Moses of South Carolina

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Published by Johns Hopkins University Press


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Frank Moses was thirty-seven when his term as governor ended. He had little money and few prospects. The Robber Governor’s assets consisted of approximately a hundred dollars in cash and some personal effects.¹ If he was a thief, apparently he was not a very good one. Over the next two years, he worked unsuccessfully as a lobbyist and wrote Republican campaign materials in preparation for the 1876 elections. He considered running for the state legislature but had no money for a campaign.

In the meantime, things seemed to be going well for Governor Chamberlain and the Republican party. Chamberlain vigorously courted South Carolina’s whites and had some success in winning their favor. After his election Chamberlain presented the legislature with a program that reduced taxes and cut expenditures. He vetoed nineteen bills that might have increased expenditures in one way or another.² Chamberlain also supported efforts to oust a number of Republican officials on charges of fraud and official corruption. The Republican state treasurer Niles Parker was tried and found guilty of official malfeasance. State senator Robert Smalls was found guilty of breach of public trust. Frank Moses’s uncle Montgomery Moses, a judge, was impeached and removed from office.³

The conservative press, including the Darlington Southerner, the Edgefield Advertiser, and the Charleston News and Courier found much to praise in Chamberlain’s management of the state’s affairs. The Advertiser called Governor Chamberlain South Carolina’s “only
hope.” The Southerner said Chamberlain stood against corruption “like a rock, firm and immovable.” The July 18, 1876, issue of the Courier summarized Chamberlain’s accomplishments. According to the newspaper, Chamberlain had corrected Moses’s abuse of the pardoning power; he had reduced the state’s indebtedness; he had amended the tax laws so as to ensure greater uniformity in property assessments; and he had reduced legislative expenses and state salaries. The Courier saw many reasons for white Carolinians to support Governor Chamberlain. Indeed, the Courier advised white Democrats not to nominate a gubernatorial candidate in 1876 if Chamberlain was the Republican nominee. Large segments of the state’s white business class agreed with the Courier, praising Chamberlain for his orderly and legalistic reforms and promising to support him against the “Radical Ring.”

But while Chamberlain was building support among Democrats, his policies were producing deep divisions within the Republican party. Most white Republicans supported the governor; most black Republicans, led by Robert Elliott, opposed him. One observer said, “The darkies here are deadly enemies to him now, and will get him out of the way if they can.” The lines were not entirely racial. Some black Republicans, seeing no viable alternative, supported Chamberlain, while U.S. senator John Patterson and former state treasurer Niles Parker sought to organize opposition to the governor. When Chamberlain moved to prosecute Parker on charges of malfeasance, Parker threatened to expose Chamberlain’s own past misdeeds. Chamberlain’s somewhat self-righteous response was published by the Courier: “My evils have heretofore come from the friendship of bad men. Perhaps I shall fare better if I now have their hatred.” Chamberlain believed that his enemies hated him “for being more decent than they.”

Divisions between pro- and anti-Chamberlain forces within South Carolina’s Republican party became so bitter that during a floor fight at the 1876 state party convention, pistols were drawn and spectators fled from the galleries.

Ultimately, Chamberlain’s efforts to win the support of native whites had little chance of success. White conservatives liked Cham-
berlain. He seemed to share many of their views, particularly their disdain for blacks. From the white Democratic perspective, Chamberlain was certainly the best of all the Republicans. By 1875, however, white Carolinians were no longer convinced that their only choices lay within the Republican party. Democrats had taken control of several state governments and the U.S. House of Representatives in what was widely viewed as the northern public’s repudiation of Radical Reconstruction. Once in control of the House, Democrats were able to sharply increase political pressure on the Grant administration to further reduce the federal military presence in the South. Democrats calculated that the removal of federal forces would be followed by a rapid collapse of Republican governments in the old Confederacy. This, in turn, would give the Democratic party additional strength in Congress and enhance the party’s chances in future presidential contests. The Republicans could also count votes, and they feared that a continuation of Radical policies would further alienate northern voters. As a result, federal support for the South’s Republican governments was waning. Several southern states had been “redeemed” by their native whites, and even Mississippi, a state with a majority black population similar to South Carolina’s, had recently been returned to white control. Advocates of “straight-out Democracy” pointed to the “Mississippi plan” of coordinated violence, economic pressure, and political action as a blueprint for redeeming South Carolina from Republican rule.

The various rifle clubs and saber clubs for whites were already active in the 1874 election. No Democratic gubernatorial nominee had opposed Chamberlain that year, but a group of independent Republicans had bolted from the convention and nominated John Green, a native white Republican who appealed for conservative support by promising good government and fiscal reform. Though Green had no chance of carrying the state, Democratic paramilitary forces mounted what became a practice drill on his behalf, instigating a number of armed confrontations with black militias and murdering several black militiamen and politicians. “Pitchfork” Ben
Tillman, later a U.S. senator, was a leader of Democratic paramilitary forces in 1874. Tillman’s forces helped Democrats carry Shaw’s Mill, a precinct with five times as many black voters as whites, by driving off the black militia and terrorizing black voters to prevent them from coming to the polls.13

Violence continued after the election. White rifle clubs in Edgefield mobilized after a rumor spread that black militia captain Ned Tenant was responsible for fires at local plantations. Over the next several days, white paramilitaries killed or wounded a number of blacks and disarmed Tenant’s forces. The violence did not abate until the federal government sent an infantry company to patrol the county.

Nonetheless, violence waned in the early months of Chamberlain’s administration as the governor’s overtures to the white community convinced some that the new chief executive might merit their support. The Republican legislature’s election of Moses and Whipper to the bench was a turning point for whites. Although Chamberlain might be acceptable, he was isolated within his own party. Whites congratulated the governor for turning back the appointments but saw in the legislature’s effort a dark conspiracy that had to be resisted by force of arms. The Courier declared that the election of Moses and Whipper was an effort by the Republicans to “Africanize” the state.14 This was the last straw, “the last feather to break the camel’s back,” as another paper put it.15 Even out-of-state observers understood that the Moses and Whipper nominations would galvanize the Democrats against the Republican government. “A rumpus has begun in South Carolina,” said the correspondent for the Cincinnati Commercial, “which will end in the white people getting control of the state. . . . The whites are aroused; the color line is drawn. . . . [Whites see] no escape from Moses and Whipper on the bench but the complete overthrow of the so-called party which elected them.”16

In the wake of the abortive Republican effort to appoint Moses and Whipper to the bench, whites dismissed Chamberlain as a
“mere adventurer from Massachusetts” and mobilized an all-out struggle to seize control of the state. Many whites were encouraged by events in Mississippi. The federal government had stood by as white paramilitary forces drove the Republicans from power in that state. Now, South Carolinians thought it was time for “actions as shall result in the overthrow and banishment of the faction which has so long ruled, robbed and degraded us.” Between the fall of 1875 and the summer of 1876, white opinion in South Carolina seemed to settle on the idea that the Republicans—Chamberlain included—must be driven out by any means necessary.

The most effective of these means was violence. Democratic gun clubs, saber clubs, and the like stepped up their campaign of terror and intimidation aimed at destroying the black militias and compelling blacks and whites to abandon the Republican party. The Republican leader Joseph Crews was assassinated by Democratic gunmen. Other Republicans were threatened or beaten. The most horrific incident was the July 1876 Hamburg Massacre. Hamburg was a mainly black hamlet in Aiken County near Edgefield, not far from the Georgia border. On the Fourth of July the county’s state militia company was parading through the town in honor of the national holiday. A confrontation broke out between the militia and two armed white men but no shots were exchanged. Seizing the opportunity, white paramilitary forces attacked the black militiamen. Ben Tillman later explained, “The leading white men of Edgefield had determined to seize the first opportunity that the negroes might offer them to provoke a riot and teach the negroes a lesson . . . by killing as many of them as was justifiable.”

The black militia exchanged fire with the white rifle companies and killed a white man. With more armed whites arriving, the black militiamen barricaded themselves in a house. The white paramilitary groups had an artillery piece and fired shrapnel at the militia company. The militiamen ran and at least one was killed and many more captured. After several hours the white paramilitaries began to execute their captives, shooting them through the head, one by one. After several were murdered the remainder were set free. Ben
Tillman recalled, “We were all tired but more than satisfied with the result.” In the aftermath of the massacre, a number of men were charged with murder and other offenses, but not one was brought to trial. President Grant deplored the massacre, declaring it “cruel, bloodthirsty, wanton and unprovoked.” He promised whatever assistance he could provide for which he could find law or constitutional power. In the end, the president found neither as he waited for his term and Republican rule in the South to come to an end.

Against this backdrop of white violence, Democrats fielded a candidate for the first time since the beginning of Reconstruction. Not surprisingly, he was Gen. Wade Hampton, the state’s greatest war hero and most prominent citizen. Hampton took the high road, marching across the state with an entourage of three thousand mounted guards. He was met everywhere by cheering and festive white crowds. At the end of October he arrived in Charleston where he was greeted by thousands of admirers welcoming the general as he symbolically liberated the city from its occupiers.

While Hampton kept his own hands clean, as had been his practice throughout Reconstruction, his supporters, led by Martin Gary, launched a new campaign of terror against the Republicans and their black supporters. Leading Republican politicians were physically attacked and Chamberlain, seeking reelection to a second term, found that everywhere he spoke he was surrounded by hostile cordons of armed men wearing the red shirts that marked them as Hampton supporters. Preparations for the election as well as election day itself were marred by shootings, riots, and other forms of violence instigated mainly by white Democrats against black and white Republicans. When the votes were tallied, Hampton seemed to have defeated Chamberlain by a vote of 92,261 to 91,127. Thousands of blacks had risked their lives to vote, but apparently it had not been enough to carry the day. Voting fraud, however, had been widespread, and Republicans asserted that Democrats had stolen the election. Indeed, in two counties, the number of Democratic votes cast exceeded the total number of possible voters in the counties.
The state constitution provided that in the case of a disputed election the legislature would choose the new governor. However, because of a complicated series of events, two legislative bodies—one controlled by the Democrats and one by the Republicans—claimed to be the legitimately elected South Carolina legislature. The Democratic group declared Hampton to be the new governor while the Republicans asserted that Chamberlain had been reelected. To the delight of the Democrats, the state’s supreme court refused to invalidate the election returns. Republicans declared that the decision represented Chief Justice Moses’s revenge against Chamberlain for refusing to allow his son to sit on the South Carolina bench. Chief Justice Moses was disparaged by northern Republican papers as a Jew who was “homely as a stump fence.” Justice Moses died unexpectedly, before he could issue any further opinions on the matter. The Democratic papers declared that old Moses was well known to have favored the election of Hampton.

For a time, it seemed that the outcome of the election would be decided by force. In any armed clash, the Democratic party’s paramilitary forces would almost certainly have routed the state militiamen mustered by Chamberlain and his supporters. Republicans, though, appealed to the federal government for help, hoping that the federal troops stationed in Columbia would disperse the various Democratic rifle clubs and support the Chamberlain administration’s claim to power. For a time, the federal army commander in Columbia deployed his troops to protect the Republican governor and legislature. In March 1877 the newly elected president Rutherford B. Hayes summoned both Chamberlain and Hampton to Washington. The substance of the discussions was confidential, but shortly after meeting with both men Hayes ordered federal forces to withdraw from Columbia. Without the support of the federal military, the Republican governor and many legislators bowed to the inevitable and turned their posts over to the Democrats.

Some historians have argued that Hayes’s decision to abandon his fellow Republicans in South Carolina and the other southern states was prompted by the circumstances of his own election. The
1876 presidential contest had ended with no majority in the electoral college and a dispute over the nineteen electoral votes of South Carolina, Louisiana, and Florida. Hayes needed all nineteen votes to defeat the Democratic candidate, Samuel Tilden, who had actually polled more popular votes than his Republican rival. Faced with a growing national crisis, Congress created a bipartisan electoral commission to settle the matter. As the commission deliberated, Hayes’s aides negotiated with Wade Hampton’s emissaries as well as those representing Louisiana Democrats. Hayes agreed that if elected he would recognize Hampton as governor of South Carolina, Democrat Francis Nicholls as governor of Louisiana, and would order remaining federal forces in the South not to interfere with what was called “home rule.”

In the wake of this agreement, Hayes was awarded all nineteen of the disputed electoral votes and the presidency. Reconstruction was over.

In the wake of their victory, Democrats began cleansing the state of all vestiges of Republican rule. To this end, the Hampton government began, where possible, removing Republican officeholders from their positions. The government established a Commission on Public Frauds to investigate the involvement of Republicans in a variety of improper bond and railroad transactions, among other misdeeds. Finally, the Hampton government brought indictments against twenty-five former Republican officeholders, of whom four were actually brought to trial and three convicted.

The South Carolina fraud investigation produced hundreds of pages of documents and testimony affirming that the Republicans had been a corrupt bunch. Conveniently, the involvement of prominent Democrats in the various shady schemes was overlooked. The commission sought to show that state debt certificates had been illegally issued, railroad shares had been manipulated, state legislators had accepted bribes, and legislators had accepted kickbacks from contractors. Virtually every prominent Republican—but not a single Democrat—was named in the report. To the state’s press, the fraud report was conclusive proof that the Radical government had been little more than a criminal enterprise that had been properly
overthrown by the heroic Hampton and his red-shirted followers. And that was the report’s purpose—to provide “moral evidence” to incriminate the Republicans in the court of public opinion. The name of Franklin Moses did not figure very prominently in the report. Moses testified briefly, admitting some minor financial sleight of hand. Others testified that Moses had, at one time or another, defrauded the state of a few dollars, often to reward some worthy Republican. All in all, the infamous Robber Governor turned out to have played a fairly minor role in the various crimes identified by the commission.

Of the twenty-five Republicans indicted for criminal activities and official misconduct, only three were convicted—Francis Cardozo, Robert Smalls, and Cass Carpenter, a former tax agent and newspaper editor who had incurred the wrath of Governor Hampton. Moses was briefly arrested but never charged. Those arrested were questioned individually and secretly, and they were sworn to reveal neither the questions they were asked nor the answers they gave. Detainees who later violated their oath told the northern press that the state’s authorities had mainly been interested in eliciting testimony against former governor Chamberlain, the only Republican that Hampton still considered even a remote threat. Presumably, Moses would have been only too happy to tell what he knew about Chamberlain and his allies. At any rate, Moses was not indicted, despite having once been hailed as the notorious Robber Governor.

The three men convicted of involvement with various public frauds soon won official pardons in what amounted to an exchange of prisoners between state and federal authorities. The federal government had indicted a number of white South Carolinians involved in the political violence of 1876. Some of these men were well-known Democrats who had been engaged in violent action to help bring the new state administration into power. Their trial and possible conviction would be embarrassing to Hampton and the other Democrats. Accordingly, Governor Hampton proposed to President Hayes that the state government would stop prosecuting Repub-
licans if the federal government would drop its cases against the Democrats. After some maneuvering by both sides, a deal was struck. South Carolina pardoned the convicted Republicans and the U.S. government refrained from prosecuting the several Democrats it had indicted.

As Democratic rule took hold in South Carolina, the memory of Reconstruction began to fade. Most of the state’s scalawags “crossed Jordan” by returning to the Democratic fold and making peace with their neighbors. Some even held minor political office in later years. Those scalawags who refused to renounce their Republicanism found themselves subject to reprisals and even violence at the hands of their fellow South Carolinians. Old governor Perry declared that Moses should take his thirty pieces of silver and his scalawag friends and depart for New York, New England, or Australia. Most scalawags, however, tried to remain in their home state.

Most of the carpetbaggers, including South Carolina’s two carpetbagger governors, left the state. Former governor Robert Scott returned to Napoleon, Ohio, where he became involved in real estate. Daniel Chamberlain opened a law practice in New York City, eventually became a professor of constitutional law at Cornell University, and often returned to South Carolina to visit (white) friends. In a Massachusetts speech in 1890, Chamberlain declared that since 1876, South Carolina’s blacks had been treated extremely well. “The Negro has never known such an era of advancement and prosperity in all that benefits a citizen and free man as the period since 1876.” A few years later, Chamberlain wrote that the idea that blacks could be politically or socially equal to whites should be abandoned. He observed that many whites found blacks physically repulsive. “I freely acknowledge that repulsion,” he declared. In 1904 Chamberlain wrote that the major cause of the race problem in the South was the propensity of black men to rape white women. When blacks stopped raping white women, Chamberlain opined, racial problems would diminish.

Some of the blacks who became prominent in South Carolina
during Reconstruction remained in the state, even participating in politics for a time. After receiving a pardon from Hampton, Robert Smalls represented South Carolina in the U.S. House of Representatives until 1887. At the expiration of his term, Smalls received a federal appointment as collector of the port of Beaufort. William Whipper was active in South Carolina politics in the 1880s and 1890s. Others were able to pursue successful careers outside South Carolina. After his pardon, Francis Cardozo moved to Washington, D.C., where he eventually became the principal of a black high school. A historically black high school in the District of Columbia is named for him. Robert B. Elliott practiced law for many years in New Orleans, and Richard Cain was elected a bishop of the AME church, serving in Texas, Louisiana, New York, New Jersey, and Pennsylvania. Other prominent blacks were not so fortunate. Former congressman Joseph Rainey failed in business in Washington, D.C. One-time congressman and lieutenant governor Alonzo Ransier found employment as a day laborer in Charleston. Former lieutenant governor Richard Gleaves spent his last years as a waiter and steward at the Jefferson Club in Washington, D.C. According to legend, Gleaves was once called upon to serve Wade Hampton, who had been elected to the Senate by his fellow citizens.

Within a few years, historians Francis Simkins and Robert Woody observe, “the principals of the Reconstruction regime vanished from the public life of the state as completely as if they had been made to do long terms in the state penitentiary.” One might add that the principles of the Reconstruction regime vanished along with its principals. After 1876 the Republican party of South Carolina gradually disintegrated, unable to contest elections or protect its voters from reprisals and intimidation. Robert Elliott became the party chairman and blacks remained loyal to the party as long as they could. But after the debacle of 1876, Republicans were unable to campaign on a statewide basis. Within two decades, blacks had been almost completely extruded from the political life of South Carolina. They were effectively barred by the state’s 1895 constitu-
tion from voting or holding office until the civil rights revolution, nearly a century later, shook up the politics of the state. Most South Carolinians believed that during Reconstruction, the Republicans had been led by “the most unprincipled, brutal leaders ever known” and that Reconstruction and Republicanism had been synonymous with the horror of “Negro domination.”44