

# Kansas Memory



## State of Kansas vs. Knights of the Ku Klux Klan

### Section 25, Pages 721 - 750

Kansas Supreme Court case number 24.729 demonstrates how the State of Kansas as the plaintiff was represented by Charles B. Griffith attempted to eliminate the Ku Klux Klan as the defendant from Kansas. The State of Kansas claimed the Klan was a foreign corporation doing business in the state without permission under Kansas foreign corporation laws and was therefore breaking state law.

Creator: Kansas Supreme Court

Date: 1922-1927

Callnumber: Kansas Supreme Court, Box 971, Case No. 24,729

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DEFENDANT'S Ex. 3, Art. XVIII, Secs. 12, 17,  
Abst. 209.

- c. Assembly-Klonklave  
(meets weekly)
- (1) Officers-  
(a) Same as Klan officers. seat,  
any place chosen by the officers.  
ruler.  
(2) Members-  
(a) Members of the Klan.
- (3) Powers-  
(a) To adopt by-laws subject to  
the approval of the Imperial Wizard.

4. That the Knights of the Ku Klux Klan, incorporated, is dedicated in its Constitution and By-laws to a perpetuation of the ideals, deeds, and achievements of the "Ku Klux Klan of the Reconstruction period of American History," and in practice it adheres to and exemplifies them.

DEFENDANT'S Ex. 3, "Declaration", Abst. 194.  
" " Art. II, Sec. 2, Abst. 195.  
EXHIBIT 5, par. 5, Sec. IV, Abst. 130.  
" 7, Abst. 132.  
" 9, Abst. 134.  
" 10, Abst. 135.  
" 18, Abst. 139.  
" 24, Abst. 148.  
" 25, Abst. 149.  
" 26, Abst. 150.  
" 27, Abst. 151.  
" 28, Abst. 152.  
D (Lecture No. 1) Abst. 158-160.

DEFENDANT'S Ex. 2, "The Story of the  
Ku Klux Klan" Abst. 182.

DEFENDANT'S Ex. 5, Abst. 216-217.  
DEFENDANT'S Ex. 6, Art. XXIV "Certificate of Ratification and Proclamation", Abst. 218.  
" Art. XXV, Secs. 3, Abst. 220-222.  
" Art. XXI, Sec. 2, Abst. 223.  
" Art. I, Abst. 224.  
" Art. VI, Sec. 1, Abst. 225-226.  
" Art. XXIV, Sec. 1, Abst. 227.  
EXHIBIT 7, Abst. 228.  
EXHIBIT 10, Abst. 229.  
EXHIBIT 16, Abst. 230.  
EXHIBIT D, 1 to 8, Imperial Decrees, Series 1, No. 4, Abst. 231.  
EXHIBIT E, Abst. 232.  
EXHIBIT F, Abst. 233.

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5. That the membership in said defendant, Knights of the Ku Klux Klan, incorporated, is, in its Constitutional requirements, confined to white, male Gentile persons; who are native born citizens of the United States of America; believe in the tenets of the Christian religion, and who owe no allegiance of any nature or degree whatsoever to any foreign government, nation, institution, sect, ruler, prince, potentate, people, or person, and have attained the age of eighteen years.

DEFENDANT'S Ex. 3, Art. IV, Sec. 1, Abst. 196.  
From " " " Art. I, Sec. 1, Abst. 195,

And that in practice such membership has been P - confined to native born white male Gentile citizens.

6. That membership in said Knights of the Ku Klux Klan, incorporated, is only attained by the payment of a ten dollar "kleetoken", or initiation fee, and the subscribing to an oath of allegiance to the Emperor of the Invisible Empire, and all officers of the Knights of the Ku Klux Klan, incorporated; and the payment of such fee and the subscription to such oath makes the payer and subscriber a "subject" of the Emperor, a "citizen" of the Invisible Empire, and a member of the defendant, Knights of the Ku Klux Klan, so long as he shall pay the dues and assessments required, subject to all the laws, rules, and regulations and entitled to all the privileges and immunities of said defendant, Knights of the Ku Klux Klan, incorporated, and all orders of its officers, and officers of its subordinate branches. That there are no other or different members of said defendant corporation.

DEFENDANT'S Ex. 3, Art. IV, Secs. 1, 3, 4, 5.  
Abst. 196-197.

EXHIBIT 5, Abst. 129-130-131.

DEFENDANT'S Exh. 3, Art. XVIII, Secs. 18, 19, 23, Abst. 210.

DEFENDANT'S Exh. 5, Abst. 216-217.

DEFENDANT'S Exh. 3, Art. XXIV "Certificate of Ratification and Proclamation", Abst. 214.

" " " Art. XVIII, Secs. 8, Abst. 208-209.

" " " Art. XXI, Sec. 3, Abst. 212.

" " " Art. X, Abst. 201-202.

" " " Art. VI, Sec. 1, 2, 3, Abst. 197-198.

" " " Art. XXIV, Sec. 1, Abst. 212.

EXHIBIT 7, Abst. 132.

EXHIBIT 10, Abst. 135.

EXHIBIT 16, Abst. 138.

EXHIBIT D, 1 to 8, Imperial Decree, Series 1, No. 4,

Abst. 157.

EXHIBIT L, Abst. 168.

EXHIBIT M, Abst. 169.

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DEFENDANT'S Exh. 2, "Klans are a Unit", Abst. 174.  
Testimony of James W. Burns, Abst. 34.  
" G. E. Hendee, Abst. 35.  
" " " Abst. 37.  
" C. A. McBrayer, Abst. 62-63.  
" Noble C. McCall, Abst. 71.  
" H. K. Ramsey, Abst. 83.  
" W. J. Robinson, Abst. 63.

7. The fact of membership in, or any connection  
in any capacity with, or the records of, the defendant,  
Knights of the Ku Klux Klan, is a closely guarded secret  
from non-members and the courts and constituted author-  
ities, and, without apparent hesitation, denied, even  
under oath, by members and officers, in compliance with  
instructions received from officers of the defendant,  
Knights of the Ku Klux Klan, incorporated.

*5-5 in part*

Motion of defendant, Knights of the Ku Klux Klan  
to quash service of summonses, par. 5-6-7, Abst. 15 & 16.  
Affidavit of T. R. Daly, Abst. 16.  
" George Hendee, Abst. 16 & 17.  
" W. J. Robinson, Abst. 17.  
Answer of defendant, Knights of the Ku Klux Klan,  
First ground of defense, par. 4 & 5. Abst. 19.  
Second ground of defense, par. 4, Abst. 19.  
" " " par. 5, Abst. 19 & 20.  
Testimony of H. H. Kitchen, Abst. 26 to 31.  
Statement of Mr. Dean, Abst. 27.  
Testimony of Carl McManus, Abst. 31.  
" W. L. Woods, Abst. 33.  
Proceedings in respect to the witness,  
Guy Swallow, Abst. 33 & 34.  
Testimony of Guy Swallow, Abst. 79.  
Testimony of James W. Burns, Abst. 34 & 35.  
Testimony of D. H. Burcham, Abst. 41.  
Testimony of V. A. Simmons, Abst. 45 & 46.  
Testimony of L. S. Harvey, Abst. 54.  
Testimony of T. R. Daly, Abst. 57 & 58.  
" Herbert L. Camp, Abst. 59.  
" T. R. Daly, recalled, Abst. 59.  
" Herbert L. Camp, recalled, Abst. 60.  
" Ray E. Axton, Abst. 61.  
" W. J. Robinson, Abst. 64.  
" C. H. Sutton, Abst. 66.  
" Bruce Hinkle, Abst. 68.  
" Robert J. Downing, Abst. 69.  
" M. C. Chambers, Abst. 71.  
" " recalled, Abst. 77.  
" Lyle Norton, Abst. 77 & 78.  
" H. K. Ramsey, Abst. 87.  
" " " Abst. 90 & 91.  
" " " Abst. 93 & 94.



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seen for a time long XIII

1. The defendant, Knights of the Ku Klux Klan, incorporated, is a "hooded" order, having as its official costume white robes and helmets, with insignia of the order thereon, which, when worn, completely conceal the identity of the wearer.

DEFENDANT'S Ex. 3, Art. XIV, Sec. 2; Abst. 204,

2. Such costumes have been prior to 21 November, 1922, and are being, worn and used in public displays by the members of said defendant corporation in Kansas.

Testimony of McManus,	Abst. 32,
" Burcham,	" 41,
" Williams,	" 43,
" Zeillers,	" 48,
" White,	" 50,
" Hopkins,	pp. 55, 56
" Axton,	" 61,
" McBryer,	" 63,
" Fikes,	" 75, 76,
" Norton,	" 77, 78,

3. Other costumes, identical with the official costumes except for the absence of "Klan" insignia thereon, have been procured by at least one chartered "Klan" in Kansas, under instructions from Imperial officers of the defendant corporation for use in public in connection with activities of the Klan members in which their identity as Klansmen was desired to be concealed from the public.

Testimony of Borkhardt,	Abst. 45,
" Simmons,	" 46, 47,
" Stevens,	" 48, 49,
" Keith,	" 49,
" Hoover,	pp. 53, 54
" Hopkins,	" 55,
" Baxter,	" 55,
" Hopkins, recalled	" 55, 56.

XIV

The evidence shows that on the 15th day of November, 1923, there had not been perfected in the state of Kansas, any organized "Realm" or "Province" subdivision of defendant, Knights of the Ku Klux Klan, with "Realm" and "Province" officers, as is provided for in Defendant's Exhibit Z, Article XVI, Abstract pp. 205-6 and Article XVII, Abstract pp. 206-7, but that such subdivisions are in anticipation and will be perfected when, as determined under the provisions of Section 1, Article XVI, Defendant's Exhibit Z, Abstract 205, the number of local subdivisions, or "Klans", and members of defendant corporation, justify their establishment, but that the State of Kansas is treated and referred to as a "Realm" and has

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been for a time long prior to 21 November, 1922.

Testimony of W. L. Wood, Abst. 33,  
ADMISSIONS of DEFENDANTS, Sub-par. 2 of par. 5,  
Abst. 40,  
" " " " Par. 7, Abst. 40,  
Testimony of H. K. Ramsey, Abst. 84,  
EXHIBITS 18 & 19, Abst. pp 139-143.

XV

That in lieu of organized "Realm" and "Province" subdivisions of defendant corporation in Kansas, one George C. (or T) McCarron, with offices in 218 Bryant Bldg., Kansas City, Missouri, "King Kleagle" and "Imperial Representative" of defendant corporation, by appointment of its Imperial Wizard, has been delegated by the Imperial Wizard of defendant corporation, and does now, and from a time long prior to the 21 November, 1922, has exercised in Kansas, all the powers, duties, rights, privileges and immunitites, of, in, and to the "Invisible Empire", "Realm" and "Province" officers and offices, as the same are shown under the provisions of the Constitution and By-laws of said defendant corporation as set out in Defendant's Exhibit 3.

ABSTRACT, pp. 36, 41, 55, 58, 62, 63, 64, 65, 71,  
73, 75, 76, 82, 83, 84, 91, 93, 100,  
107, 108, 116.

EXHIBIT 7, Abst. 132,  
EXHIBIT 8, " 133,  
EXHIBIT 10, " 135,  
EXHIBIT 12 & 13, " 136, 137.

XVI (

1. Each member of said defendant corporation in the State of Kansas, of which there are several thousands, has paid, at the time of becoming a member, a "klectoken", or initiation fee, called a "donation" fee, of not less than ten dollars as provided in the Constitution, and By-Laws of said defendant corporation. That this fee is appropriated and used for the purpose of the compensation and profit of the organizers and officers of the corporation and the corporation.

DEFENDANT'S Ex. 3, Art. IV, Sec. 3, Abst. 197  
" " Art. XV, Sec. 1, Abst. pp  
204-205  
" " Art. XVIII, Sec. 8, 18, 23,  
Abst. pp.  
208, 209, 210.

" " Art. XIX, Sec. 5, 6, Abst. 210, 211.

ADMISSIONS of DEFENDANTS, Par. 5, Abst. 39-40,  
Testimony of H. K. Ramsey, Abst. 87, 88,  
DEFENDANT'S Ex. 5, Abst. 216, 217.

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EXHIBITS E, F, G, H, I, J, Abst. 161-166.

2. Each member of a chartered "Klan" or local subdivision, of defendant corporation, in the State of Kansas, has paid and is paying, so long as he has remained or shall remain a member, an "Imperial Tax" to said defendant corporation in the sum of \$1.80 per year, payable quarterly in advance at the rate of forty-five cents per quarter. Such tax is paid to and collected by the "Kligrapp" or secretary of each chartered Klan, in the manner specified by said defendant corporation, and remitted by said "Kligrapp" to the defendant corporation.

DEFENDANT'S Ex. 3, Art. XV, Sec. 2, Abst. 205,  
" " " XVIII, Sec. 8, 18, 23,

*Carey*  
Abst. 208,  
209, 210.

" " " Art. XIX, Sec. 5, 6, Abst. 210, 211.

ADMISSIONS of DEFENDANTS, Par. 5, Abst. 39, 40.

Testimony of H. K. Ramsey, Abst. 84, 85.

EXHIBITS E, F, G, H, I, J, Abst. 161-166.

3. Each member of said defendant corporation in Kansas is required by the provisions of its Constitution and By Laws to supply himself, at his expense, through the "Kligrapp" of his "Klan", with the official robe and helmet of the defendant corporation. Some members of the defendant corporation in Kansas have done this. The defendant corporation makes a profit from the distribution of such regalia through the "Kligrapps" of the "Klans" in Kansas.

DEFENDANT'S Ex. 3, Art. XVIII, Sec. 19, Abst. 210,

*Murphy*  
Abst. 204,

" " " Art. XIV, Sec. 2, Abst. 204,

Abst. 205.

" " " Art. XIII, Sec. 4, 6 Abst. 203.

Abst. 40.

ADMISSIONS of DEFENDANT Par. 5, Abst. 167.

EXHIBIT K, Abst. 171, 172.

EXHIBIT Q, Abst. 83, 84.

Testimony of H. K. Ramsey, Abst. 83, 84.

4. Each "Klan", "Province", and "Realm" of defendant corporation must procure all its records and supplies of every kind and nature, with minor exceptions, for the transaction of its official business, through its "Kligrapp" or secretary, from the defendant corporation, and pay for the same to the defendant corporation, and this has been and is being done in Kansas. The defendant corporation makes and has made a profit from the distribution of such supplies in Kansas.

DEFENDANT'S Ex. 3, Art. XIII, Sec. 3, Abst. 202, 203,

*Murphy*  
Abst. 204,

" " " Art. XIV, Sec. 6, Abst. 204,

Abst. 205,

" " " Art. XV, Sec. 1, Abst. 205,

Abst. 206,

" " " Art. XIX, Sec. 5, 6, 11, Abst. 210, 211,

Abst. 210, 211,

ADMISSIONS of DEFENDANTS Par. 5, 6, 8, Abst. 40, 41,

Abst. 83, 84,

Testimony of H. K. Ramsey, Abst. 83, 84,

EXHIBITS E, F, G, H, I, J, K, L, M, Q, Abst. 161 to

172.

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5. Some of the paraphernalia, regalia, emblems, ensigns, insignia, forms, supplies, et cetera, ~~are~~ copy-righted and held in the name of the defendant corporation. *(Handwritten mark)*  
Testimony of H. K. Ramsey, Abst. 83.

6. The title to all paraphernalia, regalia, uniforms, costumes, emblems, designs, ensigns, insignia, et cetera, and all robes and helmets, books, papers, manuscripts, klarans, records, seal, and any and all other things used by or appertaining to, a "Klan", or any member of defendant corporation, as such Klan or member is, and by its Constitution, By Laws, and contracts with its members, and subordinate branches or "Klans", remains, the property of this defendant corporation. *(Handwritten mark)*

In the event a "Klan" charter is revoked or relinquished for any cause, all monies or such property in the "Klan" or member possession must be returned to and accounted for to the defendant corporation.

DEFENDANT'S Ex. 3, Art. XIII, Sec. 1, 3, 4, 6, 7,	Abst. 202, 203,
" " " Art. XV, Sec. 1, 2, 3,	Abst. 204, 205,
" " " Art. XVIII, Sec. 19, 23,	Abst. 210,
" " " Art. XIX, Sec. 5, 6, 11,	Abst. 210, 211
EXHIBIT K,	Abst. 167,
DEFENDANT'S ADMISSIONS, Par. 9,	Abst. 41.

7. The Constitution of defendant corporation requires that the "Kligrapp" and "Klabee", (secretary and treasurer) of each subordinate branch in Kansas shall give bond in whatever sum and whatever bonding company the "Imperial Wizard" may direct, and the jurisdiction or Klan of the "Kligrapp" or "Klabee" shall pay the premium. The same thing is true of the "Kleagles", organizers. This has been, and is being, done by "Kligrapps" and "Klabees" in Kansas. *(Handwritten mark)*

DEFENDANT'S Ex. 3, Art. XXIII, Sec. 1, Abst. 213.  
Testimony of David Espinlaub, Abst. 44.

### XVII

A. That there have been established in Kansas, prior to and since the commencement of this action on the 21 November, 1922, by the defendant, Knights of the Ku Klux Klan, incorporated, numerous subordinate branches, integral parts thereof, known as "Klans". All such established "Klans" have been issued a charter by the defendant corporation, as is set out in Exhibits 18 and 19, Abstract pages 139 to 143, and Defendant's Exhibit 3, Abstract pages 208 and 209, and have instituted and maintained a full complement of "Klan" officers as provided for in Defendant's Exhibit 3, and paragraph 3 of Exhibit A. *(Handwritten mark)*

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11. EXHIBIT 9, <sup>and No. 31,</sup> Long Abst. 134, 1922.  
EXHIBIT 8, Abst. 133, 1922.  
EXHIBIT 10, Abst. 135,  
12. EXHIBIT 13 & 16, Abst. 137, 138,  
EXHIBIT 22, Abst. 144,  
EXHIBIT 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116.  
EXHIBIT 27 and 28, Abst. 151, 152.  
ADMISSIONS OF DEFENDANTS, Par. 3, Abst. 39  
14. Long "Island" Klan, "No. 1," Par. 6, Abst. 40,  
Testimony of H. K. Ramsey, Abst. 83, 87.  
Statement of Imperial Wizard, Abst. 174.

Among others, the following such "Klans" are noted:

16.	Name	Charter Date
1.	Wyandotte Klan No. 5, Kansas City, Kans.	17 Feb. 1922. Testimony, W. L. Wood, Abst. 33, 23 Dec. 1922.
	EXHIBIT 18,	Abst. 139-140
	EXHIBIT 19,	Abst. 141-143
	Testimony of D. H. Burcham,	Abst. 98.
2.	Atchison Klan No. 27, Atchison, Kans.	26 Jan. 1923. Testimony C. K. Reddick, Abst. 38, " Fred M. Compton, Abst. 38, EXHIBIT 9, Abst. 134, EXHIBIT 8, Abst. 133.
3.	Rosedale Klan No. 17, Rosedale, Kans.	1922. Testimony of David Espinlaub, Abst. 44, " Lawrence E. Wilson, Abst. 44.
4.	Independence Klan No. 10,	Independence, Kans. Jan. 1922. Testimony of Ray E. Axton, Abst. 60, " C. K. Sutton, Abst. 66, " J. R. Buster, Abst. 97.
5.	El Dorado Klan No. 1, El Dorado, Kans.	1922. Abst. 62, 63, 120.
6.	Kiowa Klan No. 15, Kiowa, Kans.	1922. Abst. 62, 63.
7.	Medicine Lodge Klan No. 18,	Medicine Lodge, Kans. 1922. Abst. 63.
8.	Caney Klan No. 8, Caney, Kansas,	14 Feb. 1922.
9.	Coffeyville Klan No.	Coffeyville, Kans. Apr. 1922. Abst. 64, 65, 115.
10.	Moline Klan No. 24, Moline, Kans.	1922. Abst. 64, 65, 115.

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11. Longton Klan No. 31, Longton, Kans. 1922.  
12. Norton Klan No. \_\_\_\_ Norton, Kans. \_\_\_\_\_  
13. Abilene Klan No. \_\_\_\_, Abilene, Kans. \_\_\_\_\_  
14. Long Island Klan No. \_\_\_\_, Long Island, Kans. \_\_\_\_\_  
15. Smith Center Klan No. \_\_\_\_ Smith Center, Kans. \_\_\_\_\_  
16. Leavenworth Klan No. \_\_\_\_ Leavenworth, Kans. \_\_\_\_\_  
17. Downs Klan No. \_\_\_\_, Downs, Kansas, \_\_\_\_\_  
18. Osborne Klan No. \_\_\_\_, Osborne, Kans. \_\_\_\_\_  
19. Plainville Klan No. \_\_\_\_ Plainville, Kans. \_\_\_\_\_  
20. Sheldon Klan No. \_\_\_\_, Sheldon, Kans. \_\_\_\_\_  
21. Rexford Klan No. \_\_\_\_, Rexford, Kans. \_\_\_\_\_  
22. Frenning Klan No. \_\_\_\_, Frenning, Kans. \_\_\_\_\_  
23. Oberlin Klan No. \_\_\_\_, Oberlin, Kans. \_\_\_\_\_  
24. Emporia Klan No. \_\_\_\_, Emporia, Kans. \_\_\_\_\_  
25. Stockton Klan No. \_\_\_\_, Stockton, Kans. \_\_\_\_\_  
26. Phillipsburg Klan No. \_\_\_\_, Phillipsburg, Kans. \_\_\_\_\_  
27. Bellaire Klan No. \_\_\_\_, Bellaire, Kans. \_\_\_\_\_  
28. Arkansas City Klan No. 3, Arkansas City, Kans. 1922.  
29. Great Bend Klan No. \_\_\_\_, Great Bend, Kans. \_\_\_\_\_  
30. Pittsburg Klan No. 22, Pittsburg, Kans. Oct. 1922.  
Abst. 74, 104.

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- |     | PLACE                                  | TRADE NAME |  |
|-----|--|------------|--|
| 31. | Florence Klan No. 4, Florence, Kans.   | 1922.      |  |
|     | Abst. 97.                              |            |  |
| 32. | Douglass Klan No. 60, Douglass, Kans.  |            |  |
|     | Abst. 103, 122, 215.                   |            |  |
| 33. | Chanute Klan No. 28, Chanute, Kans.    |            |  |
|     | Abst. 109.                             |            |  |
| 34. | Winfield Klan No. ___, Winfield, Kans. |            |  |
|     | Abst. 116.                             |            |  |
| 35. | Shawnee Klan No. 32, Shawnee, Kans.    |            |  |
|     | Abst. 120.                             |            |  |
| 36. | Riverton Klan No. 14, Riverton, Kans.  |            |  |
|     | Abst. 121.                             |            |  |
| 37. | Augusta Klan No. 2, Augusta, Kans.     |            |  |
|     | Abst. 116, 121.                        |            |  |

B. That subordinate branches or "Klans" of defendant corporation are or have been in process of organization at the following places, among others, before and after 21 November, 1922:

- |     |                     |                   |
|-----|---------------------|-------------------|
| 1.  | Topeka, Kansas.     | Abst. 27, 31, 79. |
| 2.  | Meriden, Kansas.    | Abst. 31,         |
| 3.  | Fort Scott, Kansas. | Abst. 57,         |
| 4.  | Cherryvale, Kansas. | Abst. 64,         |
| 5.  | Salina, Kansas.     | Abst. 64,         |
| 6.  | Manhattan, Kans.    | Abst. 64,         |
| 7.  | Pawnee Rock, Kans.  | Abst. 73,         |
| 8.  | Claflin, Kansas.    | Abst. 73,         |
| 9.  | Hoisington, Kansas. | Abst. 73,         |
| 10. | Newton, Kans.       | Abst. 77, 78.     |
| 11. | Neodesha, Kansas.   | Abst. 116.        |

That a number of the subordinate branches or "Klans" of said defendant corporation in Kansas in their relations with the public as organizations adopted, for the purpose of concealing their true identity from the public and non-members, trade names or designations. Among others, the following are noted:

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KLAN NAME	PLACE	TRADE NAME
1. Fort Scott Klan, Ft. Scott, Kans.	Bourbon County Fraternal Assn.	
Testimony of T. R. Daly, Abst. 57.		
2. Independence Klan No. 10, Independence, Kans.	National Business Men's Association.	
Testimony of C. H. Sutton, Abst. 66.		
3. Caney Klan No. 8, Caney, Kansas,	Southwestern Trade Association.	
Testimony of Bruce Hinkle, Abst. 68.		
4. Pittsburg Klan No. 22, Pittsburg, Kansas,	"C. C. R. Club"	

C. That the following named persons, among others, were either some time prior to, at the time of, or since the filing of this action on the 21st November, 1922, the duly appointed, commissioned, instructed and acting agents, representatives, lecturers, and managing agents of the defendant, Knights of the Ku Klux Klan, incorporated, in Kansas, and have, during the time so engaged, resided therein. They have devoted all or a part of their time, as such agents, representatives and managing agents to the organization of subordinate branches of said defendant corporation in Kansas, known as "Klans", and have collected from members of said "Klans" so organized by them, the sum of ten dollars each. Of each such ten dollars so collected, they have retained the sum of at least \$4.00, and the remainder thereof has been forwarded by them, as such agents, representatives, or managing agents, to the said defendant corporation at its principal office at Atlanta, Georgia, through the office of George C. (or T.) McCarron, "King Kleagle" or "Imperial Representative", at Kansas City, Missouri.

ADMISSIONS OF DEFENDANTS, Par. 5,	Abst. 39,
Testimony of H. H. Kitchen,	Abst. 81, 82,
" " H. K. Ramsey,	Abst. 83, 84,
	85, 87.
	Abst. 106.
	Abst. 116, 216,
	217.
DEFENDANT'S Ex. 3, Art. XII,	Abst. 202,
" " " Art. XXIII,	Abst. 213.

1. H. H. Kitchen,	Topeka, Kans.	Abst. 26, 31, 79.
2. Carl McManus,	Topeka, Kans.	Abst. 31, 32.
3. T. E. McCarty,	St. Joseph, Mo.	Abst. 36, 63.
4. _____ Catts,	Kansas City, Mo.	Abst. 54.
5. Jones,	Kansas City, Mo.	Abst. 54, 55.
6. Thomas R. Daly,	Fort Scott, Kans.	Abst. 56, 58, 59.
7. O. C. Shaw,		Abst. 57,
8. Dr. Harold Bullard,		Abst. 57,

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9. H. L. Camp,	Fort Scott, Kans.	Abst. 57, 59.
10. W. J. Robinson,	Winfield, Kans.	Abst. 61, 62, 63, 64, 65, 66, 116, 216, 217.
11. M. C. Chambers,	Norway, Kans.	Abst. 71, 77.
12. F. M. Winters,	Great Bend, Kans.	Abst. 73.
13. _____ Boline,	Newton, Kans.	Abst. 78, 79.
14. _____ Davis,	Newton, Kans.	Abst. 77, 79.
15. G. M. Lincoln,	Florence, Kans.	Abst. 121.
1. George H. Hendee,	Independence, Kansas,	Abst. 36, 37.
2. W. H. Johnson,	Independence, Kansas,	Abst. 34.
3. Gerald Neudell,	Atchison, Kansas,	Abst. 36.
4. C. K. Roddick,	Atchison, Kansas,	Abst. 36.
5. Fred N. Compton,	Atchison, Kansas,	Abst. 36.
6. D. C. Burchner,	Kansas City, Kansas,	Abst. 38.
7. Jack Foster,	Kansas City, Kansas,	Abst. 41, 46.
8. Richard Flick,	Kansas City, Kansas,	Abst. 41.
9. C. P. Brooks,	Kansas City, Kansas,	Abst. 43.
10. W. S. Williams,	Kansas City, Kansas,	Abst. 43.
11. A. W. Rock,	Emporia, Kansas,	Abst. 43.
12. David Reinhardt,	Hanover, Kansas,	Abst. 44.
13. Lawrence E. Wilson,	Independence, Kansas,	Abst. 44.
14. John L. Bellamy,	Independence, Kansas,	Abst. 44.
15. W. B. Stevenson,	Independence, Kansas,	Abst. 46.
16. J. C. Horowitz,	Independence, Kansas,	Abst. 46.
17. Charles R. Daly,	Fort Scott, Kansas,	Abst. 46, 50, 51.
18. M. D. Sherry,	Fort Scott, Kansas,	Abst. 46, 50.
19. Ray E. Acree,	Independence, Kansas,	Abst. 46.
20. G. H. Sutton,	Independence, Kansas,	Abst. 46, 47.
21. R. H. Seymour,	Independence, Kansas,	Abst. 46, 48.
22. H. C. Johnson,	Independence, Kansas,	Abst. 46, 47.
23. G. A. McElroy,	Independence, Kansas,	Abst. 46, 47.
24. C. P. Johnson,	Independence, Kansas,	Abst. 46, 47.
25. C. P. Johnson,	Independence, Kansas,	Abst. 46, 47.

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D. That the following named persons, among others, have acted as officers of chartered and unchartered subordinate branches, or "Klans", of defendant corporation in the State of Kansas, either before or after 21 November 1922, or both, and have during such time performed, among other things, the duties of their respective offices as set out in Defendants' Exhibit 3.

No.	Name	Place of organization
1.	George H. Hendee,	Atchison, Kansas, Abst. 34, 35, 37.
2.	H. H. Kitchen,	Topeka, Kansas.
3.	Gerald Waddle,	Atchison, Kansas, Abst. 34.
4.	C. K. Reddick,	Atchison, Kansas, Abst. 38.
5.	Fred M. Compton,	Atchison, Kansas, Abst. 38.
6.	D. H. Burcham,	Kansas City, Kansas, Abst. 38.
7.	Jess Baxter,	Kansas City, Kansas, Abst. 41, 55.
8.	Richard Fleck,	Kansas City, Kansas, Abst. 41.
9.	C. P. Rhoads,	Kansas City, Kansas, Abst. 43.
10.	W. H. Williams,	Kansas City, Kansas, Abst. 43.
11.	A. W. Root,	Kansas City, Kansas, Abst. 43.
12.	David Espinlaub,	Rosedale, Kansas, Abst. 44.
	Lawrence E. Wilson,	Rosedale, Kansas, Abst. 44.
13.	John L. Zellers,	Kansas City, Kansas, Abst. 48.
14.	W. S. Stevens,	Kansas City, Kansas, Abst. 48.
15.	J. C. Hopkins,	Kansas City, Kansas, Abst. 54, 55.
16.	Thomas R. Daly,	Fort Scott, Kansas, Abst. 56, 57, 59.
17.	H. L. Camp,	Fort Scott, Kansas, Abst. 59, 60.
18.	Ray E. Axton,	Independence, Kansas, Abst. 60.
19.	C. H. Sutton,	Independence, Kansas, Abst. 61, 66, 67.
20.	R. H. Seymour,	El Dorado, Kansas, Abst. 62, 120.
21.	W. J. Robinson,	El Dorado, Kansas, Abst. 62, 63, 64, 116.
22.	C. A. McBrayer,	Kiowa, Kansas, Abst. 62, 63.
23.	C. V. Patterson, deceased,	Independence, Kansas, Abst. 66, 67.
24.	Bruce Hinkley,	Caney, Kansas, Abst. 68, 69.

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25. W. D. McGrabb, Coffeyville, Kansas,  
26. Noble C. McCall, Abst. 70.  
27. Fred H. Hanger, Arkansas City, Kansas,  
28. Ernest H. Kikes, Abst. 71.  
29. Albert Scates, Great Bend, Kansas,  
30. Lyle Norton, Abst. 73.  
31. Harry M. Clark, Pittsburg, Kansas,  
32. C. A. Ogg, Abst. 74, 104.  
33. W. M. Martin, Pittsburg, Kansas,  
34. D. D. Bugh, Abst. 74.  
35. S. L. Wadman, Newton, Kansas,  
36. Dell Alden, Florence, Kansas,  
37. N. G. Cook, Douglass, Kansas,  
38. R. W. Smiley, Chanute, Kansas,  
Abst. 109.  
Longton, Kansas,  
Abst. 114.  
Moline, Kansas,  
Abst. 116.  
Shawnee, Kansas,  
Abst. 120.  
Salina, Kansas,  
Abst. 121.  
Augusta, Kansas,  
Abst. 121.

### XVIII

1. That W. J. Robinson, an individual defendant, has been continuously since January 1922 a member of said defendant corporation, and a "Kleagle", or organizer, agent, managing agent, representative, and lecturer for said defendant corporation duly appointed, commissioned, and acting during all of that time.

That when he was served with summons in this action by the Sheriff of Cowley County on the 23rd day of November, 1922 he was such "Kleagle" or organizer, agent, managing agent, representative, and lecturer, duly appointed and acting for and on behalf of said defendant corporation in the State of Kansas, and well knew himself to be such.

That notwithstanding that fact he did knowingly and wilfully make a false affidavit of denial of such facts and caused and permitted the same to be filed in and made a part of the records of this case.

Affidavit of W. J. Robinson, Abst. 17.  
Testimony of W. J. Robinson, Abst. pp 63 to 66, 116 to 120.

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A 2. That Thomas R. Daly, an individual defendant, has been continuously from a time long prior to 23 November 1923 a member of said defendant corporation, and a secretary or Klaliff of an unchartered branch of said corporation at Fort Scott, Kansas, and as such was an agent, managing agent, and representative of said defendant corporation. b-

That when he was served with summons in this action by the Sheriff of Bourbon County, Kansas on the 23rd day of November 1922 he was such secretary, and as such was an agent, managing agent, and representative acting for and on behalf of said defendant corporation in the State of Kansas, and well knew himself to be such. n

That notwithstanding that fact he did knowingly and wilfully make a false affidavit of denial of such facts and caused and permitted the same to be filed in and made a part of the records of this case. m

Affidavit of Thomas R. Daly, Abst. 16.  
Testimony of Thomas R. Daly, Abst. 56-59.

+ 3. That George Hendee was on the 5th day of December 1922, and for a long time prior thereto, a member of said defendant corporation, and the Exalted Cyclops or President of an unchartered branch of said defendant corporation at Atchison, Kansas, and as such was an agent, managing agent and representative of such defendant corporation. b

That when he was served with summons in this action by the Sheriff of Atchison County on the 5th of December 1922 he was such Exalted Cyclops or President, and as such was an agent, managing agent, and representative acting for and on behalf of said defendant corporation in the State of Kansas. h

That notwithstanding that fact he did make an affidavit of denial of such facts and caused and permitted the same to be filed in and made a part of the records of this case. r

Affidavit of George Hendee, Abst. 16 and 17.  
EXHIBIT G. Abst. 134.  
Testimony of George Hendee, Abst. 35 to 37.

4. That W. D. McCrabb, an individual defendant, has been continuously since March 1922 a member of said defendant corporation, and during all of such time has been secretary, or acting secretary, or Kludd, or Chaplain of a chartered branch of said defendant corporation at Coffeyville, Kansas. y

Testimony of McCrabb, Abst. 70.

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V 5. That Noble C. McCall, an individual-defendant in this case, has been continuously since 1921 a member of said defendant corporation, and for a long time prior to 21 November 1922 as Secretary, or "Kligrapp" of a chartered branch of defendant corporation at Arkansas City, Kansas.

Testimony of Noble C. McCall, Abst. 71.

6. That one George C. (or T.) McCarron, the "King Kleagle" or "Imperial Representative", and a member of said defendant corporation with offices in room 218 Bryant Building, Kansas City, Missouri, and with jurisdiction over the State of Kansas, and while acting in such capacity for and on behalf of said defendant corporation, did on the 20th day of December 1922 in the County of Shawnee, and State of Kansas, knowingly and wilfully swear to, and cause to be filed in and made a part of the records in this case, a false affidavit.

*modified*

Defendant's Motion to Quash,  
Service of Summons,  
Pars. 5, 6, 7, Abst. pp 15, 16.  
Testimony of W. J. Robinson, Abst. pp 17, 63 to  
66, 116 to 120.  
Testimony of Thomas R. Daly, Abst. 56-59.  
Testimony of George Hendee, Abst. 35 to 37.  
Testimony of Noble C. McCall, Abst. 71.

7. That H. H. Kitchen, as "Kleagle" or organizer for defendant corporation, and while acting as such in the State of Kansas for said defendant corporation; Carl McManus, as assistant organizer for said Kitchen, and for defendant corporation, and while acting as such in the State of Kansas; and D. H. Burcham, as "Exalted Cyclops" or President of a subordinate branch or "Klan" of defendant corporation, and while acting as such in the State of Kansas for said defendant corporation, all knowingly and wilfully made false statements under oath as witnesses in this action in that they denied their membership in said defendant corporation and/or any knowledge of the existence of subordinate branches and members of said defendant corporation in Kansas.

*modified*

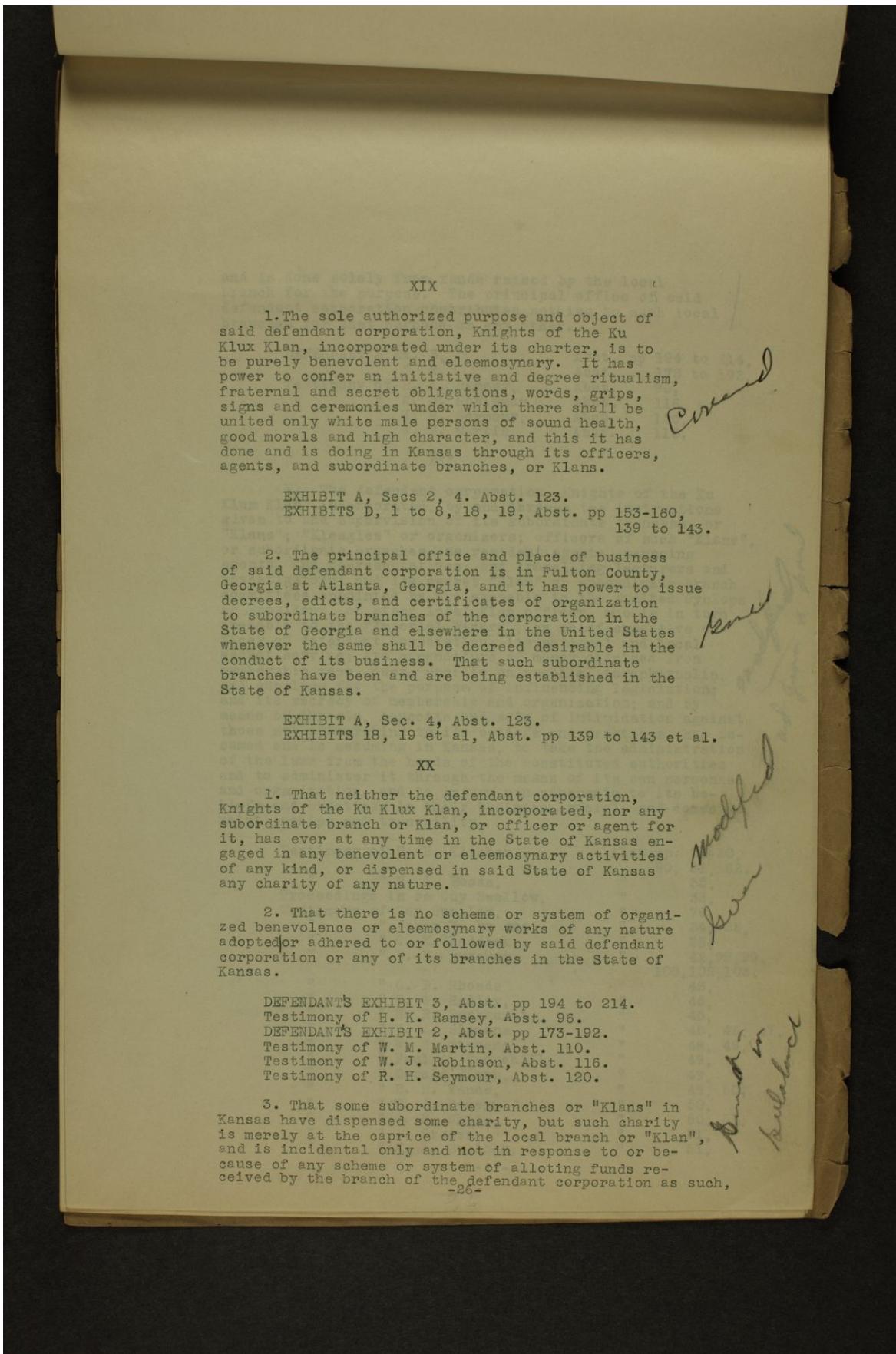
Testimony of H. H. Kitchen, Abst. 26-30.  
Testimony of Carl McManus, Abst. 31, 32.  
Testimony of D. H. Burcham, Abst. 41.

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and is done solely XIX  
benefited by the local  
branch for the purpose. The principal office of said  
defendant corporation, Knights of the Ku  
Klux Klan, incorporated under its charter, is to  
be purely benevolent and eleemosynary. It has  
power to confer an initiative and degree ritualism,  
fraternal and secret obligations, words, grips,  
signs and ceremonies under which there shall be  
united only white male persons of sound health,  
good morals and high character, and this it has  
done and is doing in Kansas through its officers,  
agents, and subordinate branches, or Klans.

EXHIBIT A, Secs 2, 4. Abst. 123.  
EXHIBITS D, 1 to 8, 18, 19, Abst. pp 153-160,  
139 to 143.

2. The principal office and place of business  
of said defendant corporation is in Fulton County,  
Georgia at Atlanta, Georgia, and it has power to issue  
decrees, edicts, and certificates of organization  
to subordinate branches of the corporation in the  
State of Georgia and elsewhere in the United States  
whenever the same shall be decreed desirable in the  
conduct of its business. That such subordinate  
branches have been and are being established in the  
State of Kansas.

EXHIBIT A, Sec. 4, Abst. 123.  
EXHIBITS 18, 19 et al, Abst. pp 139 to 143 et al.

XX

1. That neither the defendant corporation,  
Knights of the Ku Klux Klan, incorporated, nor any  
subordinate branch or Klan, or officer or agent for  
it, has ever at any time in the State of Kansas en-  
gaged in any benevolent or eleemosynary activities  
of any kind, or dispensed in said State of Kansas  
any charity of any nature.

2. That there is no scheme or system of organi-  
zed benevolence or eleemosynary works of any nature  
adopted or adhered to or followed by said defendant  
corporation or any of its branches in the State of  
Kansas.

DEFENDANT'S EXHIBIT 3, Abst. pp 194 to 214.  
Testimony of H. K. Ramsey, Abst. 96.  
DEFENDANT'S EXHIBIT 2, Abst. pp 173-192.  
Testimony of W. M. Martin, Abst. 110.  
Testimony of W. J. Robinson, Abst. 116.  
Testimony of R. H. Seymour, Abst. 120.

3. That some subordinate branches or "Klans" in  
Kansas have dispensed some charity, but such charity  
is merely at the caprice of the local branch or "Klan",  
and is incidental only and not in response to or be-  
cause of any scheme or system of allotting funds re-  
ceived by the branch of the defendant corporation as such,

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and is done solely from funds raised by the local branch for the purpose. The principal office of said defendant corporation contributes nothing to such local branches for that purpose or any other.

DEFENDANT'S Ex. 3,	Abst.	pp 194 to 214,
" 2,	Abst.	173 to 192,
Testimony of H. K. Ramsey,	Abst.	96,
" W. J. Robinson,	Abst.	116,
" R. H. Seymour,	Abst.	120,
" W. M. Martin,	Abst.	110.

### XXI

1. The defendant corporation, Knights of the Ku Klux Klan, incorporated, by and through the instructions given to and supervision of its subordinate branches, or "Klans"; "Kleagles" or organizers; officers of such "Klans", or subordinate branches, as resident agents, managing agents, and representatives; and travelling lecturers and investigators; and its secret "Klan" or subordinate branch committees appointed by and amenable to the Exalted Cyclops or President, or other local Klan officer, who is in turn amenable to the "Imperial Wizard", or chief executive officer of defendant corporation; its national and local secret service; its expenditure of money obtained from membership fees, dues, profits on regalia, paraphernalia, and supplies for the purpose of influencing legislation; and its secrecy of membership and organization; and by means of threats, boycotts, and acts of intimidation against those not subscribing to its beliefs and practices, has assumed and is assuming in Kansas, to take the administration of the laws from the hands of the constituted authorities and to administer it through the means of its own personnel and organization, and to injure non-adherents to its beliefs and practices in their business, social, and domestic relationships and tranquility.

*marked and filed  
ad Gove et al*

Testimony of H. H. Kitchen,	Abst.	pp. 28-30, 80, 81, 82.
" W. L. Woods,	"	33,
Proceedings in re Guy Swallow,	"	33,
Testimony of Guy Swallow,	"	79,
" James W. Burns,	"	34, 35,
" C. K. Reddick,	"	38,
" D. H. Burcham,	"	42, 98, 99, 100, 102, 103.
" C. P. Rhoads	"	43,
" T. W. Hadley,	"	45,
" H. R. Borkhardt,	"	45,
" V. A. Simmons,	"	45, 46, 47,
" W. S. Stevens,	"	48, 49,
" Paul A. Tannehill,	"	49,
" Gerald Kieth,	"	49,
" D. H. Vance,	"	49, 50,
" W. J. Roney,	"	50,
" C. E. White,	"	50, 51,
" A. Cruden,	"	51,
" H. A. Bullock,	"	51,

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Testimony of L. S. Harvey,	Abst. 52, 53, 54,
" " J. C. Hopkins,	" 54, 55, 56,
" " Jess Baxter,	" 55,
" " Thomas R. Daly,	" 56, 57, 58, 59,
" " H. L. Camp,	" 60,
" " Ray E. Axton,	" 60, 61,
" " R. H. Seymour,	" 62,
" " C. A. McBrayer,	" 63,
" " W. J. Robinson,	" 65, 116, 119, 120,
" " C. H. Sutton,	" 66, 67, 68,
" " R. J. Downing,	" 69,
" " George McKittrick,	" 70,
" " Nate Smith,	" 70,
" " W. L. Oberman,	" 70,
" " W. D. McCrabb,	" 70,
" " M. C. Chambers,	" 71, 77,
" " Noble C. McCall,	" 71, 72, 73,
" " Claud E. St. John,	" 73,
" " Ernest H. Fikes,	" 74, 76, 104, 106, 107, 108,
" " Albert Scates,	" 74, 75,
" " H. K. Ramsey,	" 84, 86, 87, 90, 91, 92, 93, 94, 95, 96,
" " Harry M. Clark,	" 97, 98,
" " John L. Zeller,	" 101, 102,
" " C. A. Ogg,	" 103, 104, 122,
" " W. M. Martin,	" 109, 110, 113,
" " D. D. Bugh,	" 114-115,
" " Dell Alden,	" 120-121,
" " N. C. Cook,	" 121,
ADMISSIONS of Alva M. Morgan,	" 122,
EXHIBIT 1,	" 126,
" 3,	" 127,
" 5, Sec. IV, Par. 5,	" 130,
" 7,	" 132,
" 9,	" 134,
" 10,	" 135,
" 13,	" 137,
" 16,	" 138,
" 24, 25, 26, 27,	" 148 to 151,
" 28,	" 152,
DEFENDANT'S Ex. 2,	" 182, 183, 184, 188,
DEFENDANT'S Ex. 3, Art. XIX,	
Sec. 11,	" 211,
DEFENDANT'S Ex. 4,	" 215,

2. That the corporate objects and purposes, privileges and powers, of said defendant corporation; Knights of the Ku Klux Klan, incorporated, do not authorize such actions. ✓

EXHIBIT A,

Abst. 123.

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3. That such objects, purposes, and actions are not such as a domestic corporation might be incorporated to do and perform and are contrary to public policy.

4. That among the opinions, plans, theories, and practices of said defendant corporation, its subordinate branches or "Klans", and its members, agents, lecturers and investigators, and officers of its subordinate branches or "Klans", in the State of Kansas have been and are to incite, foment, and prosecute controversies, animosities, and hostilities, against other citizens and residents of the State of Kansas on account of race, place of birth, and for religious or sectarian beliefs and methods.

Testimony of James W. Burns, recalled, Abst.	37,
" " D. H. Burcham,	42, 99,
" " A. Cruden,	51,
" " V. A. Simmons,	46,
" " L. S. Harvey,	52, 53, 54,
" " J. C. Hopkins,	54, 55, 56,
" " A. M. Bemish,	61, 62,
" " F. J. Fleming,	62,
" " C. H. Sutton,	67, 68,
" " R. J. Downing,	69,
" " Nate Smith,	70,
" " W. Lieberman,	70,
" " Noble C. McCall,	72, 73,
" " Claud E. St. John,	73,
" " Lyle Norton,	77, 78, 79,
" " H. H. Kitchen,	82, 85, 86,
" " H. K. Ramsey,	92, 93, 94, 95, 97,
" " E. H. Fikes,	105, 106,
" " W. M. Martin,	110, 111, 112, 113,
" " D. D. Bugh,	115,
" " W. J. Robinson,	117, 118, 119,
EXHIBIT 12,	126, 127,
" 22,	144, to 147,
" 28,	152,
DEFENDANT'S Ex. 2,	174, 175, 182, 186, 190, 191, 192, 193.

### XXIII

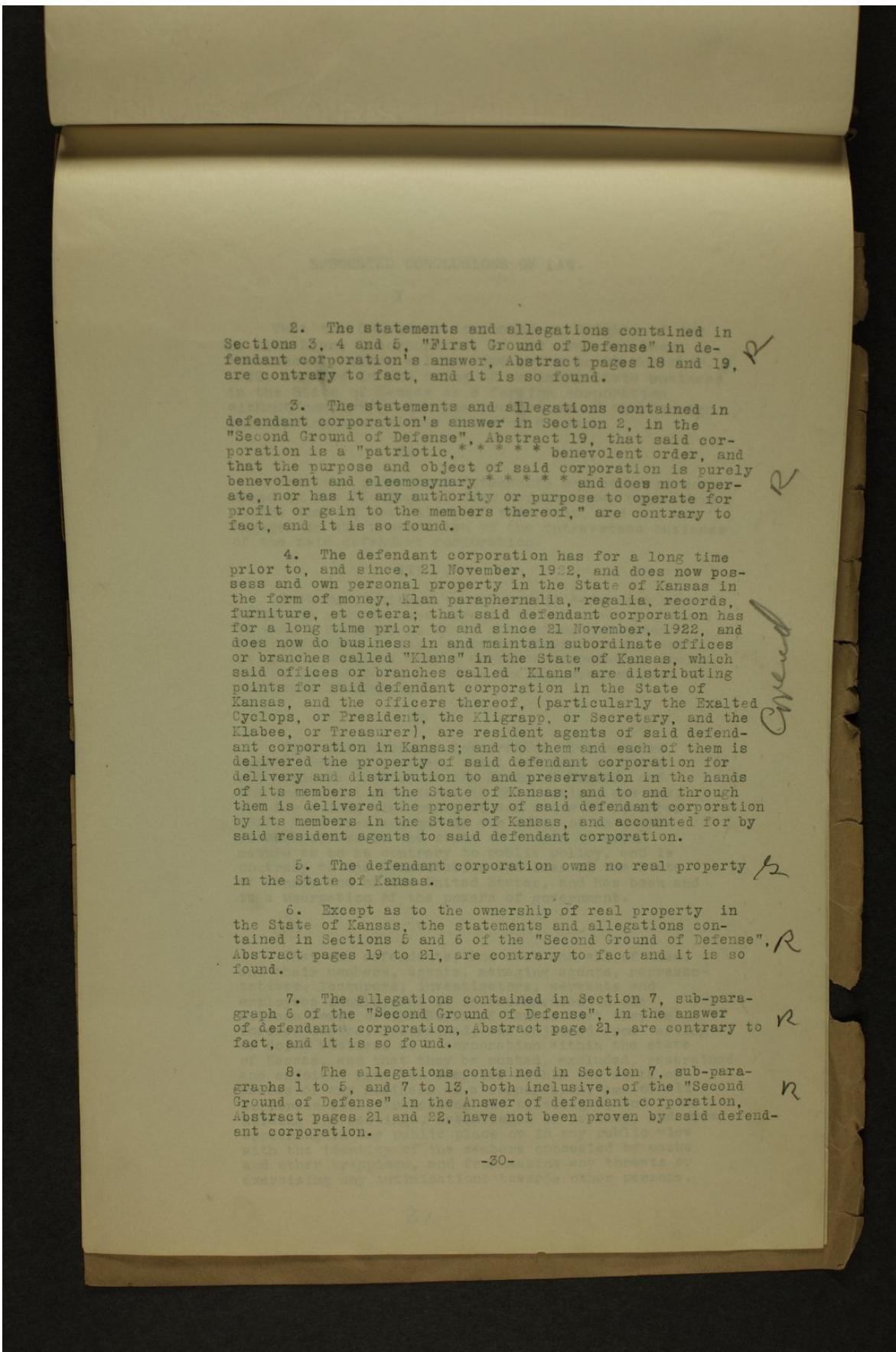
1. The corporate charter of said defendant corporation, being Exhibit A, Abst. page 123 to 125, does not, as is alleged in the answer of said defendant corporation, in its "First Ground of Defense", Section 2, Abstract page 18, "truthfully set out its character", but does prescribe its corporate powers. And the statement therein that defendant corporation is a purely benevolent and eleemosynary association not operated for pecuniary profit, and not doing business for pay, is contrary to fact, and it is so found.

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With the intent of the law to be concealed or made  
and other persons, and -30-  
exercising any accommodations thereby of other persons.

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### SUGGESTED CONCLUSIONS OF LAW.

#### I

That the defendant corporation, Knights of the Ku Klux Klan, incorporated, is now, and has been continuously since a long time prior to 21 November, 1922, engaged in the doing of an intra-state business in the State of Kansas as a foreign corporation without complying with the provisions of the foreign corporation laws of the State of Kansas. *n*

#### II

That the individual defendants and other persons named in the findings of fact herein, have been, were at the time of the filing of this suit, and are now engaged in the prosecution of the intra-state business of the said defendant corporation. *n*

#### III

That the business in which said defendant corporation is and has been engaged in the State of Kansas is such a business as it is not authorized under the provisions of its corporate charter to do, and is such a business that a domestic corporation could not be organized to do under the corporation laws of the State of Kansas. *n*

#### IV

That the defendant corporation, its members, agents, representatives, local branches or Klans and officers thereof in the State of Kansas, and the individual defendants in this action, are now, and for a long time prior to and since 21 November 1922, have been engaged in the doing of an intra-state business in the state of Kansas of such nature as to be contrary to public policy, and is contrary to the Constitution and laws of the State of Kansas and of the United States, and has been and is a usurpation of the powers of government. *n*

#### V

That the defendants, and each and all of them, and their members, agents, managing agents, representatives, lecturers, investigators, servants and employees should, and it is recommended to the Supreme Court of the State of Kansas that they be forever ousted, restrained, and enjoined from acting or doing business as a corporation within the state of Kansas, and that they be ousted, excluded, restrained and enjoined from the exercise within the state of Kansas of any business as a corporation, and of all corporate acts, franchises and privileges, and from holding any meetings, assemblages or parades, and from appearing in any public place or in any public view with the identity of the members concealed by masks and other trappings, and from making any threats or exercising any intimidations towards other persons, *n*

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and from fomenting and prosecuting any controversies, animosities or hostilities, against other persons on account of difference in race or place of birth, or religious or sectarian beliefs or methods, and from issuing any commands to other persons as to the opinions, plans, theories or conduct of such other persons and from disturbing the peace and quiet of persons and families and neighborhoods, and from interrupting or molesting religious services or members thereof, or other persons meeting or met together for the purposes of worship or to perform other duties enjoined on them as members of any such religious society, or from disquieting or disturbing in any manner congregations or assemblages of people met for religious worship, and from assembling together with the intent to do any of the acts aforesaid, and from agreeing to do any of the acts aforesaid, and for making movements and preparations therefor, and from paying fees to said corporation or its officers or members, and from collecting fees by said corporation or its officers, from said members, and that each and all of the defendants and officers, agents, servants and employees be restrained or enjoined from concealing, obliterating or destroying all or any of the books, papers, printed matter or documents in his or its possession or under his or its control or power, containing evidence pertinent to the allegations of this petition or relating to the merits of this action.

And that a receiver of all the property and assets of said corporation, the Knights of the Ku Klux Klan, and also the property and assets of each of the other defendants hereto used by them in carrying out, in the state of Kansas, the purposes of said corporation, be appointed by this court, and that such receiver be directed to take charge and control, under the jurisdiction of this court, of all of the said property.

And that plaintiff recover from said defendant all the costs of this action.

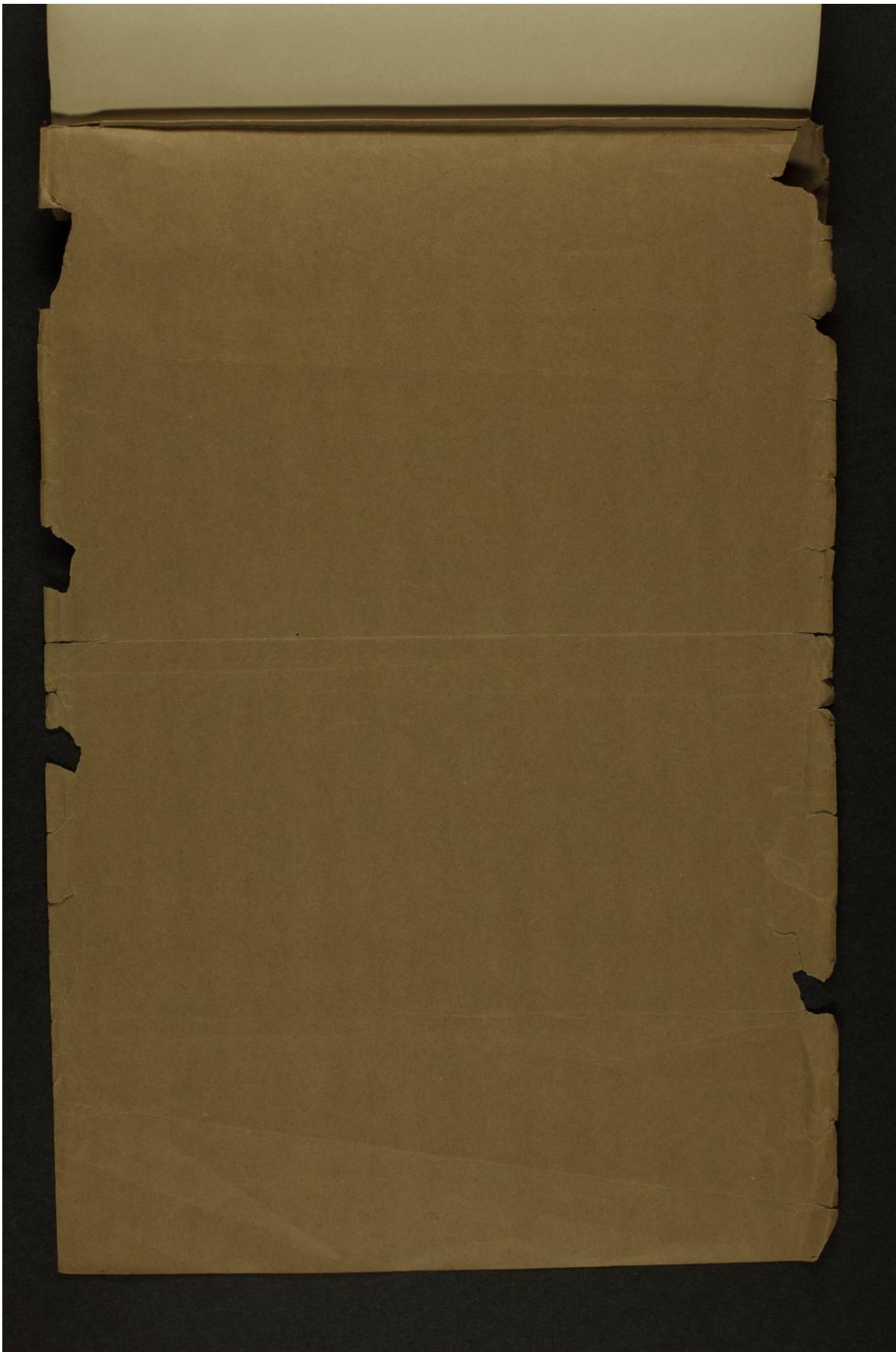
Commissioner.

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# Kansas Memory



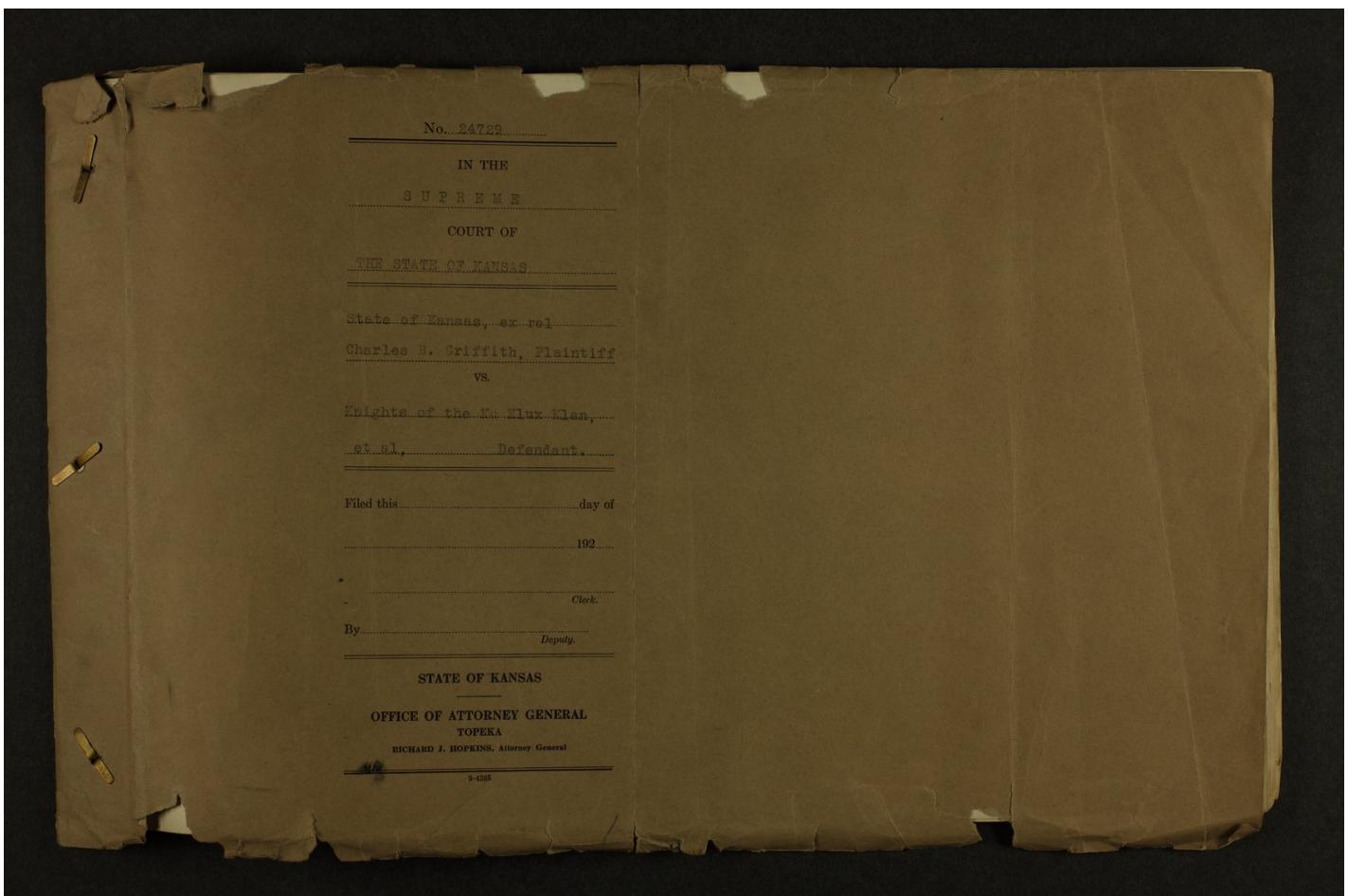
## State of Kansas vs. Knights of the Ku Klux Klan



# Kansas Memory



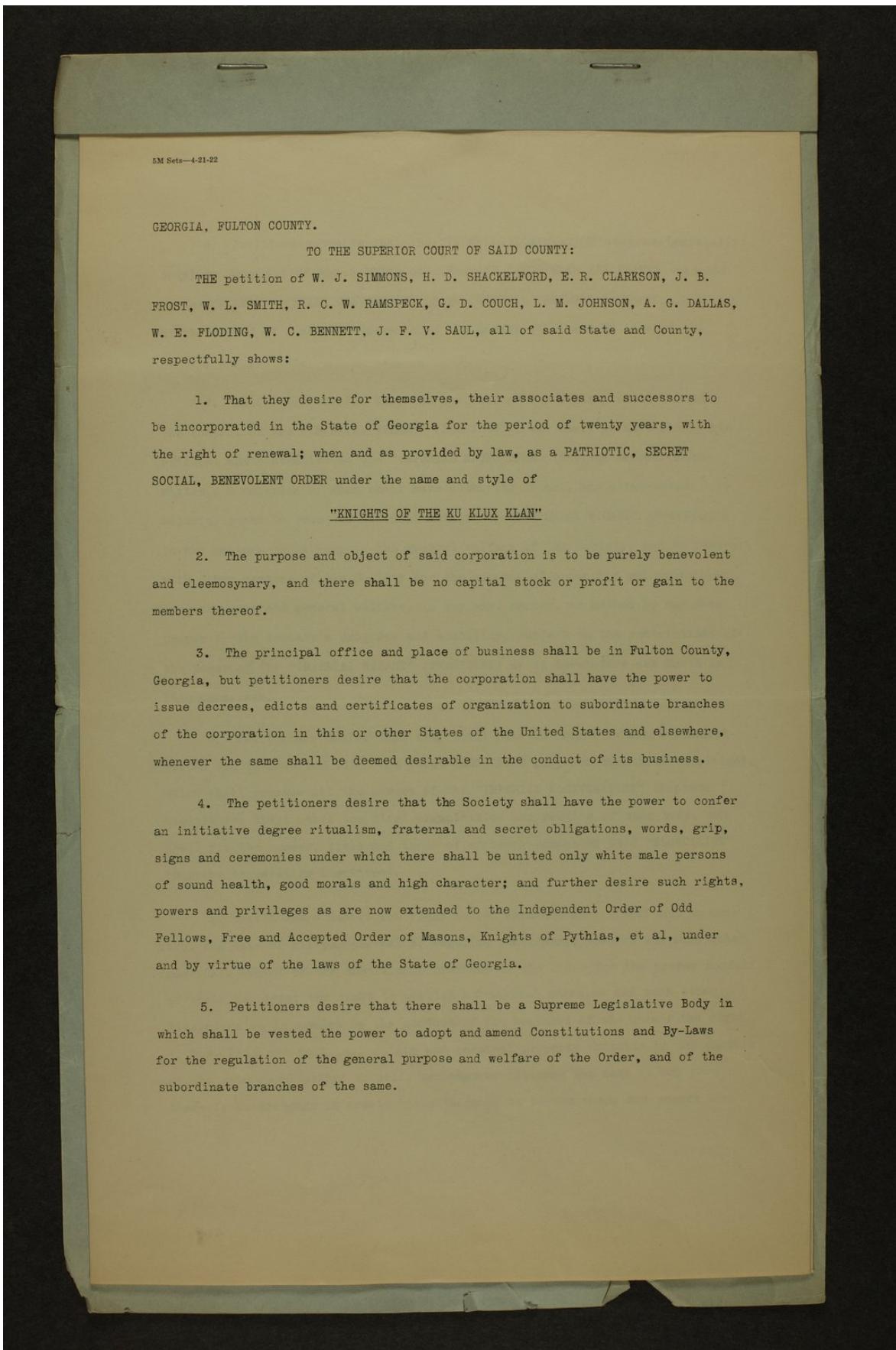
## State of Kansas vs. Knights of the Ku Klux Klan



# Kansas Memory



## State of Kansas vs. Knights of the Ku Klux Klan



EM Sets—4-21-22

GEORGIA, FULTON COUNTY.

TO THE SUPERIOR COURT OF SAID COUNTY:

THE petition of W. J. SIMMONS, H. D. SHACKELFORD, E. R. CLARKSON, J. B. FROST, W. L. SMITH, R. C. W. RAMSPECK, G. D. COUCH, L. M. JOHNSON, A. G. DALLAS, W. E. FLOODING, W. C. BENNETT, J. F. V. SAUL, all of said State and County, respectfully shows:

1. That they desire for themselves, their associates and successors to be incorporated in the State of Georgia for the period of twenty years, with the right of renewal; when and as provided by law, as a PATRIOTIC, SECRET SOCIAL, BENEVOLENT ORDER under the name and style of

"KNIGHTS OF THE KU KLUX KLAN"

2. The purpose and object of said corporation is to be purely benevolent and eleemosynary, and there shall be no capital stock or profit or gain to the members thereof.

3. The principal office and place of business shall be in Fulton County, Georgia, but petitioners desire that the corporation shall have the power to issue decrees, edicts and certificates of organization to subordinate branches of the corporation in this or other States of the United States and elsewhere, whenever the same shall be deemed desirable in the conduct of its business.

4. The petitioners desire that the Society shall have the power to confer an initiative degree ritualism, fraternal and secret obligations, words, grip, signs and ceremonies under which there shall be united only white male persons of sound health, good morals and high character; and further desire such rights, powers and privileges as are now extended to the Independent Order of Odd Fellows, Free and Accepted Order of Masons, Knights of Pythias, et al, under and by virtue of the laws of the State of Georgia.

5. Petitioners desire that there shall be a Supreme Legislative Body in which shall be vested the power to adopt and amend Constitutions and By-Laws for the regulation of the general purpose and welfare of the Order, and of the subordinate branches of the same.

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6. Petitioners desire that the "IMPERIAL KLONVOKATION" (Supreme Legislative Body) be composed of the SUPREME OFFICERS AND "KLOPPERS" (DELEGATES selected by the "KLORORO" (STATE CONVENTION) of the SEVERAL "REALMS" (subordinate jurisdiction); and of such other persons as the Constitution and By-Laws of the Society may provide.

7. Petitioners desire that the business of the Society shall be under the control of the "IMPERIAL WIZARD" (PRESIDENT), who shall be amenable in his official administration to the "IMPERIAL KLONCILIUM" (Supreme Executive Committee), a majority of whom shall have authority to act, and a two-thirds majority power to veto the official acts of the "IMPERIAL WIZARD" (President) in the matters pertaining to the general welfare of the Society; and to contract with other members of the Society for the purpose of prompting and conducting its interests and general welfare, in any way, manner, or method he may deem proper or the Society's progress and stability, subject to the restrictions of the power of the "IMPERIAL WIZARD" (PRESIDENT) as is heretofore set forth in this paragraph.

8. Petitioners desire that they shall have the right to adopt a Constitution and By-Laws and elect the first KLONCILIUM (Supreme Executive Committee), which shall possess all the powers of the "IMPERIAL KLONVOKATION" (Supreme Legislative Body) until the first organization and meeting of that body, and shall fix the number, title and terms of officers composing said "KLONCILIUM" (Supreme Legislative Committee).

9. Petitioners desire the right to own separate unto itself and to control the sale of all paraphernalia, regalia, stationery, jewelry and such other materials needed by the subordinate branches of the Order for the proper conduct of their business; the right to publish a fraternal magazine and such other literature as is needed in the conduct of the business of the Order; the right to buy, hold and sell real estate and personal property suitable to the purpose of the said corporation; to sell, exchange or sublease the same or any part thereof; to mortgage or create liens thereon; to borrow money and secure the

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payment thereof by mortgage or deed of trust and to appoint trustees in connection therewith; to execute promissory notes, to have and to use a common seal; to sue and be sued; to plead and be impleaded; to do and perform all these things and exercise all those rights, which under the laws of Georgia, are conferred upon Societies or Orders of like character.

10. WHEREFORE petitioners pray an order incorporating them, their associates and successors under the name and style aforesaid with all the powers and privileges necessary to the extension of the Order or the conduct of the business and purposes of Orders of like nature.

And your petitioner will ever pray.

E. R. CLARKSON,  
B. H. SULLIVAN,  
Petitioners' Attys.

Filed in office this the 26th day of April, 1916.

ARNOLD BROYLES, Clerk.

GEORGIA, FULTON COUNTY.

IN THE SUPERIOR COURT OF SAID COUNTY, TERM, 1916.

WHEREAS, W. J. SIMMONS, H. D. SHACKELFORD, E. R. CLARKSON, J. B. FROST, W. L. SMITH, R. C. W. RAMSPECK, G. D. COUCH, L. M. JOHNSON, A. G. DALLAS, W. E. FLODING, W. C. BENNETT, J. F. V. SAUL having filed in the office of the Clerk of the Superior Court of said County their petition seeking the formation of a corporation to be known as the "KNIGHTS OF THE KU KLUX KLAN," a purely benevolent and eleemosynary society having no capital stock for the purpose of conducting a PATRIOTIC, SECRET SOCIAL, BENEVOLENT ORDER, and having complied with the statutes in such cases made and provided, and upon the hearing of said petition, the Court being satisfied that the application is legitimately within the purview and intention of the Civil Code of 1910 and laws amendatory thereof, it is hereby ordered and declared that said application is granted, and the above named petitioners and their successors are hereby incorporated under the said name and style of the "KNIGHTS OF THE KU KLUX KLAN" for and during the

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period of twenty years, with the privilege of renewal at the expiration of that time, according to the provisions and of the laws of this State, and said corporators and their successors are hereby clothed with all the rights, privileges and powers mentioned in said petition, and made subject to all the restrictions and liabilities fixed by law.

This 1st day of July, 1916.

J. T. PENDLETON,  
Judge Superior Court, Fulton Co., Ga.

STATE OF GEORGIA,

COUNTY OF FULTON.

I, ARNOLD BROYLES, Clerk of the SUPERIOR COURT of Fulton County, Georgia, do hereby certify that the within and foregoing is a true and correct copy of charter of .

"KNIGHTS OF THE KU KLUX KLAN"

with order of Court granting same, as appear of file and recorded in Charter Book No. 12, page 495, of the Records of Fulton County, Georgia.

WITNESS my hand and seal of office  
this the 11th day of FEBRUARY, 1921.

ARNOLD BROYLES,  
Clerk Superior Court, Fulton Co., Ga.