



# The Ku Klux Klan Trials

The Ku Klux Klan (KKK) was founded in 1865 by Confederate veterans in Tennessee as a social club, and evolved into a terror movement aimed at crushing political equality for Black people and restoring white people to their “rightful place” in the Southern social order.

Following the ratification of the 15<sup>th</sup> Amendment to the Constitution, granting Black men the right to vote, and in response to widespread violence against Black people, Congress passed two important laws. The Enforcement Act of 1870 protected the rights of citizenship and aimed to stop bribery and intimidation of voters. The Ku Klux Klan Act of 1871 allowed the federal government to impose harsh penalties and use military force to suppress terrorist organizations.

Arrests and trials soon began throughout the South. In South Carolina, where Klan activity was out of control,

President Ulysses S. Grant sent in troops to make arrests and stop the violence. By the end of the year, hundreds of Klansmen were arrested and put on trial. The juries consisted largely of formerly enslaved people.

Of the 220 people charged in the trials of 1871–1872, 53 pleaded guilty and five were prosecuted for conspiracy to “oppress, threaten, and intimidate” Black men for having voted or to prevent them from voting in the upcoming 1872 election. Penalties for those convicted ranged from three months to five years imprisonment and fines from \$10 to \$1,000. After the trials, Klan terrorism in the South declined dramatically, though other white supremacist groups continued to perpetrate anti-Black violence.

The examples of testimony below from the Ku Klux Klan hearings and trials demonstrate the nature of Klan violence and the great bravery of Black people who risked their lives to speak out against it.

## 1. Abraham Colby, a former enslaved man and Georgia state legislator, was attacked by the KKK in 1869.

**COLBY:** On the 29th of October 1869, [the Klansmen] broke my door open, took me out of bed, took me to the woods and whipped me three hours or more and left me for dead. They said to me, “Do you think you will ever vote another damned Radical ticket?” I said, “If there was an election tomorrow, I would vote the Radical ticket.” They set in and whipped me a thousand licks more, with sticks and straps that had buckles on the ends of them.

**QUESTION:** What is the character of those men who were engaged in whipping you?

**COLBY:** Some are first-class men in our town. One is a lawyer, one a doctor, and some are farmers. They had their pistols and they took me in my night-clothes and carried me from home. They hit me five thousand blows. I told President Grant the same that I tell you now. They told me to take off my shirt. I said, “I never do that for any man.” My drawers fell down about my feet and they took hold of them and tripped me up. Then they pulled my shirt up over my head. They said I had voted for Grant and had carried the Negroes against them. About two days before they whipped me they offered me \$5,000 to go with them and said they would pay me \$2,500 in cash if I would let another man go to the legislature in my place. I told them that I would not do it if they would give me all the county was worth... The worst thing was my

mother, wife and daughter were in the room when they came. My little daughter begged them not to carry me away. They drew up a gun and actually frightened her to death. She never got over it until she died. That was the part that grieves me the most.

**QUESTION:** How long before you recovered from the effects of this treatment?

**COLBY:** I have never got over it yet. They broke something inside of me. I cannot do any work now, though I always made my living before in the barber-shop, hauling wood, etc.

**QUESTION:** You spoke about being elected to the next legislature?

**COLBY:** Yes, sir, but they run me off during the election. They swore they would kill me if I stayed. The Saturday night before the election I went to church. When I got home they just peppered the house with shot and bullets.

**QUESTION:** Did you make a general canvas [to secure votes] there last fall?

**COLBY:** No, sir. I was not allowed to. No [Republican] man can make a free speech in my county. I do not believe it can be done anywhere in Georgia.



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## 2. Charlotte Fowler, from Spartanburg County, South Carolina, witnessed the murder of her husband by the Klan.

**QUESTION:** Tell how [your husband] was killed.

**FOWLER:** ...I reckon I did not lay in bed a half an hour before I heard somebody by the door; it was not one person, but two—ram! ram! ram! at the door. Immediately I was going to call [my husband] to open the door; but he heard it as quick as lightning, and he said to them: "Gentlemen, do not break the door down; I will open the door;" and just as he said that they said: "God damn you, I have got you now." I was awake, and I...got out of the bed, and fell down on the floor. I was very much scared. The little child followed its grandfather to the door—you know in the night it is hard to direct a child... [H]e said, "Don't you run," and just then I heard the report of a pistol, and they shot him down; and this little child ran back to me before I could get out, and says, "Oh, grandma, they have killed my poor grandpappy." He was such an old gentleman that I thought they just shot over him to scare him; but sure enough, as quick as I got to the door, I raised my right hand and said, "Gentlemen, you have killed a poor, innocent man." My poor old man! Says he,

"Shut up." I never saw but two of them, for, by that time, the others had vanished.

**QUESTION:** Did these men have masks on?

Fowler: [The mask worn by the killer] was all around the eyes. It was black; and the other part was white and red; and he had horns on his head. He came in the house after he killed the old man and told me [he wanted] light, and I made the little girl make a light; he took the light from her and looked over the old man. Another man came out of the gate, and looked down on the old man and dropped a chip of fire on him, and burnt through his shirt—burnt his breast.

**QUESTION:** Are the colored people afraid of these people that go masked?

**FOWLER:** Yes, sir; they are as afraid as death of them. There is now a whole procession of people that have left their houses and are lying out. You see the old man was so old, and he did no harm to anybody; he didn't believe anybody would trouble him.

## 3. Reverend Elias Hill was a Baptist minister in York County, South Carolina. He was also a schoolteacher and president of the local Union League (a club formed during the Civil War to promote loyalty to the Union). He gave the following testimony after being whipped by the Klan.

**QUESTION:** What effect did [widespread whippings] have on the colored people up there—are they alarmed?

**HILL:** Yes, sir; so alarmed that they did not sleep in the houses at night.... I did not hear of any who did not sleep out—not at all; during last winter and spring all slept out from the effect of this excitement and fear... Men and women both. Some women would sleep out with their

husbands. The women would be so excited when their husbands left that they would go too with the children, and one stayed in a rainstorm while her husband was fleeing for his life, as they were about to kill him. There is June Moore; his wife went out with her little baby and rain every night until late in the spring, and many, many of them did the same.



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## 4. Sam Nuckles, a former enslaved person, was elected to the South Carolina State Legislature in 1868 and was threatened by the Klan soon after. He sought refuge in Columbia County.

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**QUESTION:** Where did [the colored people who fled the county] go to?

**NUCKLES:** There are a great many refugees here and in Fairfield county, and in Chester too, and a good many at York; a great many have come here [Columbia]—a great many...do not feel safe in going back...unless something is done.

**QUESTION:** What has become of the republican party up there?

**NUCKLES:** The republican party, I may say, is scattered and beaten and run out. And just like scattered sheep everywhere. They have no leaders up there—no leaders... If there are, they are afraid to come out and declare themselves leaders—colored men or white men.

**QUESTION:** What is to become of you up there?

**NUCKLES:** I give it up. Here's a gentleman named Mr. Burke Williams, professed to be a thoroughgoing republican with us. He is there, but I suppose he has gone back. I don't know what keeps him there; I suppose he has, maybe, agreed to sniff anything they say or do. That is the report that has been sent to us several times: if we come back and submit and resign being republicans and vote the democratic ticket, and take sides with them, we can stay there; but we do not propose to do that.

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## 5. Harriet Hernandez and her husband were whipped by the Klan in Spartanburg County, South Carolina. This punishment was inflicted after Harriet's husband rented some land and she decided to leave her job as a domestic laborer. The Hernandez family and others felt forced to hide out in the woods at night to escape further violence.

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**QUESTION:** Had he been afraid for any length of time?

**HERNANDEZ:** He has been afraid ever since last October [for nine months]. He has been lying out. He has not laid in the house ten nights since October... That is the way they all have to—men and women both.

**QUESTION:** What were they afraid of?

**HERNANDEZ:** Of being killed or whipped to death... Because men that voted radical tickets they took the spite out on the women when they could get at them.

**QUESTION:** How many colored people have been whipped in that neighborhood?

**HERNANDEZ:** It is all of them, mighty near. I could not name them all... They have no satisfaction to live like humans, no how. It appears to me like all summer I have been working and it is impossible for me to enjoy it.

### SOURCES:

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[http://ldhi.library.cofc.edu/exhibits/show/after\\_slavery\\_educator/unit\\_nine\\_documents/document\\_9](http://ldhi.library.cofc.edu/exhibits/show/after_slavery_educator/unit_nine_documents/document_9).

PBS American Experience, Reconstruction: The Second Civil War, <https://www.pbs.org/wgbh/americanexperience/features/reconstruction-southern-violence>.

Teaching American History, Testimony to Sub-Committee on Reconstruction in Spartanburg, South Carolina, Charlotte Fowler, July 6, 1871, <https://teachingamericanhistory.org/library/document/testimony-to-sub-committee-on-reconstruction-in-spartanburg-south-carolina>.