



Joseph Hayne Rainey 1832–1887

UNITED STATES REPRESENTATIVE ★ 1870–1879
REPUBLICAN FROM SOUTH CAROLINA

Born into slavery, Joseph Rainey was the first African American to serve in the U.S. House of Representatives, the first African American to preside over the House, and the longest-serving African American during the tumultuous Reconstruction period. While Rainey’s representation—like that of the other black Congressmen of the era—was symbolic, he also demonstrated the political nuance of a seasoned, substantive Representative, balancing his defense of southern blacks’ civil rights by extending amnesty to the defeated Confederates. “I tell you that the Negro will never rest until he gets his rights,” he said on the House Floor. “We ask [for civil rights] because we know it is proper,” Rainey added, “not because we want to deprive any other class of the rights and immunities they enjoy, but because they are granted to us by the law of the land.”¹

Joseph Hayne Rainey was born on June 21, 1832, to Grace and Edward L. Rainey in Georgetown, South Carolina, a seaside town consisting mainly of rice plantations. The Raineys raised at least one other child, Edward, Jr. Grace Rainey was of French descent. Edward Rainey was a barber, and his master permitted him to work independently if he shared some of his profits, as required by law. Rainey used his earnings to buy his family’s freedom in the early 1840s, and in 1846 the family moved to Charleston, South Carolina, where Edward became a barber at the exclusive Mills House Hotel. As giving official instruction to black children was illegal, Joseph Rainey received a limited education and his father taught him the barber’s trade. By the 1850s, Edward Rainey could afford to buy two male slaves for his family.² In 1859, Joseph Rainey traveled to Philadelphia, where he met and married his wife, Susan, also a half-French mulatto, originally from the West Indies. Rainey continued to work as a barber, and the couple had three children: Joseph II, Herbert, and Olivia.

The Confederate Army called Rainey to service when the Civil War broke out in 1861. At first, he dug trenches to fortify the outskirts of Charleston. He later worked as a cook and a steward aboard a blockade runner, a Confederate ship charged with carrying tradable goods through the Union Navy’s blockade of the South. In 1862, he and his wife escaped to Bermuda. The self-governed British colony had abolished slavery in 1834, and proved a hospitable home for the Raineys, who took advantage of the thriving economy and growing population that resulted from the lucrative blockade-running business.³ The Raineys lived in St. George and Hamilton, Bermuda, where Joseph set up a successful barbershop and Susan Rainey opened a dress store.⁴ The Raineys were informed about the progress of the Civil War by passing sailors and, after the Union victory, returned to Charleston in 1866.

The wealth Joseph Rainey acquired in Bermuda elevated his status in the community, and looked upon as a leader, he soon became active in the Republican Party. In 1867, Rainey returned to Georgetown, South Carolina, and became the Republican county chairman. When a state constitutional convention was called in 1868, Rainey traveled to Charleston to represent Georgetown. In 1869, he also attended a state labor commission and served as Georgetown’s census taker. In the late 1860s, he worked as an agent for the state land commission and was a brigadier general in the state militia. Joseph Rainey was elected to his first public office in 1870 when he won a seat in the state senate, where he immediately became chairman of the finance committee.

In February 1870, Representative Benjamin F. Whittemore resigned his northeastern South Carolina seat, having been charged with selling appointments to U.S. military academies. The Republican Party nominated Rainey for the remainder of Whittemore’s term in the 41st



Congress (1869–1871) and for a full term in the 42nd Congress (1871–1873). On October 19, 1870, Rainey won the full term, topping Democrat C. W. Dudley by a substantial majority (63 percent). On November 8, he defeated Dudley once again, garnering more than 86 percent of the vote, in a special election to fill the seat for the remainder of the 41st Congress.⁵ Joseph Rainey was sworn in on December 12, 1870, as the first African American to serve in the U.S. House of Representatives. One month later he was joined by the second black Member, Representative Jefferson Long of Georgia. Rainey’s moderate policies were met with approval by both African-American and white voters, and he was elected without opposition to the 43rd Congress (1873–1875).

Rainey advocated for his constituents—both black and white. He used his growing political clout to influence the South Carolina state legislature to retain the customs duty on rice, the chief export of the district and the state. He also submitted a petition to improve Charleston Harbor and fought against an appropriations cut for Fort Moultrie and Fort Sumter in Charleston. However, Rainey’s committee appointments and policies reflected his desire to defend black civil rights, and his loyalty to the Republican Party. Rainey received seats on three standing committees: Freedmen’s Affairs (41st–43rd Congresses), Indian Affairs (43rd Congress), and Invalid Pensions (44th–45th Congresses, 1875–1879). He also served on several select committees, including the Select Committee on the Centennial Celebration and the Proposed National Census of 1875 (44th Congress) and the Committee on the Freedmen’s Bank (44th Congress).

Rainey’s work on the Committee on Freedmen’s Affairs—created in 1865 to handle all legislation concerning newly freed slaves—earned him the most recognition.⁶ On April 1, 1871, he delivered his first major speech, arguing for the use of federal troops to protect southern blacks from the recently organized Ku Klux Klan. Enumerating the dangers of returning home to South Carolina on congressional breaks, exposing himself to violence by the Red Shirts—a virulent South Carolina

white supremacist organization—Rainey said, “When myself and my colleagues shall leave these Halls and turn our footsteps toward our southern homes, we know not that the assassin may await our coming, as marked for his vengeance.”⁷ The Ku Klux Klan Act was signed into law by President Ulysses S. Grant on April 20, 1871, but the bill failed to stop Klan terrorism.⁸ After his speech, Rainey received a letter written in red ink instructing him and other advocates of black civil rights to “prepare to meet your God.”⁹ White southerners virtually ignored the Ku Klux Klan Act, and congressional opponents circumvented its provisions by eliminating funding. In March of 1872, Rainey found himself arguing for the federal appropriations needed to enforce the act.¹⁰

Rainey also advocated Radical Republican Senator Charles Sumner’s Civil Rights Bill of 1875, which outlawed racial discrimination on juries, in schools, on transportation, and in public accommodations. Sumner believed a law passed in 1872 granting amnesty to former Confederates should be conditioned by the passage of his civil rights bill. Although Rainey favored the Amnesty Act, which allowed most former Confederates to regain their political rights, he agreed with Sumner because of personal experience with discrimination in both Washington and South Carolina, ranging from exorbitant charges for drinks at a pub, to more serious violations of his civil rights. Rainey also described widespread segregation on public transportation, including trains and streetcars. Speaking for his black constituents, he declared, “We are earnest in our support of the Government. We were earnest in the house of the nation’s perils and dangers; and now, in our country’s comparative peace and tranquility, we are earnest for our rights.”¹¹

Rainey focused on the bill’s provisions for desegregation in public schools, an issue that had bedeviled race relations for more than a century. Breaking from fellow Republicans, he was among the minority favoring a \$1 poll tax to support public education. Other Republicans successfully argued this would disfranchise most freed slaves. Nonetheless, Rainey continued to advocate education, later

arguing that money from the sale of public land should be used to fund public education. Though the Civil Rights Bill passed the House on February 5, 1875, with the Senate quickly concurring, its diluted provisions failed to address desegregation or equality in public schools.

Rainey's fight against discrimination was not limited to prejudice against African Americans. Appointed to the Committee on Indian Affairs, he made history in April 1874 when he took the chair from Speaker James G. Blaine, becoming the first black American to preside over the House of Representatives.¹² He oversaw the debate on an appropriations bill providing for the management of Indian reservations. Rainey also generally opposed legislation restricting the influx of Asian immigrants to the United States.

Throughout his career, Rainey involved himself in the economic issues that affected his race. Established by Congress in 1865, the Freedmen's Savings and Trust Company (Freedmen's Bank) was envisioned as a means to help newly emancipated African Americans build capital through secure savings. Two-thirds of the bank's holdings were originally invested in United States treasury bonds. In 1870, an amendment to the bank's charter allowing half of its deposits to be invested in real estate bonds came to the floor. Recognizing the instability of such an investment, Rainey opposed the amendment and stood behind congressional control over the institution: "I am opposed to any one man holding assets of that bank, having them wholly at his disposal, I do not care who he is, whether he be colored or white, whether he be a German or an Irishman it makes no difference to me. I want no one man to handle the assets of the bank."¹³ His position on the Select Committee on the Freedmen's Bank gave him a voice, but he and his colleagues were unable to prevent the bank's failure in 1874.

After an easy re-election in 1872, Rainey's subsequent campaigns were made vulnerable by the growing threat to Congressional Reconstruction in the South. In 1874, Rainey faced Independent Republican Samuel Lee, another African American and a former speaker of the

state house of representatives, in a dangerous and close campaign. When Rainey planned to travel to a meeting in Bennettsville, South Carolina, friends warned him that Lee's supporters were planning a violent intervention. Accompanied by a large posse of friends and met by U.S. soldiers upon his arrival, Rainey arrived safely and the meeting was peaceful. Rainey won the election, taking 14,360 votes (52 percent) to Lee's 13,563, but Lee demanded that the House Committee on Elections void some of Rainey's votes due to a spelling error in Rainey's name on some ballots.¹⁴ The committee upheld Rainey's election, with the whole House concurring in May 1876. That same year, Rainey defeated Democrat John S. Richardson for a seat in the 45th Congress, again winning a tight campaign with 52 percent of the vote (18,180 to Richardson's 16,661).¹⁵ Richardson later accused Rainey and the Republican Party of voter intimidation. Noting the presence of federal troops during the election, Richardson also claimed that armed black political clubs and black militia were scaring voters at the polls. Richardson's election had been certified by Democratic South Carolina Governor Wade Hampton, and Rainey maintained that only the South Carolina secretary of state could certify elections. Rainey took his seat, but in May 1878 the Committee on Elections declared the seat vacant, citing irregularities. The House failed to act on the committee report, and Rainey kept his seat for the remainder of his term.

Rainey's final two terms were wracked by setbacks for African-American civil rights in South Carolina and the final blow that virtually ended federal Reconstruction in the South. On the American centennial on July 4, 1876, black militia celebrated by parading through a street in Hamburg, South Carolina. When a group of white men attempted to cross the street, the black soldiers refused to stop. The white men subsequently fired upon and killed several militiamen. Debate over the incident became bitter on the House Floor during Rainey's final term in the 45th Congress. Rainey condemned the murders and exchanged coarse remarks with Democratic Representative Samuel

Cox of New York, who believed the “Hamburg massacre” resulted from poor government by black South Carolina leaders.¹⁶ Bolstered by renewed Democratic control in South Carolina, John S. Richardson defeated Rainey in the 1878 election for the 46th Congress (1879–1881) by more than 8,000 votes.¹⁷ Joseph Rainey retired from the House on March 3, 1879.

Upon his departure from Congress, Rainey was promised that Republicans would nominate him as Clerk of the House of Representatives; however, Democratic control over the 46th Congress precluded Rainey’s selection as Clerk. When Republicans regained control of Congress in 1881, Rainey spent time in Washington trying to secure the appointment, but he lost the nomination.¹⁸ In 1879, Rainey was appointed a special agent of the U.S. Treasury Department in South Carolina. After being endorsed by 84 Representatives, including future President James A. Garfield of Ohio, Rainey served two years. In 1881, he started a brokerage and banking business in Washington, but the firm collapsed five years later. For one year, he managed a coal mining operation and a wood yard before returning to Georgetown in ill health. Joseph and Susan Rainey opened a millinery shop shortly before Joseph died of congestive fever on August 1, 1887.

FOR FURTHER READING

Packwood, Cyril Outerbridge. *Detour-Bermuda, Destination-U.S. House of Representatives; The Life of Joseph Rainey* (Hamilton, Bermuda: Baxter’s Limited, 1977).

“Rainey, Joseph Hayne,” *Biographical Directory of the United States Congress, 1774–Present*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=R000016>.

MANUSCRIPT COLLECTION

Columbia University, Rare Book and Manuscript Library (New York, N.Y.) *Papers*: In the L. S. Alexander Gumby Collection of Negroiana, ca. 1800–1981, 88 linear feet. The collection contains one letter from Joseph Hayne Rainey, written on March 29, 1874.

NOTES

- 1 *Congressional Record*, House, 43rd Cong., 1st sess. (19 December 1873): 344.
- 2 William C. Hine, "Rainey, Joseph Hayne," *American National Biography* 18 (New York: Oxford University Press, 1999): 78–79 (hereinafter referred to as *ANB*).
- 3 Cyril Outerbridge Packwood, *Detour-Bermuda, Destination-U.S. House of Representatives; The Life of Joseph Rainey* (Hamilton, Bermuda: Baxter's Limited, 1977): 11.
- 4 Barber's Alley in St. George, Bermuda, is named for Rainey.
- 5 Michael J. Dubin et al., *U.S. Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 214.
- 6 For more on the jurisdiction of the Committee on Freedmen's Affairs, see Charles E. Schamel et al., *Guide to the Records of the United States House of Representatives at the National Archives, 1789–1989: Bicentennial Edition* (Washington, DC: Government Printing Office, 1989): 209.
- 7 Packwood, *Detour-Bermuda, Destination-U.S. House of Representatives*: 25.
- 8 Act of April 20, 1871, 17 Stat. 13–15.
- 9 "More Loyal Men Threatened in South Carolina," 18 May 1871, *New York Times*: 1.
- 10 *Congressional Globe*, House, 42nd Cong., 2nd sess. (5 March 1872): 1439–1443.
- 11 *Congressional Globe*, House, 42nd Cong., 2nd sess. (13 May 1872): 3383.
- 12 The date Joseph Rainey was Speaker *pro tempore* is not known. Most sources claim Representative Rainey presided over the House during an Indian appropriations debate in May 1874. See, for example, an early secondary work, Samuel Denny Smith, *The Negro in Congress: 1870–1901* (Port Washington, NY: Kennikat Press, Inc., 1940): 47–48. Most subsequent sources cite Smith. Yet the *New York Herald* published an article reporting that Rainey served as Speaker *pro tempore* on April 29; see "A Liberated Slave in the Speaker's Chair," 30 April 1874, *New York Herald*: 9. Similar accounts exist in the *Baltimore Sun*, the *Charleston News and Courier*, and the African-American newspaper *The New National Era*, though these reports cite April 29 and April 30. There is no mention of Rainey's presiding in the *Congressional Record* or the *House Journal* for either date: *Congressional Record*, House, 43rd Cong., 1st sess. (29–30 April 1874): 3457–3476, 3490–3507; *House Journal*, 43rd Cong., 1st sess. (29–30 April 1874): 877–885.
- 13 *Congressional Record*, 43rd Cong., 2nd sess. (3 March 1874): 2263.
- 14 Dubin et al., *U.S. Congressional Elections, 1789–1997*: 233; "Notes from the Capitol," 24 January 1876, *New York Times*: 1; Chester H. Rowell, *A Historical and Legal Digest of All the Contested Election Cases* (Washington, DC: Government Printing Office, 1901): 313.
- 15 Dubin et al., *U.S. Congressional Elections, 1788–1997*: 240.
- 16 *Congressional Record*, House, 44th Cong., 1st sess. (18 July 1876): 4707.
- 17 Dubin et al., *U.S. Congressional Elections, 1788–1997*: 247.
- 18 "Keifer for Speaker," 4 December 1881, *Washington Post*: 1.