

STATE OF SOUTH CAROLINA)
COUNTY OF CLARENDON)
) **IN THE COURT OF COMMON PLEAS**
) **FOR THE**
) **THIRD JUDICIAL CIRCUIT**

MACEDONIA BAPTIST CHURCH,)
an unincorporated association;)
) **CIVIL ACTION NO. 96-CP-14-217**

Plaintiff,)
))

v.)

SECOND AMENDED COMPLAINT
(Jury Trial Demanded)

CHRISTIAN KNIGHTS OF THE KU)
KLUX KLAN -- INVISIBLE EMPIRE,)
INC., a North Carolina corporation;)
CHRISTIAN KNIGHTS OF THE KU)
KLUX KLAN -- INVISIBLE EMPIRE,)
an unincorporated South Carolina)
association; HORACE KING;)
ARTHUR A. HALEY;)
HUBERT "HERBERT" L. ROWELL;)
TIMOTHY A. WELCH; and)
GARY C. COX;)

Defendants.)

Nature of the Action

1. This is a civil action brought by the Macedonia Baptist Church. The Church's place of religious worship was destroyed by a fire that was authorized by an officer of the Christian Knights of the Ku Klux Klan, encouraged by the South Carolina leader of the Christian Knights, and set by its members on June 21, 1995. The Church alleges that the fire was racially-motivated and was designed to intimidate the Church's congregation, disrupt its activities, and discourage it from holding property in the area. The Church seeks compensatory and punitive damages pursuant to South Carolina's common law governing trespass.

Parties

2. The Macedonia Baptist Church ("Church") is an unincorporated association. All the members of the Church are African-Americans. Prior to being destroyed by the defendants, the Church's place of worship was located on property in the Bloomville area of Clarendon County. The Church is the owner and possessor of the property.

3. The Christian Knights of the Ku Klux Klan -- Invisible Empire, Inc. ("Christian Knights") is a North Carolina corporation conducting business in South Carolina.

4. The Christian Knights of the Ku Klux Klan -- Invisible Empire ("Christian Knights") is an unincorporated association conducting business in South Carolina. The association is the South Carolina chapter and an agent of Christian Knights of the Ku Klux Klan -- Invisible Empire, Inc.

5. Horace King is an adult citizen and resident of Lexington County. At the time of the fire, King was an agent of the Christian Knights and head of its South Carolina chapter.

6. Arthur Haley is an adult citizen and resident of Clarendon County. He has been convicted and sentenced by federal authorities for his involvement in the Church fire. At the time of the fire, Haley was an officer and agent of the Christian Knights.

7. Hubert "Herbert" Rowell is an adult citizen and resident of Clarendon County. He has been convicted and sentenced by federal authorities for his involvement in the Church fire. At the time of the fire, Rowell was a member and agent of the Christian Knights.

8. Timothy Welch is an adult citizen and resident of Clarendon County. He has been convicted and sentenced by federal authorities for his involvement in the Church fire. At the time of the fire, Welch was a member and agent of the Christian Knights.

9. Gary Cox is an adult citizen and resident of Clarendon County. He has been convicted and sentenced for his involvement in the Church fire. At the time of the fire, Cox was a member and agent of the Christian Knights.

Jurisdiction and Venue

10. The Court has jurisdiction of this action pursuant to S.C. Const. art. V, § 11.

11. Venue is proper pursuant to S.C. Code Ann. § 15-7-10(1). This action involves injury to real property located in Clarendon County.

Statement of Facts

12. The Christian Knights of the Ku Klux Klan was founded by Virgil Griffin in Mt. Holly, North Carolina, in 1985. As national leader of the organization, Griffin holds the title of "Imperial Wizard." The Christian Knights have chapters in Kentucky, Tennessee, North Carolina, and South Carolina. Horace King is the "Grand Dragon" or leader of the South Carolina chapter.

13. The Christian Knights are dedicated to the supremacy of the white race and advocate the separation of white people from minority groups. Membership in the organization is limited to white persons of non-Jewish ancestry.

14. Upon information and belief, the Christian Knights encourage their members to commit acts of violence and intimidation against African-Americans to promote the organization's white supremacist goals.

15. Upon information and belief, the Christian Knights encourage their members to arm themselves with firearms in preparation for a race war between blacks and whites.

16. One of the tenets of the Christian Knights provides that "a church that is not grounded on the principles of morality and justice is a mockery to God and to man." Upon information and belief, the Christian Knights instructs its members that churches with predominantly black congregations promote the interests of black persons to the detriment of white persons.

17. To promote the organization's white supremacist goals, defendant Horace King, in his capacity as leader of the South Carolina chapter of the Christian Knights, encouraged Klan members in Clarendon County to burn and destroy black churches.

18. Upon information and belief, on or about June 21, 1995:

a. defendants Haley, Rowell, Welch, and Cox met at Haley's residence to discuss burning a church attended by black parishioners. Haley selected the Macedonia Baptist Church to be burned.

b. Haley, Rowell, Welch, and Cox willfully conspired and agreed to injure and intimidate the members of the Macedonia Baptist Church by setting fire to the Church's place of worship in Clarendon County.

c. Haley, Rowell, Welch, and Cox agreed that Welch and Cox would travel to the Church and set it afire.

d. Haley provided flammable liquids from a shed behind his residence to use as accelerants in burning the Church.

e. Rowell mixed the flammable liquids in a plastic jug and instructed Welch and Cox how to use the mixture to set the Church afire.

f. Welch and Cox drove to the Church and forcibly entered it through a locked side door.

g. Cox poured the flammable mixture on the Church's floor and Welch ignited the mixture, setting the church afire. The Church's building was completely destroyed by the fire.

19. Haley, Rowell, Welch, and Cox have pled guilty to conspiring to burn the plaintiff's church. Welch and Cox have pled guilty to setting the fire. All four men have been sentenced for their involvement in the Church fire.

20. The destruction of the plaintiff's Church was undertaken pursuant to the Christian Knights' practice of promoting their white supremacist goals through violent means.

a. defendant Horace King, in his capacity as leader of the South Carolina chapter of the Christian Knights, encouraged Klan members in Clarendon County to burn black churches.

b. Haley, as officer and agent of the Christian Knights, authorized, aided, and abetted the burning of the Church. Haley, Rowell, Welch, and Cox, as members and agents of the Christian Knights, aided and abetted each other in burning the Church.

Upon information and belief:

c. on or about June 20, 1995, hours before they destroyed the plaintiff's church, Welch and Cox set fire to the Mount Zion African Methodist Episcopal (AME) Church in Greeleyville, South Carolina.

d. on or about March 2, 1995, Haley, Rowell, and other persons conspired to and set fire to the automobile of Manuel Leroy Thompson, a black man.

e. on or about February 22, 1995, Haley, Rowell, and a third person conspired to and set fire to a migrant camp, located off Cecil Road in the Bloomville area of Clarendon County, that was used by Latino farm workers.

f. on or about October 17, 1994, Rowell set fire to a structure used by Manuel Leroy Thompson, a black man, at the Clarendon County Service Center (a.k.a. Recycling Center).

g. on or about October 12, 1992, Rowell and other persons set fire to a migrant camp, located off Liberty Church Road in the Bloomville area of Clarendon County, that was used by Latino farm workers.

Cause of Action -- Trespass

21. The defendants' willful entrance upon the Church's property and their intentional destruction of the Church's place of worship interfered with the plaintiff's right of peaceful possession and quiet enjoyment of its property.

PRAYER FOR RELIEF

WHEREFORE, plaintiff prays that this Honorable Court and the jury award the plaintiff:

- (1) compensatory damages for the destruction of its property;
- (2) punitive damages to punish the defendants for their intentional and malicious acts and to deter others from engaging in such acts; and
- (3) any other relief that the Court deems necessary and just.

Respectfully submitted,

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