

**North
The
Down**



By Patricia A. Kaufmann

in Carolina in 1871: Ku Klux Klan Strikes on Governor Holden

Politically-Motivated Impeachment of Gov. William W. Holden due to his Crackdown on the Ku Klux Klan

William Woods Holden

William W. Holden (1818-1892), shown in Figure 1, was the first governor in United States history to be removed from office through the impeachment process. His prosecution was politically motivated due to conservative Democrats' objections to Holden's vigorous suppression of the Ku Klux Klan.

Holden was appointed governor by President Andrew Johnson, Figure 2, in 1865 and subsequently elected in 1868. He served until 1871, and was the leader of the state's Republican Party during the Reconstruction Era.

"There is No Such Thing"

"...there is no such thing as reconstruction. These States have not gone out of the Union, therefore reconstruction is unnecessary. I do not mean to treat them as inchoate States, but merely as existing under a temporary suspension of their government, provided always they elect loyal men. The doctrine of coercion to preserve a State in the Union has been vindicated by the people. It is the province of the Executive to see that the will of the people is carried out in the rehabilitation of the rebellious States, once more under the authority as well as the protection of the Union." Andrew Johnson

Figure 1.
William Woods Holden,
the first governor in U.S.
history to be removed from
office by impeachment.

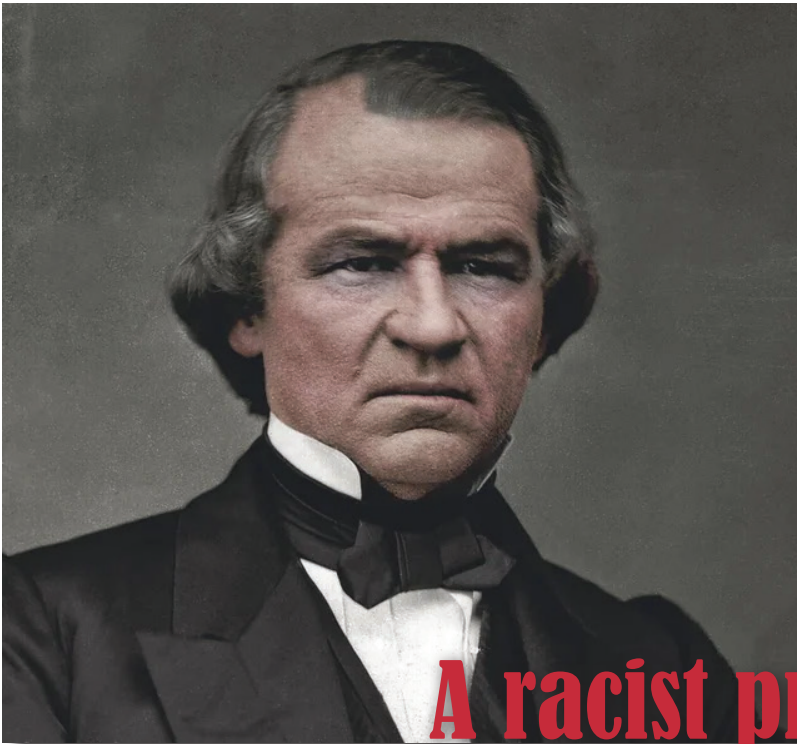
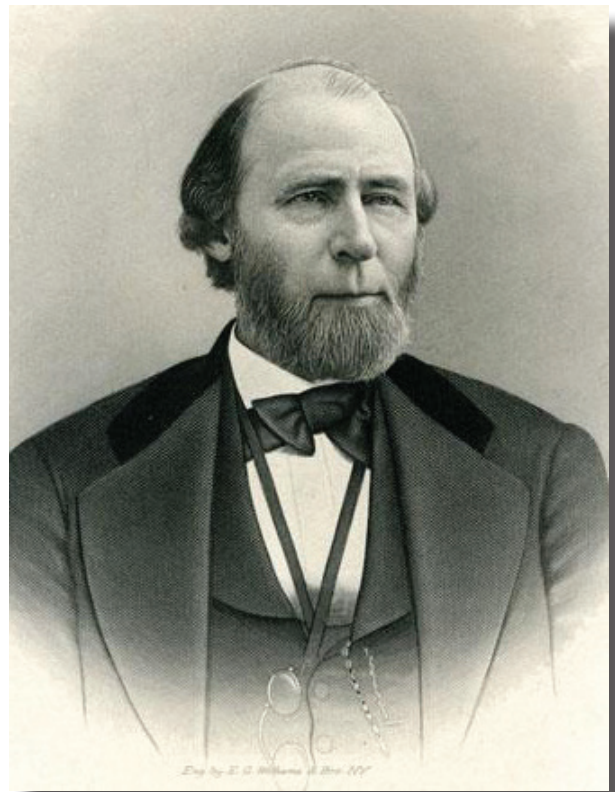


Figure 2.
President Andrew Johnson, portrait
c. 1870-1880 by Mathew B. Brady
(Library of Congress)

A racist president succeeds Abraham Lincoln

Figure A. Klan cartoons like this began to appear in
both the North and South in the late 1860s.



The Kirk-Holden War against the Klan

In a June 1870 proclamation, Governor Holden condemned the actions of the Ku Klux Klan, accusing them of murdering North Carolinians and using terror tactics to suppress the vote of both newly enfranchised African Americans and white Republicans.

Formed in the aftermath of the Civil War, the Klan spread quickly across the South. Figure 3 shows North Carolina men in Klan costumes heckling a white Republican in 1870. The original Klan of the 1860s and 1870s wore masks or hoods and occasionally robes, but it was the second incarnation of the Klan, started in 1915, that established the signature look with which we are most familiar today. While membership in the KKK has fluctuated during its history, the scope of its hatred has expanded to add Jews, Catholics, homosexuals, organized labor, and immigrants. At its height in the 1920s, the Klan

Figure 3. North Carolina Ku Klux Klan members heckling a white Republican in 1870; an engraving from a photo by U.S. Marshal J.G. Hester. (Civil War Era NC)



Figure B. Ku Klux Klan ruffians dressed in their makeshift costumes with arms.

was responsible for lynching innocent Black men, women, and children. They even went so far as to murder uniformed Black soldiers returning from World War I. Billie Holiday's unforgettable rendition of "Strange Fruit" reminds us just how bad things were – and could be again, if we're not vigilant.

Holden's attempts to use local authorities to control the Klan in the counties of Alamance and Caswell was ineffective because community leaders there were often either members of the Klan or supportive of it. Consequently, Holden declared martial law in both counties.

To impose and maintain order, Holden brought in George W. Kirk, a former Union cavalry officer with a reputation for having terrorized Southern mountain communities during the Civil War. Led by Kirk, the state militia arrested and jailed over 100 suspected Klan mem-



Figure 4. President Ulysses S. Grant, portrait by Mathew B. Brady (Library of Congress). Grant was, with the support of President Lincoln, instrumental in bringing large number of Freedmen recruits into the United States Army. Shown here a freedman infantryman with his wife and children. When Grant succeeded the racist President Johnson in 1869, his treatment of the black citizens through America was remarkably in contradiction to Johnson's ugly philosophies. The lower photograph shown here may also have been taken by Brady when the war was still active.



bers in the two counties. Both Kirk and Holden ignored writs of habeas corpus issued by a state court on behalf of the arrested men, so their supporters turned to the federal judiciary for help.

President Ulysses S. Grant, Figure 4, informed Holden that he would no longer support Holden's controversial policies, and the suspected Klan members were released in August 1870. In November 1870, Alamance and Caswell counties were declared to no longer be in insurrection.

Holden Impeachment and Conviction

After Republicans lost the 1870 election, Democrats immediately brought Holden up on eight charges for numerous actions during "The Kirk-Holden War." Conservatives had won the election by vast numbers, gaining control of the North Carolina Legislature with an overwhelm-

ing majority. Holden had initially been elected by the Negro vote.

Figure 5 shows an "Address to the Colored People of North Carolina" dated Raleigh, Dec. 19th, 1870, in which the undersigned state representatives compare Governor Holden to the hated Mordecai of biblical times.

They state, in part:

The only offense of Gov. Holden, and that which has brought down the wrath of the dominant party upon him is that he thwarted the designs of a band of Assassins, who had prepared to saturate this State in the blood of the poor people on the night before the last election on account of their political sentiments, and to prevent them from voting. Because he dispersed this murderous host, organized by the so-called Conservative party they presented proposed to destroy him. First they propose to suspend him, then

ADDRESS

To the Colored People of North Carolina.

STATE OF NORTH CAROLINA,

RALPH, Dec. 19th, 1870.

To the colored people throughout the State:

The undersigned Representatives send greeting:

Know ye that since the time that Haman conspired to destroy all the Jews who dwelt in the Persian Dominions, because he hated Mordecai, no wickedness hath been devised that will bear any comparison with some of the measures proposed by the dominant party in the present General Assembly. Indeed there is some analogy between our case and that of the Jews at that time. In Gov. Holden we have the despised Mordecai. His enemies stand forth as the exact counterpart of Haman. The poor people, especially the colored people are the great body of victims appointed for the slaughter, and we as Representatives, occupying the place of power, as did Esther, feel it to be our duty to warn you of the impending danger, and arouse you to such action as may tend to avert, if possible, the threatened evil.

The only offence of Gov. Holden, and that which has brought down the wrath of the dominant party upon him is that he thwarted the designs of a band of Assassins, who had prepared to saturate this State in the blood of the poor people on the night before the last election on account of their political sentiments, and to prevent them from voting. Because he dispersed this murderous host, organized by the so called Conservative party they propose to destroy him. First they propose to suspend him, then to go through with a mock trial before the Senate as they have already done before the House, where a true bill has been found without taking testimony.

After impeachment, his enemies will not be satisfied until he is hanged, unless happily their own gallows should overtake them. When Gov. Holden is disposed of those whom he protected will be the next victims. For the blood of one man will not satiate their thirst. They are mad because their slave property is lost. They are mad because the Reconstruction measures have triumphed, and we are permitted to represent you in this body. They are mad because we refuse to bow the knee to them.

Like Haman, who, after speaking of his riches, the multitude of his children, and his preferment both by the King and Queen, yet declared it availed nothing so long as Mordecai sat at the King's gate—so with our enemies. It avails nothing, that they have got control of the General Assembly, by deception, fraud, and intimidation; so long as the friend of the poor, and protector of the innocent and defenceless, occupies the Chair of State, and you have the right to go to the polls unmolested. They have therefore commenced a system of disfranchisement, by amending the charters of towns, by allowing but one day for voting, by allowing voters to be challenged at the polls, and by requiring each to vote in the township in which he resides. They have thereby already disfranchised thousands. But progress in this way is too slow for their purpose. They therefore propose to call a Convention. Having repealed the Militia Law, they propose to let loose their

murderous band, upon us and thus secure a majority of the delegates to this Convention. When this is done our liberties are at an end.

To avert the impending evil we see no power in the arm of flesh. We feel that we have too long neglected to seek aid at that source that never fails. The laws of righteous retribution have not been repealed, but are in force upon the statutes of the Almighty. Justice will not sleep forever. If we call upon God he will hear and answer us.

We therefore propose a day of fasting and prayer throughout the State. Let us ask God to bring our good friend the Governor triumphantly through this ordeal, and to avert the evils that are hanging over us.

LET FRIDAY THE 13TH DAY OF JANUARY, be set apart as a day of fasting and prayer, throughout our habitations. Let no strong drink or other luxuries be used for the three days' preceding. Let the people assemble in their places of worship and cry mightily unto the Lord. Let the maid-servants whose employment will not permit them to worship during the forenoon ask their employers to allow them the afternoon, that they may spend it in fasting and prayer on behalf of the Governor and our suffering people.

Let the Ministers of the Gospel proclaim this fast and ~~see~~ that it is observed. If this call is heartily responded to God will deliver us.

Very respectfully,

GEO. L. MABSON,
Rep. from New Hanover County.

EDW'D R. DUDLEY,
Rep. from Craven County.

ROBT FLETCHER,
Rep. from Richmond County.

GEO. B. WILLIS,
RICHARD TUCKER,
Reps. from Craven County.

STEWART ELLISON,
Rep. from Wake County.

R. FALKNER,
Rep. from Warren County.

W. H. REAVIS,
Rep. from Granville County.

AUGUSTUS ROBBINS,
Rep. from Bertie County,

WM. D. NEWSOM,
Rep. from Hertford County.

B. H. JONES,
Rep. from Northampton County.

WILLIS BUNN,
Rep. from Edgecombe County.

JOHN BRYANT,
Rep. from Halifax County.

W. W. MORGAN,
Rep. from Wake County.

CHARLES SMITH,
Rep. from Halifax County.

J. R. PAGE,
Rep. from Chowan County.

R. M. JOHNSON,
Rep. from Edgecombe County.

Figure 5

Sidebars to Our Story

“Strange Fruit” Lyrics are a Political Statement

Black bodies swinging in the Southern breeze,” blues legend Billie Holiday sang in her haunting 1939 recording of the song, “Strange Fruit Hanging from the Poplar Trees.”

Who can listen to that song and not get chills nor feel distinctly uncomfortable, and hopefully, reflective? “Lady Day,” as she was known, sang this unsettling song for Black and white audiences alike. The usual response was a stunned silence instead



of applause. This was intentionally her closing song at the end of a set. Holiday left immediately afterward with no encore.

In the Library of Congress Music Division is a portrait of Holiday taken in Club Downtown, New York, February 1947. The photo was taken by William P. Gottlieb (1917-2006), best known for his classic photographs of the leading performers in the Golden Age

of American Jazz in the 1930s and 1940s.

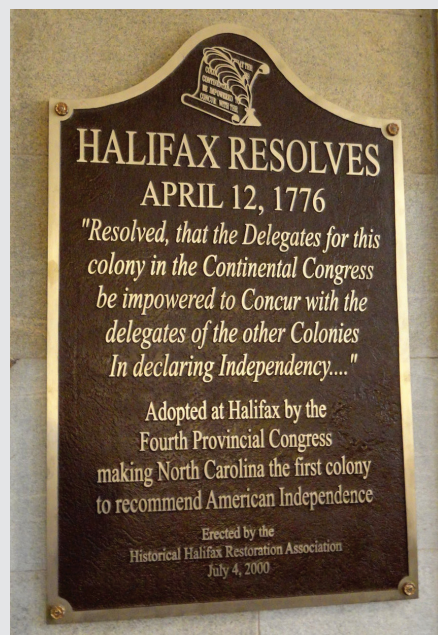
The Library of Congress purchased Gottlieb's works in 1995 with financial support from the Ira and Lenore S. Gershwin Fund.

First in Freedom— The Halifax Resolves

Halifax is the seat of Halifax County. The population was around 250 in 2006. The town was formed near the head of navigation on the Roanoke river, with streets laid out in alignment with the river along the lowlands. It was a leading urban center in colonial North Carolina.

Halifax is known as the birthplace of freedom due to the Halifax Resolves, signed April 12, 1776.

A commemorative plaque in the North Carolina State Capitol shows the Halifax



Resolves as the first official action by an entire colony to favor independence from England.

The Halifax Resolves explicitly allowed North Carolina delegates to vote for independence and urged other colonies to do the same. Because of this, North Carolina claims to be “first in freedom,” although other places in the former thirteen colonies also make that claim. The original colonial section of Halifax was largely abandoned as

the town shifted towards the railroad in the 1800s. Today a handful of buildings from Halifax's colonial history remain.

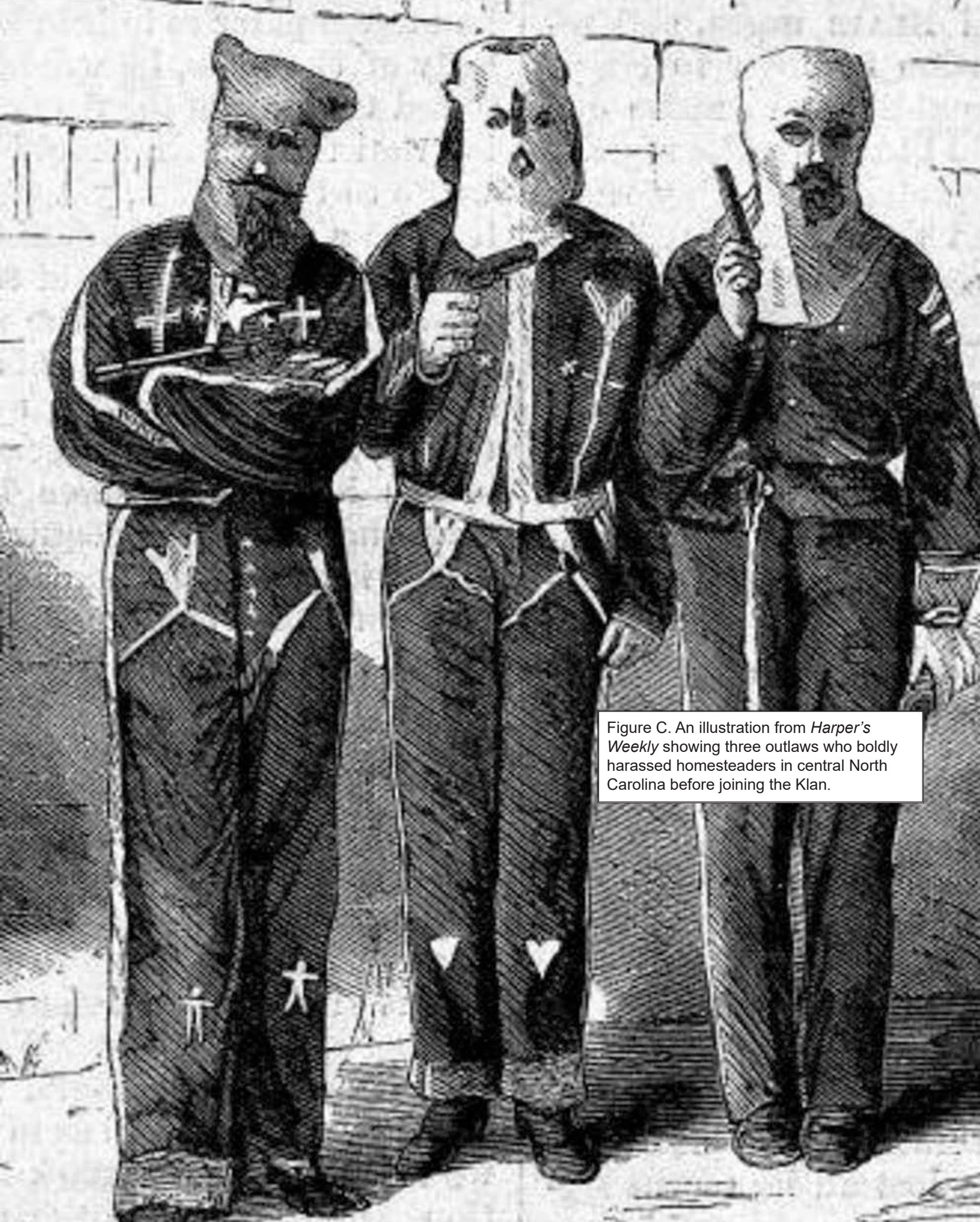


Figure C. An illustration from *Harper's Weekly* showing three outlaws who boldly harassed homesteaders in central North Carolina before joining the Klan.



Figure D. The Caswell County Courthouse, location of the Impeachment trial of Governor Holden.

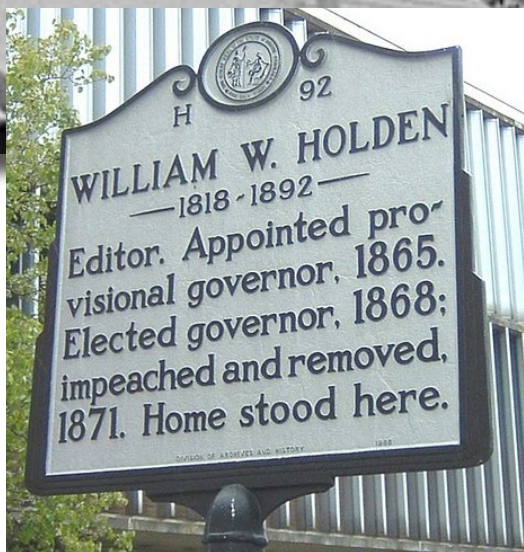


Figure 6. From *The Richmond Whig*, Thomas Nast's drawing "One Vote Less" demonstrates the political agenda of the Ku Klux Klan. (*Harper's Weekly*, August 8, 1868, page 512)



Figure 7. 10-star Confederate flag patriotic (CSA Catalog F-10-3) with a rare unlisted manuscript postmark of "Buckland NC Sept 24th (1861) Paid 5."

to go through with a mock trial before the Senate as they have already done before the House, where a true bill has been found without taking testimony.

We therefore propose a day of fasting and prayer throughout the state. Let us ask God to bring our good friend the governor triumphantly through this ordeal, and to avert the evils that are hanging over us. Let Friday the 13th day of January, be set apart as a day of fasting of prayer, throughout our habitations.

Among other things, North Carolina Conservatives charged Holden with:

...declaring martial law; unlawfully raising troops; declaring counties to be in a state of insurrection; Illegally arresting citizens; seizing, detaining, imprisoning, and depriving those citizens of their liberty and privileges as freemen and refusing to obey a writ of habeas corpus.

Holden was impeached in 1870 by the North Carolina House and tried by the Senate a few months later in a trial that lasted seven weeks. Holden was convicted of six of the eight charges in March 1871. He was removed as governor, as well as being barred from holding future public offices at the state level.

In 2011, the North Carolina Senate met in legislative session inside the old Capitol building in Raleigh where Reconstruction-era lawmakers formally removed Holden from office. The North Carolina General Assembly now meets one block away, but decided to take up a post-

humous pardon resolution on the same day the legislature gathered in historic surroundings to remember a North Carolina document from 1776 urging the colonies' independence from England (the Halifax Resolves). Thus, in 2011, Holden was posthumously pardoned by the North Carolina Senate in a 48-0 vote.

Edward Conigland – Defense Counsel

Among the noted attorneys for Gov. Holden's defense was Edward Conigland (1819-1877), an Irish immigrant who was an esteemed lawyer and a member of the North Carolina constitutional convention of 1865.

Figure 6 is a small 10-star Confederate national flag patriotic (CSA Catalog F-10-3) with a rare manuscript postmark of "Buckland NC Sept 24th (1861) Paid 5." An unlisted Confederate use not recorded in the 2012 *Confederate States Catalog and Handbook of Stamps and Postal History*. It is perhaps unique...addressed to "Mrs. Conigland, Halifax, Halifax County N Carolina."

Conigland's second wife was Mary Wyatt (Ezell) Conigland, to whom this cover was addressed; she died in 1866. Conigland married a third time in 1867. He was struck and killed by a train in 1877 on the south edge of Halifax and was buried in the Conigland family cemetery overlooking Quankey Creek at the family home of Glen Ivey in Halifax. His portrait hangs in the main hallway of the Halifax County courthouse

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