

“Reconstruction South and West: The Post-Civil War Experiences of Black and Indigenous Americans”
2024 Social Studies Workshops, USF Department of History

Description: We often think of Reconstruction in the South as coming first in American history, and the Indian Wars and reservation era as second, belonging in separate textbook chapters. And yet, they were deeply intertwined—the Civil War may have been a war of emancipation in the East, but in the West, it was a war of removal against a number of Indigenous nations. Thus, while emancipated slaves were carving out what freedom could mean for them amid violence, hardship, and an ever-evolving relationship with the federal government and US military during Reconstruction, Indigenous Americans were doing the same thing across the West. This workshop will survey the experiences of Black southerners and Indigenous Americans in the wake of the Civil War, and explore federal policies that promoted farming, male-led families, and education in both "conquered" regions.

Standards:

- SS.1.A.1.1: Develop an understanding of a primary source.
- SS.1.A.2.1: Understand history tells the story of people and events of other times and places.
- SS.1.A.2.2: Compare life now with life in the past.
- SS.2.A.1.1: Examine primary and secondary sources.
- SS.3.A.1.1: Analyze primary and secondary sources.
- SS.4.A.5.2: Summarize challenges Floridians faced during Reconstruction.
- SS.5.A.1.1: Use primary and secondary sources to understand history.
- SS.5.A.1.2: Utilize timelines to identify and discuss American History time periods
- SS.5.A.6.2: Identify roles and contributions of significant people during the period of westward expansion
- SS.5.A.6.6: Explain how westward expansion affected Native Americans.
- SS.5.AA.1.4: Identify freedoms and rights secured for and by former slaves.
- SS.6.W.1.3: Interpret primary and secondary sources.
- SS.6.W.1.4: Describe the methods of historical inquiry and how history relates to the other social sciences.
- SS.6.W.1.5: Describe the roles of historians and recognize varying historical interpretations (historiography).
- SS.68.AA.2.8: Describe significant contributions made by key figures during Reconstruction
- SS.8.A.5.8: Explain and evaluate the policies, practices, and consequences of Reconstruction (presidential and congressional reconstruction, Johnson's impeachment, Civil Rights Act of 1866, the 13th, 14th, and 15th Amendments
- SS.912.W.1.3: Interpret and evaluate primary and secondary sources.
- SS.912.W.1.4: Explain how historians use historical inquiry and other sciences to understand the past.
- SS.912.A.1.2: Utilize a variety of primary and secondary sources to identify author, historical significance, audience, and authenticity to understand a historical period.

SS.912.A.1.4: Analyze how images, symbols, objects, cartoons, graphs, charts, maps, and artwork may be used to interpret the significance of time periods and events from the past.
SS.912.A.1.6: Use case studies to explore social, political, legal, and economic relationships in history
SS.912.AA.3.2: Examine social contributions of African Americans post-Civil War.
SS.912.AA.3.6: Describe the emergence, growth, destruction and rebuilding of black communities during Reconstruction and beyond.
SS.912.A.2.3: Describe the issues that divided Republicans during the early Reconstruction era
SS.912.A.2.4: Distinguish the freedoms guaranteed to African Americans and other groups with the 13th, 14th, and 15th Amendments to the Constitution
SS.912.A.2.6: Compare the effects of the Black Codes and the Nadir on freed people, and analyze the sharecropping system and debt peonage as practiced in the United States
SS.912.A.2.7 Review the Native American experience.

Timeline:

1860: Lincoln's election; South Carolina secedes; Pony Express begins its route between St. Louis and Sacramento

1861: More states secede; fighting begins between U.S.A. and C.S.A at Fort Sumter and then Manassas; Colorado and Nevada are organized as US territories; enslaved southerners begin escaping to Union lines and the Army begins treating them as "contraband" of war; battles fought between U.S.A. and C.S.A. in "Indian Territory" using Indigenous-led armies; creation of the U.S. Department of the Pacific to help unseat Indigenous from West Coast

1862: Civil War battles increase in size and intensity, such as Shiloh, the Peninsula Campaign, and the Seven Days' Battles; the Sioux Uprising begins in Minnesota; the U.S.A. nullifies the Fugitive Slave Act forbidding the US Army from returning escaped slaves; U.S. government creates the USDA, passes the Homestead Act, and the Morrill Act; Lincoln authorizes the transcontinental railroad; the largest mass execution in U.S. history occurs (38 Sioux men hanged)

1863: First African-American US regiments organized and used at battles like Fort Wagner; Lincoln issues the Emancipation Proclamation; the Draft Riots in NYC; Lincoln's Proclamation of Amnesty and Reconstruction (the 10 Percent Plan); U.S. Army commits the Bear River Massacre in Idaho which is then organized as a territory; Arizona taken from Confederates and organized as a territory; Congress passes National Banking Act; Battles of Gettysburg, Vicksburg, and more turn the tide against the C.S.A.; Col. "Kit" Carson begins scorched earth fighting against the Navajo; the U.S. Treasury creates the Plantation Bureau, which oversees the settlement and work of ex-slaves on confiscated plantations

1864: Lincoln is re-elected; Congress passes the Wade-Davis Bill upping the requirements for Confederate re-admission to Union; gold is discovered in Montana which is also organized into a territory; Battle of Atlanta and Sherman's March; Grant's Overland Campaign (Spotsylvania, the Wilderness, Petersburg); the U.S. Army's forced march of tens of thousands of Navajo prisoners (the Long Walk) begins as does their four-year imprisonment at Bosque Redondo; the Sand Creek Massacre of Cheyenne by U.S. troops; largest battle of the Plains Indian Wars at Adobe Wells (draw between Apache and U.S.

Army); the Reservation Wars against the Yavapai begin in Arizona; end of the Two Years' War between the U.S. Army and California Volunteers and various Indigenous nations of northern California

1865: Sherman's Special Field Order No. 15; the Bureau of Refugees, Freedmen, and Abandoned Lands established (Freedmen's Bureau); passage and ratification of the 13th Amendment abolishing slavery; Lincoln's assassination and Andrew Johnson becomes President; Lee's surrender to Grant; final official battles of the U.S. Civil War; C.S.A. President and Vice-President arrested; Granger's announcement to the enslaved of Texas that they're free (Juneteenth); founding of the Ku Klux Klan; the Powder River War pits the U.S. Army against Lakota and allies; end of the Owens Valley Indian War and the beginning of the removal of Paiute to reservation; beginning of the Black Hawk War (in Utah)

1866: Presidential Reconstruction and the passage of Black Codes across former Confederacy; passage of the Civil Rights Bill; establishment of Fisk University, an HBCU; Reconstruction Treaties signed with Five Tribes eliminating slavery in Indian Territory; Congress establishes all-Black Army regiments to help with Reconstruction in the South and West, nicknamed the Buffalo Soldiers; U.S. Army Department of the Missouri ordered to "put down" unrest among Cheyenne; racial violence in Memphis, TN and New Orleans, LA over Black suffrage; the Joint Committee on Reconstruction issues a report detailing violence in the post-war South and a vision for Radical Reconstruction; Fetterman Massacre, or the U.S. Army's largest defeat on the Plains; beginning of Red Cloud's War; Tennessee is readmitted to the Union

1867: Official beginning of 'Radical Reconstruction'; passage of the Reconstruction Acts, which divides the South into military districts; the Doolittle Commission issues its report on the cause of violence among Plains Indians; the U.S. purchases Alaska from Russia; Medicine Lodge Treaty signed that agrees to Comanche removal; U.S. Gen. Philip Sheridan sent to lead the Department of the Missouri, begins inviting professional hunters to kill buffalo; the Grange movement begins

1868: Andrew Johnson becomes the first President impeached by Congress; the 14th Amendment is ratified creating birthright citizenship for all except Indians; U.S. Grant elected President; Gen. Sherman made commander of all U.S. forces; Navajo imprisonment at Bosque Redondo ends; Six former Confederate states readmitted to the Union after adopting new constitutions written with Black input; the Opelousas Massacre against Blacks in Louisiana; Memorial Day first celebrated; Battle of Washita River ends with the deaths of hundreds of Cheyenne at the hands of Custer; Indian Peace Commission created; Treaty of Fort Laramie signed

1869: The transcontinental railroad is completed; Black Friday on the NYSE; Supreme Court declares Radical Reconstruction constitutional and secession unconstitutional in *Texas v. White*; the Wyoming territorial legislature gives women the right to vote; the Powell Geographic Expedition begins to map the West; the Freedmen's Bureau is allowed to expire the same year it tallies over 3,000 Freedmen's Schools

1870: Grant tries to annex Santo Domingo (the DR) to resettle ex-slaves; the first Black US Senator is sworn in; the 15th Amendment is ratified; Victoria Woodhull announces her run for President; the "Gilded Age" begins; the last four Confederate states readmitted to the Union; the Marias Massacre by the US Army; the Washburn Expedition to Yellowstone

observes Old Faithful; Congress passes the Enforcement Act to curb racial violence in the South; the US Census records shocking economic and agricultural devastation in the post-Civil War South; Rockefeller establishes Standard Oil

1871: The Civil Rights Act of 1871 passed; the massacre of Chinese men and women in Los Angeles; the passage of the Indian Appropriations Act means Indigenous nations no longer sovereign and the age of treaty-making ends; Congressional investigation into Klan violence

1872: Grant signs an amnesty bill for former Confederates; Grant is re-elected President; the Credit Mobilier scandal breaks; Congress establishes Yellowstone as the first national park in the world; Carnegie invests in the Bessemer steel process transforming the fortunes of Carnegie Steel (U.S. Steel); beginning of the Modoc War against the Indigenous of Oregon; diamonds believed to be discovered in Wyoming (hoax); Susan B. Anthony illegally votes

1873: The U.S. passes the Coinage Act putting nation on gold standard; the *New York Standard* accuses Black politicians of corruption; barbed wire is exhibited for the first time; Colfax Massacre after the White League of Louisiana clashes with the all-Black militia; the “Long Depression” begins; Supreme Court decision in the “Slaughterhouse Cases” guts the 14th Amendment

1874: Democrats break Republican hold on Congress for the first time since 1861; the Red River War begins in Texas; Patrick Healy becomes the first Black man to lead a white university (Georgetown)

1875: Republicans manage to pass the Civil Rights Bill of 1875 outlawing segregation in public facilities before the Democrats take the House; the Yavapai are marched 180 miles at gunpoint by US Cavalry to reservation; the Page Act prohibits the immigration of Chinese women to the U.S.; Anthracite Coal Strike and the “Molly Maguires” are arrested in Pennsylvania coal country

1876: U.S. Centennial; Hayes v. Tilden Presidential election ends with no clear outcome; Colorado admitted as a state; Boss Tweed handed over to authorities; *United States v. Cruikshank* decision allows KKK to continue violence and is the first to consider violations of the 2nd Amendment; Workingmen’s Party founded; Battle of Little Bighorn and the Great Sioux War of 1876 under Sitting Bull; Indigenous peoples attack buffalo hunters’ camps to stop the slaughter of the bison

1877: The Bargain of 1877 ends Reconstruction in the South and hands Hayes the Presidency; federal troops withdrawn from the South; railroad workers go on a nationwide strike; Crazy Horse fights his last battle in Montana

1882: Chinese Exclusion Act

1883-1886: Supreme Court ends equal protection for Black Americans, denies birthright citizenship to Indigenous Americans; and grants personhood for corporations

1887: Dawes Act, or General Allotment Act, forces Native assimilation

Excerpts from Florida State Constitution, 1865

Note: These provisions are collectively known as Florida's "Black Codes"

Constitution or Form of
Government for the
People of Florida.

We, the people of the State of Florida by our delegates in Convention assembled, in the city of Tallahassee, on the 25th day of October, in the year of our Lord 1865, and of the Independence of the United States, the 90th year, in order to secure to ourselves and our posterity the enjoyment of all the rights of life, liberty and property, and the pursuit of happiness, do mutually agree each with the other, to form the following constitution and form of government in and for the said State.

Article I.
Declaration of Rights.

That the great and essential principles of liberty and free government may be recognized and established, we
do enact

ARTICLE I.

Declaration of Rights.

That the greatest and essential liberty and free government may be recognized and established, we declare:

That all freemen when they form a government, have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty; of acquiring, possessing and protecting property and reputation, and of pursuing their happiness. . . .

ARTICLE IV.

Legislative Department.

No person shall be a Representative unless he be a white man, a citizen of the United States, and shall have been an inhabitant of the State two years next preceding his election. . . . The Senators shall be chosen by the qualified electors for a term of two years . . . ; and no man shall be a Senator unless he be a white man, and Citizen of the United States, and shall have been an inhabitant of this State two years next preceding his election. . . .

ARTICLE XVI.

General Provisions

Whereas, slavery has been destroyed in this State by the Government of the United States ; therefore, neither slavery nor involuntary servitude shall in future exist in this State, except as a punishment for crimes, whereof the party shall have been convicted by the courts of the State, and all the inhabitants of the State, without distinction of color, are free, and shall enjoy the rights of person and property with distinction of color.

In all criminal proceedings founded upon injury to a colored person, and in all cases affecting the rights and remedies of colored persons, no person shall be incompetent to testify as a witness on account of color ; in all other cases, the testimony of colored persons shall be excluded, unless made competent by future legislation. The jury shall judge the credibility of the testimony.

The Jurors of this State shall be white men, possessed of such qualifications as may be prescribed by law.

CHAPTER 1,464—[No. 1.] AN ACT to organize the Militia of this State.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That every able-bodied white male inhabitant of the State, between the ages of eighteen and forty-five, who has resided in the same four weeks, shall be enrolled and liable to perform Militia duty . . .

CHAPTER 1,466—[No. 3.] AN ACT prescribing additional penalties for the commission of offences against the State, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That whenever, in the criminal laws of this State, heretofore enacted, the punishment of the offence is limited to fine and imprisonment, or

imprisonment, there shall be super-added, as an alternative, the punishment of standing in the pillory for one hour, or whipping, not exceeding thirty-nine stripes on the bare back, or both, at the discretion of the jury.

SEC. 2. Be it further enacted, That the severance from the freehold of any agricultural production or fixture, or any part thereof, and the felonious taking and carrying away the same, shall be deemed and held to be larceny, and be punished as such.

SEC. 3. Be it further enacted, That if any person shall excite an insurrection or sedition amongst any portion or class of the population of this State, or shall attempt by writing, speaking, or by any other means, to excite such insurrection or sedition, the person or persons so offending, shall be deemed to be guilty of a felony, and, upon conviction, shall suffer death. . . .

SEC. 9. Be it further enacted, That if any person or persons shall willfully and maliciously set fire to or burn any cotton, grain, fodder, hay, or other agricultural product, whether the same be gathered in bulk, or be standing or growing in the field, or shall cause or procure the same to be done, or shall willfully and maliciously set fire to or burn any house or building, not the subject or arson, or any fence or other enclosure, or any bridge, or cause or procure the same to be done, he, she or they shall, upon conviction, be punished by a fine not exceeding one thousand dollars, and by imprisonment not exceeding six months, or by standing in the pillory for one hour, or by whipping, not exceeding thirty-nine stripes, or by both whipping and standing in the pillory, at the discretion of the jury.

SEC. 10. Be it further enacted, That every trespass upon the property of another, committed with malicious and mischievous intent, the punishment of which is not provided for by law, shall be deemed and held to be an act of "malicious mischief," and the party guilty of the same, his, her or their aiders and abettors shall, upon conviction, be punished by a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, or by standing in the pillory, at the discretion of the jury. . . .

SEC. 12. Be it further enacted, That it shall not be lawful for any negro, mulatto, or other person of color, to own, use or keep in his possession or under his control, any Bowie-knife, dirk, sword, fire-arms or ammunition of any kind, unless he first obtain a license to do so from the Judge of Probate of the county in which he may be a resident for the time being: and the said Judge of Probate is hereby authorized to issue such license, upon the recommendation of two respectable citizens of the county, certifying to the peaceful and orderly character of the applicant ; and any negro, mulatto, or other person of color, so offending, shall be deemed to be guilty of a misdemeanor, and upon conviction, shall forfeit to the use of the informer all such fire-arms and ammunition, and in addition thereto, shall be sentenced to stand in the pillory for one hour, or be whipped, not exceeding thirty-nine stripes, or both, and the discretion of the jury. . . .

SECTION 14. Be it further enacted, That if any negro, mulatto, or other person of color, shall intrude himself into any religious or other public assembly of white persons, or into any railroad car or other public vehicle set apart for the exclusive accommodation of white

people, he shall be deemed to be guilty of a misdemeanor, and upon conviction, shall be sentenced to stand in the pillory for one hour, or be whipped, not exceeding thirty-nine stripes, or both, and the discretion of the jury; nor shall it be lawful for any white person to intrude himself into any religious or other public assembly of colored persons, or into any railroad car or other public vehicle, set apart for the exclusive accommodation of persons of color, under the same penalties.

CHAPTER 1,467—[No. 4.] AN ACT to punish Vagrants and Vagabonds.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That every able bodied person who has no visible means of living, and shall not be employed at some labor to support himself or herself, or shall be leading an idle, immoral or profligate course of life, shall be deemed to be a vagrant, and may be arrested by warrant issued by and Justice of the Peace, or Judge of the County Criminal Court, and bound in sufficient surety for his or her good behavior and future industry for one year, and upon his or hr refusing or failing to give such security, he or she may be held or committed for trial before the Criminal Court of the county, and if convicted before said Court, shall be punished by being sentenced to labor or imprisonment for a term not exceeding twelve months, or by whipping not exceeding thirty-nine stripes or being put in the pillory not exceeding one hour, or by whipping and being put in the pillory, and the discretion of the jury ; and if an such person shall be sentenced to labor, the Sheriff or other officer of said Court shall hire out such person for the term to which he or she shall be sentenced, not exceeding twelve months as aforesaid, and the proceeds of such hiring shall be paid in to the county Treasury...

SEC. 4. Be it further enacted, That if the Sheriff or other officer authorized to hire our such offender according to the sentence of the Court, shall not find any person willing to hire or take such offender for the term of his or her sentence, the said Sheriff or other officer shall employ such offender at any kind of labor that the Board of County Commissioners, or the Judge of Probate in recess of the Board, may authorize or direct, and if necessary, in all such cases the Sheriff or other officer may secure the person so convicted and sentenced whilst employed outside of the county jail by ball and chain of sufficient weight to prevent escape...

CHAPTER 1,468.—[No. 5.] AN ACT in addition to An Act to amend the Act entitled An Act concerning Marriage Licenses, approved January 23, 1832.

SECTION 1. Be it enacted by the Senate and the House of Representatives of the State of Florida in General Assembly convened, That if any white female resident within this State shall hereafter attempt to intermarry, or shall live in a state of adultery or fornication with any negro, mulatto, or other person of color, she shall be deemed to be guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding one thousand dollars, to be confined in the pubic jail not exceeding three months, or both, at the discretion of the jury, and shall moreover be disqualified to testify as a witness against any white person.

SEC. 2. Be it further enacted, That if any negro, mulatto, or other person of color shall hereafter live in a state of adultery or fornication with any white female resident within the

limits of this State, he shall be deemed to be guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding one thousand dollar, or be made to stand in the pillory for one hour and be whipped not exceeding thirty-nine stripes, or both, at the discretion of the jury.

SEC. 3. Be it further enacted, That every person who shall have one-eighth or more of negro blood shall be deemed and held to be a person of color.

Picking Cotton, Savannah, Georgia, 1867, from Library of Congress, Prints & Photographs Division, LC-DIG-ppmsca-39592



Photograph shows Uncle July and his family in front of their home on the Fripp (possibly Thomas Fripp) plantation on St. Helena Island, South Carolina, 1866. Source: Penn School Papers, University of North Carolina Chapel Hill Library, caption for Image P-3615/0824b



Letter from Jourdon Anderson: A Freedman Writes His Former Master

Dayton, Ohio, August 7, 1865.

To my old Master, Colonel P. H. Anderson, Big Spring, Tennessee.

Sir:

I got your letter, and was glad to find that you had not forgotten Jourdon, and that you wanted me to come back and live with you again, promising to do better for me than anybody else can. I have often felt uneasy about you. I thought the Yankees would have hung you long before this, for harboring Rebs they found at your house. I suppose they never heard about your going to Colonel Martin's to kill the Union soldier that was left by his company in their stable. Although you shot at me twice before I left you, I did not want to hear of your being hurt, and am glad you are still living. It would do me good to go back to the dear old home again, and see Miss Mary and Miss Martha and Allen, Esther, Green, and Lee. Give my love to them all, and tell them I hope we will meet in the better world, if not in this. I would have gone back to see you all when I was working in the Nashville Hospital, but one of the neighbors told me that Henry intended to shoot me if he ever got a chance.

I want to know particularly what the good chance is you propose to give me. I am doing tolerably well here. I get \$25 a month, with victuals and clothing; have a comfortable home for Mandy (the folks call her Mrs. Anderson), and the children, Milly, Jane, and Grundy, go to school and are learning well. The teacher says Grundy has a head for a preacher. They go to Sunday school, and Mandy and me attend church regularly. We are kindly treated.

Sometimes we overhear others saying, "Them colored people were slaves" down in Tennessee. The children feel hurt when they hear such remarks; but I tell them it was no disgrace in Tennessee to belong to Colonel Anderson. Many darkeys would have been proud, as I used to be, to call you master. Now if you will write and say what wages you will give me, I will be better able to decide whether it would be to my advantage to move back again.

As to my freedom, which you say I can have, there is nothing to be gained on that score, as I got my free papers in 1864 from the Provost-Marshal-General of the Department of Nashville. Mandy says she would be afraid to go back without some proof that you were disposed to treat us justly and kindly; and we have concluded to test your sincerity by asking you to send us our wages for the time we served you. This will make us forget and forgive old scores, and rely on your justice and friendship in the future. I served you faithfully for thirty-two years, and Mandy twenty years. At \$25 a month for me, and \$2 a week for Mandy, our earnings would amount to \$11,680. Add to this the interest for the time our wages have been kept back, and deduct what you paid for our clothing, and three doctor's visits to me, and pulling a tooth for Mandy, and the balance will show what we are in justice entitled to. Please send the money by Adams Express, in care of V. Winters, Esq., Dayton, Ohio. If you fail to pay us for faithful labors in the past, we can have little faith in your promises in the future. We trust the good Maker has opened your eyes to the wrongs which you and your fathers have done to me and my fathers, in making us toil for you for generations without recompense. Here I draw my wages every Saturday night; but in Tennessee there was never any pay-day for the negroes any more than for the horses and cows. Surely there will be a day of reckoning for those who defraud the laborer of his hire.

In answering this letter, please state if there would be any safety for my Milly and Jane, who are now grown up, and both good-looking girls. You know how it was with poor Matilda and Catherine. I would rather stay here and starve and die, if it come to that, than have my girls brought to shame by the violence and wickedness of their young masters. You will also please state if there has been any schools opened for the colored children in your neighborhood. The great desire of my life now is to give my children an education, and have them form virtuous habits.

From your old servant,

Jourdon Anderson

P.S.— Say howdy to George Carter, and thank him for taking the pistol from you when you were shooting at me.¹

¹ Excerpted from William E. Gienapp, ed., *The Civil War and Reconstruction: A Documentary Collection* (New York: W. W. Norton, 2001), 380.

“Many Thousand Gone,” Jubilee Songs, as Sung by the Jubilee Singers, of Fisk University (New York: Biglow & Main, 1872): p 27

NOTE: Fisk University was incorporated in 1867 to provide a liberal arts education to all races, but its initial students were recently freed slaves. To raise money for the school, beginning in 1871, a musical group of its students, the Jubilee Singers, traveled in the Northern states and eventually in Europe to give concerts. Among the songs they sang were spirituals, including “Many Thousand Gone.”

No more auction block for me
No more, no more
No more auction block for me
Many thousand gone

No more peck o’ for me
No more, no more
No more peck o’ corn for me
Many thousand gone

No more driver’s lash for me
No more, no more
No more driver’s lash for me
Many thousand gone

No more pint o’ salt for me
No more, no more
No more pint o’ salt for me
Many thousand gone

No more hundred lash for me
No more, no more
No more hundred lash for me
Many thousand gone

No more mistress call for me
No more, no more
No more mistress call for me
Many thousand gone

Excerpts from “The Civil Rights Bill of 1866,” from *U.S. Statutes at Large*, vol. 14, Thirty-Ninth Congress, First Session, April 9, 1866, p. 27

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both

Sec. 3. And be it further enacted, That the district courts of the United States . . . shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be any of the rights secured to them by the first section of this act. . . .

Sec. 4. And be it further enacted, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States . . . and every other officer who may be specially empowered by the President of the United States, shall be . . . specially authorized and required, at the expense of the United States, to institute proceedings against . . . every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed . . . for trial before such court of the United States or territorial court as by this act has cognizance of the offence. . . .

Sec. 6. And be it further enacted, That any person who shall knowingly and willfully obstruct, hinder, or prevent any officer . . . charged with the execution of any warrant . . . or shall rescue or attempt to rescue such person from the custody of the officer . . . or shall aid,

abet, or assist any person so arrested . . . to escape from the custody of the officer . . . or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued . . . so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall . . . be subject to a fine . . . and imprisonment not exceeding six months. . . .

Sec. 8. And be it further enacted, That whenever the President of the United States shall have reason to believe that offences have been or are likely to be committed against the provisions of this act . . . it shall be lawful for him . . . to direct the judge, marshal, and district attorney . . . to attend at such place . . . for the purpose of the more speedy arrest and trial of persons charged with a violation of this act; and it shall be the duty of every judge or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

Sec. 9. And be it further enacted, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation and enforce the due execution of this act.

Sec. 10. And be it further enacted, That upon all questions of law arising in any cause under the provisions of this act a final appeal may be taken to the Supreme Court of the United States.

“Reconstruction Acts,” from U.S. Statutes at Large, 39th Congress, Second Session, March 2, 1867, pp. 428–29

An Act to Provide for the More Efficient Government of the Rebel States

March 2, 1867

WHEREAS no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said rebel States shall be divided into military districts and made subject to the military authority of the United States. . . .

SEC. 2. And be it further enacted, That it shall be the duty of the President to assign to the command of each of said districts an officer of the army . . . and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. And be it further enacted, That it shall be the duty of each officer assigned as aforesaid, to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference under color of State authority with the exercise of military authority under this act, shall be null and void...

SEC. 5. And be it further enacted, That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State, twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of the election, except such as may be disfranchised for participation in the rebellion or for felony at common law, and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature elected under said constitution, shall have adopted the [14th] amendment . . . and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their taking the oath prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State. . . .

SEC. 6. And be it further enacted, That, until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same. . . .

An Act supplemental to an Act entitled "An Act to provide for the more efficient Government of the Rebel States," . . . to facilitate Restoration

March 23, 1867

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That before . . . September [1, 1867], the commanding general in each district . . . shall cause a registration to be made of male citizens of the United States, twenty-one years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the [first Reconstruction act], and who shall have taken and subscribed the following oath or affirmation: "I, __, do solemnly swear (or affirm), in the presence of Almighty God, that I am a citizen of the State of __; that I have resided in said State for __ months next preceding this day, and now reside in the county of __ or the parish of __, in said State (as the case may be); that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; . . . that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do, so help me God"; which oath or affirmation may be administered by any registering officer.

SEC. 2. And be it further enacted, That after the completion of the registration hereby provided for in any State, at such time and places therein as the commanding general shall appoint and direct, of which at least thirty days' public notice shall be given, an election shall be held of delegates to a convention for the purpose of establishing a constitution and civil government for such State loyal to the Union. . . .

SEC. 3. And be it further enacted, That at said election the registered voters of each State shall vote for or against a convention to form a constitution therefor under this act. . . . The persons appointed to superintend said election, and to make return of the votes given thereat, as herein provided, shall count and make return of the votes given for and against a convention; and the commanding general to whom the same shall have been returned shall ascertain and declare the total vote in each State for and against a convention. If a majority of the votes given on that question shall be for a convention, then such convention shall be held as hereinafter provided; but if a majority of said votes shall be against a convention, then no such convention shall be held under this act. . . .

SEC. 4. And be it further enacted, That the commanding general of each district shall appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons, to make and complete the registration, superintend the election, and make return to him of the votes, list of voters, and of the persons elected as delegates by a plurality of the votes cast at said election; and upon receiving said returns he shall open the same, ascertain the persons elected as delegates according to the returns of the officers who conducted said election, and make proclamation thereof; and if a majority of the votes given on that question shall be for a convention, the commanding general, within sixty days from the date of election, shall notify the delegates to assemble in convention, . . . and said convention, when organized, shall proceed to frame a constitution and civil government according to the provisions of this act, and the act to which it is supplementary; and when the same shall have been so framed, said constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act at an election to be conducted by the officers or persons appointed or to be appointed by the commanding general . . . and to be held after the expiration of thirty days from the date of notice thereof, to be given by said convention; and the returns thereof shall be made to the commanding general of the district.

SEC. 5. And be it further enacted, That if, according to said returns, the constitution shall be ratified by a majority of the votes of the registered electors qualified . . . , the president of the convention shall transmit a copy of the same duly certified to the President of the United States, who shall forthwith transmit the same to Congress . . . ; and if it shall moreover appear to Congress that the election was one at which all the registered and qualified electors in the State had an opportunity to vote freely and without restraint, fear, or the influence of fraud, and if the Congress shall be satisfied that such constitution meets the approval of a majority of all the qualified electors in the State, and if the said constitution shall be declared by Congress to be in conformity with the provisions of the act . . . , and the said constitution shall be approved by Congress, the State shall be declared entitled to representation, and senators and representatives shall be admitted therefrom. . .

An Act supplementary to an Act entitled "An Act to provide for the more efficient Government of the Rebel States," passed on [March 2, 1867], and the Act supplementary thereto, passed on [March 23, 1867]

July 19, 1867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to have been the true intent and meaning of the act[s] of [March 2, 1867] and [March 23, 1867], that the governments then existing in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas were not legal State governments. . . .

SEC. 2. And be it further enacted, That the commander of any district named in said act shall have power, subject to the disapproval of the General of the army of the United States .

.. to suspend or remove from office . . . any officer or person holding or exercising . . . any civil or military office or duty in such district under any power, election, appointment or authority derived from, or granted by, or claimed under, any so-called State or the government thereof, or any municipal or other division thereof. . . .

SEC. 3. And be it further enacted, That the General of the army of the United States shall be invested with all the powers of suspension, removal, appointment, and detail granted in the preceding section to district commanders.

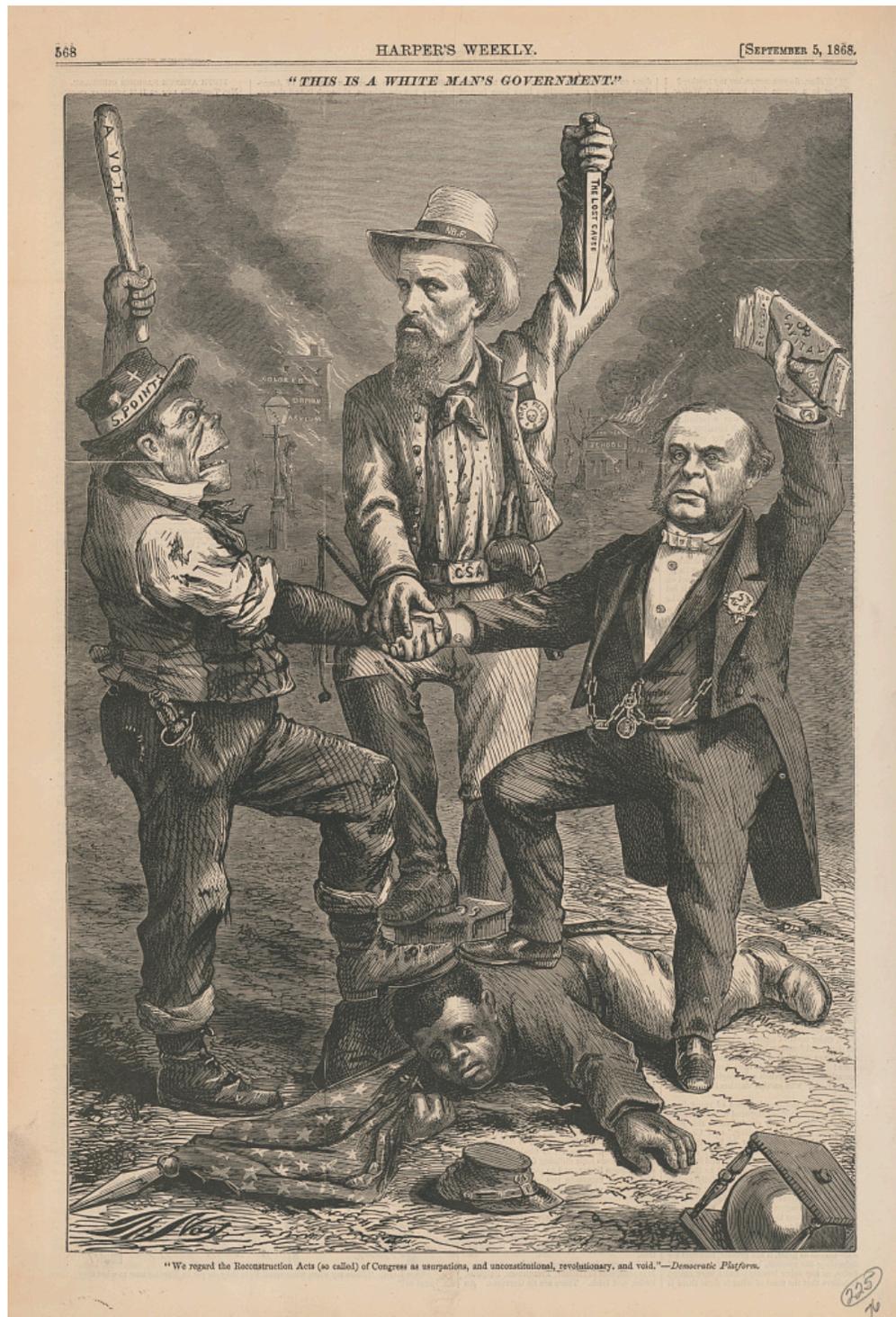
...

SEC. 5. And be it further enacted, That the boards of registration provided for in the [earlier acts] shall have power, and it shall be their duty before allowing the registration of any person, to ascertain, upon such facts or information as they can obtain, whether such person is entitled to be registered under said act, and the oath required by said act shall not be conclusive on such question, and no person shall be registered unless such board shall decide that he is entitled thereto; and such board shall also have power to examine, under oath . . . any one touching the qualification of any person claiming registration; but in every case of refusal by the board to register an applicant . . . the board shall make a note or memorandum . . . setting forth the grounds of such refusal or such striking from the list. . . .

...

SEC. 11. And be it further enacted, That all the provisions of [these acts] . . . shall be construed liberally, to the end that all the intents thereof may be fully and perfectly carried out.

"This is a White Man's Government," political cartoon by Thomas Nast, 1868, *Harper's Weekly*. Cartoon showing man with belt buckle "CSA" holding a knife "the lost cause," a stereotyped Irishman holding club "a vote," and another man wearing a button "5 Avenue" and holding wallet "capital for votes," with their feet on an African American soldier sprawled on the ground. In the background, a "colored orphan asylum" and a "southern school" are in flames; African American children have been lynched near the burning buildings.



Testimony Taken by the Joint Select Committee to Enquire into the Condition of Affairs in the Late Insurrectionary States, South Carolina, Volume 3 (Washington, DC: Government Printing Office, 1872), pp. 386–392.

SPARTANBURG, SOUTH CAROLINA, July 6, 1871

CHARLOTTE FOWLER (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. On Mr. Moore's premises . . . I did live in Spartanburg County with my husband, before the old man was killed; but now I live with my son.

Question. How long ago is it since your husband was killed?

Answer. It was the 1st of May.

Question. What was his name?

Answer. Wallace Fowler.

Question. Tell how he was killed.

Answer. The night he was killed – I was taken sick on Wednesday morning, and I laid on my bed Wednesday and Thursday. I didn't eat a mouthful; I couldn't do it, I was so sick; so he went out working on his farm. . . . When he came home he cooked something for me to eat, and said: "Old woman, if you don't eat something you will die." Says I: "I can't eat." Says he, "Then I will eat, and feed the little baby." That is the grandchild he meant. I says: "You take that little child and sleep in the bed; I think I have got the fever, and I don't want you to get it." He said, "No, I don't want to get the fever, for I have got too much to do." He got up and pulled off his clothes, and got in bed. . . . So he laid there for about a half an hour, and then I heard the dogs. . . . 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 him 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. When he said, "God damn you, I have got you now," and he 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. How did you know there were any others there?

Answer. The little boy that was there when they shot his grandpappy ran into the house; he was there, and when they started I heard the horses' feet going from the gate. I was then a hallooing and screaming. After they shot the old man, they came back into the house – "Chup! Chup! Chup! make up a light." I said, "I am not able to make up a light; I have been sick two days" I called to the little girl, "Is there any light there?" She says, "No." But the mantel was there, where I could reach it, where they put the splinters, and I said, "Light that splinter;" and she lit the splinter. He said, "Hand it here;" and she handed it to him; and then he says, "March before me, march before me." That was done in the middle of my room. He says, "Hand me up your arms" – that is the guns. Says I, "There isn't any here, sir." Says he, "Hand me up that pistol." I says, "There is none here; the old man had none in slavery, and had none in all his freedom, and everybody on the settlement knows it." When he told me about the light he put that pistol up to my face – so – and says, "If you don't come here I will get you light out of this." He did that when I was a poor woman by myself.

Question. What else?

Answer. I didn't know that anybody had anything against the old man; everybody liked him but one man, and that was Mr. Thompson. Somewhere along summer before last he [that is, Fowler] had planted some watermelons in his patch; and he kept losing his watermelons, and one day he said he would go and lay, and see who took them; and sure enough he caught two little white boys; one was Mr. Thompson's boy and the other was Mr. Millwood's boy; both were white boys; they had cut up a whole lot of the melons. . . .

Question. Is that the reason you thought that Thompson did not like him?

Answer. Mr. Thompson is the only one in the whole settlement that has had anything against him. You may search the whole settlement over. . . .

[Charlotte Fowler goes on to say that when word got to Mr. Thompson, through a person named Lee, that Fowler knew that Thompson's son took the watermelons, Thompson confronted and threatened Fowler.]

Question. What were they talking about?

Answer. . . . Mr. Thompson fetched on so about the watermelons. . . . And then says Mr. Thompson, "Yes, and God damn you, if you had said I had stolen your watermelons, you would not make tracks out of this yard." . . . I ran to the fence and said "Wally, come out of that yard; and if you don't I will call Mr. Jones. If you had threatened Mr. Thompson, as Mr. Thompson has threatened your life, he would have you in Spartanburg jail before sundown."

Question. How long was that before the old man was killed?

Answer. The watermelons were took this summer a year ago, and nobody but him [Mrs. Fowler presumably refers here to Lee] and Mr. Thompson had anything against him.

Question. Do you mean by this that Thompson had anything to do with the killing of the old man?

Answer. I am going to tell you my opinion about it. I didn't see Mr. Thompson's face, for he had a mask on; but he was built so. He lives close to us, and I saw him every day and Sunday.

Question. Did these men have masks on?

Answer. Only the one that shot him.

Question. What kind of a mask?

Answer. It 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 about the 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. They had shot him in the head, and every time he breathed his brains would come out.

Question. Do you mean to say that you believe his being killed was caused by the quarrel about watermelons?

Answer. I can tell you my belief. There is a parcel of men who were on the plantation working Mr. Jones's land, and my old man was one of them that tended Mr. Jones's land. Mr. Jones had had a whole parcel of poor white folks on the land, and he turned them off, and put all these blacks on the premises that they had from Mr. Jones, and I don't know what it could be, but for that and the watermelons. That was the cause why my old man is dead, and I am left alone. (Weeping.)

Question. Is that all you can tell about it?

Answer. Yes, sir. That is all that I can tell. I don't want to tell anything more than I know; I don't want to tell a lie on anybody. . . .

By Mr. VAN TRUMP: [Under Van Trump's questioning, Mrs. Fowler states that four men, one of them the person named Lee, were white tenant farmers dismissed by the plantation owner named Jones.]

Question. It is your opinion, as given in answer to the question of the chairman: "What was the cause of these men killing Wallace?" that it was either the difficulty growing out of the

water-melons, or the fact that these white men were turned off and black men put on that farm?

Answer. Yes, sir.

Question. It was one or the other?

Answer. Yes, sir.

Question. Which is the most probable?

Answer. I will tell you which I think stronger than the other. These men and Mr. Thompson are all kin.

Question. Were all four of these white men his kin?

Answer. Yes, sir; to Mr. Thompson. Mrs. Thompson's mother is Mrs. Millwood's aunt, and they are all kin.

Question. Is Mr. Thompson a respectable man in that county?

Answer. They all said down there that he was a mighty mischievous man.

...

Question. Where is he now?

Answer. I don't know. He ran off before I left for some conduct he had done; but his children and wife are there; that is, the old man has run off.

Question. That is since the death of Wallace?

Answer. The old man was gone before Wallace was killed.

Question. Young John Thompson is there yet?

Answer. Yes, sir. Young John Thompson and Frank Thompson and Aaron Thompson and Eliphaz Thompson, all his sons, are there with the old lady.

Question. Was this man who was masked a Thompson?

Answer. I do not know who he was. I tell you the Lord's truth from heaven. . . My old man is gone, but I do not want to take anything from anybody, or do anything to anybody. . . .

By MR. STEVENSON:

Question. What are these men called who go about masked in that way?

Answer. I don't know; they call them Ku-Klux.

Question. How long have they been going about in that neighborhood?

Answer. I don't know how long; they have been going a long time, but they never pestered the plantation until that night. . . .

Question. Did your old man belong to any party?

Answer. Yes, sir.

Question. What party?

Answer. The radicals.

Question. How long had he belonged to them?

Answer. Ever since they started the voting.

Question. Was he a pretty strong radical?

Answer. Yes, sir; a pretty strong radical.

Question. Did he work for that party?

Answer. Yes, sir.

Question. What did he do?

Answer. He held up for it, and said he never would turn against the United States for anybody, as the Democrats wanted him to.

Question. Did he talk to the other colored people about it?

Answer. No, sir; he never said nothing much. He was a man that never said much but just what he was going to do. He never traveled anywhere to visit people only when they had a meeting; then he would go there to the radical meetings, but would come back home again.

Question. Did he make speeches at those meetings?

Answer. No, sir. . . .

By the CHAIRMAN:

Question. Are the colored people afraid of these people that go masked?

Answer. 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.

By Mr. STEVENSON:

Question. Did he vote at the last election?

Answer. Yes, sir.

Excerpts from the "Doolittle Report," or, the Report of the Joint Special Committee on the Condition of the Indian Tribes, 1867

CONDITION OF THE INDIAN TRIBES.

REPORT

OF THE

JOINT SPECIAL COMMITTEE,

APPOINTED UNDER

JOINT RESOLUTION OF MARCH 3, 1865.

WITH

AN APPENDIX.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1867.
KRAUS REPRINT CO.

The committee have arrived at the following conclusions:

First. The Indians everywhere, with the exception of the tribes within the Indian Territory, are rapidly decreasing in numbers from various causes: By disease; by intemperance; by wars, among themselves and with the whites; by the steady and resistless emigration of white men into the territories of the west, which, confining the Indians to still narrower limits, destroys that game which, in their normal state, constitutes their principal means of subsistence; and by the irrepressible conflict between a superior and an inferior race when brought in presence of each other. Upon this subject all the testimony agrees...

Second. The committee are of the opinion that in a large majority of cases Indian wars are to be traced to the aggression of lawless white men, always to be found upon the frontier, or boundary line between savage and civilized life. Such is the statement of the most experienced officers of the army, and of all those who have been long conversant with Indian affairs...From whatever cause wars may be brought on, either between different Indian tribes or between the Indians and the whites, they are very destructive, not only of the lives of the warriors engaged in it, but of the women and children also, often becoming a war of extermination. Such is the rule of savage warfare...

Third. Another potent cause of their decay is to be found in the loss of their hunting grounds and in the destruction of that game upon which the Indian subsists. This cause, always powerful, has of late greatly increased. Until the white settlements crossed the Mississippi, the Indians could still find hunting grounds without limit, and game, especially the buffalo, in great abundance upon the western plains. But the discovery of gold and silver in California, and in all of the mountain territories, pour a flood of hardy and adventurous miners across those plains...Two railroads are rapidly crossing the plains...They will soon reach the Rocky Mountains, crossing the centre of the great buffalo range in two lines from east to west. It is to be doubted if the buffalo in his migrations will many times cross a railroad where trains are passing repassing, and with the disappearance of the buffalo from this immense region, all of the powerful tribes of the plains will inevitably disappear...

Fourth. The question whether the Indian bureau should be placed under the War Department or retained in the Department of the Interior is one of considerable importance...The argument in favor of [the War Department] is that in case of hostilities the military forces must assume control of our relations to hostile tribes...Upon the other side, it is urged that for the proper administration of Indian affairs, there must be some officer of the government whose duty it is to remain upon the reservations with the tribes

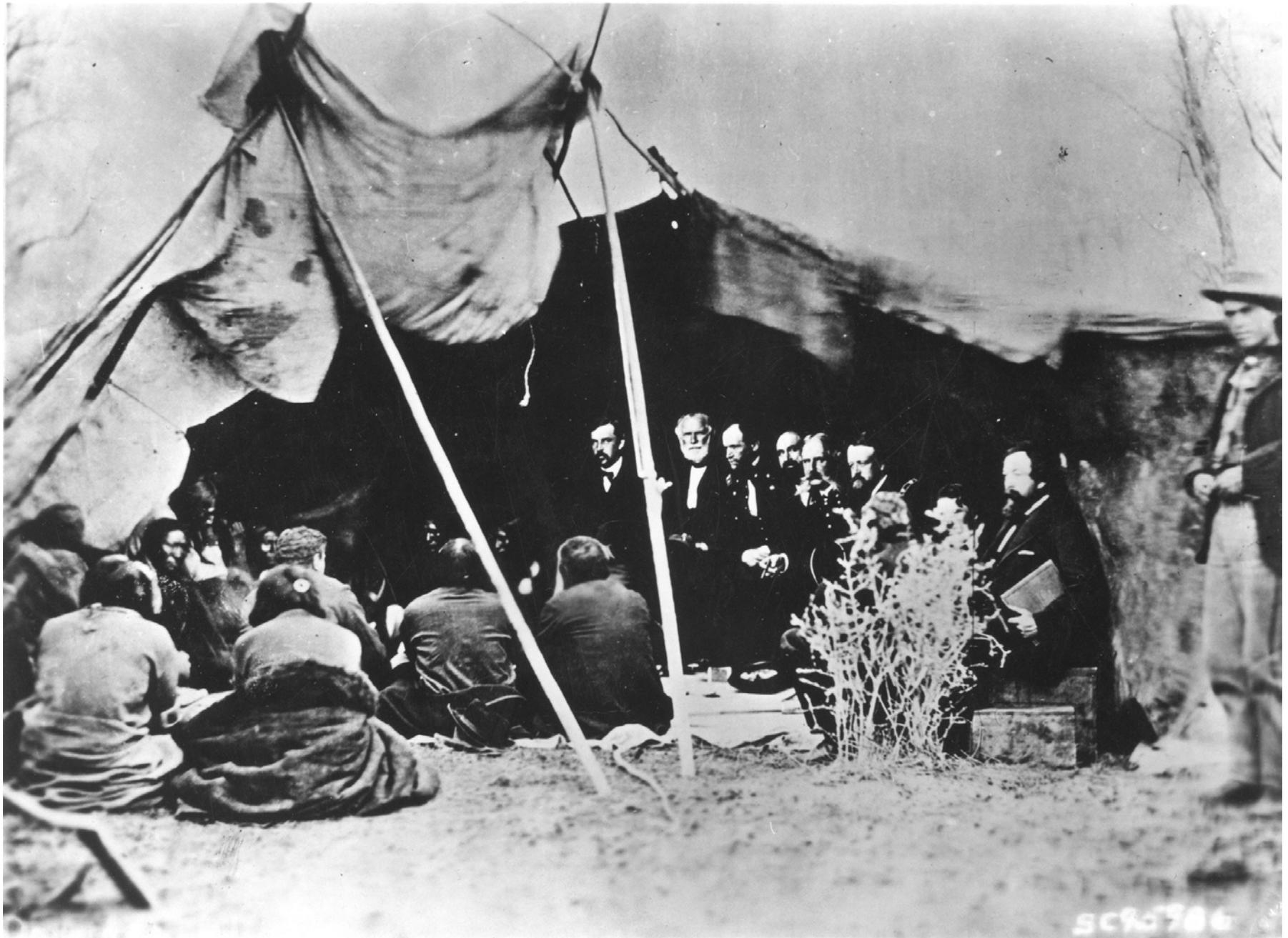
and to look after their affairs; that, as their hunting grounds are taken away, the reservation system, which is the only alternative to their extermination, must be adopted. When the Indians are once located upon them, farmers, teachers, and missionaries become essential to any attempt at civilization—are absolutely necessary to take the first step toward changing the wild hunter into a cultivator of the soil—to change the savage into a civilized man...Weighing this matter, your committee are unanimously of the opinion that the Indian Bureau should remain where it is [in Interior].

Fifth. In our Indian system, beyond all doubt, there are evils, growing out of the nature of the case itself, which can never be remedied until the Indian race is civilized or shall entirely disappear...

Respectfully submitted.

J.R. Doolittle, *Chairman Joint Special Committee*
January 26, 1867.

General William T. Sherman and Commissioners in Council with Indian Chiefs at Ft Laramie, Wyoming, April 1868, Records of the Office of the Chief Signal Officer
National Archives Identifier: 531079



Treaty of Fort Laramie (1868)

4

Articles of a Treaty made and concluded by and between Lieutenant General William T. Sherman, General William S. Harney, General Alfred H. Terry, General C. C. Augur, J. B. Henderson, Nathaniel G. Taylor, John B. Sanborn and Samuel F. Tappan, duly appointed Commissioners on the part of the United States and the different Bands of the Sicux Nation of Indians by their Chiefs and Head men whose names are hereto subscribed, they being duly authorized to act in the premises.

Article I. From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace and its honor is hereby pledged to keep it. The Indians agree to this and they now pledge their honor to maintain it.

If bad men among the whites or among other people, subject to the authority of the United States shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the Agent, and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States and also reimburse the injured party for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black or Indian, subject to the authority of the United States and as part hereof, the Indians hereby named, solemnly agree that they

Excerpted Transcript:

ARTICLES OF A TREATY MADE AND CONCLUDED BY AND BETWEEN

Lieutenant General William T. Sherman, General William S. Harney, General Alfred H. Terry, General O. O. Augur, J. B. Henderson, Nathaniel G. Taylor, John G. Sanborn, and Samuel F. Tappan, duly appointed commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, by their chiefs and headmen, whose names are hereto subscribed, they being duly authorized to act in the premises.

ARTICLE I.

From this day forward all war between the parties to this agreement shall for ever cease. The government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to maintain it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent, and forwarded to the Commissioner of Indian Affairs at Washington city, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, upon proof made to their agent, and notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws, and, in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities, or other moneys due or to become due to them under this or other treaties made with the United States; and the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper, but no one sustaining loss while violating the provisions of this treaty, or the laws of the United States, shall be reimbursed therefor.

ARTICLE II.

The United States agrees that the following district of country, to wit, viz: commencing on the east bank of the Missouri river where the 46th parallel of north latitude crosses the same, thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river, thence west across said river, and along the northern line of Nebraska to the 104th degree of longitude west from Greenwich, thence north on said meridian to a point where the 46th parallel of north latitude intercepts the same, thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations of the east bank of said river, shall be and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons, except those herein designated and authorized so to do, and except such officers, agents, and employees of the government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby

relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided.

ARTICLE III.

If it should appear from actual survey or other satisfactory examination of said tract of land that it contains less than 160 acres of tillable land for each person who, at the time, may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart, for the use of said Indians, as herein provided, such additional quantity of arable land, adjoining to said reservation, or as near to the same as it can be obtained, as may be required to provide the necessary amount...

ARTICLE VI.

If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "Land Book" as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land, not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

...And any Indian or Indians receiving a patent for land under the foregoing provisions shall thereby and from thenceforth become and be a citizen of the United States and be entitled to all the privileges and immunities of such citizens, and shall, at the same time, retain all his rights to benefits accruing to Indians under this treaty.

ARTICLE VII.

In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they, therefore, pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school, and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages, who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for not less than twenty years.

ARTICLE VIII.

When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars. And it is further stipulated that such persons as

commence farming shall receive instruction from the farmer herein provided for, and whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed...

ARTICLE XI.

In consideration of the advantages and benefits conferred by this treaty and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside

their reservations as herein defined, but yet reserve the right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill river, so long as the buffalo may range thereon in such numbers as to justify the chase. And they, the said Indians, further expressly agree:

1st. That they will withdraw all opposition to the construction of the railroads now being built on the plains.

2d. That they will permit the peaceful construction of any railroad not passing over their reservation as herein defined.

3d. That they will not attack any persons at home, or travelling, nor molest or disturb any wagon trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith.

4th. They will never capture, or carry off from the settlements, white women or children.

5th. They will never kill or scalp white men, nor attempt to do them harm.

6th. They withdraw all pretence of opposition to the construction of the railroad now being built along the Platte river and westward to the Pacific ocean, and they will not in future object to the construction of railroads, wagon roads, mail stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States. But should such roads or other works be constructed on the lands of their reservation, the government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of the said commissioners to be a chief or headman of the tribe.

7th. They agree to withdraw all opposition to the military posts or roads now established south of the North Platte river, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes...

ARTICLE XVI.

The United States hereby agrees and stipulates that the country north of the North Platte river and east of the summits of the Big Horn mountains shall be held and considered to be unceded. Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians, first had and obtained, to pass through the same; and it is further agreed by the United States, that within ninety days after the conclusion of peace with all the bands of the Sioux nation, the military posts now established in the territory in this article named shall be abandoned, and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed.

ARTICLE XVII.

It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, or other articles of property to such Indians and bands of Indians as become parties to this treaty, but no further.

In testimony of all which, we, the said commissioners, and we, the chiefs and headmen of the Brule band of the Sioux nation, have hereunto set our hands and seals at Fort Laramie, Dakota Territory, this twenty-ninth day of April, in the year one thousand eight hundred and sixty-eight.

Report to the President by the Indian Peace Commission, October 9, 1868, from Bureau of Indian Affairs, *Annual Report of the Commissioner of Indian Affairs* (Washington, D.C.: GPO, 1868), p. 372

Chicago, Illinois, October 9, 1868,

The PRESIDENT of the United States:

At a meeting of the Indian peace commission held this day the following resolutions, embodying the views of the commission, were adopted, to wit:

Resolved, That this commission recommend to the President of the United States and Congress that full provisions be at once made to feed, clothe, and protect all Indians of the Crow, Blackfeet, Piegan, Gros Ventres, Sioux, Ponca, Cheyenne, Arapahoe, Apache, Kiowa, and Comanche nations of Indians, who now have located or may hereafter locate permanently on their respective agricultural reservations.

Resolved, That the treaties of said tribes with United States, whether ratified or not, should be considered to be and remain in full force as to all Indians of such tribes as now have or may hereafter have their homes upon the agricultural reservations described in their respective treaties, and no others.

Resolved, That in the opinion of this commission the time has come when the government should cease to recognize the Indian tribes as "domestic dependent nations," except so far as it may be required to recognize them as such by existing treaties, and by treaties made but not yet ratified; that hereafter all Indians should be considered and held to be individually subject to the laws of the United States, except where and while it is otherwise provided in said treaties, and that they should be entitled to the same protection from said laws as other persons owning allegiance to the government enjoy.

Resolved, That the recent outrages and depredations committed by the Indians on the plains justify the government in abrogating those clauses of the treaties made in October, 1867, at Medicine Lodge creek, which secure to them the right to roam and hunt outside their reservations; that all said Indians should be requested to remove at once to said reservations and remain within them, except that after peace shall have been restored, hunting parties may be permitted to cross their boundaries with written authority from their agent or superintendent. And

Resolved further, That military force should be used to compel the removal into said reservations of all such Indians as may refuse to go, after due notice has been given to them that provision has been made to feed and protect them within the same.

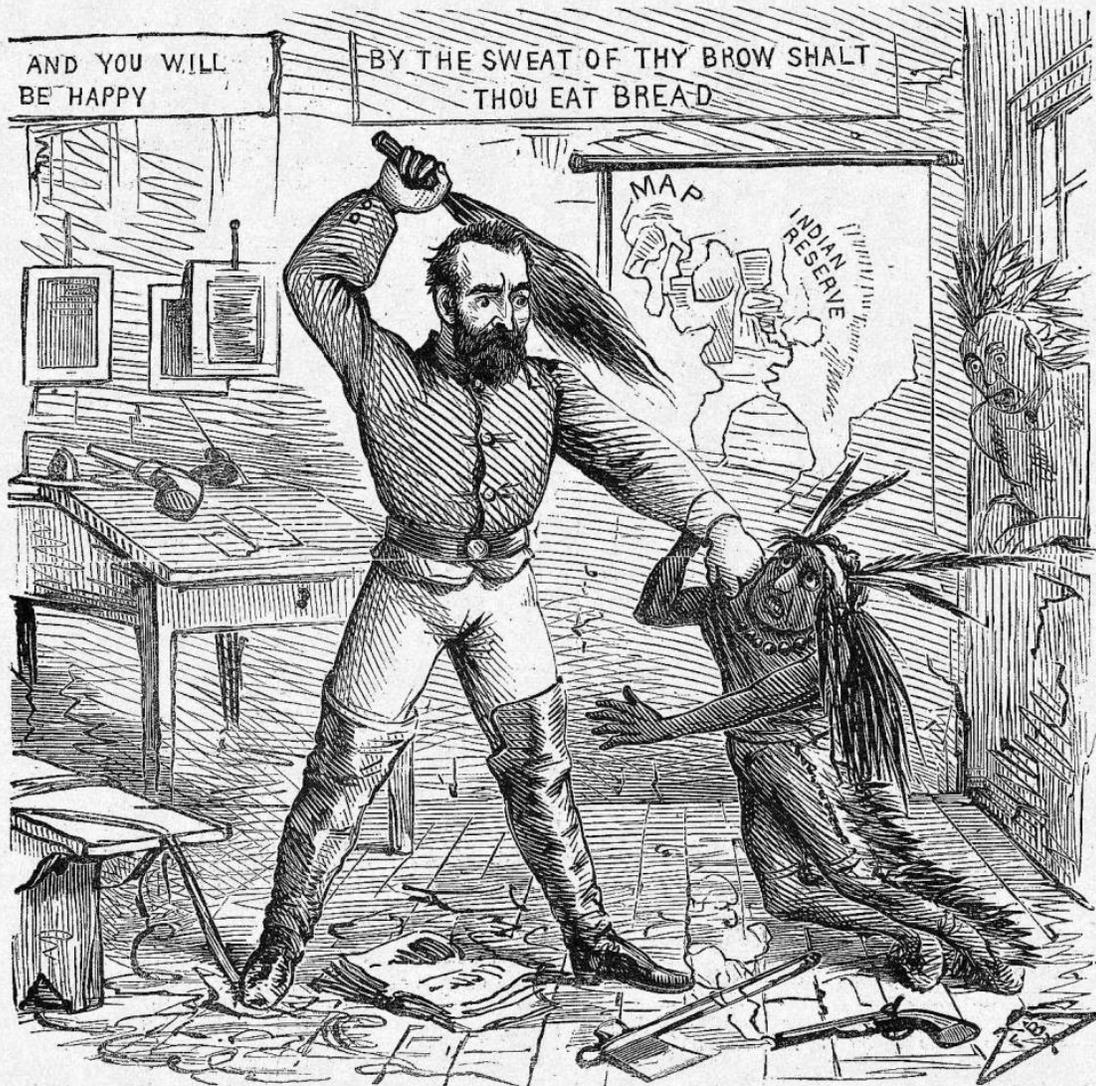
Resolved, That in the opinion of this commission the Bureau of Indian Affairs should be transferred from the Department of the Interior to the Department of War.

I have the honor to be, with great respect, your obedient servant,

N. G. TAYLOR, *President of the Indian Peace Commission.*

Attest: A. S. H. WHITE, *Secretary.*

“A School for Savages; or, Teaching the Young Idea not to Shoot,” political cartoon by Frank Bellew for *Harper’s Weekly*, 1869. This cartoon criticizes the harsh treatment of Indigenous Americans by General Philip Sheridan, who was army commander of the western territories at the time. His 1868-1869 winter campaign against the Cheyenne ignited a national outcry.

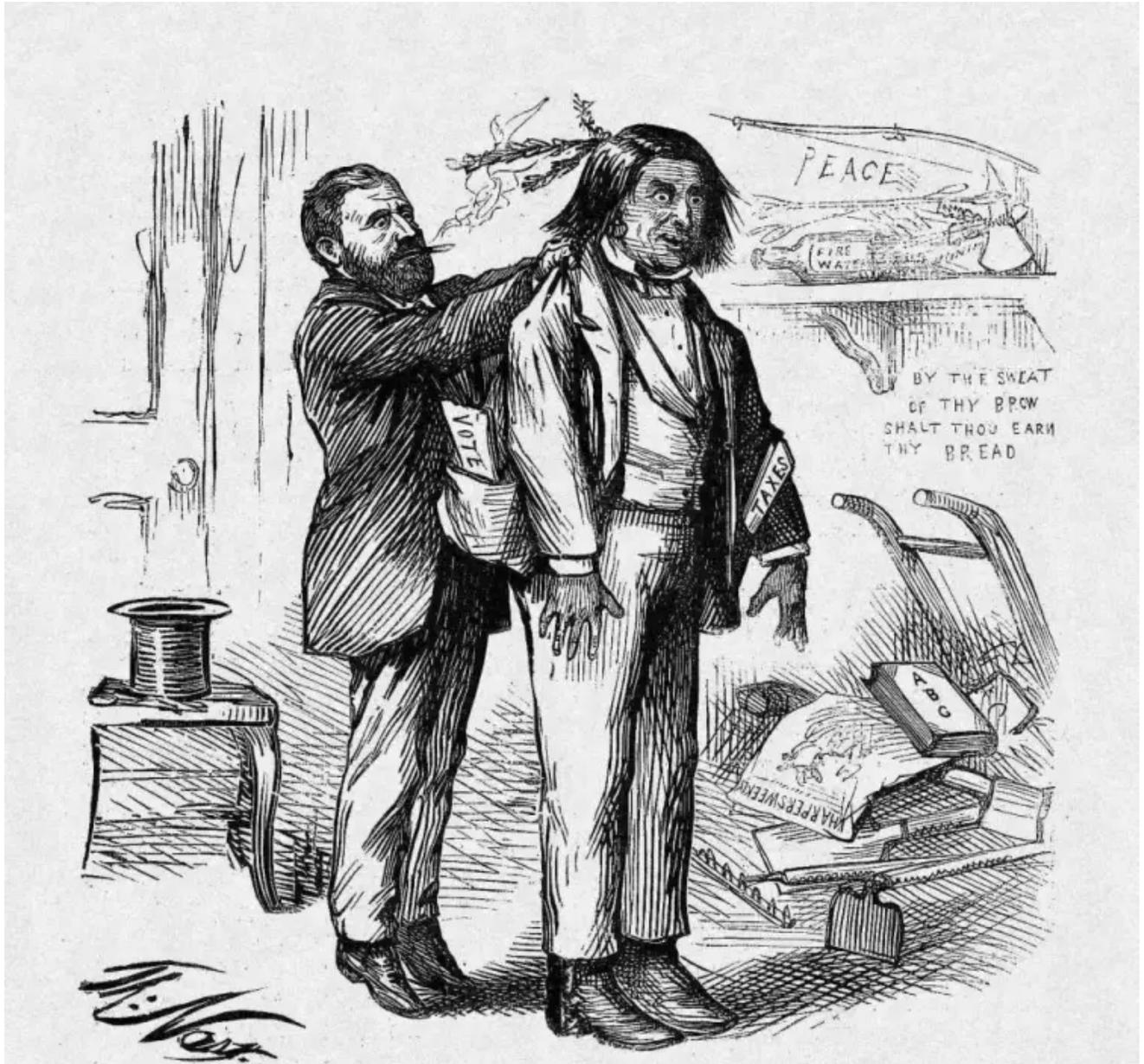


A SCHOOL FOR SAVAGES; or, Teaching the Young Idea not to Shoot.

BIG INJUN. “White man, hold on; we want to Big Talkee.”

GENERAL SHERIDAN. “No, no. I’ll Whip you first, then you can Big Talkee afterward.”

Illustration by Thomas Nast for *Harper's Weekly*, 1870, depicting Pres. U.S. Grant's policy of "civilizing" Indigenous peoples rather than exterminating them.



ROBINSON CRUSOE MAKING A MAN OF HIS FRIDAY.

INDIAN CHIEF. "Mr. President, we call here to-day to offer our fealty to you as our recognized Guardian and Ward, and to pray you, Sir, to continue our Good Friend and Father."

THE PRESIDENT. "You are welcome; and in reference to continuing your 'Good Father,' as you say, I must answer that I have long thought that the two nations which you represent, and all those civilized nations in the Indian Country, should be their own Wards and Good Fathers. I am of the opinion that they should become Citizens, and be entitled to all the rights of Citizens—cease to be Nations and become States."

"All Colored People that want to go to Kansas," 1877, Kansas Historical Society

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All Colored People
THAT WANT TO
GO TO KANSAS,
On September 5th, 1877,
Can do so for \$5.00

KANSAS STATE
HISTORICAL SOCIETY

IMMIGRATION.

WHEREAS, We, the colored people of Lexington, Ky., knowing that there is an abundance of choice lands now belonging to the Government, have assembled ourselves together for the purpose of locating on said lands. Therefore,

BE IT RESOLVED, That we do now organize ourselves into a Colony, as follows:— Any person wishing to become a member of this Colony can do so by paying the sum of one dollar (\$1.00), and this money is to be paid by the first of September, 1877, in instalments of twenty-five cents at a time, or otherwise as may be desired.

RESOLVED, That this Colony has agreed to consolidate itself with the Nicodemus Towns, Solomon Valley, Graham County, Kansas, and can only do so by entering the vacant lands now in their midst, which costs \$5.00.

RESOLVED, That this Colony shall consist of seven officers—President, Vice-President, Secretary, Treasurer, and three Trustees. President—M. M. Bell; Vice-President—Isaac Talbott; Secretary—W. J. Niles; Treasurer—Daniel Clarke; Trustees—Jerry Lee, William Jones, and Abner Webster.

RESOLVED, That this Colony shall have from one to two hundred militia, more or less, as the case may require, to keep peace and order, and any member failing to pay in his dues, as aforesaid, or failing to comply with the above rules in any particular, will not be recognized or protected by the Colony.

“Early Area Homestead – Nicodemus Historic District, Graham County, KS,” Library of Congress Prints and Photographs Division, Reproduction number: HABS KANS 33-NICO 1--6



Final Proof, Julia Gordon, Homestead Case File, Louisiana, Record Group 49: Records of the Bureau of Land Management, National Archives

Final Proof required under Homestead Act May 20, 1862.

WE, Daniel S. Gorman & Isaac B. Gordon do solemnly swear that we have known Henry Gordon for 40 years last past; that he ^{was} the head of a family consisting of a wife and 10 children and that he was a citizen of the United States; that he ^{was} an inhabitant of the St. of N. E. 1/4 of section No. Eight (8) in Township No. Three (3) South of Range No. Five (5) East and that no other person resided upon the said land entitled to the right of Homestead or Pre-emption.

That the said Henry Gordon entered upon and made settlement on said land on the 18th day of November, 1870, and ~~he~~ built a house thereon and lived in said house until the day of his death which occurred on the 5th day of Nov 1874. That from that time his widow Julia Gordon continued to reside thereon & cultivate the land with her family and has lived in the said house and made it ^{their} exclusive home from the 18th day of November, 1870, to the present time, and that she has, since said settlement, plowed, fenced, and cultivated about 25 acres of said land, and has made the following improvements thereon, to wit: built a kitchen, corn crib & stable

Deponents make this proof before the clerk of court of this parish because of the great distance & expense of going to the land office at New Orleans

D. S. Gorman
Isaac B. Gordon

I, B. W. Thompson Clerk do hereby certify that the above affidavit was taken and subscribed before me this 6th day of December, 1875

WE CERTIFY that Daniel S. Gorman & Isaac B. Gordon whose names are subscribed to the foregoing affidavit, are persons of respectability.

B. W. Thompson Clerk, Register.
Post Office, Receiver.