

Superior Court--Seventh Judicial District, N. C.

ALBION W. TOURGEE, Judge.

Editor Era:

Sir:

I see by your issue of yesterday that Mr. McGehee reiterated a statement made by Mr. Norwood, attributing to me the remarks that I ~~would~~ ^{intended to} "burn your Orange County hell." - I have become so inured to falsehood and misrepresentation that I rarely take the trouble to notice it. This ^{has just enough} ~~is~~ ^{truth in it to give it a flavor of verity.} ~~is~~ ^{The facts are these.} Speaking of these outrages (with two ~~or three~~ ^{of that county} gentlemen) ~~at~~ ^{one time}, one of them remarked that "~~it was~~ ^{too good for the Orange County Hell}", "The Kuller had made ^{Orange County} a perfect hell of Orange County" or something of that purport, using the term "Hell". - I remarked that "if my information was correct they would get 'hell' if the truth was ever known and the law executed," adding that I had "no doubt that more than one hundred men in the county, representing largely the best families had actually participated in murder." - ~~I have~~ ^{no} ~~doubt~~ ^{doubtless} the guilty conscience of some listener may have distorted this statement into the threat which Mr. Norwood throws out, booming my style, into the darkness and Mr. McGehee, with less ^{hurts} ~~cur-~~ ^{ing} but more manliness, ~~threw~~ ^{threw} at my head -

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I can hardly conceive of a term which more
~~correctly~~^{fitted} represents the condition of that County
during those days of horror when the Invis-
ible Klan held sway, than the ~~term~~^{name} repre-
senting ~~eternal~~ infinite suffering, even if used
cautiously and thoughtfully. Earth certainly affords
no parallel. As to its condition should then crim-
inals be brought to punishment, I think "weep-

ing and wailing and gnashing of teeth"
is applied to the prototype, ~~consequence~~
~~ought apply~~ - and I have no doubt a faithful execution of the
law would produce that in Orange.

descriptively

But that I should threaten to
bring about this state of affairs is ludic-
rously absurd. Having sworn to execute the
law, and having evidence of these facts, it might
at first sight be supposed that I ~~might~~^{could} enter -
the design of producing this ~~state of affairs~~^{condition of things}
Indeed I would seem to be compelled to do by ~~the~~^{my} oath,
by performing my duty - But I have seen too much
of Ku Kluxism to threaten, or even expect, to ~~perform~~^{have}
the law enforced
my duty in a county which has "eighteen hundred"
Kluxes to make up its juries from - I am
not so artless as not to have learned that the
Klan provided its own amnesty, before it
~~was~~ ~~committed~~ ~~to~~ ~~these~~ ~~crimes~~, it
entered upon its wonderful career of crime.

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~~my mind.~~

Of course, it was simply infer-
 nous, in me, a judge, who had out-
 powerless for three years, listening daily
~~for~~ ^{to} the prayers of outraged citizens for re-
 dress; - seeing the ends of justice daily baff-
 led by the power and completeness of this or-
 ganization; who knew that grand juries had
 failed to find bills upon the positive testi-
 mony both of accomplices and victims;
 who had heard a man charged with murder
 exult in the confidence that he could never
 be indicted in the county; - I say it was
 infamous, ^{in the extreme} for me to intimate that ~~such~~ ^{these}
 men would, or ought to be punished. It
^{was} treason against our Sovereign Lord the "In-
 visible Empire" against any one who
 would breathe aught but "amnesty"
 and "honor" - Mr. Webster stated
 in the same breath that he honored this ~~meeting~~
 the engineering of the law should be at once
~~disputed~~.

There is no crime so heinous, no offense
 so unpardonable ~~as the demeritization~~
~~of amnesty~~ ^{as the demeritization}
 of murder when the hands that drip
 with blood give the signal of distress of the

Klux Klan; none which do not come within
 the scope and verge of "amnesty" except efforts to punish
 I thank God that I have not yet
 the crime of their acts of wealth intelligence and culture
 learned to honor murder nor cry Peace!

Peace!" when organized crime bids defiance to the law, nor do I envy the moral status of one who does.

I may be allowed to say here, that while I think no one, who actually participated in the commission of felonies, or who converted and denied crimes of that grade should receive exemption from punishment except through the regular channels of conviction and pardon, yet I am clearly of opinion that those only constructively guilty - as being members of the organization - and not having actual knowledge of specific crimes, should be acquitted - Indeed, upon this principle I have practically acted. At the Fall Term 1871 of Alamance, judgment was suspended upon the payment of costs upon the plea of guilty, in a number of cases where the parties were guilty of only minor offenses, though these acts were at that time felonies. So too, although I have in my possession the sworn confessions of several hundreds of these men I have issued warrants only for some fifty or sixty, though hundreds were implicated by them. - Again, lest there should be any color of personal or partizan feeling in my acts, I have studiously refrained from taking any action upon evidence showing repeated attempts upon

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that of
my own life and judge little, though the
evidence before me was ample to ^{have} con-
sent such a course -

I do not think that poor, ignorant, mis-
guided men, who have been led into
crime by the approval and encouragement
of men who "honor the motives" of murder-
ers, but have not the courage to embrace
their own hands, - ~~I do not think that these~~
poor victims of the ambition, lust and cow-
ardice of their leaders and superiors, ^{I do not think that these} should
be held ^{criminally liable} responsible for their acts unless
they ^{were} so glaring and horrible as to be
"~~suicidal to the~~" of such character
impress
that even the dullest mind ~~could~~
with an immediate knowledge,
~~judge~~ their criminality - Such are those
crimes made capital by law -

In regard to all others no man would
sooner bury their memory than I.

But there is another view of this. It may be re-
membered that I was first anathematized for
intimating that there was any such thing as Ku-
Klux in Orange, Alamance and other counties.
It was an insult to the people of those counties.
Then I was denounced as infamous, for ex-
pressing an opinion as to its numbers and
crimes. My impeachment was strenuously urged.
Then I was impudently for producing a reign of

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terror in Alamance, by ferretting out the
murderers of Outlaw. Still later I have been
denounced as a disturber of the public
peace because I ~~had~~ ^{have} persistently kept upon
the track of the "honorable" murderers of Stephens
with the infamous intention of ascertaining their
identity - And now I am belabored with delib-
erate bombast ~~by the T. and C. members,~~
because they conceive that my tongue has wag-
ged against the immaculate Klansmen
of Orange. I am going to give them "Hell!"

~~Now in order that I may not~~

~~be a general scape-goat without cause~~
Now, ^{be a general scape-goat without cause} ~~Alfon~~ ^{due to}
~~shall say~~ ^{shall say} right here that I think that giving
"Orange County hell" would be "carrying coals
to Newcastle" with a vengeance. ^{of either Senators} ~~of here~~ ^{or representatives}
~~in either house~~ ^{or representative is} ~~to be believed~~ - They ~~are~~
~~to have~~ ^{to have} all of that article ~~which~~ ^{which} the most venomous
heart could ~~not~~ ^{desire for them} ~~desire them~~.

~~Albion W. Torgue~~ If sending

them a little more, by private hand, is matter
of impeachment, let Mr. Budgett drive
on as he seems anxious to do.

God forbid that I should "carry" souls to
Newcastle in that style". If either the Senator
or Representative from that county are to
be believed, they have more of the certi-
ficate now, than they rightly know what to
do with! - A county with 1800 Kuflex, five
murders committed by ~~large~~ ^{large} crowds,
varying in number from thirty to one hundred
and a myriad of lesser offences, all
hidden under the veil of the Invisible Empire!
A man who should ^{seriously} propose to add to these
sulphurous terrors deserves the impeachment
which Mr. Budgeter profoundly suggests - By
all means let his anxiety be gratified -

Draft of

Letter to Eric

Feb. 28th 1878