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In the 1950s and 1960s the American South was under great pressure to accept the new ideals of equality of the races. Politicians from the local mayor to the United States President mulled over and debated the need of desegregation, equal rights and greater respect for minorities. African American leaders, such as Martin Luther King Jr., would teach that education, peaceful sit-ins, court cases and boycotts, were the route to equality. The Civil Rights Movement stressed the importance of non-violence and many books, essays and papers have been written on the movement. Textbooks are filled with the importance of the non-violent accomplishments of the Civil Rights era and children today are taught about its marches, songs and boycotts in their classrooms. But is non-violence the only way that the Civil Rights Movement should be remembered? Were there other groups along with the African Americans that made significant contributions to the fight for civil rights? Who were these people? What happened, who was involved and why have they been forgotten?

The Lumbee population in Robeson County, North Carolina contributed to the Civil Rights Movement, not through peaceful protest, but through the threat of violence against an organization that understood only violence and aggression. In 1958 the Lumbee attacked a Klan rally and forced it to disperse. In 1966, the very threat of violence thwarted a return visit by the Klan – thus rendering that year’s proposed rally a ‘non-event’. In this way, the Lumbee accomplished what other groups were unable to do as effectively or swiftly in previous years in North Carolina and the South. Yet their victory in 1966 has been widely overlooked in the history of the Civil Rights Movement.

The non-event of 1966 makes only rare appearances in the historiographies of the Klan and the Lumbee people. No references appear in the substantial literature of the
Civil Rights Movement. The failure to recognize the actions and success of the Lumbee in 1966 is unfortunate. In seeking to redress this historiographical imbalance, I discovered significant obstacles involving in securing primary sources. For example, the Robeson County Clerk of Court, noted that most court records probably no longer existed and if they did, they would be incomplete, covered with dust, and lost in the basement of the courthouse. Archivists from the North Carolina Archives were sympathetic, but had never heard of the non-event, nor had any idea of where to begin looking for any primary information. The same was true at the archives of UNC-Pembroke, East Carolina University and University of North Carolina Chapel Hill. In the absence of finding other sources, newspaper articles became the crucial source of information for this paper. What follows then, is a paper based on research in the Pembroke College Ku Klux Klan Miscellaneous File, The Cole Papers from East Carolina University archives, and contemporary newspaper articles.

Why has this period of the non-event been so largely overlooked? Perhaps it is because of the difficulty in finding sources for the event. One answer may be that historians find actual violence far more attractive than the threat of violence. Possibly historians, have avoided the topic because of the difficulty in writing about a non-event. Yet its neglect could also be due to the fact that because the non-event of 1966 featured intimidation and the threat of violence, which were not an ideal of the mainstream and accepted Civil Rights movement.

In this paper I will attempt to explain the significance of a non-event that has been largely ignored and only mentioned briefly in passing. The non-event that took place

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1 I found no references in any of the books that I consulted on the Civil Rights Movement and believe that it is highly probable that no such reference exists.
between the Lumbee people of Robeson County and the United Klans of North Carolina has perhaps blurred the perception of what the ‘correct’ procedures of the Civil Rights Movement were. The people and groups who participated in the non-event of 1966 should be remembered. I will explain what happened, the parties involved and question why this accomplishment was significant and why it is still ignored. Yet, most importantly, I will report more than a few sparse sentences about an event that although should not necessarily be celebrated, should be acknowledged and further studied.

1958

In 1958 the Lumbee people of Robeson County and the Associated Carolina Klan would meet each other face to face, both compelled by pride and one predominately by hate. The Lumbee people of Robeson County at the time boasted a peaceful coexistence with the other races in the county.\(^2\) There were an estimated 40,000 white, 30,000 Lumbee and 25,000 blacks living in Robeson County in 1958.\(^3\) An announcement by the Carolina Klan led to an event that would be publicized, criticized and glorified throughout the United States for many decades to come. The Klan of North Carolina was then led by Grand Wizard James W. (Catfish) Cole and boasted an estimated 5000 members in 19 North Carolina counties.\(^4\) Under Cole’s direction the Klan decided to organize a rally in Robeson County using a Maxton field, owned by the farmer and suspected Klan member C.A. (Cateye) Brown.\(^5\) There had not been a Klan rally in

\(^4\) Fox, *Battle of Hayes Pond*, 127.
Robeson County for over 30 years, although the Klan had a strong presence in the surrounding counties and into South Carolina. The main topic of evening was, “Why I believe in Segregation.” In advance of the proposed rally, the Atlanta office of the Klan had insisted that they had no problem with the Lumbee Indians and invited them to attend a demonstration they were holding in Lumberton. However, those Indians who attended seemed to agree that it was more of an attempt to pit the Lumbee Indians against the blacks of Robeson County, yet most of their (the Klan’s’) claims were very petty and insignificant. In spite of the Atlanta office’s declaration, Cole decided to launch a crusade against the Lumbee Indians of Robeson County. On January 13th 1958 a cross was burned in the front yard of an Indian woman who was accused of ‘running around’ with a white man, and another cross was burned on the lawn of an Indian family that had moved into a white neighborhood. At the same time Cole issued a threat to the “30,000 half-breeds” of the county not to interfere with the Klan’s rally. On January 16, 1958 about thirty Indians went to City Hall to speak with Mayor J.C. Oxendine, Robeson County Sheriff Malcolm G. McLeod, Assistant County Solicitor Charles Mclean and the town council that consisted of two whites and two Lumbee. They reportedly asked the

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7 The Cole Paper, Joyner Library Archives. 40.4.c Photograph of James Cole and Flyer. January 23, 1966. It is also interesting to note that most Klan rallies would take place in the warmer months of the year. However, this Klan rally would be taking place in one of the coldest months. *Winston Salem Journal*: Klan rally Set in Robeson, March 4, 1966
8 Evans, *To Die Game*, 254.
9 Ibid., 254-255.
10 Charles Craven. *True Magazine*. The Night the Klan Died. March 1975. 2. It is interesting to note that in Evans *To Die Game*, he has foot noted that the original paper to print the story had been incorrect and cited Jan 16, 20 1958 the Lumberton Robesonian. He claimed that it was really a white woman and an Indian man that were having relations. Evans, *To Die Game*, 255. Yet all other sources that I found stated that it was a white man and an Indian woman.
12 Fox, *Battle of Hayes Pond*, 22.
sheriff if they could attend the rally and carry weapons. McLeod answered that it was
their constitutional right to carry a weapon but advised that the best thing to do was to
just stay away.\textsuperscript{13} Knowing that the Lumbee people were upset over the idea of a rally in
Maxton, Sheriff McLoed visited Cole in his home in Marion, South Carolina, and asked
him to cancel the rally because of the “growing anger among the Indians”\textsuperscript{14} Sheriff
McLeod also suggested to Cole that he, “better let well enough alone.”\textsuperscript{15} In a statement
to the \textit{Fayetteville Observer} Cole said, “We have no quarrel with the Indians, none
whatever.”\textsuperscript{16} He then asked McLeod for protection for the Klan at the rally, although
he did not believe that there would be any violence.\textsuperscript{17} Yet the prospect of the Klan rally
and the burning of crosses had enraged and mobilized the Lumbee people. As Karen Blu
has noted, the Lumbee people, perceiving the Klan to be a threat to their identity, rallied
around one another to take concerted action.\textsuperscript{18} Sheriff McLeod decided to contact the
state police to set up a plan in case there was a riot.\textsuperscript{19} On the evening of January 19, 1958
cars slowly met at the proposed rally site. A reporter from the \textit{News and Observer} noted
that although cars with Klansman were arriving, more and more cars were pulling over to
the side of the road and did not appear to be filled with men in the Klan. Many of these
men began to congregate and stand silently and stoically around the perimeter of the rally
site. Soon the Indians began to outnumber the Klan – in part because the rally had

\textsuperscript{13} Ibid.
\textsuperscript{14} Charles Craven. \textit{True Magazine}. The Night the Klan Died. March 1975. 2.
\textsuperscript{15} James Cole papers, 40.1.a Klobbered
\textsuperscript{16} \textit{Fayetteville Observer}, January 17, 1958 as cited in Fox, \textit{Battle of Hayes Pond}, 27.
\textsuperscript{17} \textit{Fayetteville Observer}, January 18, 1958 as cited in Fox, \textit{Battle of Hayes Pond}, 28.
\textsuperscript{18} Karen I. Blu, \textit{The Lumbee Problem}, (Lincoln: University of Nebraska Press,1980),122
\textsuperscript{19} Fox, \textit{Battle of Hayes Pond}, 29
attracted sympathizers from beyond Robeson County.²⁰ When a reporter approached one of the men and asked if he was from Pembroke he replied, “South Dakota, I’m a Sioux from South Dakota.”²¹ It was later discovered that some Indian soldiers had come from the nearby Fort Bragg in Fayetteville.²² Eventually the swelling Indian ranks began to occasionally bellow playful war whoops and whistles.²³ One Indian reportedly performed a war dance in the street while wearing a store-bought headdress that had the words “Rock Cola” on it.²⁴ Many of the Indians had also painted their faces.²⁵ By the time that the rally began, the Klansmen were getting nervous about the large number of Indians surrounding the area.²⁶ At the proposed starting time of the rally, the joking turned serious and the Indians, armed with guns and knives that seemed to have “appeared from nowhere, [and the Indians] began to tighten the circle around the rally.”²⁷

Soon after, a group of Lumbee men broke through the circle of the Klan and kicked over the generator, one broke the light bulb connected to the generator and another confiscated the amplifier, while others screamed and shot their shotguns and

²⁰ There is broad discrepancy as to how many people were actually at the rally. Some estimates range from 100-500 Klansman and anywhere between 100-3000 Lumbee people. These differences in numbers can be found in the The Fiery Cross: 40 Klansman to nearly 1000 Indians, To Die Game 100 klansmen to 2500 Lumbee, North Carolina: a History, 100 Klansman to 350 Lumbee, Political History of the Lumbee Indians of Robeson County North Carolina, 75-200 Klansmen and 500-2000 Lumbee (although Sider speculated that there were probably less than 1000 Lumbee present.) The Lumbee Problem claims that there were 25 Klansmen to ‘hundreds’ of Lumbee. It is difficult to interpret the correct number of people who were at the rally. The only thing that can be confirmed is that there were more Indians at the rally than Klansmen.
²² Ibid.
²⁵ Craven Charles. South Atlantic Quarterly. “The Robeson County Indian Uprising Against the Ku Klux Klan,” 57, 438, as cited in Fox, Battle of Hayes Pond. 36.
²⁷ Ibid., 4.
rifles into the air. 28 Numerous shots were fired; tires of the some Klansmen’s cars were slashed, along with those of a newspaper reporter (at least until he could prove his identity to the attacking Indians.) 29 The battle went on for nearly 10 minutes until state troopers arrived. At that time, Captain C. Raymond Williams from the Highway Patrol stationed in Fayetteville used a public address system to call for order. 30 Many of the Indians called to the rest of the crowd that they would, “respect the state troopers, but the Klan has got to go.” 31 Four Klansman were injured during the battle but all were minor injuries. 32 When the Klan’s Fiery Cross reported on this information, it claimed that the Lumbee youths had murdered four Klansman. 33

There was no real Lumbee leader to the 1958 thwarting of the rally. However, some Lumbee were more visible in the public after the rally. Simeon Oxendine, (the son of Mayor Oxendine of Robeson County) and Charlie Warriax posed for photographers draped in the confiscated Ku Klux Klan flag. 34 Their picture ran in publications throughout the United States. They were found in magazines such as Life and Ebony and in newspapers such as the New York Times. This victory for the Lumbee not only led to increased animosity from the Klan, and public ridicule toward the Klan from the media, but it also intensified Lumbee pride. When interviewed by a reporter about the event, Oxendine stated provocatively, “If the Negroes had done something like this a long time

28 Fox, The Battle of Hayes Pond, 35.
29 The Cole papers 40.1.a Klobbered
30 Fox, The Battle of Hayes Pond, 37
31 Ibid., 37.
34 Fox, Battle at Hayes Pond, 38.
ago we wouldn’t be bothered with the KKK.”35 The national attention helped to boost
the image of the Indians as still being the ‘noble savage.’ 36 One man wrote in The
Oklahoman that, “From now on whenever feasible, I am strongly in favor of turning the
policing of the Klan over to local Indian communities.”37 District Solicitor Malcolm
Seawell revived the 1869 statute outlawing membership in secret political societies. Cole
was extradited from South Carolina to stand trial in Robeson County for inciting a riot.38
Testimony given by his chief accuser, Sheriff McLeod, stated that he had called Cole to
dissuade him from holding the rally because of tensions and the danger to civil peace. 39
Cole was ultimately sentenced to a 2-year prison term for inciting a riot, along with the
Grand Titan of the North Carolina Klan, James Garland Martin. 40 Ironically, Cole told
newspapers, “I’m being denied my rights because of my race.”41 In addition, the Lumbee
had made one more promise to the Klan. When interviewed about what would happen
should the Klan return to Robeson the Lumbee people were unanimous in their claim that
“next time we won’t miss.” 42

Interim

Between 1958 and 1966, many events occurred which increased awareness of the
Klan activities and called attention to the emerging issue of civil rights. In the early

35 The Cole papers 40.1.a Klobbered
36 Gerald Sider, Living Indian Histories: Lumbee and Tuscarora People in North Carolina
39 Ibid. 40.1.c
40 Ibid. 40.2.c
41 Ibid. 40.5.e Montgomery, Ruth. The New Mexican. Grand Kleage, James Cole. 1958
1960’s as changes were brought about by the Civil Rights Movement, the election of John F. Kennedy, and the actions of freedom riders, the Klan continued to splinter into rival groups. Some claimed to be the real Klan while others claimed to be associated in some way with the original Klan. One such organization was The Ku Klux Klan of America. It was based in Alabama and headed but the Imperial Emperor, Dr. Lycurgus Spinks. Another organization was the Alabama Knights, headed by a ‘dynamic’ leader, Robert Marvin “Bobby” Shelton. He “had the distinction of being recently served with an injunction from the U.S. attorney general for the role of his men had played in beating freedom riders.” In August 1960, the Imperial Wizard, Eldon Lee Edwards of the U.S. Klans (the dominant Klan group) died, and was succeeded by “Wild Bill” Davidson.

Davidson and his second in command, Calvin Craig, took 97 percent of the U.S. Klan’s membership and created the cumbersomely titled organization, ‘The Invisible Empire, United Klan’s, Knights of the Ku Klux Klan of America, Inc.’. Yet soon after Craig had a difference of opinion with “Wild Bill” and began talking with the leader of the Alabama Knights, Robert Marvin Shelton. Eventually Shelton and Craig’s members would merge to form the United Klans of America. Shelton became the full time Imperial Wizard of the United Klans of America with branches in over 17 states. As leader of the largest multi-state Klan, Shelton was an imposing figure. His organization apparently provided the, “swaggering militance [that] was needed in future showdowns with the Kennedys,

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43 Wade, *The Fiery Cross*, 291. Dr. Spinks was a self appointed ‘doctorate.’ He admitted to a reporter that no university had given him the title, instead he was called “Doctor” for a long time, therefore he called himself Dr. He was a colorful and eccentric man that liked to dress up as George Washington and give his patriotic speeches as Klan rallies.

44 Wade, *The Fiery Cross*, 312-313. Freedom Riders would take buses to southern cities to help promote and march for civil rights. There were many violent confrontations and attacks from the Klan, as well as indifference and refusal from state officials to protect the riders.

civil rights activists, and all others who dared dispute the Southern way of life."46 One of Shelton’s lieutenants was James R. “Bob” Jones, Grand Dragon of North Carolina. In 1966 Jones led the largest state chapter of the United Klans of America. The North Carolina chapter had 7500 members in 197 klaverns, and provided at least of third of all the finances for the United Klans of America.47

Klan activity increased dramatically with the passing of the Civil Rights Act in 1964 and the Voting Rights Act of 1965. They had come under investigation by the Un-American Activities committee. In 1965 the Congressional investigator, Phillip Emanuel had stated that the North Carolina Klan was, “by far the most active . . . for the United Klans of America.”48 Reacting to the increase in activity Governor Dan Moore, of North Carolina partnered with Malcolm Seawell had established the Law and Order committee to investigate the Ku Klux Klan.49 Seawell explained the goal of this committee by stating, “Our goal, will be to prevent violations of the law and violence by seeking to get the force of law in North Carolina organized to keep track of what the Klan is doing.”50

In spite of the state and federal efforts to suppress it, in September of 1965 the United Klan began a statewide campaign to increase membership and fight against the desegregation of schools.51 Its North Carolina chapter did not disappoint them. The United Klan in 1966 was considered by the State Bureau of Investigation and the Un-American Activities Committee as the “the fast-growing Klan [and was] bigger today

46 Wade, the Fiery Cross, 313.
47 Ibid., 315.
48 Ibid., 127.
49 Fox, Battle of Hayes Pond, 128.
than it has been since the twenties.” Bob Jones was still the Grand Dragon in 1966, and was responsible for a series of decision that saw the Klan return to Robeson County, North Carolina.

1966

By 1966 Cole had served his time and now resided in Kinston, North Carolina. He insisted that he had nothing to do with the United Klans of America, instead he headed a splinter group called the North Carolina Knights of the Ku Klux Klan. At this time, The Carolina Klan, responsible for the rally in 1958 had been taken over by the more dominant United Klans of America. Whatever Cole’s involvement in the United Klan, his infamous demise would be remembered throughout the year. The 1966, *The Winston Salem Journal* announced that the Klan was proposing another rally in the same Maxton field where Cole and his Klan had met. The rally was to take place on the leased property on March 27, 1966 in Robeson County. When Cole was asked if he believed there would be trouble if the Klan meeting was held, he cautioned that the Lumbee Indians would not recognize a difference between the old Carolina Klan and Jones’ United Klans of America. He went on to say that unless there was considerable

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52 Ibid.
protection for the Klan that he "would hesitate to think what might happen, [being] quite sure that there will be trouble."\(^{56}\)

The United Klan’s Grand Dragon, James R. (Bob) Jones scheduled the rally in order to recruit new members and to protest desegregation of schools.\(^{57}\) His wife, Mrs. Jones, who ran the Klan’s headquarters in Granite Quarry, disagreed with Cole and proposed there would be no trouble from the local Lumbee.\(^{58}\) She did admit however, that there would be armed and helmeted security present at the rally just in case anything happened.\(^{59}\) The Rowan County klavern claimed that the rally would take place in the afternoon on the same farm Carolina Klan had met at in 1958.\(^{60}\) However, this was denied by the United Klan.\(^{61}\) On the other hand the ‘kleag’ (leader) of the Maxton ‘klug’ (division of the Klan) C.A. Brown Jr. further announced that the rally would take place at 4pm in order to discourage the carrying of weapons in daylight and thereby discouraging violence.\(^{62}\) At the same time The Observer obtained information that the Klan had sent word “to all KKK units to urge members of the security guard to attend the Robeson County rally.”\(^{63}\)

These announcements, coupled with the Lumbee tribe and its increasing opposition, led to the intervention of the State of North Carolina. Rumors of Lumbee citizens buying rifles, ammunition and dynamite to thwart another Klan rally, reached

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\(^{56}\) Ibid.


officials in higher government. Many believed the reason there were no fatalities in the 1958 rally was because of the restraint and discipline of the Lumbee youth involved. However, there was overwhelming recognition that members of the tribe would not restrain themselves should another rally take place. The proposed rally, along with increased violence toward African Americans in the county and rising threats to the Lumbee, were interpreted as a direct challenge to the Lumbee nation not to interfere with the meeting again. A serious situation was developing for all races of Robeson County.

After the announcement of the rally, state officials began to speak against the idea of the Klan returning to Robeson County. Malcolm Seawell stated that he did not, “consider it a wise thing for the Klan to hold a rally in that section of the state because of past troubles caused by a Klan rally there.” However, he admitted to having full confidence in the local law enforcement and officials such as Sheriff Malcolm McLeod to “take care of the situation.”

When the news first went public there was little verbal response from the Lumbee Indians, although Simeon Oxendine commented that the Klan should rethink their return and stated, “People haven’t forgotten it. There’s still a lot of resentment.” Soon after, Lumbee citizens began to receive postcards and threatening letters, signed only ‘K.K.K.’ One such postcard read,

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66 Ibid.
68 Ibid.
We are down here getting data on you red necks. We’ll be ready for you all this time. We give no mercy and want none . . . We have some law officials on our side and also some security guards, so look out, red face. See you on the 27th. Signed: Member KKK.\(^{71}\)

There were also threats of “scalping” that would take place should the Lumbee tribe interfere in the workings of the Klan.\(^{72}\) Although opinion was divided on whether the Klan was to blame; it was agreed that, “Anyone able to make a ‘K’ could have done it, of course, the Lumbee are prone to believe anything laid on the Klan’s doorstep, particularity if it’s bad.”\(^{73}\)

Nonetheless, the threats caused intense anger within the Lumbee population. And the sense was emerging that these types of threats constituted a threatening of peace in Robeson County. A reporter from the Charlotte Observer noted that, “Indians are fiercely independent individualists. No Indian speaks for another Indian. Hence agreements [by which the Klan would have cancelled their rally] in a volatile situation such as this are worthwhile.”\(^{74}\) Yet he also explained the Klan’s situation by reporting, “The Klan on the other hand is still smarting from the 1958 rout. That story went around the world, caused an international snicker, and brought ridicule on an outfit that takes itself very seriously.”\(^{75}\)

Although many Lumbee feared the violence that might accompany the Klan’s return to Robeson County, others actively welcomed it.\(^{76}\) Some Lumbee spoke positively

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\(^{71}\) Durham Morning Herald. Robeson Klan Rally Held ‘Grave’ Danger. March 19 1966. 175


\(^{75}\) Ibid.

of the violence that would take place should the Klan return. For example, as Sam Dial of Robeson explained,

> There’s a lot of men in this county don’t care anymore about dying than they do standing in the rain. There’s a lot who’d kill Robert Jones if they knew that they’d be shot five seconds later. It would make a hero out of them in this county.  

Dial also warned that if the Klan came back it would take an Army division to protect them from the Lumbee people. Many Lumbee appear to have hoped that the mere threats of violence would scare the Klan away, but then became, “convinced that scaring didn’t work, [and started] loading for bear.” It was also suspected that a large number of Indians that had moved to Guilford County would return for the rally. Willie Oxendine, who helped Indians find employment and lodging in Guilford, estimated that there were about 2,000 Indian men in the area of Greensboro-High Point. He believed that “the majority will go home that weekend. I don’t believe that they should, but they will.” McLeod spent much time trying to calm the Lumbee people while admitting that he only had 16 deputies, which was not even enough to direct traffic on the road. However, the state had a plan that to deal with the proposed rally in Maxton.

In early March, Seawell, who headed Governor Moore’s anti-Ku Klux Klan committee, visited Robeson County. During his visit he assured Sheriff McLeod that he

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79 Ibid.
80 *Greensboro Daily News*. Jones Says Klan will meet In Robeson Despite Pleas—Indians may go To Klan Rally. March 17 1966. 178.
81 Ibid.
82 Ibid.
would have state help should he need it during the rally. On March 17th 1966 Robeson County Solicitor John B Reagan sent a telegram to Jones asking that he cancel the rally and requesting a reply regarding his intentions about holding the rally in Maxton. Yet Jones gave no formal response to the telegram and Regan took this action to mean:

It did not matter if there was violence, trouble, bloodshed, or even loss of life, that the rally scheduled for Sunday, the 27th of March, would go on as scheduled, and any type of violence brought about by the rally would not deter him from holding the rally as planned.

Jones remarked that the only reason McLeod was trying to stop the rally was because he was afraid of not being re-elected.

Later that day, (March 17th) Regan appealed to the Robeson Superior Court to grant an injunction to stop the proposed rally. The injunction was proposed on the grounds that the rally would cause bloodshed and possible deaths. Walter Anderson, director of the State Bureau of Investigation presented over 155 affidavits created and signed in Robeson County, stating that people did not believe that the actions of the Klan would be confined to the cornfield where the rally was to take place. Anderson also stated that if the rally were to take place it would set back "20 years or more" of race

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87 *The Lumbbee*. Court to Decide on Injunction to Stop Rally. March 17, 1966.
89 Ibid.
90 Ibid.
relations. Many believed that the citizens of the county had made peace with desegregation but that the rally would cause conflict in an area that had worked very hard to deal peacefully with other members and races in the community.

The injunction filed by the Seawell and Regan stated that 28 members of the Klan were to appear in court on March 31, 1966. These included Jones, Rev. George Dorsett of Greensboro, the national Grand Kludd, C.A. (Buddy) Brown Jr., (the son of the owner of the field in which the rally was to take place) as well as the Imperial Wizard of the Klan, Robert Shelton of Alabama. A few other less-known members of the Klan were also included in the indictment. It was expected that attorneys for the Klan would ask for an earlier court date, so as not to delay the rally. The injunction prevented the rally by stating:

The defendant, and each of them, be permanently enjoined: (a) from holding the announced meeting on March 27, 1966, and any other similar meeting in Robeson County and within a twenty-five mile radius thereof, and (b) from assaulting, abusing, or in any manner intimidating any citizen living in Robeson County in within a twenty-five mile radius thereof.

By expanding the injunction to include not just the named defendants, but any and all future sympathizers with the Klan, the court was effectively being asked to permanently ban all Klan meetings in Robeson County.

The notice and order issue forthwith to each defendants named herein, and to all other person who may be participating in said acts complained of, and to whom this action may become known, to appear before this Court and show cause, if

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94 Ibid.
they may have, why they should not be permanently enjoined and restrained from the commission of said acts. 97

On March 18th, the injunction was accepted by Superior Court Judge William A. Johnson who provided a temporary restraining order against the Klan, permitting them time to provide creditable reasons as to why the rally should be held. 98 Johnson halted the rally based on the premise that it would “result in unnecessary killing and bloodshed.” 99 It was suspected that if the Klan entered the county, they would be “armed and looking for trouble, although Klan leaders claim they seek only peaceful assembly.” 100

State legal officials believed that the state’s attempt to block the Klan from holding a rally was unique and “unprecedented in the entire history of the Klan.” 101 It was also believed that case could have possibly gone to the Supreme Court if the Klan had sought to overturn the injunction. 102 Officials for the state believed that the Klan had never been the defendant in a case seeking to block a rally because of violence and threats from an outside source targeting the Klan. 103 Other states had put forth ordinances and injunctions against the Klan to stop violence on the part of the Klan itself, but never to prevent violence directed toward the Klan. 104

97 Ibid.
98 Cooper, David. *Winston-Salem Journal*. State to Ask Court To Halt Klan Rally. March 17, 1966. 174
100 Ibid.
102 Ibid.
103 Ibid.
104 Ibid.
The Klan's lawyers had the opportunity to appeal the injunction and ask for it to be removed.\textsuperscript{105} They had two choices for an appeal of the injunction; they could either ask for a hearing in Superior Court and question the legality of the injunction or they could take it to the Supreme Court.\textsuperscript{106} However, the Supreme Court in the 1960s had little tolerance for anti-civil rights groups.\textsuperscript{107} Consequently, the Klan decided to appeal to the Lumbee instead and ultimately failed in their efforts.\textsuperscript{108}

Attorneys for the Klan argued that the injunction was an infringement upon the Klan's constitutional right to organize and demonstrate.\textsuperscript{109} Klan defenders were quick to point out that they had successfully rallied throughout North Carolina and by preventing the rally in Robeson the Klan was being denied their right of free speech and assembly.\textsuperscript{110} The question was raised of why an injunction had not been used to stop civil rights demonstrations.\textsuperscript{111} Governor Moore responded by saying that this injunction was filed under the expected violation of the law.\textsuperscript{112} Seawell explained by saying:

It comes down to a question of protecting lives and property and preserving the peace and law and order . . . Every means at the disposal of the state will be used to protect the people of this state, whether they are Klansman or otherwise, even against their own folly.\textsuperscript{113}

\textsuperscript{106} Ibid.
\textsuperscript{108} Ibid.
\textsuperscript{111} Cooper, David. \textit{Winston Salem Journal}. The State Moves Against the Klan's rally in Robeson. March 18, 1966.
\textsuperscript{112} Ibid.
\textsuperscript{113} Ibid.
When asked why there was no injunction brought against the Lumbee, Seawell responded that if the Klan did not meet then there was no threat of violence from the Lumbee.\textsuperscript{114} Moore also noted that Regan “had put the Indian leaders on notice that they [the state] would not tolerate violations on their part and they would be vigorously prosecuted.”\textsuperscript{115}

On the same day the injunction was sent to the court, Jones claimed that he had ordered a postponement of the rally before he had learned that the state had obtained an injunction against the Klan.\textsuperscript{116} He claimed that he would be going to Robeson County to talk with the Lumbee and explain the Klan’s position.\textsuperscript{117} Bob Jones announced that Shelton would be arriving from Alabama to meet with “responsible Indian leaders,” on the following Monday and that he would explain that the Klan never intended to “threaten to hold a rally” in Robeson.\textsuperscript{118} Shelton also proposed to explain to the Lumbee leaders that the Klan was not there to threaten the Lumbee tribe but rather to protest African American desegregation.\textsuperscript{119} Shelton also planned to tell the tribe that the United Klans had been holding rallies in every county in North Carolina and this was not a rally that was directed against the Lumbee tribe.\textsuperscript{120} Jones himself claimed that the Klan had held rallies in over 70 counties in North Carolina and he wanted to hold one in Robeson.\textsuperscript{121} He also pointed out that, “We’re not the same Klan that was here in

\textsuperscript{114} Ibid.
\textsuperscript{115} Ibid.
\textsuperscript{118} *Winston Salem Journal*. Jones Says Shelton To Talk to Lumbees. March 18, 1966. 188
\textsuperscript{120} *Winston-Salem Journal*. Jones Says Shelton To Talk to Lumbees. March 18, 1966. 188.
\textsuperscript{121} *The Lumbee*. Court to Decide on Injunction to Stop Rally. March 17, 1966.
1958. Jones claimed that he postponed the rally pending the outcome of Shelton’s meeting. On March 17th Jones spent the day meeting with the Native American community in Lumberton and Pembroke, accompanied by Marshall Kornegay, Grand Dragon of the Klan of Virginia. He argued that the Klan was looking for potential allies and friends in Robeson County, including the 37,000 Lumbee tribesmen. He also claimed that the Klan did not want to make enemies with the Lumbee, nor did they want to start a ‘race riot’ in Robeson County. Instead Jones argued that the Klan was in Robeson to help the Lumbee and stated:

The Indians have never had an ally and if we’re going to give civil rights to the niggers, we’re going to give them to the Indians. We want to ally with the Indian and see that he gets some civil rights from the government.

Kornegay’s expressed his opinion of the Lumbee by stating, “I have never met a finer group of level-headed businessmen. They knew who I was and why I was there.”

Jones had hoped that he would be able to start an Indian klavern in Robeson. Some believed that the Klan was attempting to “pacify the Indians while at the same time condemning Negroes, Jews and all other ‘non-white’ groups.” C. A. Brown reportedly said that the head of the Ku Klux Klan in Florida was a Cherokee Indian and he was

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122 Ibid.
125 Ibid.
127 Ibid.
130 The Lumbee. Court to Decide on Injunction to Stop Rally. March 17, 1966.
expected to be present at the rally.\textsuperscript{131} Despite the Klan’s overtures the response from the Lumbee was predictably cool. Oxendine stated that he did not believe that Jones had the right to promise anything to the Lumbee tribe and believed that the Constitution already gave them the rights that Jones proposed.\textsuperscript{132} (Oxendine had been one of the Lumbee that chased off the Klan in 1958.\textsuperscript{133}) One of the Lumbee tribe members who met with Jones in Pembroke warned off the Klan by saying:

One of the Klansman seemed like a pretty nice fellow, but I advised him to stay out of Pembroke. You see, he’s been here now and he’d be recognized, and I don’t want trouble” (for him).\textsuperscript{134}

The proposed meeting between Shelton and the leaders of the Lumbee tribe was to take place, on neutral ground, in a Fayetteville motel.\textsuperscript{135} However not one leader of the Lumbee tribe accepted the Klan’s invitation.\textsuperscript{136} Ironically, at this point, the Ku Klux Klan escalated its effort and opened its membership to the Lumbee tribe. They offered over 37,000 memberships to the Lumbee of Robeson County.\textsuperscript{137} The Lumbee rejected this offer noting that the KKK’s official newspaper, \textit{The Fiery Cross}, stated that in order to be a member one must be white. Oxendine refused to meet with Shelton and rejected the offer of membership, saying, “I’m not white. I’m an Indian and I’m proud of it.”\textsuperscript{138}

On March 20\textsuperscript{th} the regional director of the American Civil Liberties Union, Charles Morgan of Birmingham, Alabama, spoke in Durham and criticized the injunction

\textsuperscript{131} Ibid.
\textsuperscript{133} Ibid.
\textsuperscript{135} \textit{Durham Morning Herald}. Lumbees Boycott Meet With Klan At Fayetteville. Marc 22, 196.
\textsuperscript{201}
\textsuperscript{136} Ibid.
\textsuperscript{138} Ibid.
questioning whether the state had violated the Klan’s constitutional right to assembly.\textsuperscript{139} Morgan, who was running for Governor in Alabama, addressed the annual state meeting of the North Carolina ACLU and stated that white southern lawyers should stand up for the rights of the Klan. He acknowledged, though, that those who did would be taking risks with their career.\textsuperscript{140}

As a result of this concern, Charles F Lambeth Jr. of Thomasville, president of the North Carolina American Civil Liberties Union, along with the 15 members of the board, sent a statement to Governor Moore that defended the Klan’s right to hold a rally in Robeson.\textsuperscript{141} Lambeth explained his concern that this injunction would prevent other groups from practicing their civil liberties.\textsuperscript{142} Lambeth stated:

\begin{quote}
We are concerned with the civil rights of all groups and all people no matter how unpopular they may be, even those that do not believe in civil liberties themselves—Communist, Nazis and the Ku Klux Klan.\textsuperscript{143}
\end{quote}

Lambeth claimed that he did not condone the Klan and its practices but believed that denying them their rights would be detrimental to the rights of all people.\textsuperscript{144} Although he did agree that it was “easy to enjoy” seeing the Klan get kicked out of Robeson County by the Lumbee in 1958 and while he acknowledged the public view that the Klan was getting its due, he went on to say that the law did not permit, “the suppression of unpopular views . . . merely because others resent these views and resort to lawless action.”\textsuperscript{145} In response, Seawell defended the injunction saying:

\textsuperscript{143} Ibid.
\textsuperscript{145} Rollins, Roy. Winston Salem Journal. He Dislikes Klan, Backs its Right. March 27, 1966. 209
The temporary restraining order brought contentions on the Klan’s Constitutional guarantee of free assembly had been violated. This has no merit at all. The right of freedom of assembly, whether in the State of federal constitution is the right people have to PEACEABLY assemble. When you get into a situation where it is a forgone conclusion – supported by affidavits—that a rally will bring bloodshed and loss of life, the courts cannot sit idly by and have a riotous assembly take place.\textsuperscript{146}

The American Civil Liberties Union refused to take part in the hearings set for March 31\textsuperscript{st}, but implied that further actions by be taken the ACLU might be taken if the case were to go to the Supreme Court.\textsuperscript{147}

On March 31\textsuperscript{st} 1966, the Superior Court of Robeson County, Judge Johnson presiding, reconvened to hear arguments on the injunction and why it should not be permanent.\textsuperscript{148} While Regan argued in favor of a permanent injunction, Lester V. Chalmers of Raleigh, former Superior Court Solicitor, was the defense counsel for the 27 defendants of the United Klans of America.\textsuperscript{149}

Johnson listened to over two hours of arguments and decided that the Klan should have additional time to review and comment on the over 170 affidavits presented by the Regan and Seawell, that claimed a Klan rally in Robeson would only incite violence and possible bloodshed.\textsuperscript{150} These affidavits were signed by citizens of Robeson County, state and county authorities, law enforcement officials as well as Lumbee Indian leaders.\textsuperscript{151} Chalmers argued that a permanent injunction would “violate freedom of speech and assembly [and that] the Klan meant no violence and any trouble would be initiated by the

\textsuperscript{146} Carven, Charles. \textit{News and Observer}. Seawell: Color is Not a factor. March 27, 1966.
\textsuperscript{149} \textit{The Robesonian}. Permanent Bar on Klan Rallies As Yet Undecided. April 1, 1966.
\textsuperscript{150} \textit{Winston Salem Journal}. Judge to decide on Klan Rally April 18. April 1 1966. 222.
\textsuperscript{151} \textit{New Bern Sun Journal}. Judge to Rule on Klan’s Injunction. April 18, 1966. 236. Chalmers had not been privy to the affidavits before the trail and but was promised them by Solicitor Regan.
Lumbees." Chalmers also promised that if the ban was made permanent the Klan would, "go all the way to the Supreme Court to gain our Constitutional rights." Judge Johnson delayed his decision until April 19th in order to consider, "whether or not the state of North Carolina has made allegations that prove the KKK rally would be an unlawful gathering or be a legal gathering in an unlawful manner." He noted concerns with the injunction and claimed he did not understand how what might be legal for the Klan in North Carolina would not be legal in Robeson County.

On April 19th the court convened once again. There were no Klan officials present at the hearing and Jones reportedly told the Associated Press that if the injunction was lifted then the rally would be held in Robeson, "when it comes up on our schedule." In court Johnson refused to let Durham lawyer, Anthony Branon, speak on behalf of the North Carolina chapter of the American Civil Liberties Union. Johnson explained his decision saying that it would only delay the decision of the court because it would have to allow additional time for both lawyers to draw up responses to the ACLU's brief. Johnson then dissolved the injunction, in a decision that argued that the court should not take the place of law enforcement. He also added that he could not find it reasonable to believe that if it was legal for the Klan to hold rallies in 99 counties

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158 Ibid.
159 Jenkins, Jay. The Charlotte Observer. Court Drops Ban On the KKK Meeting—Klan can rally in Indian county. April 19 1966.
in North Carolina, that it should be, at the same time, illegal to hold one in Robeson County. Regan responded that the affidavits made a strong case that the Klan intended violence. He pointed out that the Ku Klux Klan rallies are "preaching hate and spreading dissension," and since the Klan was "armed to the teeth," rallies were therefore "illegal in all 100 counties." When asked why other rallies in other counties had not been opposed if they were illegal, Regan answered that the other counties had not had the same experience as Robeson County had, and reiterated that, "We weren't dealing in suppositions about this, we knew what would happen." Pembroke Policeman Percy Brooks testified for Regan, claiming that the town was divided into two separate groups—those that want the Klan to stay out and those that wanted them to come. Brooks explained that the latter group wanted the Klan to come to Robeson so that they would have the opportunity to run them out. Sam Dial was present for the decision and when asked about the prospect of the Klan coming to Robeson he replied, "If they come now, the Army won't be enough. They better bring the Lord God Almighty to protect 'em."

Bob Jones insisted that he was not surprised by the court's decision to lift the injunction against the Klan. However, when asked whether the rally in Robeson would be rescheduled, he replied, "As it stand now if we do go into Robeson County, it couldn't

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162 Ibid.
163 *The Lumbee*. Court Oks Klan Rally in Robeson. April 21, 1966.
164 Ibid.
possibly be before late summer." It was hinted that a future hearing would be set by
the state to review the trials merits, although no specific date was ever set.

As it came to pass, the Klan did not reschedule the rally in Robeson County.
However it did continue with its other rallies in the state. In withdrawing their plan to
rally in Robeson County, the Klan was undoubtedly submitting to the threat of Lumbee
violence. On the night of the proposed meeting with the Lumbee leaders, shots were fired
into the home of the only identified Klansman in Robeson County, C.A. Brown Jr. A
week earlier there were also shots fired at the home of C.A. Brown Sr., who owned the
field in Maxton where the Carolina Klan held its rally in 1958. McLeod claimed that
there were no suspects in the case. Jones announced that the rally had been called off
and never offered any further information nor made any other attempt to rally in Robeson
County. Many believed that Jones and his Klansmen were relying on the courts to
provide them with a way out from following through with the rally. Yet, the Klan
remained active in the vicinity of Robeson County. As Blu has recounted, there was a
billboard on a highway through Fayetteville expressing support of the Klan. When she
related this to the Lumbee people, the typical response was, "Oh that's Fayetteville. If it
were in Robeson County, it wouldn't last more than a day." Curiously Blu noted, that

167 Wood, Rob. New Bern Sun Journal. Klan is Given right to Meet in Indian Area—Grand
168 Ibid.
169 Thompson, Roy. Winston-Salem Journal. Klan Apparently Will Not Hold its Rally in
Robeson County. March 25, 1966. 205.
171 Ibid.
172 Ibid.
173 Ibid.
174 Blu, The Lumbee Problem, 159.
no one in Robeson seemed particularly threatened by the sign.\textsuperscript{175} Perhaps this was because, after the events of 1958 and 1966, the Lumbee did not feel particularly threatened by the Klan.

\section*{Analysis}

Why did the Klan return to Robeson County in 1966? One possible answer lies in the inter-Klan rivalries of the early 1960s. The Klan group seeking the rally in 1966 was the new United Klan of America, not the Associated Carolina Klan, raising the question whether their aim in Robeson County was to avenge the Associated Carolina Klan's humiliation in 1958 and thereby emerge more dominant.

The Klan was an organization that was based on power and intimidation. It can thus be argued that they were returning to Robeson County as a show of strength. In this view, they planned a rally in a county where they knew a former, weaker Klan had been unsuccessful. They would then assert asserting their dominance and superiority, not only over the Associated Carolina Klan but the African American and Lumbee people as well.

It is important to consider that the United Klans held several rallies throughout North Carolina that year and had proposed that they would be holding a rally in every county in order to boost membership in reaction to the Civil Rights Act, the Voting Rights Act and desegregation.\textsuperscript{176} Given the statewide rally effort, therefore, it cannot be argued that the return of the Klan to Robeson County was solely caused by the failed rally of 1958. And yet it played a major role.

\textsuperscript{175} Ibid.
Catfish Cole claimed to have nothing to do with Robert Shelton and his United Klans in 1966. The Associated Carolina Klans had given in to the much stronger and more political United Klans and by 1962 the United Klans were already dominant in the state of North Carolina. In 1965, the United Klans was granted a certificate of authority to operate as a franchise in North Carolina. This certificate granted the Klan permission, "to maintain liberty bequeathed to us by out forefathers, and to preserve the American way of life." \(^{177}\) By 1966, then, the inter-Klan rivalries had largely run their course. It is possible that the United Klan wanted to prove that the Klan was still strong and could return to Robeson when they wanted to, but it appears that they were not doing so solely to vindicate the demise of the Carolina Klan.

Moreover, many times throughout the non-event of 1966, the United Klan made the point that they were not the same Klan that had come to Robeson County under the direction of Catfish Cole. Jones often repeated his mantra, "We're not the same Klan that was here in 1958." \(^{178}\) Cole, however, accurately warned that the Lumbee would not recognize or view the United Klan as any different than his organization. \(^{179}\)

Another mystery concerns the motivation of the Klan in opening the membership to the Lumbee people, particularly their claim that they were seeking 37,000 allies with the Lumbees. \(^{180}\) As ludicrous as this may sound, non-white (and non-American born) membership was not that unusual. In the 1920s the Klan had organized a unit of foreign-born Protestants, though not qualified for full Klan membership, called the American

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\(^{178}\) *The Lumbee*. Court to Decide on Injunction to Stop Rally. March 17, 1966.


\(^{180}\) Ibid.
Krusaders.\textsuperscript{181} They also attempted to start a black protestant "colored division" of the Klan in Indiana and other states.\textsuperscript{182} In 1953 a former grand titan, William Griffin for the Southern Knights of Central Florida and Bill Hendrix, leader of the Northern Florida Klan formed the Association of the Florida Ku Klux Klan.\textsuperscript{183} They boasted 100,000 members and made a public invitation for blacks to join the Klan, albeit "on a segregated basis."\textsuperscript{184} As noted, in 1966, C. A. Brown Jr., 'kleag' of Maxton told journalists that the head of the Florida Ku Klux Klan was Seminole and that he would bring with him an entourage of Cherokee Klan members from Oklahoma to attend the rally in Robeson County.\textsuperscript{185} In the same interview he claimed that there were newly recruited Lumbee Indians from Robeson County in the Klan who would also be coming to the rally.\textsuperscript{186} Experts and those who have studied the Lumbee people doubt these claims were true. The probability of a Lumbee joining the Klan was extremely unlikely.

Ultimately the question as to why the Klan tried to return to Robeson in 1966 can be answered in two ways. First, they were attempting to demonstrate their superiority and dominance over the Indian population, and to prove that the Klan was no longer the weak organization that was humiliated in 1958. Since there had been very little activity in Robeson County, other than the threatening of would be members in 1952 and the


\textsuperscript{182} Ibid.

\textsuperscript{183} Newton, The Invisible Empire, 128. It is important to note that there were many ‘klans’ in Florida as well as the southern states. Most claimed to be the real Klan. Each had a different name, including some that did not even have the ‘klan’ name associated with it. This book attempts successfully to separate the different klans and klaverns, their leaders, actions and crimes in Florida.

\textsuperscript{184} Ibid.


\textsuperscript{186} Ibid.
humiliation of 1958, the Klan would, in essence, retake Robeson County and assert their belief of superiority over minorities in this area.\(^{187}\)

It should be noted however that Shelton was attempting to recreate the image of the Klan. He realized that he was not going to be able to continue to strengthen the Klan if he did not change public and political perception of them. In 1963, a meeting of Klan leaders in Atlanta had decided that the Klan needed to focus more on projecting their hostility toward the Jewish, Catholic and foreign born until it could increase membership and, “enlist the help and aid of large segments of officialdom.”\(^{188}\) The United Klans interactions with the Lumbee must be seen then, in the context of a Klan that was narrowing its priorities. Offering membership to the Lumbee, although it risked rendering the Klan ridiculous, was ultimately a strategy consistent with the Klan’s new form on appearing ‘mainstream.’ Therefore, the other explanation could be that the Klan really had no issue with the Lumbee, as the claimed, and only wanted to assert their power over the black population of Robeson and to increase their membership statewide. This possibility cannot be entirely excluded. It was only after the Klan began to realize that there was an uproar in Robeson over the proposed rally, as well as the spreading of the rumors that the Lumbee were stockpiling weapons, that Jones and Shelton attempted to open communication with the Lumbee and publicly invite them to join their association. However, the views of the Robeson population meant that the Klan’s effort to clarify their priorities were meaningless. A citizen wrote to the *Winston-Salem Journal*,

Wonder how many of our ferocious Klansmen will show up for the big rally in

\(^{187}\) Carter, *Virus of Fear*, 141.

\(^{188}\) Ibid., 323.
Indian Country (Robeson County)? We wouldn’t blame them if they stayed at home. After all, if Custer had left Little Big Horn alive he certainly wouldn’t have been ashamed to say, “Don’t go back.” But apparently the Klanmen feel it a point of honor to return—after eight years—to the field where their rally was attacked by the Lumbee Indians. They have never quite recovered from the embarrassment of having to pull up their robes and run that night, and this time they want to stand firm. Klan leaders say they don’t expect another Indian raid; they say they are taking precautions. What kind of precautions? Well, they didn’t say, but we suspect the first thing will be to draw the dragons into a circle.\(^{189}\)

How were the Lumbee successful in preventing the rally in 1966 in Robeson County? Was the injunction filed solely on the threat of violence from the Lumbee? Or was this an attempt by the state to stop the Klan’s growth and activities in North Carolina? Clearly there were many factors involved in keeping the Klan from re-entering Robeson County in 1966.

One of those factors was the anti-Klan watchdog committee created by Governor Moore in early 1966. In 1966 the Law and Order Committee benefited from the strong leadership of Malcolm Seawell. Seawell was a prominent and verbal opponent of the Klan throughout his political life. He was District Solicitor of Robeson County in 1952 when he prevented the Klan from reaching beyond Tabor County and bringing their activities to Robeson. On this occasion he invoked a 1868 statute to threaten suspected Klan members in Robeson County, thereby cutting off the opportunity for the “virus” of the Klan to spread.\(^{190}\) His words to the would-be Klansman were strong and direct. He told the men that they were protected by the same rights as everyone else in Robeson County.\(^{191}\) He wanted them to understand that,

\(^{189}\) *Winston-Salem Journal.* Back to Little Big Horn. March 11, 1966
\(^{190}\) Carter, *Virus of Fear*, 140.
\(^{191}\) Ibid., 141.
The same laws that have protected you all your lives are not your individual or collective possession. These laws belong to the rich and to the poor, to the black and to the white, to the Indian . . . the native born, to the foreign born, to the Protestant, to the Catholic and to the Jew. It is going to stay that way. We are not going to tolerate the Klan.  

In 1958, after the uprising of the Lumbee and the humiliation of Cole's Carolina Klan, Seawell revived the 1868 statute once again to prosecute Cole. It was through Seawell's efforts that Cole was convicted for the 1958 rally. As we have seen, Cole and a few fellow Klansman served a jail sentence based on this conviction.

In January of 1965, Governor Dan Moore, appointed Seawell to the Law & Order committee. The purpose of the committee was to investigate Klan activities in North Carolina. By this time Seawell was the chairman of the board of elections and a former attorney general. After the formation of the committee, Seawell announced that North Carolina was, "through playing games with the Klan." Another purpose of the committee was to expose the names of those involved in the Klan. The committee planned to organize surveillance of Klan rallies and keep track of those who attended, afterwards releasing the names to the press. They hoped that by doing this, they would be discouraging others to take part or to join the Klan. They also intended to investigate the Klan's finances, since the Klan's group had been given charter under the pretext that they were a charitable organization. Within days of the announcement by the Klan that

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192 Ibid., 141.
194 Ibid.
197 Ibid.
198 Ibid.
they would be returning to Robeson County, he helped put into motion the temporary injunction to stop the Klan from holding the rally. Seawell is rightly considered the one of the fiercest Klan fighters in North Carolina.\textsuperscript{199}

Another player in this drama was the Sheriff of Robeson County, Malcolm McLeod. McLeod had been sheriff during the 1958 rally and had asked Cole to call off the rally because of the Lumbee reaction. In 1966, he once again asked that the rally be stopped because of the threat of violence from the Lumbee. He and Walter Anderson from the State Bureau of Investigation collected and presented over 170 affidavits from citizens and officials in Robeson County stating the negative and frightful impact that the rally would have on Robeson County should the Klan be allowed to return.\textsuperscript{200} Although he was promised all the support and manpower he needed should the rally be allowed to take place, he was still concerned about the stockpiling of weapons and the increasing hostility of the Lumbee. Regardless of his obvious concern Jones accused that the only reason that McLeod was against the rally was because he was afraid of not being reelected for Sheriff.\textsuperscript{201} This of course was not the case.

The Lumbee people of Robeson County had been living peacefully with their white and black neighbors for many years and were outraged at the prospect of the Klan returning. The Lumbee are a proud race of people that seem to join together effectively whenever they feel that their people and identity are being threatened. After returning to Robeson in the late 1960's, Blu reported that many of the white people in the area said care should be taken not to provoke the Lumbee and racial agitation since it was likely to

\textsuperscript{199} Ibid.
\textsuperscript{200} Thompson, Roy. \textit{Winston - Salem Journal}. Court Orders Klan To Call Off Rally. March 18, 1966. 183.
\textsuperscript{201} \textit{The Lumbee}. Court to Decide on Injunction to Stop Rally. March 17, 1966.
generate some sort of retaliation.\footnote{Blu, Karen, \textit{The Lumbee Problem}, 145.} The Lumbee share a pride of ‘meanness,’ which is considered a positive quality when it is directed toward the white population.\footnote{Ibid., 144.} Blu explained that this attribute helped them to “stand up for themselves.”\footnote{Ibid} Similarly Sider has perceived the message of the Lumbee in 1958 to mean that the Klan should not “mess with them” and that they were not going to be ‘done’ as the blacks had. Sentiments like these increased the Lumbees’ feelings of superiority and pride.\footnote{Sider, \textit{Living Indian Histories}, 102.} One Lumbee would explain, “Often they have chosen to fight, and when they do, they talk about this struggle in terms of who they are, what kind of people they are and how they should behave.”\footnote{Blu, \textit{The Lumbee Problem}, 76.} The Lumbee people displayed this confidence in 1966 when they expressed their desire to see the Klan return simply so that they could chase them back out of Robeson County. Their confidence stemmed from the fact that had already chased them out once before and with the added knowledge of the having the backing of the state.

Because of these efforts, then Governor Moore, local law enforcement, District Solicitor Regan, the Lumbee people, as well as the white and black population in Robeson County the state of North Carolina was able to file the temporary injunction against the Klan. Although the injunction was overturned its impact was still quite important. Technically it only postponed the intended rally of March 31st, yet in reality; it was an important symbolic victory that closed Robeson County to future Klan rallies.

One final note is worth making concerning the role played by Malcolm Seawell. Some might argue that Seawell’s actions were suspicious. It is conceivable to believe that Seawell, having a campaign against the Klan, was looking for just such an
opportunity as the one that he was given in 1966. It is intriguing to note how quickly Seawell was able to file an injunction against the Klan. The rally was announced on March 4th and by March 17th an injunction had been filed. By March 11th Governor Moore and Seawell had made a statement that they were preparing something 'unique' to prevent the rally from taking place. As we have seen, Regan claimed that he had sent a telegram to Jones asking him to explain his intentions with the rally and to call it off for the safety of the people in the county. However, Jones later claimed that he had not received the telegram and had called off the rally before the injunction was ever filed. The injunction was filed within just a few hours of the telegram to Jones. The possibility exists that Seawell and the Governor fully intended to use the experiment of an injunction from the start, and that they were not about to let the opportunity slip away. Pushing the case further, it can also be asked whether the Klan were not, in a sense, ensnared in Robeson County in 1966. The origins of the provocative Klan postcards sent to the Lumbee households become relevant here. Were they really postcards from the Klan? Or were they calculated efforts by anti-klan forces designed to raise Lumbee hostility and foster the defeat of the Klan. While this idea is highly unlikely and quite comical, it is interesting to consider and cannot be dismissed entirely.

As we have seen, the American Civil Liberties Union called the injunction ‘unconstitutional.’ The injunction was held to impede the Klan’s right to assembly and free speech. The Superior Court of North Carolina agreed, and it was overturned.

Passing a permanent injunction against the Klan would mean that others, including those involved in the Civil Rights Movement, could have injunctions brought against them for similar reasons. Lambeth urged Moore to consider that, “if the threat of Indian Mob violence justifies an injunction against the Klan meeting, then no one is safe.” Even so, Moore and Seawell argued strongly against this view, stating that the situation in Robeson County was deemed dangerous based on earlier events from 1958. The use of the injunction, then, was laden with difficulty, and even irony; some would argue that the injunction was an illegal action taken by the state, even though it sought to prevent violence and bloodshed.

Conclusion

The Lumbee people of Robeson County, with the help of state officials, were able to stave down an organization that understood only intimidation, violence and shows of force. That being said, the event of 1958 was widely publicized. It was covered in national magazines and has become the subject of scrutiny by historians. As a result of this publicity, the Lumbee heroics gained respect for the Indians of Robeson County from their white neighbors and countrymen. Yet, during the Civil Rights years the Lumbee would face the Ku Klux Klan again. This time the event was accorded little recognition,

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only local coverage and generated almost no subsequent attention in historical literature.

There were many cases brought about by the courts during the Civil Rights Movement. Prior to 1966 state ordinances and injunctions were brought against the Klan in order to stop the violence on the part of the Klan should they be allowed to rally or march. We are left with the irony that 1966 saw the first (and possibly the only) injunction against the Ku Klux Klan brought about because of the threat of violence from an outside source, (in this case, the Lumbee Indians). And yet, this non event has never been brought under historical scrutiny. How can one explain such an oversight?

Perhaps the reason that the Lumbee are never given credit for their accomplishment with reference to the Civil Rights Movement is because it rests uneasily with the historiography’s focus on non-violence. Yet does this mean that their accomplishment should be deemed so insignificant that it is forgotten? While taking nothing away from the great achievements of the African American and Martin Luther King in the Civil Rights Movement, the story of the Lumbee people of Robeson County should be included in the legacy of the Civil Rights Era. This should be done for at least two reasons. First, because it shows that the victories of the Civil Rights Movement were not merely those of African Americans and their white sympathizers. Second, because it demonstrates that, intimidation and threats of violence could lead to civil rights victories, especially when dealing with a hate groups such as the Ku Klux Klan.

History has been difficult for the Lumbee people of Robeson County. Although they have gained recognition that they are a Native American tribe, they continue to fight for their legal and financial rights from the United States government. The Lumbee have been dealt the injustice of trying to prove their identity while maintaining their integrity.
In 1958 and 1966 the Lumbee identity emerged as real and was displayed in their intense pride and subsequent actions. The Lumbee continue to make their own history. Their contributions to the struggle against the Klan deserve to be told, and their history as a whole respectfully included in this country's history.
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**Secondary Sources**

This was an excellent source for information on the ideals of the Klan concerning women. I found the book easy to read. It provided extensive background on women in the Klan in Indiana.

This was the most informative book that I researched. This is an excellent study of the way of the Lumbee people. Blu spent time with the Lumbee studying their
ways. It was very informative and consistent with other material that I read. It provided insight to how the Lumbee regarded themselves as well as others.

This is a standard textbook that gives general information on various topics in American history. It is a good book to use for basic information on the Ku Klux Klan and the Civil Rights Movement.

I did not site any information from this source. However, this book is a reference that can be used to understand more about the violence committed by the Klan and the court cases brought against them after the Greensboro Massacre.

This book is required reading for anyone that is studying the Civil Rights Movement. This book traces the steps, achievements and burdens of the Dr. Martin Luther King, Jr.

A newspaper editor from Tabor City, North Carolina wrote this book. I found it an excellent source of information. Carter was a staunch opponent of the Klan, who wanted to bring about their demise. He attempted to do this by attacking their policies and exposing information and membership. He spoke out against the Klan publicly, which was very rare at the time.

This book explains how the actions of the Ku Klux Klan helped to further the Civil Rights Movement. It examines the different events that took place prior to each achievement by the movement and how it affected the next one.

This source was good for basic information on the Lumbee Indian tribe. However, when cross-referenced with other material on the Lumbee, there were many generalizations and a few mistakes.

This was a wonderful book outlining the past experience of the Lumbee in regard to the Lowry gang. The author provided excellent sourced for additional
information on the Lumbee tribe and the events that took place in and around Robeson County in the late 1800’s.


I found this book exceedingly helpful. Since it was a thesis I found a completely different tone to her work in comparison to other sources. It was a good source of information, yet some things are miss referenced and some are slightly unclear.


This book provides information of the race relations and politics in Wilmington North Carolina from the late 1800’s through till about 1997.


Stetson wrote this book after he had infiltrated the Ku Klux Klan in the early 1930’s. He had hoped to bring his evidence to the Un-American Activities Committee. His book contains a first person narrative into the membership and crimes of the Klan. He also includes his opinion on how the Klan should be handled and defeated. This book provides easy and informative insight into Klan of the 1930’s.


This is a good source of in depth information on the Lumbee people. This book attempts to explain the origins of the Lumbee as well as their case that they are truly a Native American tribe. It provides a plethora of information and has a forward from Linda Oxendine, Chair of the Indian Studies program at Pembroke University.


This book was written by one of the original founders of the Ku Klux Klan. It is a wonderful reference to the origins and purpose of the Klan in reconstruction. It provides an interesting insight as to why the Klan was created and who were involved in that process.


This is an extensive bibliography of information on the Lumbee Indians.

This is also another good book for background on the Ku Klux Klan. It breaks the Klan down into different movements and what the did in each period of time. There is a useful and large bibliography as well.

Newton, Michael. The Invisible Empire. Gainesville: University Press of Florida, 2001. This book provided extensive information on the Florida Klan. However, it did cover a wide range of additional Klan activities throughout the south and was a good source for finding information about the interweaving of Klans from various states and how they influenced each other.


Powell, William S. North Carolina: A History. The University of North Carolina Press: North Carolina, 1977. This was a general textbook that is used in North Carolina history courses. For this topic I found it of little help.

Sider, Gerald. Living Indian Histories, Lumbee and Tuscorora People in North Carolina. New York Press. I found this book to contain many mistakes and was careful to make sure that I did not use very much from this source. Some of the dates were incorrect and many things seemed assumed.

Sider, Gerald Marc. The Political history of the Lumbee Indians of Roberson County, North Carolina: A Case Study of Ethnic Political Affiliation. PhD. Dissertation. 1971. This thesis was written by the same man who wrote Living Indian Histories, Lumbee and Tuscorora People in North Carolina. The information on the rally that I did find was misdated and brief.

Wade, Wyn Craig. The Fiery Cross. New York: Simon and Schuster, 1987. This is a perfect book to find out about the history of the Klan. This book covers the action and workings of the Klan from Reconstruction through the 1980's. The book also includes extensive notes and a thoroughly bibliography. It also has a section that explains the different position in the Klan as well as the inner workings of rallies, meeting and qualification for membership. It's an excellent source for Klan information.