly the 1874 Louisiana State elections for the state's House of Representatives.

The election had been contentious, all elections had been in the South. However, the violence of September 1874 was different from past violence. The White Leagues had managed to partially coup the Louisiana State Government. From September 14<sup>th</sup> to the 17<sup>th</sup> the White Leagues battled with the New Orleans Metropolitan Police in the streets of New Orleans. By the end of the fighting, nearly a hundred men had been killed and wounded and the entire Metropolitan Police Force had been "killed routed or disbanded."<sup>284</sup> As a result of this victory the two deciding seats and initially the governorship were firmly in Democrat's hands. Quickly Federal troops came to the assistance of Republican Governor Kellogg placing him firmly in the Governor's seat. Even now newspapers like the *Chicago Tribune* which had only a few years before been critical of President Johnson declaring the end of the war in 1866 had come to the defense of the White Leagues.

---

<sup>284</sup> "A Brief Review: A Record of the Times of the Past Six Days," *The Times-Picayune*, September 20, 1874, <https://www.newspapers.com/image/26994185/?terms=Liberty%20Place&match=1>.

The *Tribune* called the event a Revolution in Louisiana and a *coup d'etat* of the state government.<sup>285</sup> The main concern of the *Tribune* was a fear that the event threatened to inflict the “Civil war, with all its dead horrors” on society once again but in reality “on Wednesday morning the whole country wore a broad grin on its face. The new ‘war’ was over.”<sup>286</sup> The war had been averted after “the marching armies that but a few hours before had filled the streets of New Orleans...had disappeared-vanished into air” after their mission had been accomplished.<sup>287</sup> The *Tribune* did not blame the White Leagues for overthrowing an elected government but rather claimed that “the Kellogg dynasty in Louisiana was a lawless usurpation” who only had power in Louisiana “by the decree of an arbitrary, drunken judge” and had lacked courage and an “understanding human nature.”<sup>288</sup> Kellogg deserved it and the “best thing the National Government can do is to let well enough alone.”<sup>289</sup> Most of all the *Chicago Tribune* article highlights the shift in Northern opinion about Republican Reconstruction Governments. Certainly, the actions of the White Leagues were not universally supported in the North they were not. However, there was enough shift and desire to be done with the Southern business that there was a desire to leave it alone moving forward. The local commander fresh on the scene Philip Sheridan was not going to leave it alone.

Sheridan’s reports to Grant on the situation on the ground in New Orleans highlighted how desperate the situation was. Then on January 5<sup>th</sup>, 1875 at the request of Governor Kellogg, Sheridan permitted a group of twenty-eight Federal troops armed and with bayonets fixed to enter the Louisiana State House and arrest the eight Democratic legislators put in place by the

---

<sup>285</sup> “Louisiana Coup d’Etat,” *Chicago Tribune*, September 17, 1874, <https://www.newspapers.com/image/26994185/?terms=Liberty%20Place&match=1>.

<sup>286</sup> *Ibid.*

<sup>287</sup> *Ibid.*

<sup>288</sup> *Ibid.*

<sup>289</sup> *Ibid.*

White Leagues. The action was widely condemned by Northern politicians and newspapers. The Governor of New Jersey condemned the action stating that “the United States Army dispersing by force the very body without whose application not a single soldier had the right to be there. These was no insurrection or domestic violence; there was no riot, it was not a mob that was dispersed and driven out by the bayonet, but it was the Legislative Assembly of a sovereign State.”<sup>290</sup> The Governor would be echoed in many newspaper articles as well. The message was clear the use of the military to uphold Reconstruction would no longer be tolerated in the court of public opinion. Going forward Grant would remain reticent in using the military to stop the violent overthrow of Southern governments.

More than military inaction had been achieved by this. It also established the precedent going forward that the White Leagues would be able to overthrow State Governments as long as it was done in a manner that would force the Federal government to take action against “elected” representatives. This ignited a debate in South Carolina in 1876 on how to best proceed to achieve the long-fought-for victory in the upcoming election. As highlighted by historian Richard Zuczek both sides of this debate “understood that force needed to be a central element of their campaign strategy - in order to overcome the black majority-but opinions differed on how to use that force.”<sup>291</sup> The central agreement was whether violence was going to be used or if the threat of violence as a form of intimidation would be used. Hampton, a former Confederate General running for Governor, led one side of the debate advocating a “policy of ‘bloodless coercion’ relied on ‘pretense’ and the flexing of white muscle to intimidate Republicans.”<sup>292</sup>

---

<sup>290</sup>Joel Parker, “Public Opinion,” *The New York Times*, January 13, 1875, <https://www.newspapers.com/image/20596259/>.

<sup>291</sup> Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* Columbia, SC: University of South Carolina Press, 2009, 175.

<sup>292</sup> *Ibid*, 179.

This would be done by arriving at Republican events armed and en masse “and demand that they receive equal time to address the audience. When Democrats were allowed to speak, they abused Republican leaders so badly that many stopped open campaigning.”<sup>293</sup>

The alternative strategy advocated for was an outright “war” to seize the state government just as had been done in Louisiana. The chief proponent of this strategy was former Confederate General Martin Witherspoon Gary. Gary had made several inflammatory statements during his run for Senate in 1876 perhaps in his speech announcing his candidacy he stated to the crowd that if misrule of the state continued it may “become necessary” for the streets of South Carolina to “be watered by the blood of the patriotic sons of South Carolina.”<sup>294</sup> Yet even Gary was reluctant to choose outright violence as his first course of action. His “No. 1 Plan of Campaign” provided Carolinians with a variety of rules to consider in the upcoming election. Rule three required that members of the Red Shirts or “Democratic Military Clubs...be armed with rifles and pistols and such other arms as they may command” adopt a military structure with military rank, and that they keep “a baggage wagon in which three days rations for the men are to be stored on the day before the election.”<sup>295</sup> On the lead-up to election day, Gary advised that they needed to make sure that the Commission of Election that verified the election be “as favorable to us as possible” and that those who counted the votes “must be Democrats.”<sup>296</sup> Further, “every Democrat must feel honor bound to control the vote of at least one Negro, by intimidation, purchase, keeping him away” from the polls on election day.<sup>297</sup> On election day or

---

<sup>293</sup> *Ibid*, 180.

<sup>294</sup> Martin Witherspoon Gary, “Gen. Gary’s Ridge Speech- Continued from 1st Page,” *Edgefield Advertiser*, October 19, 1876, <https://www.newspapers.com/image/72086747/?terms=Watered,2>.

<sup>295</sup> William Arthur Sheppard and Martin Witherspoon Gary, “No. 1 Plan of Campaign 1876,” essay, in *Red Shirts Remembered: Southern Brigadiers of the Reconstruction Period* Atlanta, GA: Ruralist Press, 1940, 46–51, <https://babel.hathitrust.org/cgi/pt?id=uva.x000412764&seq=70>, 47.

<sup>296</sup> *Ibid*.

<sup>297</sup> *Ibid*.

just before it they needed to launch an effective campaign to ensure “that if any blood is shed, houses burnt, votes repeated, ballots boxes studded, false counting of votes, or any acts on their part that are in violation of Law and Order” be blamed on local Republicans even if the acts had been done by Democrats, White Leagues, or the Red Shirts.<sup>298</sup> Nearly every one of these courses of action was adopted for the 1876 campaign in South Carolina. Violence did occur, even if Hampton did not want it to, but when it did occur it was isolated primarily to government institutions like the State Militia or seizing the statehouse itself.

The South Carolina Election of 1876 was filled with fraud, ballot box stuffing, and voter intimidation as outlined by General Gary. Nationwide the results were close with neither Ohio Republican Rutherford B. Hayes nor New York Democrat Samuel Tilden crossing the line of needed Electoral College votes to achieve victory. The remaining votes in question, which would determine which candidate won, belonged to the state of South Carolina. The election in South Carolina has a considerable amount of issues. In some South Carolina counties, there were far more Democratic votes than there were registered voters.<sup>299</sup> The few Federal troops that were still stationed in South Carolina, Merrill and the 7<sup>th</sup> Cavalry were long gone, were forced to respond to one voting station after another to keep the peace, or were unable to monitor all voting stations being forced to keep the peace at just one.<sup>300</sup> In Charleston, the largest city in the state, there were voting riots throughout the city disrupting voting significantly. By the end of the election, it initially appeared that Democrats now controlled the General Assembly and that Wade Hampton had beaten out Daniel Chamberlain for Governorship.<sup>301</sup> Then the votes of a few

---

<sup>298</sup> *Ibid*, 49

<sup>299</sup> Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* Columbia, SC: University of South Carolina Press, 2009, 191.

<sup>300</sup> *Ibid*, 190.

<sup>301</sup> *Ibid*, 193.

counties began to be thrown out due to fraud, particularly in counties in which “Democrats received more votes than there were voters.”<sup>302</sup>

What resulted from this election chaos was a situation not too dissimilar from the chaos of the Louisiana elections of 1874. Rifle Clubs, White Leagues, and the Red Shirts descended on Columbia occupying the city in the thousands and when the Secretary of State threw out the election returns from counties whose elections were in question these groups surged towards the statehouse forcing the federal soldiers guarding the building into defensive positions inside the building.<sup>303</sup> Bloodshed was only averted when Wade Hampton came and told the crowd to disperse indicating who controlled the state. Two separate Houses of Representatives would spring up in South Carolina each claiming to be the legitimate body of elected representatives. Each House of Representatives elected both Daniel Chamberlain and Wade Hampton to be the governor of the state. Not long after both men had been confirmed by their respective legislatures, they attempted to collect taxes. Hampton was the only one of the two candidates who controlled any area of the state and began to collect tax money from the citizens of the state.<sup>304</sup> This was truly the death knell of Chamberlain’s administration. Something that Grant acknowledged when he stated in an interview with the *New York Tribune* that “unless Gov. Chamberlain could compel the collection of taxes it would be utterly useless for him to expect to maintain his authority for any length of time.”<sup>305</sup> If Chamberlain attempted to collect taxes

---

<sup>302</sup> *Ibid.*

<sup>303</sup> *Ibid*, 194

<sup>304</sup> *Ibid*, 198

<sup>305</sup> Ulysses S Grant, “An Interview with the President,” *New York Tribune*, February 19, 1877, <https://www.newspapers.com/image/79199144/?terms=Chamberlain&match=1, 1>.

Hampton had privately stated that “every [Republican] tax-collector in the state would be hanged in twenty-four hours.”<sup>306</sup>

Effectively Hampton had staged a coup of the government and with the power to enforce the law had managed to ensure that Hayes would get the State’s electoral votes in exchange for the Governorship. On April 10<sup>th</sup>, 1877 Federal Troops would be withdrawn from Chamberlain’s office and effectively transitioned power to Hampton. In Chamberlain’s final speech as the governor of South Carolina, he clearly articulates to his supporters that “the government of the United States abandons you deliberately” unwilling to engage in “a struggle with insurrectionary forces too powerful to be resisted.”<sup>307</sup> Lastly, Chamberlain highlighted that this cause of abandonment that “the North is weary of the long Southern troubles. It was weary, too, of the long troubles which sprung from the stupendous crime of chattel slavery.”<sup>308</sup> As argued by historian Richard Zuczek “the era of the Civil War ended at noon on April 11, 1877” when troops had withdrawn from Columbia allowing Hampton to seize control of the state government.

Southerners never gave up after the conventional war ended in 1865. They fought a long unconventional war with guerrilla armies and in the end conventional armies. Like all guerrilla movements, it proved incredibly difficult to suppress. T.E. Lawrence once stated that fighting insurgents “is messy and slow, like eating soup with a knife.” The experience of Merrill and many others in South Carolina could have confirmed this reality. Counterinsurgency and nation-building takes time and is not accomplished in a day. Grant fresh off of his presidency and on his

---

<sup>306</sup> Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* Columbia, SC: University of South Carolina Press, 2009, 200.

<sup>307</sup> Daniel Chamberlain, “The Last Agony,” *The Newberry Herald*, April 18, 1877, <https://www.newspapers.com/image/171632567/?terms=insurrectionary&match=1,2>.

<sup>308</sup> *Ibid.*

around-the-world tour would conclude that “the whole policy of reconstruction, it seems to me that the wisest thing would have been to have continued for some time the military rule” as Southerners had “no government so frugal, so just, and fair as what they had under our generals.”<sup>309</sup> In his estimation, the loss “of suffrage, that was our right as a conqueror, and it was a mild penalty for the stupendous crime of treason. Military rules would have been just to all, to the negro who wanted freedom, the white man who wanted protection, and the Northern man who wanted Union.”<sup>310</sup> Grant echoed the words of Sherman from 1863 who argued, “a civil government of the representative type would suit this (planter) class far less than a pure military rule, readily adapting itself to actual occurrences, and able to enforce its laws and orders promptly and emphatically.”<sup>311</sup>

Southerners agreed in 1867 when State Governments were attempting to be reorganized under new State Constitutions former South Carolina Governor Benjamin Perry argued that there was “nothing worse than negro suffrage and a negro government can be forced upon us. It would be a thousand times preferable to remain under military rule and submit to all the exactions of military authority.”<sup>312</sup> By accepting former Confederate states back into the Union as quickly as they did during Reconstruction it meant that these states were now entitled to the same treatment other states had in the Union. As territories administered by the Federal government and without

---

<sup>309</sup> John Russell Young, *Around the World with General Grant, a Narrative of the Visit of General U.S. Grant, Ex-President of the United States, to Various Countries in Europe, Asia and Africa in 1877, 1878, 1879. to Which Are Added Certain Conversations with General Grant on Questions Connected with American Politics and History.* by John Russell Young .., vol. 2 New York, NY: The American news Co., 1879, <https://archive.org/details/aroundworldwith02youn/page/360/mode/2up>, 362.

<sup>310</sup> *Ibid.*

<sup>311</sup> William T. Sherman, “General William Tecumseh Sherman to General H.W. Halleck September 17, 1863,” essay, in *Memoirs of General W.T. Sherman* New York, NY: Library of America, 1990, 360–67, 362.

<sup>312</sup> Benjamin Franklin Perry, “Letter from Hon. B.F Perry,” *The Daily Phoenix*, May 30, 1867, <https://www.newspapers.com/image/468017438/?terms=Nothing%20worse%20than%20negro%20suffrage%20and%20a%20negro%20government&match=1>.

questions of suffrage work could have been done to protect the freedmen and maintain order in society. Nation-building could have been more easily accomplished and insurgencies suppressed by meeting the demands of all interest groups in the South. After a generation had passed it could have been feasible to reapproach the topic of suffrage for all in Southern society.

Certainly, this is not an argument against the 14<sup>th</sup> and 15<sup>th</sup> Amendments the great achievements of Reconstruction. Both of these Amendments and early Civil Rights legislation paved the way for the 1964 Civil Rights Act. Further as highlighted by Historian Allen Guelzo “Post-Reconstruction Republican Presidents continued to appoint attorneys general who prosecuted voting-rights violations” and continued “the struggles for black civil rights.”<sup>313</sup> Northern veterans had formed organizations like the Grand Army of the Republic that continued to push for Reconstruction policies long after the 1877 withdrawal, and finally, Republican administrations continued to appoint African Americans to Federal jobs in the South.<sup>314</sup> All of these are achievements, if small, of Reconstruction. Further, these all amounted to small acts of subversion to the new political order that emerged in the South in 1876. They would have to contend with the fact that some Northerners, African Americans, and others would not give up on the goals of Reconstruction. Now that men like Hampton had achieved a regional “independence” they had to be able to rule and for a time they did until the Civil Rights Movement of the 1960s which applied enough pressure to topple this system. Reconstruction was the subversive act left over from Northern achievements of the war that would continue to

---

<sup>313</sup>Allen C. Guelzo, *Reconstruction: A Concise History* New York, NY: Oxford University Press, 2018, 127.

<sup>314</sup>*Ibid.*

push for freedom. As Martin Luther King stated, “the arc of the moral universe is long, but it bends toward justice.”<sup>315</sup>

---

<sup>315</sup> Martin Luther King, “Remaining Awake Through a Great Revolution,” *Martin Luther King, Jr. at Oberlin* Oberlin, OH: Oberlin College, June 2, 1965, <https://www2.oberlin.edu/external/EOG/BlackHistoryMonth/MLK/CommAddress.html>.

## Bibliography

### Primary Sources

- “14th Amendment to the U.S. Constitution (1868).” National Archives and Records Administration. Accessed August 17, 2023. <https://www.archives.gov/milestone-documents/14th-amendment#:~:text=No%20State%20shall%20make%20or,equal%20protection%20of%20the%20laws.>
- “A Brief Review: A Record of the Times of the Past Six Days.” *The Times-Picayune*, September 20, 1874. [https://www.newspapers.com/image/26994185/?terms=Liberty%20Place&match=1.](https://www.newspapers.com/image/26994185/?terms=Liberty%20Place&match=1)
- “Clayton and Arkansas.” *Leavenworth Daily Commercial*, January 8, 1869. [https://www.newspapers.com/image/425255121/?terms=Powell%20Clayton&match=1.](https://www.newspapers.com/image/425255121/?terms=Powell%20Clayton&match=1)
- “Conspiracy. The Governor of Arkansas at the Head of a Conspiracy. He Secretly Advises Bloody Work. Arms Already Distributed.” *Nashville Union and American*, November 20, 1868, I edition, sec. 74. [https://www.newspapers.com/image/79870349/?terms=Powell%20Clayton&match=1.](https://www.newspapers.com/image/79870349/?terms=Powell%20Clayton&match=1)
- “Constitution of the Commonwealth of Pennsylvania – 1790.” PA Constitution, Last modified December 11, 2017. [https://www.paconstitution.org/texts-of-the-constitution/1790-2/.](https://www.paconstitution.org/texts-of-the-constitution/1790-2/)
- “Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.” Avalon Project - Confederate States of America - Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union. Accessed November 4, 2023. [https://avalon.law.yale.edu/19th\\_century/csa\\_scarsec.asp.](https://avalon.law.yale.edu/19th_century/csa_scarsec.asp)
- “From Palmyra, MO. Ten Bushwackers Shot.” *The Chicago Tribune*, October 20, 1862, XV edition, sec. 89. [https://www.newspapers.com/image/349265210/?terms=Palmyra&match=1.](https://www.newspapers.com/image/349265210/?terms=Palmyra&match=1)
- “From the Northern Papers.” *The Charleston Mercury*, November 8, 1862, LXXXI edition, sec. 11,599. [https://www.newspapers.com/image/605430031/?terms=Palmyra&match=1.](https://www.newspapers.com/image/605430031/?terms=Palmyra&match=1)
- “Gen. Lewis Merrill.” *St. Louis Globe-Democrat*, February 28, 1896, 21 edition, sec. 284. [https://www.newspapers.com/image/571317567/?terms=Lewis%20Merrill&match=1.](https://www.newspapers.com/image/571317567/?terms=Lewis%20Merrill&match=1)
- “Gen. Merrill Defend McNeil.” *St. Louis Globe-Democrat*, April 2, 1889, 14 edition, sec. 306. [https://www.newspapers.com/image/571286122/?terms=lincoln.](https://www.newspapers.com/image/571286122/?terms=lincoln)
- “General Hancock’s Order.” *The Daily Picayune*, November 30, 1867. [https://www.newspapers.com/image/27277237/?terms=Hancock&match=1.](https://www.newspapers.com/image/27277237/?terms=Hancock&match=1)
- “Inquiry into the Ku-Klux: The so-Called ‘Organization’--Its Causes and Purposes--the Self-Defense of an Oppressed and and Plundered People--What Military Rule Menu--South Carolina an American Poland.” *The Sun (1837-)*, November 16, 1871.
- “Just A-Rolling Along the Way.” *The Yorkville Enquirer*, July 14, 1933.
- “Ku Klux Klan Act of 1871, ‘an Act to Enforce the Provisions of the Fourteenth Amendment to the Constitution of the United States, and for Other Purposes.’” National Constitution Center – Constitutioncenter.Org. Accessed August 18, 2023. <https://constitutioncenter.org/the-constitution/historic-document-library/detail/ku-klux->

- klan-act-of-1871-april-20-1871-an-act-to-enforce-the-provisions-of-the-fourteenth-amendment-to-the-constitution-of-the-united-states-and-for-other-purposes.
- “Louisiana Coup d’Etat.” *Chicago Tribune*, September 17, 1874.  
<https://www.newspapers.com/image/26994185/?terms=Liberty%20Place&match=1>.
- “Loyalty Not Sufficient.” *Chicago Tribune*, April 21, 1866, XIX edition, sec. 321.  
<https://www.newspapers.com/image/466129254/?terms=Johnson>.
- “O I’m A Good Old Rebel.” *Library of Congress*. Accessed July 23, 2023.  
<https://www.loc.gov/resource/ihas.200002507.0/?sp=1&st=image>.
- “Reconstruction in Eight Months.” *The New York Herald*, April 4, 1867.  
<https://www.newspapers.com/image/339334922/>.
- “Sentence Day in South Carolina Ku Klux Court.” *The Sun (1837-)*, December 30, 1872.
- “Slaughter of Prisoners.” *Richmond Enquirer*, November 7, 1862, MX edition, sec. 63.  
<https://www.newspapers.com/image/339046052/?terms=Palmyra&match=1>.
- “South Carolina.” *The New York Times*, April 26, 1868, XVII edition, sec. 5175.  
<https://www.newspapers.com/image/20573079/?terms=South%20Carolina>.
- “Ten Rebels Shot by Order of Gen. McNeil.” *The Chicago Tribune*, XV edition, sec. 98.  
 Accessed September 24, 2023.  
<https://www.newspapers.com/image/353936729/?terms=Palmyra>.
- “The Codes.” *The Edgefield Enquirer*, January 3, 1866.  
<https://www.newspapers.com/image/46418178/>.
- “The Constitution of the Commonwealth of Pennsylvania.” *Lancaster Examiner*, June 14, 1838.  
<https://www.newspapers.com/image/568717954/?terms=James%20Merrill&match=1>.
- “The Enforcement Act.” *The New York Times*, January 16, 1872.  
<https://www.newspapers.com/image/20320042/>.
- “The Ku-Klux in Jail.” *The New York Tribune*, November 23, 1871.  
<https://www.newspapers.com/image/85364132/>.
- “The Second Enforcement Act.” Teaching American History, Last modified July 8, 2022.  
<https://teachingamericanhistory.org/document/the-enforcement-acts/>.
- “To the Citizens of York County.” *Yorkville Enquirer*, May 25, 1871, 17 edition, sec. 21.  
<https://www.newspapers.com/image/339367266/>.
- “Vented Their Spleen.” *St. Louis Globe-Democrat*, October 2, 1890, 16 edition, sec. 125.  
<https://www.newspapers.com/image/571294636/?terms=Lewis%20Merrill&match=1>.
- Abney, Joseph. “To the People of the District.” *The Edgefield Advertiser*, June 10, 1868.  
<https://www.newspapers.com/image/72182522/?terms=war&match=3>.
- Ackerman, Amos T. “Attorney General Amos T. Ackerman to Benjamin Bristow.” *The Papers of Ulysses S Grant*. Charlottesville, VA: University of Virginia Press, 2018.  
<https://rotunda.upress.virginia.edu/founders/GRNT-01-22-02-0067>.
- Adams, John. “Constitution of Massachusetts.” Constitution of Massachusetts, 1780. Accessed November 4, 2023. <http://www.nhinet.org/ccs/docs/ma-1780.htm>.
- Agnew, Samuel. “January 6, 1869.” *Diary of Samuel A. Agnew*. Chapel Hill, NC: University of North Carolina, January 6, 1869. [https://finding-aids.lib.unc.edu/00923/#folder\\_14#1](https://finding-aids.lib.unc.edu/00923/#folder_14#1).
- Brown, Mary Davis. *The Diary of Mary Davis Brown*. Microsoft Word. Yorkville, SC: The Yorkville Historical Society, 2023.
- Carroll, Milus. “Views and Interviews: Remembers the Jim Williams Raid.” *Yorkville Enquirer*, February 18, 1921.  
<https://www.newspapers.com/image/339443081/?terms=Jim%20Williams&match=1>.

- Chamberlain, Daniel. "The Last Agony." *The Newberry Herald*, April 18, 1877.  
<https://www.newspapers.com/image/171632567/?terms=insurrectionary&match=1>.
- Comstock, C. B., and Merlin E. Sumner. *The Diary of Cyrus b. Comstock*. Dayton, OH: Morningside, 1987. [https://archive.org/details/isbn\\_0089029518/page/330/mode/2up](https://archive.org/details/isbn_0089029518/page/330/mode/2up).
- Cullum, George W. *Biographical Register of the Officers and Graduates of the U.S. Military Academy, from 1802 to 1867. Rev. Ed., with a Supplement Continuing the Register of Graduates to January 1, 1879*. Vol. II. New York, NY: J. Miller, 1879.
- Cushing, John D. "The Cushing Court and the Abolition of Slavery in Massachusetts: More Notes on the 'Quock Walker Case.'" *The American Journal of Legal History* 5, no. 2 (1961): 118–44. doi:10.2307/844116.
- First Enforcement Act: Civil Rights Act of 1870. Accessed August 18, 2023.  
<https://sharengov.tnsosfiles.com/tsla/exhibits/blackhistory/pdfs2/1870%20First%20Enforcement%20Act.pdf>.
- Fish, Hamilton. "November 24th Entry." *The Papers of Ulysses S Grant Digital Edition*. Charlottesville, VA: University of Virginia Press, 2018. <https://rotunda-upress-virginia-edu.eu1.proxy.openathens.net/founders/default.xqy?keys=GRNT-print-01-22-02-0076#GRNT-01-22-02-pb-0201>.
- Gary, Martin Witherspoon. "Gen. Gary's Ridge Speech- Continued from 1st Page." *Edgefield Advertiser*, October 19, 1876.  
<https://www.newspapers.com/image/72086747/?terms=Watered>.
- Grant, Ulysses S. "President Ulysses S Grant to Secretary of War William Belknap." *The Papers of Ulysses S Grant: Digital Edition*. Charlottesville, VA: University of Virginia Press, 2018. <https://rotunda-upress-virginia-edu.eu1.proxy.openathens.net/founders/default.xqy?keys=GRNT-search-2-1&expandNote=on>.
- \_\_\_\_\_. "Proclamation, 17 October, 1871." *The Papers of Ulysses S. Grant*, Last modified October 17, 1871. <https://rotunda.upress.virginia.edu/founders/GRNT>.
- \_\_\_\_\_. "An Interview with the President." *New York Tribune*, February 19, 1877.  
<https://www.newspapers.com/image/79199144/?terms=Chamberlain&match=1>.
- \_\_\_\_\_. "A Proclamation." *The Papers of Ulysses S. Grant*. Charlottesville, VA: University of Virginia Press, 2018. <https://rotunda.upress.virginia.edu/founders/GRNT-01-21-02-0115>.
- Greeley, Horace. "Horace Greeley's Letter of Acceptance." *The American Presidency Project*. Santa Barbara, California: US Santa Barbara, May 20, 1872.  
<https://www.presidency.ucsb.edu/documents/letter-accepting-the-liberal-republican-party-presidential-nomination>.
- Grist, Lewis. "A Conference --- The Ku-Klux Law." *Yorkville Enquirer*, May 18, 1871, 17 edition, sec. 20.  
<https://www.newspapers.com/image/339367213/?terms=Lewis%20Merrill>.
- \_\_\_\_\_. "Gone to Liberia." *The Yorkville Enquirer*, November 2, 1871.  
<https://www.newspapers.com/image/339368477/?terms=Lewis%20Merrill>.
- \_\_\_\_\_. "K.K.K Mysterious." *The Yorkville Enquirer*, April 2, 1868, 14 edition, sec. 14.  
<https://www.newspapers.com/image/339356707/?amp%3Bmatch=1.&terms=K.K.K>.
- \_\_\_\_\_. "Pardon for Ku Klux ." *The Yorkville Enquirer*, August 8, 1872.  
<https://www.newspapers.com/image/339394693/>.

- . “Arrests of Citizens.” *The Yorkville Enquirer*, October 26, 1871, 17 edition, sec. 43. <https://www.newspapers.com/image/339368356/?terms=Lewis%20Merrill>.
- . “Habaes Corpus.” *Yorkville Enquirer*, November 2, 1871. <https://www.newspapers.com/image/339368477/?terms=Lewis%20Merrill>.
- . “The Clergy and the Military.” *Yorkville Enquirer*, June 1, 1871, 17 edition, sec. 22. <https://www.newspapers.com/image/339367319/?terms=Ministers>.
- . “The Spartanburg War.” *The Yorkville Enquirer*, January 20, 1870, 16 edition, sec. 3. <https://www.newspapers.com/image/339393137/>.
- Hancock, Winfield Scott. “General Winfield Scott Hancock to Ulysses S. Grant.” *The Papers of Ulysses S. Grant*. Charlottesville, VA: University of Virginia Press, 2018. <https://rotunda.upress.virginia.edu/founders/GRNT-01-18-02-0021>.
- Jefferson, Thomas. “Declaration of Independence: A Transcription.” National Archives and Records Administration. Accessed November 4, 2023. <https://www.archives.gov/founding-docs/declaration-transcript>.
- Johnson, Andrew. “April 2, 1866: Proclamation on the End of the Confederate Insurrection.” Miller Center, Last modified August 29, 2023. <https://millercenter.org/the-presidency/presidential-speeches/april-2-1866-proclamation-end-confederate-insurrection>.
- King, Martin Luther. “Remaining Awake Through a Great Revolution.” *Martin Luther King, Jr. at Oberlin*. Oberlin, OH: Oberlin College, June 2, 1965. <https://www2.oberlin.edu/external/EOG/BlackHistoryMonth/MLK/CommAddress.html>.
- LIEBER, Franz. *Guerrilla Parties, Considered with Reference to the Laws and Usages of War*. New York, NY: D. Van Nostrand, 1862. <https://archive.org/details/guerrillaparties00lieb/page/n11/mode/2up>.
- Lincoln, Abraham. “Lincoln’s Second Inaugural Address.” Avalon Project - Documents in Law, History and Diplomacy. Accessed August 17, 2023. [https://avalon.law.yale.edu/19th\\_century/lincoln2.asp#:~:text=With%20malice%20toward%20none%2C%20with,and%20cherish%20a%20just%20and](https://avalon.law.yale.edu/19th_century/lincoln2.asp#:~:text=With%20malice%20toward%20none%2C%20with,and%20cherish%20a%20just%20and).
- Long, A. L. *Memoirs of Robert E. Lee*. Edited by Stanley Schindler. East Bridgewater, MA: JG Press, 2012.
- Merrill, Lewis. “Major Lewis Merrill Ration Request.” *1871 - File No. 1906 (Lewis, Merrill - South Carolina)*. Letters Recieved. Washington D.C.: National Archives, May 17, 1871. <https://catalog.archives.gov/id/142809975>.
- . “Major Lewis Merrill Ration Request.” *1871 - File No. 1906 (Lewis, Merrill - South Carolina)*. Letters Recieved. Washington D.C.: National Archives, May 17, 1871. <https://catalog.archives.gov/id/142809975>.
- . “Major Lewis Merrill to AAG Department of the South.” *1871 - File No. 2586 (Terry, A H - Kentucky)*. Letters Received. Washington D.C.: National Archives, June 9, 1871. <https://catalog.archives.gov/id/142816081?objectPage=9>.
- . “Major Lewis Merrill to AAG Department of the South.” *1871 - File No. 2051 (Terry, Alfred H - Kentucky)*. Washington D.C.: National Archives, May 4, 1871. <https://catalog.archives.gov/id/142810837?objectPage=51>.

- . “Major Lewis Merrill to AAG Department of the South.” 1871 - File No. 2051 (Terry, Alfred H - Kentucky). Letters Received. Washington D.C.: National Archives, May 26, 1871. <https://catalog.archives.gov/id/142810837?objectPage=63>.
- . “Major Lewis Merrill to AAG Department of the South.” 1871 - File No. 1906 (Lewis, Merrill - South Carolina). Letters Recieved. Washington D.C.: National Archives, May 17, 1871. <https://catalog.archives.gov/id/142809975?objectPage=5>.
- . “Major Lewis Merrill to AAG Department of the South.” 1871 - File No. 1906 (Lewis, Merrill - South Carolina). Letters Recieved. Washington D.C.: National Archives, May 17, 1871. <https://catalog.archives.gov/id/142809975?objectPage=5>.
- . “Major Lewis Merrill to Adjutant General of the U.S. Army.” 1872 - File No. 3994 (Elliott, Robt B - South Carolina). Washington D.C.: National Archives, October 22, 1872. <https://catalog.archives.gov/id/142849979?objectPage=13>.
- . “Major Lewis Merrill to Adjutant General War Department.” 1872 - File No. 1432 (Merrill, Lewis - South Carolina). Letters Received. Washington D.C.: National Archives, April 17, 1872. <https://catalog.archives.gov/id/142835341?objectPage=2>.
- . “Major Lewis Merrill to AG Department of the South 2nd Report.” 1871 - File No. 2586 (Terry, A H - Kentucky). Letters Received. Washington D.C.: National Archives, June 9, 1871. <https://catalog.archives.gov/id/142816081?objectPage=14>.
- . “Major Merrill to AAG Department of the South.” 1871 - File No. 2051 (Terry, Alfred H - Kentucky). National Archives, June 10, 1871. <https://catalog.archives.gov/id/142816081?objectPage=29>.
- . “Merrill to AAG Department of the South.” 1871 - File No. 2586 (Terry, A H - Kentucky), June 11, 1871. <https://catalog.archives.gov/id/142816081?objectPage=39>.
- . “Merrill to AAG United States Army.” <https://Catalog.Archives.Gov/Id/142848229?objectPage=2>, September 20, 1872. <https://catalog.archives.gov/id/142848229?objectPage=2>.
- . “Merrill to AG Department of the South.” 1871 - File No. 2586 (Terry, A H - Kentucky). Washington D.C.: National Archives, June 10, 1871. <https://catalog.archives.gov/id/142816081>.
- . Letter to AAG Department of the South. “Merrill to AAG Department of the South.” 1871 - File No. 2586 (Terry, A H - Kentucky). Washinton D.C.: National Archives, June 9, 1871. <https://catalog.archives.gov/id/142816081?objectPage=3>.
- . “Major Lewis Merrill to Attorney General George Williams.” *South Carolina: Register of Letters Received, 1874 - 1884 / Source-Chronological File: January 1871 - October 1872*. Letters Recieved. Washington D.C.: National Archives, September 30, 1872. <https://catalog.archives.gov/id/210098693?objectPage=985>.
- . “Major Merrill to AAG Department of the South.” 1871 - File No. 2051 (Terry, Alfred H - Kentucky). National Archives, May 4, 1871. <https://catalog.archives.gov/id/142810837?objectPage=50>.

Miller, A E. *Debates Which Arose in the House of Representatives of South-Carolina, on the Constitution Framed for the United States, by a Convention of Delegates Assembled at Philadelphia: Together with Such Notices of the Convention as Could Be Procured*. Google Books. Charleston, SC: Printed by A.E. Miller, 1831. <https://play.google.com/books/reader?id=f06EhGPTz74C&pg=GBS.PP6&hl=en>.

- Nast, Thomas. "LEE'S SURRENDER 1865. 'Peace in Union.' The Surrender of General Lee to General Grant at Appomattox Court House, Virginia." *Granger Historical Picture Archive*, 1865.  
<https://www.granger.com/results.asp?image=0075751&itemw=4&itemf=0003&itemstep=1&itemx=1>.
- Parker, Joel. "Public Opinion." *The New York Times*, January 13, 1875.  
<https://www.newspapers.com/image/20596259/>.
- Perry, Benjamin Franklin. "Letter from Hon. B.F Perry." *The Daily Phoenix*. May 30, 1867.  
<https://www.newspapers.com/image/468017438/?terms=Nothing%20worse%20than%20negro%20suffrage%20and%20a%20negro%20government&match=1>.
- Pitman, Benn, and Louis F. Post. "Arguments of D.H. Chamberlain." Essay. In *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 18710*. Columbia, SC: Published by the Columbia union, 1872.  
<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=593&skin=2021>.
- . "Opening Arguments." Essay. In *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 18710*. Columbia, SC: Published by the Columbia union, 1872.  
<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>.
- . "Testimony of Amzi Rainey." Essay. In *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 18710*. Columbia, SC: Published by the Columbia union, 1872.  
<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>.
- . "Closing Arguments of Daniel Chamberlain in Robert Hayes Mitchel Trial." Essay. In *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 18710*. Columbia, SC: Published by the Columbia union, 1872.  
<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=402&skin=2021>.
- . "Testimony of Harriet Simril." Essay. In *The Great Ku Klux Trials: Official Report of the Proceedings before U.S. Circuit Court, Hon. Hugh L. Bond, Circuit Judge, Presiding, and Hon. George S. Bryan, District Judge, Associate, Held at Columbia, S.C. November Term, 18710*. Columbia, SC: Published by the Columbia union, 1872.  
<https://babel.hathitrust.org/cgi/pt?id=pst.000015980588&view=1up&seq=506&skin=2021>.
- Poland, Luke P., and John Scott. "Testimony of Elias Hill." Essay. In *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States:*

- Made to the Two Houses of Congress, February 19, 1872*, Vol. 5. Internet Archive. Washington, D.C.: Govt. Print. Off., 1872.  
<https://archive.org/details/reportofjointsel05unit/page/1410/mode/2up>.
- \_\_\_\_\_. *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872: So Far as Regards the Execution of the Laws, and Safety of the Lives and Property of the Citizens of the United States*. Vol. 1. Washington, DC: United States Government Printing Office, 1872.  
<https://archive.org/details/reportofjointsel01unit/page/292/mode/2up>.
- \_\_\_\_\_. “Testimony of Major Lewis Merrill.” Essay. In *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, Vol. 5. Washington, D.C.: Govt. Print. Off., 1872.  
<https://archive.org/details/reportofjointsel05unit/page/1464/mode/2up?q=Merrill>.
- \_\_\_\_\_. “Testimony of C.L. Casey.” Essay. In *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, 4:941–65. Washington, D.C.: Govt. Print. Off., 1872.  
<https://archive.org/details/reportofjointsel04unit/page/964/mode/2up?q=Christopher>.
- \_\_\_\_\_. “Testimony of Thomas Graham.” Essay. In *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, 701–25. Washington, D.C.: Govt. Print. Off., 1872. <https://archive.org/details/reportofjointsel04unit/page/700/mode/2up>.
- \_\_\_\_\_. “The Testimony of Major Merrill.” Essay. In *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress, February 19, 1872*, 5:1463–87. Washington, D.C.: Govt. Print. Off., 1872. <https://archive.org/details/reportofjointsel05unit/page/1464/mode/2up?q=Merrill>.
- Post, Louis F. “A ‘Carpetbagger’ in South Carolina.” *The Journal of Negro History* 10, no. 1 (1925): 10–79. doi:10.2307/2713666.
- Powell, Clayton. *The Aftermath of the Civil War, in Arkansas*. London: Forgotten Books, 2015.  
<https://archive.org/details/aftermathcivilw00claygoog/page/n120/mode/2up>.
- Proceedings and Debates of the Convention of the Commonwealth of Pennsylvania, to Propose Amendments to the Constitution : Commenced and Held at Harrisburg, on the Second Day of May, 1837*. v.4. Vol. 4. Harrisburg, PA: Not Identified, 1837.  
<https://babel.hathitrust.org/cgi/pt?id=umn.319510020893537&seq=434&q1=Merrill>.
- Reno, Marcus. “Major Marcus Reno to Senator John Scott.” *South Carolina: Register of Letters Received, 1874 - 1884 / Source-Chronological File: January 1871 - October 1872*. Letters Received. Washington D.C.: National Archives, September 6, 1871.  
<https://catalog.archives.gov/id/210098693?objectPage=184>.
- Rhodes, Elisha Hunt, and Robert Hunt Rhodes. *All for the Union the Civil War Diary and Letters of Elisha Hunt Rhodes*. Edited by Geoffrey C. Ward. New York, NY: Orion Books, 1991.
- Ryan, John, and Sandy Barnard. *Ten Years with Custer: A 7th Cavalryman’s Memoirs*. Terre Haute, IN: AST Press, 2001.
- Schurz, Carl, and Ulysses S. Grant. *Report on the Condition of the South*. Amazon. United Kingdom: Dodo Press, 2009.

- [https://read.amazon.com/?ref\\_=dbs\\_p\\_ebk\\_r00\\_pbc\\_b\\_rnvc00&\\_encoding=UTF8&asin=B086XFM7B1](https://read.amazon.com/?ref_=dbs_p_ebk_r00_pbc_b_rnvc00&_encoding=UTF8&asin=B086XFM7B1).
- Scott, John. "Senator John Scott to Ulysses S Grant." *The Papers of Ulysses S Grant*. Charlottesville, VA: University of Virginia Press, 2018.  
<https://rotunda.upress.virginia.edu/founders/GRNT-01-22-02-0067>.
- Scott, Robert K. Bill. *Additional Papers in the Case of Wallace vs Simpson*, Additional Papers in the Case of Wallace vs Simpson §. 1431 17 (n.d.).
- Scott, Robert N., H. M. Lazelle, and Charles Moore. "Charles Moore to General Merrill September 12, 1862." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 1st ed., 13:625. 1. Washington: Govt. Print. Off., 1880.  
<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=639&q1=Palmyra&start=1>.
- Scott, Robert N., H. M. Lazelle, and J.T.K Hayward. "Colonel J.T.K Hayward to General Merrill September 12, 1862." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 626. Washington, D.C.: Govt. Print. Off., 1880.  
<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=640&q1=Palmyra&start=1>.
- Scott, Robert N., H. M. Lazelle, and John Pope. "General John Pope's Notice to Northern Missouri, July 21st, 1861." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, III:403–4. I. Washington, D.C.: Govt. Print. Off., 1880.  
<https://babel.hathitrust.org/cgi/pt?id=coo.31924079597021&view=1up&seq=418>.
- Scott, Robert N., H. M. Lazelle, and Lewis Merrill. "Circular to Northeastern Missouri January 20, 1863 ." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 64. Washington, D.C.: Govt. Print. Off., 1880.
- Scott, Robert N., H. M. Lazelle, and M.E. Green. "Camp at Abbeville, Miss., November 11, 1862." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 13:910. 1. Washington, D.C.: Govt. Print. Off., 1880.  
<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=924&q1=McNeil&start=2>.
- Scott, Robert N., H. M. Lazelle, and W.R. Strachan. "W.R. Strachan to Joseph C. Porter October 8th, 1862." Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 1st ed., 13:719. 1. Washington: Govt. Print. Off., 1880.  
<https://babel.hathitrust.org/cgi/pt?id=coo.31924079609578&seq=733&q1=Palmyra&start=2>.
- Scott, Robert N., H. M. Lazelle, Lewis Merrill, Robert A Howard, William Shaffer, and George Houston. "Trial of James Quisenberry for Aiding and Abetting the Destruction Railroad Property." In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, I:448–50. II. Washington, DC: Govt. Print. Off., 1880.

- <https://babel.hathitrust.org/cgi/pt?id=coo.31924079618736&view=1up&seq=464&q1=Lewis+Merrill>.
- . “General Orders No. 7.” Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 2nd ed., 12:51. 1. Washington, D.C.: Govt. Print. Off., 1880. <https://babel.hathitrust.org/cgi/pt?id=coo.31924077728222&view=1up&seq=53>.
- . “To Mayor and Authorities, City of Palmyra, State of Missouri: August 19, 1861.” Essay. In *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Pub. under the Direction of the ... Secretary of War ...*, 135. Washington, D.C.: Govt. Print. Off., 1880.
- Sheppard, William Arthur, and Martin Witherspoon Gary. “No. 1 Plan of Campaign 1876.” Essay. In *Red Shirts Remembered: Southern Brigadiers of the Reconstruction Period*, 46–51. Atlanta, GA: Ruralist Press, 1940. <https://babel.hathitrust.org/cgi/pt?id=uva.x000412764&seq=70>.
- Sherman, William T. “General William Tecumseh Sherman to General H.W. Halleck September 17, 1863.” Essay. In *Memoirs of General W.T. Sherman*, 360–67. New York, NY: Library of America, 1990.
- Statement of Mrs. Nancy C. Leavitt, Court-Martial of Thomas J. Thorp, Pilot Knob (April 14, 1864).
- Stephens, Alexander. “Cornerstone Speech.” American Battlefield Trust. Accessed August 17, 2023. <https://www.battlefields.org/learn/primary-sources/cornerstone-speech>.
- Taney, Robert. “Chief Justice Taney’s Opinion.” Chief Justice Taney < The Dred Scott Case < 1826-1850 < Documents < American History From Revolution To Reconstruction and Beyond. Accessed August 18, 2023. <http://www.let.rug.nl/usa/documents/1826-1850/dred-scott-case/chief-justice-taney.php>.
- The Weekly Pioneer and Democrat*. November 7, 1862, XIV edition, sec. 21. <https://www.newspapers.com/image/890057348/?terms=Palmyra>.
- Whipple, AH. “Assistant Adjutant General to Secretary of War.” *1872 - File No. 3622 (Merrill, Louis - South Carolina)*. Yorkville, SC: National Archives, 1872. <https://catalog.archives.gov/id/142848229>.
- Whitley, Hiram. “Col. Whitley’s Ku-Klux Report.” *Yorkville Enquirer*, August 22, 1872. <https://www.newspapers.com/image/339394812/?terms=Betrayed&match=1>.
- Williams, George. “The Ku Klux Prisoners .” *The New York Times*, August 1, 1873. <https://www.newspapers.com/image/20562331/>.
- Wilson, D.L., and J.C. Lester. *Ku Klux Klan Its Origin, Growth, and Disbandment*. Edited by Walter Lynwood Fleming. Columbia, SC, 2021.
- Young, John Russell. *Around the World with General Grant, a Narrative of the Visit of General U.S. Grant, Ex-President of the United States, to Various Countries in Europe, Asia and Africa in 1877, 1878, 1879. to Which Are Added Certain Conversations with General Grant on Questions Connected with American Politics and History. by John Russell Young .. Vol. 2*. New York, NY: The American news Co., 1879. <https://archive.org/details/aroundworldwith02youn/page/360/mode/2up>.

## Secondary Articles

- Geiger, Mark W. "Indebtedness and the Origins of Guerrilla Violence in Civil War Missouri." *The Journal of Southern History* 75, no. 1 (2009): 49–82. <http://www.jstor.org/stable/27650402>.
- Guelzo, Allen. "Reconstruction as a Pure Bourgeois Revolution." *Journal of the Abraham Lincoln Association* 39, no. 1 (2018): 50–73. <http://www.jstor.org/stable/45094946>.
- Huff, Leo E. "Guerrillas, Jayhawkers and Bushwhackers in Northern Arkansas during the Civil War." *The Arkansas Historical Quarterly* 24, no. 2 (1965): 127–48. doi:10.2307/40027595.
- Le Beau, John J. "Examining Twenty-First Century Insurgencies and Government Responses." *Connections* 7, no. 1 (2008): 154–66. <http://www.jstor.org/stable/26323325>.
- Myers, Andrew H., Orville Vernon Burton, Timothy P. Grady, and Melissa Walker. "The Seventh U.S. Cavalry in the South Carolina Upcountry," 53–86. *Unexplored Moments in Nineteenth-Century Upcountry South Carolina History*. University of South Carolina Press, 2013. <http://www.jstor.org/stable/j.ctv6wgj61.7>.
- Myers, Andrew H., Orville Vernon Burton, Timothy P. Grady, and Melissa Walker. "The Seventh U.S. Cavalry in the South Carolina Upcountry," 53–86. *Unexplored Moments in Nineteenth-Century Upcountry South Carolina History*. University of South Carolina Press, 2013. <http://www.jstor.org/stable/j.ctv6wgj61.7>.
- Parsons, Elaine Frantz. "Klan Skepticism and Denial in Reconstruction-Era Public Discourse." *The Journal of Southern History* 77, no. 1 (2011): 53–90. <http://www.jstor.org/stable/27919387>.
- Shapiro, Herbert. "The Ku Klux Klan During Reconstruction: The South Carolina Episode." *The Journal of Negro History* 49, no. 1 (1964): 34–55. doi:10.2307/2716475.
- Simkins, Francis B. "The Ku Klux Klan in South Carolina, 1868-1871." *The Journal of Negro History* 12, no. 4 (1927): 606–47. doi:10.2307/2714040.
- Smith, W. Wayne. "An Experiment in Counterinsurgency: The Assessment of Confederate Sympathizers in Missouri." *The Journal of Southern History* 35, no. 3 (1969): 361–80. doi:10.2307/2205763.
- Swenson, Benjamin J. "'Measures of Conciliation': Winfield Scott, Henry Halleck, and the Origins of U.S. Army Counterinsurgency Doctrine." *Journal of Military History* 86, no. 4 (October 2022): 859–81.
- Zuczek, Richard. "The Federal Government's Attack on the Ku Klux Klan: A Reassessment." *The South Carolina Historical Magazine* 97, no. 1 (1996): 47–64. <http://www.jstor.org/stable/27570136>.

## Scholarly Books

- Bonekemper, Edward H. *The Myth of the Lost Cause: Why the South Fought the Civil War and Why the North Won*. Kindle. Washington, DC: Regnery History, 2022. [https://read.amazon.com/?asin=B012LMP2MK&ref\\_=kwl\\_kr\\_iv\\_rec\\_1](https://read.amazon.com/?asin=B012LMP2MK&ref_=kwl_kr_iv_rec_1).
- Chernow, Ron. *Grant*. New York, NY: Penguin Books, 2018.

- Current, Richard Nelson. *Those Terrible Carpetbaggers*. New York, NY: Oxford University Press, 1988.
- Dixon, Thomas. *The Clansman*. New York, NY: Routledge, 2001.
- DuBois, W.E.B. *Black Reconstruction in America; an Essay toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880*. New York, NY: Atheneum, 1935.
- Dunning, William Archibald. *Reconstruction, Political and Economic, 1865-1877*. New York, NY: Harper & Bros., 1907.
- Farris, Scott. *Freedom on Trial: The First Post-Civil War Battle over Civil Rights and Voter Suppression*. Amazon Kindle. Guilford, NC: The Lyons Press, 2021.  
[https://read.amazon.com/?asin=B08JXJXQT5&ref\\_=kwl\\_kr\\_iv\\_rec\\_8](https://read.amazon.com/?asin=B08JXJXQT5&ref_=kwl_kr_iv_rec_8).
- Fellman, Michael. *Inside War: The Guerilla Conflict in Missouri during the American Civil War*. New York, NY: Oxford Univ. Pr., 1989.
- Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863-1877: Updated Edition*. New York, NY: Perennial Classics, 2014.
- Freehling, William W. *Prelude to Civil War: The Nullification Controversy in South Carolina 1816-1836*. Internet Archive. New York, NY: Harper Torchbooks, 1966.  
<https://archive.org/details/preludetocivilwa0000unse/page/256/mode/2up>.
- Gallagher, Gary W. *The Confederate War: How Popular Will, Nationalism, and Military Strategy Could Not Stave off Defeat*. Amazon Kindle. Cambridge, MA: Harvard Univ. Press, 1999. [https://read.amazon.com/?asin=B095T1CKHM&ref\\_=kwl\\_kr\\_iv\\_rec\\_2](https://read.amazon.com/?asin=B095T1CKHM&ref_=kwl_kr_iv_rec_2).
- Glatthaar, Joseph T. *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers*. Baton Rouge, LA: Louisiana State University Press, 2000.
- Grimsley, Mark. *The Hard Hand of War*. New York, NY: Cambridge University Press, 1995.
- Guelzo, Allen C. *Fateful Lightning: A New History of the Civil War & Reconstruction*. Oxford: Oxford University Press, 2012.
- \_\_\_\_\_. *Reconstruction: A Concise History*. New York, NY: Oxford University Press, 2018.
- Martinez, J. Michael. *Carpetbaggers, Cavalry, and the Ku Klux Klan: Exposing the Invisible Empire during Reconstruction*. Lanham, MD: Rowman & Littlefield, 2007.
- McPherson, James M. *Battle Cry of Freedom*. New York, NY: Oxford University Press, 2003.
- Stephens, Bret. *America in Retreat: The New Isolationism and the Coming Global Disorder*. Amazon Kindle. New York, NY: Sentinel, an imprint of Penguin Random House LLC, 2015. [https://read.amazon.com/?asin=B00G3L11BC&ref\\_=kwl\\_kr\\_iv\\_rec\\_96](https://read.amazon.com/?asin=B00G3L11BC&ref_=kwl_kr_iv_rec_96).
- Tactics in Counterinsurgency*. Army Publishing Directorate. Washington, D.C.: Headquarters, Department of the Army, 2009.  
[https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/fm3\\_24x2.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/fm3_24x2.pdf).
- Trelease, Allen W. *White Terror*. Westport, CT: Greenwood Press, 1971.
- West, Jerry Lee. *The Reconstruction Ku Klux Klan in York County, South Carolina, 1865-1877*. Internet Archive. Jefferson, NC: McFarland & Co, 2002.  
<https://archive.org/details/reconstructionku0000west/page/62/mode/2up>.
- Williams, Lou Falkner. *The Great South Carolina Ku Klux Klan Trials, 1871-1872*. Athens, GA: University of Georgia Press, 2004.
- Zuczek, Richard. *State of Rebellion Reconstruction in South Carolina*. Columbia, SC: University of South Carolina Press, 2009.

