

REPORTS OF COMMITTEES

OF

THE HOUSE OF REPRESENTATIVES

FOR THE

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1871-'72.

IN FOUR VOLUMES.

Volume 1....No. 1 to 71, inclusive; except No. 22.

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Volume 3....No. 72 to No. 83, inclusive.

Volume 4....No. 84 to No. 99, inclusive.

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THE KU-KLUX CONSPIRACY.

report consists of thirteen volumes.

Volume I contains the report of the committee and the views of the minority.

Volume II contains the testimony taken by the committee in relation to North Carolina, and the report of the trials in the United States circuit court held at Raleigh, North Carolina.

Volumes III, IV, and V contain testimony taken by the committee in relation to South Carolina, and the report of the trials in the United States circuit court held at Columbia, South Carolina. Index to the three volumes is contained in volume III.

Volumes VI and VII contain testimony taken by the committee in relation to Georgia. Index is contained in volume VI.

Volumes VIII, IX, and X contain testimony taken by the committee in relation to Alabama. Index is contained in volume VIII.

Volumes XI and XII contain testimony taken by the committee in relation to Mississippi. Index is contained in volume XI.

Volume XIII contains miscellaneous testimony taken by the committee, testimony in relation to Florida, and miscellaneous documents.

AFFAIRS IN THE LATE INSURRECTIONARY STATES.

FEBRUARY 19, 1872.—Laid on the table and ordered to be printed.

Mr. POLAND, from the Joint Select Committee on the Condition of Affairs in the late Insurrectionary States, made the following

REPORT:

The joint select committee appointed "to inquire into the condition of affairs in the late insurrectionary States, so far as regards the execution of the laws, and the safety of the lives and property of the citizens of the United States," submit the following report:

A select committee of the Senate, upon the 10th of March, 1871, made a report of the result of their investigation into the security of person and property in the State of North Carolina as, affected by crimes and outrages of a political character, stating that, while engaged in prosecuting that inquiry, many complaints were made of insecurity in other States, and leaving to the Senate to determine whether the public interests required the further pursuit of the investigation.

On the 23d of March, 1871, the President of the United States sent to Congress a message, in which he said:

A condition of affairs now exists in some of the States of the Union rendering life and property insecure, and the carrying of the mails and the collection of the revenue dangerous. The proof that such a condition of affairs exists in some localities is now before the Senate. That the power to correct these evils is beyond the control of State authorities, I do not doubt. That the power of the Executive of the United States, acting within the limits of existing laws, is sufficient for present emergencies, is not clear.

He recommended legislation to secure life, liberty, and property, and the enforcement of law in all parts of the United States. In pursuance of this recommendation, "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," was passed, and approved April 20, 1871. Before the passage of that act, this joint committee was appointed, under the following resolution:

Resolved by the Senate of the United States, (the House of Representatives concurring,) That a joint committee, consisting of seven Senators and fourteen Representatives, be appointed, whose duty it shall be to inquire into the condition of the late insurrectionary States, so far as regards the execution of the laws and the safety of the lives and property of the citizens of the United States, with leave to report, at any time during the next or any subsequent session of Congress, the result of their investigation to either or both Houses of Congress, with such recommendations as they may

* NOTE. The testimony referred to in this report is contained in a series of volumes separated into divisions according to the States to which the testimony relates. There are — volumes continuously pagged of South Carolina testimony; one volume of North Carolina; — volumes of Georgia continuously pagged; — volumes of Alabama and of Mississippi; and that taken in relation to Florida and Tennessee, including General N. B. Forrest's evidence, is contained in a single volume entitled **Miscellaneous.**

deem expedient; that said committee be authorized to employ clerks and stenographers, to sit during the recess, to send for persons and papers, to administer oaths and take testimony, and to visit, at their discretion, through sub-committees, any portions of said States during the recess of Congress; and the expenses of said committee shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of said committee.

The committee organized April 20, and again met in Washington on the 17th of May, 1871. On the 19th, a sub-committee of eight was appointed, to proceed at once with the investigation, with authority to take testimony wherever they deemed advisable, by a sub-committee of their own number, to be reported to a meeting of the full committee on the 20th of September.

This sub-committee took testimony in the city of Washington until June 29, when a sub-committee of their number proceeded to the State of South Carolina, and examined witnesses in that State until July 29. They then rejoined the other members of the sub-committee, who had during their absence prosecuted the investigation in Washington. Evidence was then taken by a sub-committee of three until the 5th day of August, when an adjournment took place until the 20th of September, a sub-committee, consisting of Messrs. Pool, Buckley, and Beck, being appointed to digest in the meantime the reports of the executive officers of the various States upon their finances, tax and election laws. The whole committee again assembled September 20, and remained in session until the 25th of that month, during which time sub-committees were appointed to visit and take testimony in the States of North and South Carolina, Georgia and Florida, Tennessee, Alabama, and Mississippi.

The evidence taken in Washington, and by a sub-committee in South Carolina, having been reported to the joint committee, is hereby submitted; and, as an appendix to and part of this report, is also submitted the report of the sub-committee appointed to digest the reports of the executive officers of the States. The testimony taken in Georgia, Florida, Alabama, and Mississippi, by the sub-committees visiting these States, is not yet prepared, and will be submitted with a subsequent or supplementary report.

The proceedings and debates in Congress show that, whatever other causes were assigned for disorders in the late insurrectionary States, the execution of the laws and the security of life and property were alleged to be most seriously threatened by the existence and acts of organized bands of armed and disguised men, known as Ku-Klux.

Inquiring, as our primary duty, into the truth of these allegations, in those States where such acts have most recently been committed, the investigation necessarily assumed a wider range. Not only has inquiry been made as to the commission of outrages, as to the execution of the laws by the superior courts and inferior magistrates, but bad legislation, official incompetency, corruption, and other causes, having been assigned as accounting for, if not justifying disorders, they, too, have, to a large extent, entered into the statements and opinions of witnesses.

There is a remarkable concurrence of testimony to the effect that, in those of the late rebellious States into whose condition we have examined, the courts and juries administer justice between man and man in all ordinary cases, civil and criminal; and while there is this concurrence on this point, the evidence is equally decisive that redress cannot be obtained against those who commit crimes in disguise and at night. The reasons assigned are that identification is difficult, almost impossible; that when this is attempted, the combinations and oaths of the

order come in and release the culprit by perjury either upon the witness-stand or in the jury-box; and that the terror inspired by their acts, as well as the public sentiment in their favor in many localities, paralyzes the arm of civil power.

That this organization may not be looked at in the exaggerated light of overriding all law and justice in the communities where it exists, and that the facility with which the well-disposed people of the South have adapted themselves to their changed circumstances may be seen, we introduce the statements on this subject of a few prominent men from several of these States.

Hon. James L. Orr, formerly speaker of the national House of Representatives, now a circuit judge in South Carolina, having spoken of acts committed in Spartanburgh, Union, York, Newberry, Fairfield, Lancaster, and Chester Counties, further testifies as follows, (page 4):

Question. In those counties which you have named, where these acts of violence have been committed by bands of disguised and armed men, has the law, in any instance that you are aware of, been executed as against them?

Answer. No, sir; the trouble is to find out who they are. If persons know, they are afraid to disclose their knowledge.

Question. In other parts of the State can justice be administered in all ordinary cases, civil or criminal, arising between man and man?

Answer. Yes, sir, I think so—all violations of the right of persons and property. Take, for instance, the county of Abbeville, where the negro element is largely in the majority; at the last term of the court only, I think, I sentenced eleven colored men to the penitentiary for various offenses. In some of those cases there was a majority of colored men on the juries.

Question. Do you find any difficulty in administering justice in your circuit, through the medium of mixed juries, whether the parties on trial be white or black?

Answer. My experience is, that there is more indulgence shown by white juries to a colored man upon trial than is shown to a white man. I think that juries, as a general rule, would make more allowance or apology where a negro has committed an offense than they would in the case of a white man committing the same offense, on the ground that he ought to have more intelligence than to do such a thing. In that point of view, so far as my observation has gone, I think, if there is any leaning, it has been by the white man toward administering the law gently to the colored man.

Mr. Simpson Bobo, a leading lawyer of Spartanburgh County, South Carolina, says, (page 799):

Question. So far as concerns the ordinary offenses in the community, such as larceny, &c., against the rights of property, you think your courts afford an adequate means of redress?

Answer. Yes, sir, adequate, I think; and all the better class of our people have uniformly, without exception, so far as I have reason to believe, in such cases brought these cases to justice by indictment.

Question. In the ordinary litigation between man and man, involving civil contracts, is there any difficulty in procuring justice in the courts?

Answer. None at all. I mean now. I ought to make some reservation. I say none at all. We have had no judges competent to manage the cases; but, so far as the authorities of the law are concerned, there have been no obstructions until we get cases into court. We have cases in our court that have been here more than ten years, and could not get them disposed of for want of a judge.

Question. There were no courts held during the war at all, were there?

Answer. They did not do much business; there were no cases for debt upon contract during the war, but all other matters went on as formerly.

Question. Is there any other class of cases except those for injury inflicted upon men by parties in disguise, and where they could not be identified, for which there has not been adequate remedy in the courts?

Answer. I think none other.

Ex-Governor Parsons, of Alabama, says, (page 98):

Question. Is it your opinion that in any of these Southern States, with, perhaps, the exception of South Carolina, this organization, if it exists at all, as a general proposition, is so strong that the State courts and the State authorities cannot control it without the aid of the military power of the Federal Government?

Answer. I cannot speak with regard to South Carolina, or any other State, so well as of my own. My opinion is that in the heavy negro counties, as we call them in our

State, there is a state of public opinion which completely overrides the law, which refuses to enforce it with respect to a certain class of offenders and a certain description of offenses.

Question. How many counties of that kind are there in Alabama?

Answer. In my opinion, a great many of these negro counties. I say so because I have no information of all the murders that have been perpetrated, but they are numerous, and I have never known an instance in which a man has been convicted of killing a negro.

Governor Lindsey says, (page 161 :)

Question. You think, then, that in the courts of the State of Alabama the civil rights of all persons, without regard to race or color, can be adequately protected and secure?

Answer. I do, sir.

Question. You think that in all cases of prosecution for crime justice can be administered against all offenders?

Answer. I have no hesitancy in saying that the juries of that State will render verdicts according to the law and the evidence with as much honesty and fidelity to-day as they would have done at any time in the history of the State. And I may add here that in my section of the State the colored man has been especially the recipient of care and watchfulness on the part of the circuit judges in that country.

General Clanton, of the same State, says, (page 244 :)

Question. You think, then, on a general view of the whole condition of Alabama, that, so far as the enforcement of law and order is concerned, it is on the average as good as that of any other State?

Answer. Yes, sir; as good as any other State.

Hon. Luther R. Smith, judge of the seventh judicial circuit in Alabama, testifies, (page 108 :)

Question. In the administration of justice, then, is there practically any obstacle in any cases other than those of offenses committed by armed bands of disguised men?

Answer. I think not.

Question. Have they been, or can they be, brought to justice?

Answer. They have not been; I doubt very much whether they can be now, although I can say that, in the county of Pickens, when I last held court, there had been a very marked improvement in the sentiment of the community in reference to the enforcement of law and order.

Question. To what do you attribute that improvement?

Answer. To the fact that men in disguise have gone outside of the political scope of offenses—have gone to parties who had affiliated with themselves in politics, and have endeavored, for mercenary motives, to drive them out of the country.

From the testimony of M. H. Whitaker, a practicing lawyer at Meridian, Mississippi, we quote, (page 107 :)

Question. Then go back to the first general question, and state in regard to the execution of the laws, and the security of life, person, and property in your State.

Answer. I think that, as a general thing, the laws are executed, as I said before, about as well as they were previous to the present state of affairs down there, at least so far as I have observed. Before the war I was rather young, and did not participate in these things much; I was not practicing law before the war. But so far as my observation has gone, I think the laws of the State of Mississippi are now enforced as well as they have heretofore been, in the section of the country in which I live. There were isolated cases heretofore, which were never reached, because of the inability of witnesses to identify the parties who violated the law. It is impossible in some cases to identify the parties who commit these outrages.

Joshua S. Morris, attorney general of Mississippi, says, (page 311 :)

Question. Have there not been some proceedings in the United States courts of your State against the Ku-Klux?

Answer. Yes, sir; and I think they have had a salutary effect.

Question. Have the State courts failed to check the operations of this Ku-Klux organization?

Answer. I think they have—not because of any want of disposition to do it, but because of the impracticable character of the attempt.

The evidence of Ambrose R. Wright, a lawyer and editor of Augusta, Georgia, is, (page 264 :)

Question. We are endeavoring to ascertain how far outrages are being committed in the State of Georgia; what is the general condition of your people as a law-abiding

people or otherwise; how far life and property are secure; and if, from any cause, they are not secure, what is that cause. State the general condition of the people in your country in regard to law and order, as fully as you can, without being particularly interrogated.

Answer. Well, sir, the condition of affairs in Georgia is good. The laws, so far as I know, and my information is very general, are enforced by the courts; there is less crime there now, and there has been less for the last twelve or eighteen months, perhaps, than for any other time within the last ten or fifteen years.

C. D. Forsyth, solicitor of the Rome judicial circuit, Georgia, answers thus, having stated that three men had been convicted of robbery, when in disguise, in Chatanooga County, (pages 23, 24 :)

Question. Do you know whether, as a general rule, so far as you have any information upon the subject, the offences committed by these armed bodies of men in other places have been prosecuted and punished?

Answer. I have not heard of any case of conviction. I suppose that those I have myself convicted are all that have been convicted in the State.

Question. Do you think that in that community there is in any indisposition to testify through fear—to give information against these bands on account of the fear produced by them?

Answer. I think that has been the case to a very considerable extent, and it is yet to some extent. But in my circuit I am satisfied now that I have the co-operation of most of the officers of the court. I have labored to that end, and I think I have succeeded.

Question. Do you have the co-operation of the community?

Answer. Well, sir, they are divided.

Question. How divided?

Answer. There is a portion of the people who are very anxious to see the Klan broken up, and to see these parties punished, while there are some, of course, that will justify it.

Question. Palliate it or excuse it?

Answer. Yes, sir.

While there is this general concurrence of evidence as to the efficiency of the administration of justice by the superior courts, there are complaints that in some instances incompetent judges have been appointed; numerous complaints of the incapacity of many of the inferior magistrates; and in several of the States the governors are charged with an abuse of the pardoning power, especially in favor of the negroes; all of which, assigned as causes for disorder, will be noticed when we come to consider those causes. The inquiry into the present condition of the late insurrectionary States necessarily involved the history of the successive steps which have led to that condition as affected by the bands already referred to; and before proceeding to consider their present situation, we trace, so far as we are able to do so from the testimony and from official reports, the origin, extent, purposes, and mode of operation of this heretofore secret and mysterious organization, and the causes assigned for its existence and earlier actions.

There are expressions of belief by United States military officers and others that secret organizations were formed in the insurrectionary States soon after the close of the war, hostile to, and intended to embarrass the Government of the United States and of the States in the proper administration of the affairs of the country. Among these were the statements made by Major General Thomas before the reconstruction committee, in February, 1866, and by General Meade, in his official report for 1868 as commander of the Department of the South. General Thomas testified as follows:

Question. Do you know anything from information or report of secret organizations in the South said to be hostile to the Government of the United States?

Answer. I have received several communications to that effect; but the persons who have given me this information have desired that their names should not be mentioned, and as yet no direct accusations have been made in regard to any one person or any class of persons. There have been steps taken to ascertain the truth of the matter. The persons communicating with me are reliable and truthful, and I believe their

statements are correct in the main. But how far this disaffection extends, I am not as yet able to say. It does exist to a certain extent, and I am taking measures to obtain as much information on the subject as I can.

Question. To what States does this information relate?

Answer. It relates to all the States lately in rebellion.

General Meade says, (Report of Secretary of War, 1868-'69, vol. 1, p. 81 :)

Soon after taking command of the Department, I received communications from the governors of North and South Carolina, urging the use of the troops in sustaining the civil government in those States, and notifying me of their possessing satisfactory evidence of armed bodies being organized for the purpose of overthrowing the Government. I had previously received similar communications from the governors of Georgia, Florida, and Alabama.

Neither of these statements refers by name to the Ku-Klux Klan, but they cover the period during which it made its appearance. Its gradual development may be traced by bearing in mind these facts, and taking up the evidence of General N. B. Forrest, given before this committee. As he fixes the earliest date for the existence of the Ku-Klux, assigns several motives for their organization, and possessed their confidence so far as to know their signs and passwords, and to be able, as he alleges, to disband them in 1868, we proceed to consider and compare his various statements. His name having, as he states, been frequently used by the public as the organizer or controller of this order, it is due to him that his own words, as far as possible, be used in giving his account of his relations to it, and we urge the reader desirous of forming a correct judgment, to a careful perusal of his whole testimony.

After referring to an interview with General Forrest, published in the Cincinnati Commercial of September, 1868, and his subsequent correction by letter of statements made in it, the examination proceeds, (pages 6 and 7 :)

Question. Well, with your assent, I will put the whole of this account of the interview and your letter of correction, into the testimony.* I will now ask if at that time you had any actual knowledge of the existence of any such order as the Ku-Klux?

Answer. I had, from information from others.

Question. Will you state who they were who gave you that information?

Answer. One or two of the parties are dead now.

Question. Who were they?

Answer. One of them was a gentleman by the name of Saunders.

Question. Did he reside in Tennessee?

Answer. No, sir; he resided in Mississippi, then. He afterward died by poison, at Asheville, North Carolina.

Question. Did any other person give you that information?

Answer. Yes, sir; I heard others say so, but I do not recollect the names of them now. I say to you, frankly, that I think the organization did exist in 1866 and 1867.

Question. In what portions of the country?

Answer. I do not think it existed anywhere except in Middle Tennessee. There may have been some in a small portion of West Tennessee; but if there was any, it was very scattering.

Question. Under what name is it your belief it existed at that time?

Answer. Some called them Pale Faces, some called them Ku-Klux. I believe they were under two names.

Question. Had they an officer known as a commander?

Answer. I presume they did.

Question. Was their organization military in its character?

Answer. No, sir; I think not.

Question. Were they subject to command and drill in any military form?

Answer. They were like the Loyal Leagues, and met occasionally and dispersed again. The Loyal Leagues existed about that time, and I think this was a sort of offshoot gotten up against the Loyal Leagues. It was in Tennessee at the time; I do not think it was general.

Question. Had it a political purpose then?

Answer. I think it had not then; it had no political purpose.

* It will be found on page 32 of Miscellaneous Testimony.

Question. You say it was organized like the Loyal Leagues, or in opposition to them ?

Answer. I think it was in opposition.

Question. Was the purpose of the Loyal Leagues political ?

Answer. I do not presume it was ; I do not know what it was.

Question. What did you understand to be the purpose of the two organizations ?

Answer. I can tell you what I think the purpose of the organization that you first spoke of was ; I think it was for self-protection.

Question. You mean now what is called Ku-Klux ?

Answer. Yes, sir ; I think that organization arose about the time the militia were called out, and Governor Brownlow issued his proclamation stating that the troops would not be injured for what they should do to rebels ; such a proclamation was issued. There was a great deal of insecurity felt by the southern people. There were a great many northern men coming down there, forming Leagues all over the country. The negroes were holding night meetings ; were going about ; were becoming very insolent ; and the southern people all over the State were very much alarmed. I think many of the organizations did not have any name ; parties organized themselves so as to be ready in case they were attacked. Ladies were ravished by some of these negroes, who were tried and put in the penitentiary, but were turned out in a few days afterward. There was a great deal of insecurity in the country, and I think this organization was got up to protect the weak, with no political intention at all.

Question. Do I understand you to say that the Loyal League organization in Tennessee countenanced or promoted crimes of the kind which you have mentioned ?

Answer. I do not know that they promoted them ; but those crimes were not punished ; there was very little law then.

Question. Was this before the organization of the State government, or did it continue afterward ?

Answer. Well, it continued so for a year afterward.

Question. How long, according to your information, did this Ku-Klux organization exist ?

Answer. I think it was disorganized in the early part of 1868.

Question. Did it continue until after the presidential election ?

Answer. No, sir ; I think it was in the latter part of 1867, or the early part of 1868 ; I do not know the exact date.

Question. Where can we get the information as to the manner of its dissolution and the time of it ?

Answer. I do not know where you can get it. I never got any positive information, except that it was generally understood that the organization was broken up.

Question. Who were understood to belong to it ?

Answer. Men of the Southern States, citizens.

Question. Did they speak to you without hesitation of the organization, as if it required no concealment ?

Answer. No, sir ; they did not.

Question. Did they deny or admit its existence ?

Answer. They did not do either ; they did not deny it or admit it. It was understood though, among the southern people, that this organization had disbanded about the time of the nomination of candidates for President of the United States.

Question. When they proceeded to carry out the objects of the organization, did they do it in numbers, by riding in bands ?

Answer. I do not know ; I never saw the organization together in my life ; never saw them out in any numbers, or anything of the kind.

Question. Did you get the same information in regard to that as you did in regard to its origin and its disbanding ?

Answer. Yes, sir ; I understood that they patrolled communities—rode over neighborhoods.

Question. Did they go in disguise ?

Answer. I suppose some of them did.

Question. Was that the general understanding ?

Answer. That was the rumor.

Question. Did they proceed to the extent of whipping or killing men ?

Answer. I heard of men being killed, but I did not know who did it.

Question. Was it done by these persons in disguise ?

Answer. Well, yes, sir ; there were men killed in Tennessee and in Mississippi by bands in disguise. There were men found down there disguised, white men and negroes both.

The time of the organization is thus fixed in 1866, and by reference to the proclamation of Governor Brownlow. Its existence continued, according to this statement, only until the early part of 1868. His attention, however, being called to this subject again, he speaks of

having gotten the sign of the order early in 1867, and proceeds as follows, (page 12:)

Question. How did you get to know the signs?

Answer. It was given to me by one who, I suppose, was one of the members.

Question. Did he understand you to be one?

Answer. No, sir, not at that time.

Question. How came he to give it to you?

Answer. I asked him to give it to me in order that I might try and check the thing; I was trying to keep it down as much as possible.

Question. Who was he?

Answer. This man Saunders, who, I told you, died at Asheville, North Carolina; he was poisoned by his wife there.

Question. When was it?

Answer. In 1867; the early part of 1867.

Question. Were you trying to suppress the organization, or the outrages you speak of?

Answer. I was trying to suppress the outrages.

Question. Outrages committed by colored men?

Answer. By all people; my object was to keep peace.

Question. Did you want to suppress that organization?

Answer. Yes, sir; I did suppress it.

Question. How?

Answer. Had it broken up and disbanded.

Question. What influence did you exert in disbanding it?

Answer. I talked with different people that I believed were connected with it, and urged its disbandment, that it should be broken up.

And upon being again questioned as to time of disbanding it, he changed the date as follows:

By Mr. STEVENSON:

Question. When was it dispersed?

Answer. In the early part of 1868.

Question. Do you mean in the spring of 1868?

Answer. Yes, sir; well, it might have been in the early part of the summer months; I cannot say; I do not know now.

By Mr. BECK:

Question. This communication in the Cincinnati Commercial bears date of the 1st of September, 1868. Were you speaking of the then existing state of things, or a previously existing state of things?

Answer. The letter I wrote was in answer to the letter this man had written.

Question. That was in September?

Answer. Yes, sir.

Question. And you think that at that time the organization had been disbanded?

Answer. Well, it must have been later than that; it must have been in the latter part of 1868, I reckon, that it was disbanded.

Question. Later than you first thought?

Answer. Yes, sir; I think it must have been in the latter part of 1868.

Question. The date of this communication would indicate that it was later than you first said?

Answer. Yes, sir.

In the interview referred to, the reporter represented General Forrest as having said of the Ku-Klux:

Well, sir; there is such an organization not only in Tennessee, but all over the South, and its numbers have not been exaggerated.

Question. What are its numbers, General?

Answer. In Tennessee there are over 40,000; in all the Southern States about 550,000 men.

In his letter written on the 3d of September, 1867, to correct the portions of the interview to which he objected, he said:

I said it was reported, and I believed the report, that there are 40,000 Ku-Klux in Tennessee, and I believe the organization stronger in other States.

His attention being directed to this correction, the following ensued, (page 5:)

Is that the correction which you made of the statement that I read to you in regard to your saying that there were 40,000 Ku-Klux in Tennessee?

Answer. I made that statement. I believed so then, for it was currently reported that there were that number of men.

On the same page again, he says :

I told him that I believed there was an organization in Tennessee, and that it had been reported 40,000 strong. I told him that ; I said that.

On page 4 he had stated :

So far as numbers were concerned, I made no statement.

The subject being again recurred to, (page 26,) results thus :

By Mr. STEVENSON :

Question. Now, to go back to this talk with Mr. Woodward ; did you not tell him that you believed there were forty thousand Ku-Klux in Tennessee ?

Answer. I did not, most emphatically ; I told him no such thing, because I did not know how many there were.

Question. Did you not tell him that it was reported and that you believed there were forty thousand of them in Tennessee ?

Answer. I told him it was reported so.

Question. And did you not tell him that you believed so ?

Answer. No, sir.

Question. Did you not believe it ?

Answer. I did not, for I had no more idea than you had how many there were there.

Question. Did you tell him that it was reported that there were forty thousand in Tennessee, and you believed it, and that they were stronger in other Southern States ?

Answer. I did not. I told him it was reported—I may probably have said that to him—that there were forty thousand in Tennessee. It was reported so, and your papers stated it.

Recalling the words used by the witness, (page 6,) "Some call them Pale Faces, some call them Ku-Klux ; I believe they were under two names," we place here for consideration, in connection with that statement, the following, from his testimony on pages 22 and 23—an admission that he was a member of the Pale Faces :

Question. Did you not hear of it in Louisiana ?

Answer. No, sir.

Question. Did you hear of the Knights of the White Camelia there ?

Answer. Yes ; they were reported to be there.

Question. Were you ever a member of that order ?

Answer. I was.

Question. You were a member of the Knights of the White Camelia ?

Answer. No, sir ; I never was a member of the Knights of the White Camelia.

Question. What order was it that you were a member of ?

Answer. An order they called the Pale Faces—a different order from that.

Question. Where was that organized ?

Answer. I do not know.

Question. Where did you join it ?

Answer. In Memphis.

Question. When ?

Answer. It was in 1867 ; but that was a different order from this.

Question. What was that ?

Answer. Something like Odd Fellowship, Masonry—orders of that sort—for the purpose of protecting the weak and defenseless, &c.

Question. Something on the same principles that the Ku-Klux afterward had ?

Answer. Something similar to that, only it was a different order, for the purpose of preventing crime, and for the purpose of protecting each other in case of sickness, or anything—preventing disorder.

Question. By whom ?

Answer. By anybody.

Question. From whom did you apprehend disorder ?

Answer. We apprehended disorder at that time from nearly everybody. There was a great deal of disorder from all political parties.

Question. Particularly from what class ?

Answer. From both classes. There was the greatest bitterness there betwixt the soldiers of the two armies—not particularly so in my neighborhood, but in East Tennessee and in portions of Middle Tennessee. About Memphis we had no trouble at all ; we never had any trouble at Memphis.

Question. You had this order there ?

Answer. It existed there.

Question. Did it extend over Tennessee ?

Answer. I do not know whether it did or not.

Question. Had that order any constitution ?

Answer. I never saw any, if it had one.

The correspondent who published the interview in the Cincinnati Commercial had represented General Forrest as saying of the Ku-Klux :

It is a protective, political, military organization. I am willing to show any man the constitution of the society. The members are sworn to recognize the Government of the United States. It does not say anything at all about the government of the State of Tennessee. Its objects originally were protection against Loyal Leagues and the Grand Army of the Republic ; but after it became general, it was found that political matters and interests could best be promoted within it, and it was then made a political organization, giving its support, of course, to the democratic party.

Upon the subject of a constitution of the order, he testified as follows:

Question. Had you ever a constitution of the order ?

Answer. I saw one ; yes, sir.

Question. Where was that ?

Answer. That was in Mem.phis.

Question. Who had it ?

Answer. Well, it was sent to me in a letter.

Question. Have you that constitution yet ?

Answer. No, sir.

Question. What has become of it ?

Answer. Well, I burned up the one I had.

Question. Who sent it to you ?

Answer. That I cannot tell.

Question. Did it come anonymously ?

Answer. Yes, sir ; it came to me anonymously.

Question. What was the purport of it ?

Answer. The purport of that constitution, as far as I recollect it now, was that the organization was formed for self-protection. The first obligation they took, if I recollect it aright, was to abide by and obey the laws of the country ; to protect the weak ; to protect the women and children ; obligating themselves to stand by each other in case of insurrection or anything of that sort. I think that was about the substance of the obligation.

Question. Was it a secret organization ?

Answer. I presume it was.

Question. Did it so purport to be in the constitution ?

Answer. Yes, sir ; I think so.

Question. The constitution required secrecy ?

Answer. I think it required secrecy.

Question. Did it require the members of the society to obey the orders of all superior officers ?

Answer. Yes, sir ; I think so.

Question. Under what penalty ?

Answer. I do not think there was any penalty attached ; I do not recollect now.

Question. Did it refer to a ritual, or a mode of initiation ?

Answer. I think it did.

Question. What was the name of the organization given in that constitution ?

Answer. Ku-Klux.

Question. It was called Ku-Klux ?

Answer. No, sir ; it was not called Ku-Klux. I do not think there was any name given to it.

Question. No name given to it ?

Answer. No, sir ; I do not think there was. As well as I recollect, there were three stars in place of a name. I do not think there was any name given to it.

Question. That is, when it came to the name there was a blank, and stars in the blank ?

Answer. Yes, sir.

Question. Signifying that the name was to be kept secret ?

Answer. You are to place your own construction on that.

Question. That is the way it stood—the name of the organization left blank, and stars in its place—that is the way it stood in the constitution ?

Answer. Yes, sir.

Question. Have you any idea how that came to be sent to you ?

Answer. No, sir; I do not know how it came to be sent to me.

Question. From what point was it sent?

Answer. It was mailed from some place in Tennessee; I do not recollect now what point it was mailed from. I was getting at that time from fifty to one hundred letters a day, and had a private secretary writing all the time. I was receiving letters from all the Southern States; men complaining, being dissatisfied, persons whose friends had been killed, or their families insulted, and they were writing to me to know what they ought to do.

Question. Was there any request of any character to you in connection with this constitution?

Answer. No, sir.

Question. There was no written communication along with it?

Answer. No, sir.

Question. Nothing to signify from whom it came?

Answer. No, sir.

Question. Was there anything to show where it was printed?

Answer. No, sir.

Question. No printer's name on it?

Answer. No, sir.

Question. No place at which it was printed?

Answer. No; there was nothing indicating where it was printed; there was nothing to indicate that; I am certain there was not.

Question. It was the constitution of a secret society, organized where?

Answer. Well, it did not say.

Question. Do you believe that constitution was the basis of the organization which you say existed in Tennessee?

Answer. I think it was.

Question. Did it require an organization in each county?

Answer. Well, I cannot say whether it did or not; I do not know whether they had an organization in each county or not.

Question. Did the constitution require it?

Answer. I think not.

Question. Was there a mode of getting up subordinate and superior organizations?

Answer. Well, I presume there was; I do not recollect now. Well, if I had thought this thing would have come up in that shape, I would have tried to have gotten hold of one of these prescripts, as they were called, to give to you.

Here we ask the reader to note three points in this testimony: first, the mysterious manner in which the constitution reached General Forrest; second, the fact that at the time he was receiving from fifty to one hundred letters per day from all the Southern States, from people he did not know, asking him how they were to get redress for alleged injuries; third, that, although the word constitution had been used throughout his examination, he says, finally, when details are asked for, that it was called a *prescript*.

This was before any reference had been made to a "prescript" by any one else in the committee; his change of phrase occurring in page 10 of his examination, and the "prescript," which we now proceed to examine, being introduced on page 28. He said then he did not believe it was the same as the one he received—something different, but gotten up on the same general plan. An examination of that whole document is invited, and the probability that the "empire" corresponds with a national organization, the "realm" with a State, the "dominion" with a district, the "province" with a county, and the "den" with the lowest organization of the order, will strike any one who studies its operations. It contains internal evidence that the organization existed before May, 1867, was expected to continue three years from that date, and then be again renewed. [Art. V.]

This "prescript" was produced in the contested election case of Sheefe against Tilman, and is testified as having been obtained in Tennessee from a rebel soldier. (Mis. Doc. Ho. Rep., No. 53, 41st Cong., 2d sess., pp. 264, 266.)

With this account of it, we desire to place some of its provisions in contrast with portions of General Forrest's testimony, leaving the inter-

ence to be drawn whether the provisions of the one have any influence upon the other. Recurring to his account of how he obtained the "prescript," we are struck with the following provision in defining the powers of the highest officer in the order :

PRESCRIPT.

He shall have the sole power to issue copies of this prescript through his subalterns and deputies, for the organization and establishment of subordinate *s.— Art. iv.

ARTICLE VIII. No one shall be a member of this * unless he shall take the following oath or obligation :

I, _____, of my own free will and accord, and in the presence of Almighty God, do solemnly swear (or affirm) that I will never reveal to any one not a member of the **, by any intimation, sign, symbol, word, or act, or in any other manner whatever, any of the secrets, signs, grips, passwords, mysteries, or purposes of the **, or that I am a member of the same, or that I know of any one who is a member, and that I will abide by the prescript and edicts of the **. So help me God.

FORREST, (page 10:)

Question. Did you act upon that prescript ?

Answer. No, sir.

Question. Did you take any steps for organizing under it ?

Answer. I do not think I am compelled to answer any question that would implicate me in anything ; I believe the law does not require that I should do anything of the sort.

Question. Do you place your declination to answer upon that ground ?

Answer. I do not.

(Page 11:)

Question. Were there any organizations of this order, whatever it may be, in your neighborhood after that time ?

Answer. I presume there were before.

Question. Were there any afterward ?

Answer. I think there were.

Question. Do you know any of the members of them ?

Answer. No, sir, not now, I do not recollect the members of them.

Question. Did you know at that time who were the members ?

Answer. I do not remember.

Question. Can you now tell us who were the members, or any single member, of that organization ?

Answer. [After a pause.] Well, that is a question I do not want to answer now.

Question. You decline to answer ?

Answer. I would prefer to have a little time, if you will permit me.

By Mr. STEVENSON :

Question. What is your reason for wanting time ?

Answer. I want to study up and find out who they were, if I have got to answer the question ; that is the reason.

By the CHAIRMAN :

Question. What length of time will you probably require ?

Answer. Well, sir, I do not know that I could say now, as I am in the midst of this examination. I would like you to pass that over for the present, and let me have some time to think over it.

On page 29 the request is renewed thus :

By the CHAIRMAN :

Question. You desired time to consider whether you would give us the names of those persons whose names were asked of you.

Answer. I cannot give you the names of those people ; I do not recollect them.

Question. You gave the name of one man who was dead ; another who was also dead you did not give the name of ?

Answer. Two of these men have gone out of the country ; they are not in the country now.

Question. Who are they ?

Answer. One was named Jones.

Question. What was his first name ?

Answer. He has gone to Brazil, and has been there for two or three years.

Question. What was the name of the other?

Answer. I am trying to think who he was; I cannot call his name to mind now.

Question. Are those all the names you wish to give or can give?

Answer. I might give you more names if I had time to think about the thing. Of course I have not had time to think this thing over since we spoke about it a while ago, for I have been interrogated all the time busily.

Mr. STEVENSON. I should like to have it understood that this witness will give us these names as soon as he can remember them. If he cannot remember them in time to appear before the committee and give them, then that he will send in writing to the chairman a list of such names as he may hereafter remember.

The CHAIRMAN. That will be very desirable.

The names have not been furnished. The question is suggested, Has the clause in the oath requiring the concealment of who are members any influence in thus consigning to oblivion all his associates except the dead, and — Jones in Brazil?

PRESCRIPT.

ART. XII. The origin, designs, mysteries, and ritual of this * shall never be written, but the same shall be communicated orally.

III. Any member may be expelled from the * by a majority vote of the officers and Ghouls of the den to which he belongs; and if after expulsion such members shall assume any of the duties, regalia, or insignia of the *, or in any way claim to be a member of the same, he shall be severely punished. His obligation of secrecy shall be as binding upon him after expulsion as before, and for any revelation made by him thereafter he shall be held accountable in the same manner as if he were then a member.

VIII. Any member who shall reveal or betray the secrets or purposes of this * shall suffer the extreme penalty of the law.

FORREST, (page 11.)

Question. Do you remember whether there were any signs or pass-words referred to in the prescript?

Answer. I think there were.

Question. Were they given in it, or did the prescript refer to a ritual or mode of initiation for the signs?

Answer. I think the prescript referred to a ritual.

Question. Do you know what any of those signs and pass-words were?

Answer. I did know, but I have not thought of it in two years, and I do not know that I could give one of them.

Question. If you can give one now, do so.

Answer. I do not believe I could. You will have to let that pass over a little while, if it is necessary to answer it, for it is a matter that has gone out of my knowledge for eighteen months or two years; I have not thought of it in that time.

Question. Your impression is that the pass-words and signs were not given in the prescript, but were referred to in the ritual or mode of initiation?

Answer. I am not able to answer that question; I do not know whether they were or not.

Question. Have you ever seen those signs used among any of the men in Alabama or Mississippi?

Answer. I never have; I have never seen the organization together.

Question. Or in Tennessee?

Answer. I have never seen the organization together in numbers.

Question. Well, without seeing it together, have you ever seen those signs used for the purpose of recognition between individuals?

Answer. Yes, sir; I think I have.

Question. You recognized the signs?

Answer. Well, yes, I understood it.

Question. Understanding it, then, do you still wish time to consider whether you could give them or not?

Answer. I cannot give you one of them correctly now to save my life; I have no idea I could. It was a matter I knew very little about; I had very little to do with it. All my efforts were addressed to stop it, disband it, and prevent it.

When it is considered that the origin, designs, mysteries, and ritual of the order are made secrets; that the assumption of its regalia or the revelation of any of its secrets, even by an expelled member, or of its *purposes* by a member, will be visited by "the extreme penalty of the law," the difficulty of procuring testimony upon this point may be appreciated, and the denials of the purposes, of membership in, and even of the existence of the order, should all be considered in the light of these provisions. This contrast might be pursued further, but our design is not to connect General Forrest with this order, (the reader may form his own conclusion upon this question,) but to trace its development, and from its acts and consequences gather the designs which are locked up under such penalties. This particular organization, it may also be stated, reveals that it was to operate as the Ku-Klux do—by night.

PRESCRIPT.

SEC. 12. It shall be the duty of the Grand Ensign to take charge of the grand banner of the " " , to preserve it sacredly, and protect it carefully, and to bear it on all occasions of parade or ceremony, and on such other occasions as the Grand Cyclops may direct it to be flung to the *night-breeze*.

APPELLATION.

ARTICLE I. This organization shall be styled and denominated the " " .

FORREST.

Question. What was the name of the organization given in that constitution?

Answer. The Ku-Klux.

Question. It was called Ku-Klux?

Answer. No, sir; it was not called Ku-Klux. I do not think there was any name given to it.

Question. No name given to it?

Answer. No, sir; I do not think there was. As well as I recollect, there were three stars in the place of a name. I do not think there was any name given to it.

Question. That is, when it came to the name there was a blank, and stars in the blank?

Answer. Yes, sir.

Question. Signifying that the name was to be kept a secret?

Answer. You are to place your own construction on that.

Question. That is the way it stood—the name of the organization left blank, and stars in its place—that is the way it stood in the constitution?

Answer. Yes, sir.

Frequent incidental reference is made by witnesses, some of them members of the Klan, to General Forrest as its reputed head.

As this organization is said to have continued until 1868, we insert here extracts from the evidence of two witnesses examined in South Carolina, both of whom distinctly swear they were members of the Ku-Klux organizations in that year. A point of corroboration that the organizations were the same in Tennessee and South Carolina exists, it will be observed, in that the "Grand Cyclops" is the name of the chief officer of a den corresponding both with the "prescript" already referred to, and with the disclosures made in Memphis in April, 1868, referred to hereafter in the statement of General Thomas. Before giving these extracts in further illustration of the character of the organization and its effects upon its members, it is proper to say that one of the witnesses, John W. Tomlinson, is a physician by profession, keeps a drug-store in Yorkville, South Carolina, and is in politics a democrat. The other, B. F. Briggs, was a manufacturer, is now a farmer and a member of the house of representatives of South Carolina, supported Seymour and Blair in 1868, and is now, to use his own description of himself, politically, "a national republican anti-radical," "not a southern radical." With this knowledge of their standing and the fact that they were sepa-

rately examined, the one not hearing what the other testified, the following extracts will be appreciated as exhibiting their consistency with themselves and with each other :

TOMLINSON, (page 1267.)

Question. Are you a member of any secret organization in this country, except the Masons, to which you referred ?

Answer. I suppose I did join the "Sons of Temperance," but the organization broke up. That is the only secret organization I ever was a member of.

Question. Are you a member of any other secret organization ?

Answer. No, sir ; I believe not ; only the Masons.

(Page 1270.)

Question. Have you no knowledge whatever of the existence, either in the persons or objects, of this organization, commonly known as Ku-Klux, let its real name be what it may ?

Answer. I joined an order called Ku-Klux ; I do not deny it ; I was initiated in that order in 1868. The thing died out, and it never was what it was. I went to Philadelphia immediately afterwards. I was in Philadelphia, and staid there, and never attended another meeting after I was initiated.

Question. Where were you initiated into the Ku-Klux ?

Answer. In this town.

Question. Who initiated you ?

Answer. So help me God, I could not tell the man.

Question. Do you mean you did not know the man ?

Answer. I did not know the man. It was when they first came around I was initiated. I never attended another meeting.

Question. Was he a resident of this town ?

Answer. I would not swear he was.

Question. Do you know ?

Answer. I do not know that he was.

Question. Do you know who he was ?

Answer. I do not know who he was. Here is the point : I took an obligation then, which, of course—. The thing played out ; it never did come—.

Question. We want to know what that obligation was ?

Answer. So help me God, I could not tell you ; I was sworn to secrecy.

Question. What was its purport ?

Answer. Its purport was, I know, opposition to the Union League and the republican party ; to break up all the meetings of the Union League, if possible. My chief is now a republican leader.

(Page 1271.)

Question. Your chief now is ?

Answer. I swore I would not tell who initiated me, but he is now a republican leader.

Question. Just a moment ago, you said

BRIGGS, (page 1455.)

After admitting his membership he declined to reveal by whom he had been initiated upon the ground of his obligation of secrecy, and that he was not bound to criminate himself, until the act of Congress was read to him.

(Page 1457.)

Question. Was Mr. Tomlimson one of them ?

Answer. Yes, sir.

Question. Did you initiate him ?

Answer. No, sir.

Question. Who did ?

Answer. I do not know.

Question. Were you present when he was initiated ?

Answer. I was not.

Question. You know he was a member ?

Answer. Yes, sir.

Question. How do you know ?

Answer. Because I saw him there.

Question. Where ?

Answer. I have seen him, I think, as well as I can recollect. I never was in more than three or four meetings in my life—perhaps four ; I do not think exceeding four—of the order.

Question. Was one of these meetings at which you were present the meeting at which he was initiated ?

Answer. No, sir.

Question. How often did you meet him in the meetings ?

Answer. I told you I never met him more than three or four times at the farthest.

Question. How often did you meet him—Tomlimson ?

Answer. I do not remember, I do not remember that I ever saw him more than once. If I did, I do not remember it.

(Page 1458.)

Question. Did you occupy any official position in it ?

Answer. I will tell you when I was first initiated, the very first night I was initiated, they tendered to me the cyclops position. I thought it very strange. I know there was a very thin audience, very few, and I rejected it, but they urged it on me and made me the cyclops, I think.

(Page 1459.)

Question. Were you sworn ?

Answer. Yes, sir.

Question. Did that oath require you to make opposition to the republican party at that time ?

Answer. I think not, sir. I do not think there was anything of the kind incorporated in that oath that I took.

you did not know, so help you God, who initiated you ?

Answer. I said I did not know who gave the oath.

By Mr. VAN TRUMP :

Question. He makes a distinction ?

Answer. I make the distinction between the man who initiated me and the man who administered the oath. The man who was my chief, and asked me to join, is a republican leader.

By the CHAIRMAN :

Question. You mean the man who was the chief of that Ku-Klux organization ?

Answer. Yes, sir ; he is now a republican.

Question. Who is he ?

Answer. I do not think I can tell that.

Question. But we require an answer.

Answer. I am sworn to secrecy.

Question. For the public interest we require an answer.

Answer. Shall I violate an oath ?

Question. That will be for you to determine. The act of Congress, which I will read to you, if necessary, does not relieve you from the duty of answering questions that may be necessary.

Answer. Shall I violate an oath ? The order are played out. I do not know what it is called—whether it was Ku-Klux. I did not attend another meeting and the thing played out.

Question. You say you do not know whether it was called Ku-Klux or not ?

Answer. He called it Ku-Klux, although in initiation I do not know what it was called. I could not swear.

Question. Who else was initiated with you ?

Answer. There is another point where I am sworn to secrecy. I will tell you this much—nobody was initiated.

Question. Who was initiated at the same time ?

Answer. Nobody on the same evening—no one was initiated with me.

Question. How many persons were present ?

Answer. I do not know, because the room was dark, and when I went I found it was a different organization from what I thought it was and I did not attend any more.

Question. You say you do not know how many persons were present ?

Answer. No, sir, I do not, because it was dark.

Question. Was there one man, or were there ten ?

Answer. I could not say, sir.

Question. What building in this town were you initiated in ?

Answer. It was not in a building.

Question. Where was it ?

Answer. In an old field here ; I will tell you now it was in a building—I told a lie there—it was not in an old field, but I do not want to tell now. It played out.

Question. So much the easier to let us know all about it.

Question. Have you any recollection of the terms of the oath ?

Answer. I have not. I do not remember even the oath.

Question. Your idea, then, was that this was an organization for self-protection ?

Answer. That was my understanding.

Question. What is your idea of the present Ku-Klux organization ?

Answer. I believe the present Ku-Klux organization, from what I can learn, is a political organization.

(Page 1461.)

Question. Had your organization any reference to the Union Leagues ?

Answer. No, sir ; I do not remember of Union Leagues having been spoken of ; as I told you, I never was at but few meetings in my life.

Question. As you understood the organization at that time, it was entirely for the protection of the members against anticipated violence by the negroes ?

Answer. It was for the protection of any person against an outlaw or anything of the kind, or any good citizen that might need protection.

(Page 1463.)

Question. Did Mr. Tomlinson join before you, or afterward ?

Answer. My impression is that he was a member when I joined.

Question. Are you sure that you did not persuade him to join ?

Answer. I am very certain of it.

Question. Did you not take him to be initiated ?

Answer. I am very certain about that, that I did not.

Question. You are clear about that ?

Answer. I am very clear about that.

Answer. But it is not in existence, and do not know whether my obligation is stopped or not. Ben Briggs is the man who initiated me—it was in his house.

Question. Who is Benjamin Briggs?

Answer. He is our member of the legislature.

Question. Were you blindfolded through the whole operation?

Answer. Yes, sir; there was no initiation about it except the oath.

Question. Repeat it.

Answer. The substance was this: You are sworn against the Union League; bound to secrecy; and swear that you will do all things in opposition to the Union League that you can to break it up; and also, never to vote for a man for any office that holds any position in the Union League. That was the substance of it.

Question. Had you no conversation with anybody else?

Answer. None whatever; because I took the train next morning.

Question. That one person did all the initiation?

Answer. Yes, sir; he administered the oath—that is all. I could not remember the sign. I could not tell you now.

The degree of reliance that can be placed upon the testimony of those who have been or are members of the order, when called upon to testify about it or its doings, may be gathered from these contrasts.

Before leaving this subject it is proper to add that William K. Owens, a member of the Ku-Klux in Yorkville in 1870 and 1871, swears (page 1364) that Tomlinson was at that time a member; that the leader of his (Owens's) Klan informed him that Tomlinson participated in two murders, and he (Owens) met Tomlinson and knew him as a participant in the raid upon the county treasury in March, 1871, the purpose of which was to capture and kill the county treasurer, (pages 1367-68.) Without citing further from the testimony, the foregoing is sufficient to establish that the organization existed from some time in 1866 until 1868. Its operations during that period, the number and character of its victims, its spread through all the insurrectionary States, its disguises, arms, mode of summoning and disciplining its members, we do not propose to follow in detail. The magnitude of the work prevents the attempt, as many thousands of pages of testimony scattered through the reports of contested election committees, legislative committees in the States, judicial examinations, reports of the Freedmen's Bureau, and department commanders, would have to be examined and condensed to ascertain even approximately the number of those who have been outraged, scourged, and murdered by this lawless organization.

We can but briefly refer to some of the sources of information covering that period before proceeding to speak of the testimony taken by the committee showing the present condition of those States.

TENNESSEE.—Complaint is made in 1867 of the operations of the Ku-Klux in Tennessee. (*See Appleton's Cyclopaedia, 1867, article, Tennessee.*)

A special session of the legislature of the State was called in 1868 to provide means of protection against this organization. A committee of the legislature which investigated the subject reported numerous instances of these lawless acts, and say in their report to the legislature,

which is incorporated in the report of the contested election case of Sheafe *against* Tillman, (pages 309-10,) as follows :

The murders and outrages which have been perpetrated in many counties of Middle and West Tennessee, during the past few months, have been so numerous, and of such an aggravated character, as almost baffles investigation. In these counties a reign of terror exists, which is so absolute in its nature that the best of citizens are unable or unwilling to give free expression to their opinions. The terror inspired by the secret organization known as the Ku-Klux Klan is so great, that the officers of the law are powerless to execute its provisions, to discharge their duties, or to bring the guilty perpetrators of these outrages to the punishment they deserve. Their stealthy movements are generally made under cover of night, and under masks and disguises, which render their identification difficult, if not impossible. To add to the secrecy which envelops their operations, is the fact that no information of their murderous acts can be obtained without the greatest difficulty and danger, in the localities where they are committed. No one dares to inform upon them, or take any measures to bring them to punishment; because no one can tell but that he may be the next victim of their hostility or animosity. The members of this organization, with their friends, aiders, and abettors, take especial pains to conceal all their operations. The moving principle by which they are actuated would appear to be hostility to the State and national authorities; and in the minds of these men, to have voted for "Brownlow," or the "republican ticket," or to be a "radical," is the greatest of crimes. Your committee believe that during the past six months, the murders, to say nothing of other outrages, would average *one a day*, or one for every twenty-four hours; that in the great majority of these cases they have been perpetrated by the Ku-Klux above referred to; and few, if any, have been brought to punishment. A number of the counties of this State are entirely at the mercy of this organization, and roving bands of nightly marauders bid defiance to the civil authorities, and threaten to drive out every man, white or black, who does not submit to their arbitrary dictation. To add to the general lawlessness of these communities, bad men of every description take advantage of the circumstances surrounding them, and perpetrate acts of violence, from personal or pecuniary motives under the plea of political necessity.

General Thomas, in his report dated October 1, 1868, (report of the Secretary of War for 1868-69, pages 144, 145,) says :

With the close of the last, and beginning of the new year, the State of Tennessee was disturbed by the strange operations of a mysterious organization known as the Ku-Klux Klan, which first made its appearance in Giles County. Within a few weeks it had spread over a great part of the State and created no little alarm. Accounts of it from many sources were received at these headquarters; the newspapers recognized its existence by publishing articles on the subject, either denunciatory or with an attempt to break its proceedings as harmless jokes, according to the political opinions of their editors.

I did not think it necessary to take any action on the information furnished until the month of March, when a member of the legislature of Tennessee sent me a written statement of the doings of this organization, saying it carried terror and dismay throughout the country; that the civil authorities were powerless and appeared terror-struck; that his own life was threatened, and asked if something could not be done by the general Government to protect the community; if not, there was danger of a bloody collision.

That portion of the press of the State whose greatest labors are to bring odium upon all who aided to save the Government from being destroyed by the late rebellion, hastened to deny the truth of the statements made to me, reflected with severity upon their authors, and to fortify their assertions procured and published the certificates of a few amiable persons of northern birth who were living in Nashville, under the protection of a well-organized police force, that the alarm was a false one. But this only caused to be added further evidence confirming the truth of the original statements. From this time forth, I was in receipt of stories of oppression and outrage committed by these midnight prowlers. It was evident that the old spirit of proscription was far from having died out; it had remained a latent fire ready to burst forth with violence upon the least occasion.

Just at this time also the Metropolitan Police of Memphis arrested the members of one of the dens at their meeting, seized some papers containing what purported to be the oaths and obligations of the members of the society, which being published caused considerable excitement, as by these papers one of the objects of the society appeared to be the assassination of all who interfered with their plans.

The publication of the oaths at the time here referred to (New York

Tribune, April 14, 1868) shows that the purposes of this society, whose officer is also a "Cyclops," correspond with the operations described as the acts of the Ku-Klux throughout the Southern States, assassination being avowed in it as one of the means of accomplishing its purposes.

As General Forrest assigned reasons for the state of things described by his testimony, it is proper also to give on that subject what General Thomas says, who speaks of the disorders in both Kentucky and Tennessee, (Report of Secretary of War, 1868-'69, vol. 1, page 151 :)

The controlling cause of the unsettled condition of affairs in the department is, that the greatest efforts made by the defeated insurgents since the close of the war have been to promulgate the idea that the cause of liberty, justice, humanity, equality, and all the calendar of the virtues of freedom, suffered violence and wrong when the effort for southern independence failed. This is, of course, intended as a species of political cant, whereby the crime of treason might be covered with a counterfeit varnish of patriotism; so that the precipitators of the rebellion might go down in history hand in hand with the defenders of the government, thus wiping out with their own hands their own stains; a species of self-forgiveness amazing in its effrontery, when it is considered that life and property—justly forfeited by the laws of the country, of war, and of nations, through the magnanimity of the Government and people—was not exacted from them.

Under this inspiration, the education of the great body of the people, moral, religious, and political, has been turned into channels wherein all might unite in common. The impoverishment of the South, resulting from war and its concomitants, the emancipation of slaves, and the consequent loss of substance, the ambiguity and uncertainty of political rights and financial values, as well as personal rivalries, have all combined to strengthen the efforts of pernicious teachers. The evil done has been great, and it is not discernible that an immediate improvement may be expected.

TEXAS.—General Reynolds, as commander of the fifth military district, says, (page 704, same report of the Secretary of War :)

Armed organizations, generally known as "Ku-Klux Klans," exist, independently or in concert with other armed bands, in many parts of Texas, but are most numerous, bold, and aggressive east of the Trinity River.

The precise objects of the organization cannot be readily explained, but seem, in this State, to be to disarm, rob, and, in many cases, murder Union men and negroes, and, as occasion may offer, murder United States officers and soldiers; also to intimidate every one who knows anything of the organization, but who will not join it.

What political end, if any, is aimed at by these bands I cannot say, but they attend in large bodies the political meetings (barbecues) which have been and are still being held in various parts of this State, under the auspices of the democratic clubs of the different counties.

The speakers encourage their attendance, and in several counties men have been indicated by name from the speaker's stand as those selected for murder. The men thus pointed out have no course left them but to leave their homes or be murdered on the first convenient opportunity.

The murder of negroes is so common as to render it impossible to keep accurate account of them.

General Howard reports, (see same document, page 1052 :)

Armed bands, styling themselves Ku-Klux, &c., have practiced barbarous cruelties upon the freedmen. Murders by the desperadoes, who have long disgraced this State, are of common occurrence. The civil authorities have been overawed, and, in many cases, even the bureau and military forces have been powerless to prevent the commission of these crimes.

General Reynolds says, (Report of Secretary of War, 1869-'70, vol. 1, p. 144 :)

For the suppression of bands of desperadoes which have infested almost every part of the State and the arrest of parties indicted for murder, it has been necessary to furnish military aid to the civil officers.

These parties have usually met with armed resistance, and in the encounters which ensued several persons have been killed. With very few exceptions, indictments for murder had been found against these persons, and in every case they invited their fate by refusing arrest and in resisting by force of arms the lawfully-constituted authorities of this State and of the United States.

KENTUCKY.—As early as June, 1868, Ku-Klux notices had appeared in Frankfort, Kentucky, (report of Secretary of War, 1869, p. 167, vol. 1;) they had committed murder at Crab Orchard, in that State, (*ibid.*, page 187;) and the outrages had become so numerous as to cause a great exodus of negroes into other States, (page 105, General Howard's report.)

VIRGINIA.—At page 1036:

The secret organizations known as the Ku-Klux Klan have made their appearance in various localities, visiting the houses of colored men at night, in some cases placing ropes around their necks and threatening to hang them on account of their political opinions.

NORTH CAROLINA.—The testimony reported by the Senate select committee shows that the organization appeared there in the latter part of 1867 or beginning of 1868.

SOUTH CAROLINA.—The testimony taken by the Election Committee of the House of Representatives in the contested-election cases of Hoge against Reed and of Wallace against Simpson, in the first and second sessions of the Forty-first Congress, abundantly establishes the existence and operations of the Ku-Klux in South Carolina in 1868. One witness, W. K. Tolbert, swears that members, upon joining the Klan, took an oath to do whatever their leader directed them to do, and that the leader of his band directed them to fire into meetings of the Union League and kill the presidents if they could, (Hoge against Reed, p. 34; Mis. Docs., Forty-first Congress, 1st session, Ho. of Reps.)

GEORGIA.—General Howard's report for 1868, (pages 1044-'45, report of Secretary of War:)

Numerous outrages have been perpetrated upon freed people in this State, some of them remarkable for atrocity.

In this State, also, freedmen have been discharged and driven from their homes for voting contrary to the wishes of their employers. White men have also been abused for the manner in which they have exercised the right of suffrage.

A complaint of outrages committed in Georgia was referred by the General of the Army in June, 1869, to the general of the Department of the South for thorough investigation and report. General Terry, in his report made August 14, 1869, says, (report of Secretary of War, 1869-'70, vol. 1, p. 89:)

In many parts of the State there is practically no government. The worst of crimes are committed, and no attempt is made to punish those who commit them. Murders have been and are frequent; the abuse in various ways of the blacks is too common to excite notice. There can be no doubt of the existence of numerous insurrectionary organizations known as "Ku-Klux Klans," who, shielded by their disguise, by the secrecy of their movements, and by the terror which they inspire, perpetrate crime with impunity. There is great reason to believe that in some cases local magistrates are in sympathy with the members of these organizations. In many places they are overawed by them and dare not attempt to punish them. To punish such offenders by civil proceedings would be a difficult task, even were magistrates in all cases disposed and had they the courage to do their duty, for the same influences which govern them equally affect juries and witnesses.

That very many of the crimes which have been committed have no political bearing, I believe; that some of them were prompted by political animosity, and that most of the numerous outrages upon freedmen result from hostility to the race induced by their enfranchisement, I think, cannot be controverted.

The testimony taken before the Reconstruction Committee of the House and a list of freedmen assaulted and murdered, reported by the Commissioner of Freedmen, show the extent of violence in that State during 1868. (Mis. Doc. No. 52, Fortieth Congress, third session.)

ALABAMA.—In the report of General Howard, contained in the report of the Secretary of War for 1868-'69, page 1047, he says:

Cases of violent outrage upon freed people have not been very frequently reported,

though the organization known as the "Ku-Klux Klan" have abused colored men in some sections of the State.

In the report of Secretary of War, 1869-'70, vol. 1, p. 88, General Terry says :

From Southern Alabama I learn of but little trouble. The middle and northern parts of the State, however, are in a very disturbed condition. In many localities life and property are very insecure. Crimes are frequent, and the civil authorities are utterly powerless to prevent or punish it, or are careless of their duty.

MISSISSIPPI.—Major General Gillem, in his report contained in the report of the Secretary of War for 1868-'69, page 525, says :

The great defect in the administration of justice is not in the courts; after offenders are once in custody, their trial and punishment usually follow. The difficulty lies in identifying and arresting criminals. In many instances crimes, either of murder or aggravated assault and battery, are committed at night by persons in disguise, who cannot be recognized by their victim or witnesses. In other instances, the criminals flee from the State.

ARKANSAS.—General Howard says, (report of Secretary of War for 1868-69, page 1054 :)

The administration of justice by the civil authorities has been far from effective. Lawless violence and ruffianism have prevailed to an alarming extent.

Three churches belonging to freedmen in Ouachita County were burned by parties unknown on the night of April 4, 1868. The assistant commissioner attributes this wanton act to the bitter feelings aroused by the part the freedmen had taken in the then recent election, and states that similar deeds are not uncommon. The Ku-Klux Klan serve their mysterious notices and make their midnight rounds in different parts of the State.

LOUISIANA.—General Howard says, (report of Secretary of War, 1868, page 1051 :)

In some sections the treatment of the colored people has been deplorable. Outrage and crimes of every description have been perpetrated upon them with impunity. In these sections the character of the local magistracy is not as high as could be desired, and many of them have connived at the escape of offenders, while some have even participated in the outrages. In other sections lawless ruffians have overawed the civil authorities, "vigilance committees" and "Ku-Klux Klans," disguised by night, have burned the dwellings and shed the blood of unoffending freedmen. In many cases of brutal murder brought before the civil authorities, verdicts of justifiable homicide in self-defense have been rendered.

The extent to which outrage and crime were committed, the motives of them, and the means by which they were accomplished, through democratic clubs, Ku-Klux Klans, and Knights of the White Camelia—different names for organizations shown to have worked for a common purpose—may be learned from the testimony (over 1,400 pages) taken by the sub-committee of the House Committee on Elections in Louisiana contested-election cases of 1868.

Taking these statements from official sources, showing the prevalence of this organization in every one of the late insurrectionary States and in Kentucky, it is difficult now, with the light that has recently been thrown upon its history, to realize that even its existence has been for so long a mooted question in the public mind. Especially is this remarkable in view of the effects that are disclosed by some of this documentary evidence to have been produced by it. That it was used as a means of intimidating and murdering negro voters during the presidential election of 1868, the testimony in the Louisiana and other contested-election cases already referred to clearly establishes.

Taking the results in Louisiana alone as an instance, the purpose of the organization at that time, whatever it may have been at its origin, could hardly be doubted.

A member of the committee which took that testimony thus sums it up :

The testimony shows that over 2,000 persons were killed, wounded, and otherwise

injured in that State within a few weeks prior to the presidential election; that half the State was overrun by violence; midnight raids, secret murders, and open riot kept the people in constant terror until the republicans surrendered all claims, and then the election was carried by the democracy. The parish of Orleans contained 29,910 voters, 15,020 black. In the spring of 1868 that parish gave 13,973 republican votes. In the fall of 1868 it gave Grant 1,178, a falling off of 12,795 votes. Riots prevailed for weeks, sweeping the city of New Orleans, and filling it with scenes of blood, and Ku-Klux notices were scattered through the city warning the colored men not to vote. In Caddo there were 2,987 republicans. In the spring of 1868 they carried the parish. In the fall they gave Grant one vote. Here also there were bloody riots.

But the most remarkable case is that of St. Landry, a planting parish on the river Teche. Here the republicans had a registered majority of 1,071 votes. In the spring of 1868 they carried the parish by 678. In the fall they gave Grant no vote, not one; while the democrats cast 4,787, the full vote of the parish, for Seymour and Blair.

Here occurred one of the bloodiest riots on record, in which the Ku-Klux killed and wounded over two hundred republicans, hunting and chasing them for two days and nights through fields and swamps. Thirteen captives were taken from the jail and shot. A pile of twenty-five dead bodies was found half buried in the woods. Having conquered the republicans, killed and driven off the white leaders, the Ku-Klux captured the masses, marked them with badges of red flannel, enrolled them in clubs, led them to the polls, made them vote the democratic ticket, and then gave them certificates of the fact.

Having thus spoken of the origin and existence of this order, tracing it from 1866 until after the presidential election in 1868, we now consider it as disclosed by testimony relating principally to its acts after that time.

General Forrest says that it was understood to have extended into North Alabama, Mississippi, and North Carolina. To what extent he claims to have disbanded it in 1868 he does not clearly state; we understand him as referring more especially to Tennessee.

But whatever may have been the organization which he supposes he disbanded, or the name by which it was then known, it is clear that the same purposes are, and have been until very recently, sought to be accomplished by the same means. The generic Ku-Klux is still distributed under specific names in various States and localities, such as "White Brotherhoods," Constitutional Union Guards," "Invisible Empires," in North Carolina; "Invisible Circle," in South Carolina; "Pale Faces," &c., in Tennessee; "Knights of the White Camelia," in Louisiana, &c. Since the report of General Howard, in 1868, no demonstration of the order that has attracted any attention has been reported in Virginia. While the organization is still believed to exist, it has been inactive in Arkansas and Louisiana and, until very recently, in Texas. A few isolated cases of recent occurrence are reported in Tennessee. North and South Carolina, Georgia, Florida, Alabama, and Mississippi have all been infested in certain localities by these bands and harrassed by their crimes, and the committee's investigations were therefore directed to them.

NORTH CAROLINA.—They have appeared in greater or less extent in North Carolina in the counties of Orange, Alamance, Rutherford, Cleveland, Moore, Gaston, Lincoln, Catawba, Chatham, Harnett, Lenoir, Sampson, Caswell, and Guilford.

The report made by the Senate select committee stated the nature and character of the organization, its oaths and operations, as disclosed by the testimony then taken, and we do not propose to repeat them. Since that report was made the Ku-Klux again appeared in a raid upon the town of Rutherfordton and destroyed the office of the Star, a republican newspaper, whose editor, T. B. Carpenter, was then in Washington, summoned as a witness before this committee. They were in large force, disguised and armed, searched for a man who had testified against them in court, inquired for Judge Logan, the circuit judge, and said

they would kill him if he did not quit his course. He had been endeavoring, in his official capacity, to have the Ku-Klux tried for their crimes and had been a witness before the Senate investigating committee; and when holding Mr. Justice in custody, intending to kill him, they declared that if it had not been for him, (Judge Logan,) Mr. Carpenter, (the editor,) and him, (Justice,) they could manage things in that county as they pleased.

Mr. Carpenter and Judge Logan both being absent, they proceeded to the house of James M. Justice, broke it open, took him from his bed, cruelly beat him until he became insensible, then dragged him into the street, and, with no garment upon him but his night-shirt, compelled him to go with them in his weak and faint condition through the rain to a wood some quarter of a mile or more from the town, yelling with exultation as they went, and informing him that they were going to kill him. When the crowd assembled around him the chief announced himself as such, and the motives which prompted this conduct will best be shown by giving his own words addressed to Mr. Justice:

He then commenced telling me how mean I had been in supporting the republican party, and advocating principles that gave negroes the right to vote and hold office; and asked me if I did not know that the Constitution, as they had it before the negroes were free, was better. I told him that very likely it was better; that I had never said it was not better, but that the one we had was lawful, and I had been supporting it. He said: "It will not be lawful long; we are going to break up that damned, infamous thing, and we are going to kill all men like you who advocate and support any such Government or Constitution." I said: "You will have a big task; the Government is very strong. I have been supporting it with a great deal of respect, and I may be wrong in it." He said: "We know all about that; we know our duty, and we will perform it. I have come here to-night with positive orders to take your life; it has been decreed in camp. We can get rid of you to-night, and we know how to get rid of just such men as you."

Mr. Justice is a lawyer, a member of the house of representatives of North Carolina, a native of the State, and was at that time making opposition to the calling of a convention to amend the constitution of the State. His life was finally spared, the chief relenting upon his promising to give information, upon the next Saturday night, at an appointed place, as to where Aaron Biggerstaff, the witness referred to, might be found, to cease taking any part in the canvass against the convention, and to be a true friend of southern people. This determination of the chief was very distasteful to many members of the party, and their protestations evince the spirit and purpose of their order at that date, which, it will be remembered, was after the passage of the act of 20th April, 1871. They were as follows:

One of them said, "Don't you turn the damn rascal loose; he says he don't know any of us, but if you turn him loose he will go right off and swear to every one of us; and he will go off to Washington, in less than a week, and have the troops here and play hell with us, and have every one of us taken up; damn him, kill him now, we have got him." The little man said, "Remember our oath; justice and humanity." I think he repeated that three times. He said, "Here is a man who promises a great deal; I have heard him ask you all here to-night to charge him with any wrong-doing, except his political course, and you have failed to do it; you have nothing against him. Now let us talk about this thing." They answered him by saying: "Every damned rascal that we get hold of promises as fair as he does." The man said, "This fellow is a different kind of man; you say so yourselves; if he makes you a promise, I believe he will keep it." And then he again said, "Remember your oath; justice and humanity." I think he referred to that three or four times. They were loud and clamorous in their protestations against letting me go, and declared that I must be killed. One man, on a horse, declared that I should be killed. This chief man placed four men in a circle right around me and said, "Don't shoot here; you will shoot friends." He then talked with me again about Biggerstaff, and asked if I could not go and find him. Said he, "Our friends have had him twice, and he has promised us both times that he would not tell, and said that he did not know us, and both times he has gone right off, as soon as he could get to the officers, and sworn against us and brought

us into trouble ;" and then he said to me, " Do you know that our camps have lately all been assembled, and that we have taken a fresh oath to the effect that we will kill every man who swears against us in the United States courts ?" I said that I did not know that. He said, " It is a matter of fact. Now Biggerstaff has testified so, not only once, but twice, and he has got some of our friends into a heap of trouble, and we will have to kill him. If he leaves this State and goes to another State, all we have to do is to send a decree to another camp there, and they will kill him. And you may as well show us where he is, so that we can kill him, for we are bound to kill him anyhow."

After the chief's command had been given to spare his life, and obedience to it demanded, the following ensued :

After the men had all gone out of sight, the chief said to me, " These fellows want to kill you very badly, but I want to save you if I can. I have an absolute order to take your life to-night. But I will tell you something about our rules. We may be ordered to go and whip a man, to give him a certain number of lashes, and he may behave in such a way as to justify our taking his life. Then we may be ordered to take a man's life, but if he behaves so as to justify us we may spare him. I think you ought to be spared, and I want to do it, and I will do it if I can control these men, though they seem to be very ambitious towards you, and I think entirely too much so. You know most of these men, I think, if you could see their faces, for they are men you are acquainted with. But you don't know me; you never saw me until to-night; I have heard of you, and my friends know you well. I think from the talk I have had with you to-night that they are mistaken about you. If you will stop supporting the damned radical party, I think you will be all right, and I should like to know you in our order."

This chief said, although most of the men in his company were from North Carolina, he himself was from South Carolina. This case, with others occurring in several counties of the State, subsequently underwent judicial investigation before the United States circuit court at Raleigh, and they are referred to hereafter in the testimony of David Schenck.

A detail of the number of cases in this State, occurring since those before testified to, and additional to those before reported, is impracticable. They are quite numerous, and present the same general character, being committed by men in disguise, armed, at night, and assigning the same motives for their action. At the late term of the circuit court held in Raleigh there were found by the grand jury, under the acts of May 31, 1870, and April 20, 1871, true bills of indictment against 763 defendants. Of these, 60 were tried and 24 convicted, 23 pleaded guilty, 13 were acquitted, and as to 9 the district attorney entered a *nolle prosequi*. The evidence there elicited under judicial sanction and this enforcement of the laws are evidently tending to the greater security of life, person, and property in that State.

That the influence of all good men is needed to sustain the courts and to restrain the public sentiment which heretofore permitted such barbarous crimes to go unpunished is manifest when it appears, as it does in the testimony, that State senators and members of the house of representatives are members of that order. Hon. Plato Durham, a former member of the legislature, admits he is a member of the Invisible Empire, and names several members of the legislature who are also in it. Mr. Durham was himself a democratic candidate for Congress in 1870, and taking his own statements, those of John Harris, (page 201,) and of Marcus M. Wells, (page 215,) also members of the order, to say nothing of the confessions of indicted criminals and the testimony of victims of their cruelties, it would seem that the time has surely come when all men claiming to be good citizens, but especially those in the political party whose interests the miscreants of the Ku-Klux profess to espouse, should discharge their duty alike to their party and their country by seeking to brand, convict, and punish as criminals those who claim them as their friends, guides, and allies.

As the existence of this organization in North Carolina was at first

denied, and as its true character has been and is yet often called in question, both may be very clearly ascertained by a study of the testimony of David Schenck, esq., a member of the bar of Lincoln County, (pp. 362-415,) and a witness called by the minority of the committee. He is one of those who in the changed state of sentiment that he admits has been brought about in that State by the enforcement of the act of Congress, now claims credit for having withdrawn from the Invisible Empire when he found its members were committing violence. His account of his initiation and subsequent efforts, communication with other members of the order, his views of its purpose and his acknowledgment that he feared to denounce it lest his own life would be endangered, indeed all his statements, are interesting, and we commend them to those who desire to appreciate the situation of the citizens who did oppose and denounce these marauders in a community where even an initiated member was not safe in doing so. He was initiated in Gaston County, October, 1868, as a member of the Invisible Empire, and says that he took the same oath recently revealed as taken by the Ku-Klux in York County, South Carolina, and published with their constitution. The constitution, he says, he did not see at that time, but was informed that the object of the society was political. What that political character was will be best gathered from his own words, (page 384:)

Question. Repeat to us as near as you can the obligation you took.

Answer. I cannot do it except by refreshing my memory by that paper. I have not a copy of it, and I cannot tell you from memory; but I think that these are the words of it, as near as I can recollect. I think the first obligation of it was that we were in favor of constitutional liberty as handed down to us by our forefathers. I think the idea incorporated was that we were opposed to the amendments to the Constitution. I desire to explain in regard to that that it was not to be—at least, I did not intend by that that it should be—forceable resistance, but a political principle. I understood it to be merely the incorporation of the democratic platform of 1868, the platform upon which Seymour and Blair were running. It was the incorporation of those principles. It was explained to me as nothing more than a declaration of political principle.

The oath itself is as follows, (page 399:)

I, (name,) before the great immaculate Judge of heaven and earth, and upon the Holy Evangelist of Almighty God, do, of my own free will and accord, subscribe to the following sacred, binding obligation:

I. I am on the side of justice and humanity and constitutional liberty, as bequeathed to us by our forefathers in its original purity.

II. I reject and oppose the principles of the radical party.

III. I pledge aid to a brother of the Ku-Klux Klan in sickness, distress, or pecuniary embarrassments. Females, friends, widows, and their households shall be the special object of my care and protection.

IV. Should I ever divulge, or cause to be divulged, any of the secrets of this order, or any of the foregoing obligations, I must meet with the fearful punishment of death and traitor's doom, which is death, death, death, at the hands of the brethren.

With these views of the purpose of the society, and saying he believed that it was not to commit violence, he was initiated in the presence of some five or six disguised men with whom he had just been in conference in a democratic meeting. When asked to give the names of the parties who took him in the order, his reply was as follows, (page 383:)

I wish you, gentlemen, would not press me for these things upon my impression, though I will give them to you if you press me; but I will state my reasons for asking to be relieved from it. Those parties I know have never committed any violence, and I know they have used their influence against it. I know the organization I joined has never committed any violence. I have inquired of those gentlemen frequently, and now, if their names are made public, it will subject them to a persecution by Scoggins and others.

With the avowal of his knowledge that they had never committed any violence, when pressed to name the six or eight who were present

at his initiation, he names J. L. Lewis only, the man who performed the ceremony, and as to the others, said, (page 383 :)

I did not know them from Adam. I did not know a man present—not a man.

He says he does not know yet who they were. Notwithstanding his understanding of the object as purely political, he admits, (page 384 :)

After I joined it I was ashamed of it, and never was in a meeting afterward. * * * There never has been a moment since that I did not regret it.

In a carefully prepared paper giving his views of the origin of the society, its purposes and his connection with it, he says, (page 385 :)

I do not think, as far as my observation and information goes, that there was any uniformity of understanding about it, or that there was any connecting system between the different counties where they prevailed.

And yet, in his testimony, he had already stated his belief that the organization in Gaston County in 1868 "was an off-shoot of the organization in South Carolina," and again states (page 413) that they were so far identical in different counties as to afford the means of recognition and communication with each other. He also states, (page 385 :)

The obligation, as repeated to me, was simply a declaration of those principles which I openly espoused, and I honestly thought then, and do now, that the original purpose of those who initiated me, was to promote party interests in a lawful way, but it either became perverted, or they were mistaken in its objects, for it degenerated into a mob of rioters and marauders, who plundered and abused friend and foe alike, sparing neither party nor sex; it became a dangerous and fearful conspiracy against society, and was fortunately broken up by its exposure, though I believe that it would soon have been crushed by a union of all parties against it, even if there had been no Federal interference.

Mr. Schenck places the date of his withdrawal from the society as in January or February, 1870, and that he was recognized as a member is fully evident from the statement he makes of his consultation with the man (Greer) who became chief of the "circle" in that county for the purpose of stopping, by an order to be issued by him, the violence it had been committing. This, he says, was in the fall of 1869; and when Greer afterward spoke against violence, he (Schenck) "gathered, from general information among the members of the order," that he had incurred the displeasure of the violent men for so doing.

After manifesting great reluctance to give the names of any of his fellow-members, upon the ground that if he did they might be joined with him as defendants in an indictment and he be deprived of their testimony, he proceeds to give an account of several of their meetings (three or four) called at his office to organize a society of members who would take "an obligation that they would commit no violence; that they would use their influence to prevent it." That society they did not succeed in organizing.

At this point three other meetings, besides the one at which he was initiated, are introduced thus, (page 390 :)

I had never been in a meeting from October, 1868, until Christmas week, 1869—sixteen months. I think I was in three meetings from that to the last of January. Then it was disbanded or disorganized, and there has been no meeting held in Lincolnton since that.

The inquiry was to be made by him for *authority* to organize such a society, and Mr. Schenck got from somebody, he does not know who, (it recalls General Forrest's receipt of the "prescript,") "a sheet of foolscap containing information in regard to it, sent from Gaston County." This also was afterward destroyed. But this sheet of foolscap reappears in another part of his testimony, from which we take it to place the use made of it in contrast with these efforts to stop violence. On the Sunday after Christmas, 1869, not later than a week or ten days after that time, just about the time they "were talking about putting down this

violence," three men, named Henry Fite, Franklin Reaves, and Thomas A. Hope, called on Mr. Schenck, told him they wished to organize a Klan, and asked him if he would assist. He declined. They said they had been told in Gaston County that he could tell them all about it. He said he knew nothing about it. They said a part of the constitution had been sent to him. He then said all he had was this piece of foolscap paper, and he gave it to them. In a week or ten days they returned it, and he destroyed it. He says he warned them against violence, and told them if they did commit it speedy punishment would follow. He declares he did not know *they* belonged to the order, and he did not tell them that he did; that he did not give the sign of recognition, and did not know one of them when they came to him. It turned out, as he now says, that Hope was a "low man," Fite a "very violent man," who afterward went on raids, and Reaves is a farmer, who lives "at a distance in the country." This is his (Schenck's) testimony.

Hope on the 1st of December, 1871, (this witness, Schenck, was examined on the 8th,) went before United States Commissioner Vest, and made affidavit that he had been a member of the order since the winter of 1869, and took the same oath to which Mr. Schenck testifies, gives his account of the interview with Schenck, and says that they went there having been informed that he was the chief of the county, and told him they wished to organize a Klan with Fite as chief; that Reaves gave him the sign of recognition, which Schenck returned. Schenck said he was not chief; that Greer was; but he could give them authority, and did give them the constitution, by-laws, and oath, under which they went on and organized a Klan at High Shoals, receiving emphatic instruction to be careful of the papers so that the secret would not get out. He also states (page 399) that in a subsequent conversation he heard Schenck say "that he was opposed to raiding, but if a raid was necessary it would be better to hang to a limb than whip, as dead men tell no tales."

This, with other testimony of Hope, being read to Mr. Schenck, was denounced by him as "a base tissue of falsehoods." Whatever difference upon some points may exist between these two members of the same order in different spheres of life, and testifying under different circumstances, the facts agreed to by both, that the interview took place, that the constitution was furnished by Mr. Schenck, at a time when he says he wanted to stop violence, to these men he did not know, for the purpose of organizing another of the societies which had already, as he says, been perverted into a fearful conspiracy against society, the fact testified to by Hope that High Shoals Klan was ordered out upon a raid to kill a negro, in the spring of 1870, which failed only because other Klans did not meet it as arranged—these facts are so significant that it is needless to comment upon the weight of testimony given by members of this order to exculpate it or themselves from the odium which will justly cling to all who are responsible for its existence or its crimes.

Mr. Schenck's withdrawal from the order consisted in his saying to members of the organization that he would have nothing more to do with it, and this he says he did in January or February, 1870. There was no public announcement of it. How vehemently a party so situated would condemn to their faces men at whose hands he feared his life was in peril may be inferred from his statement of his fears to denounce them publicly. In April or May, 1870, Governor Bragg, chairman of the democratic State committee, wrote to him asking him to exert his influ-

ence to stop these outrages being committed; that they were injuring the conservative party. He says, (pp. 377, 378:)

I replied that I had already been using all the influence I had against it, but I felt afraid myself to come out publicly and denounce these men. He asked me to call a public meeting and denounce these men. I wrote to him that I was afraid to do it; that these men were of such bad character that I did not care to incur their displeasure.

Mr. Schenck states that similar communications passed between Governor Bragg and Plato Durham, (the same heretofore named,) now under indictment in the United States court. Several times (pages 377, 393, 403) he repeats that he would have incurred personal danger if he had denounced them, saying:

I would not have done it for any amount of money; I believe I would have been risking my life to do it. I say so candidly. (Page 334.)

And that was the prevailing feeling in that part of the State in the latter part of 1870 and early part of 1871. That the members of the order had not even then given up, or very much distrusted Mr. Schenck, is evident from the fact stated by him, (page 391,) that when he was defending a criminal charged with murder a captain of the Klan came into the court-house drunk and whispered to him that his men, Ku-Klux, were coming in to take out his client and hang him. Against this Mr. Schenck protested, and the man afterward when sober said he had told him so that it might be prevented.

Notwithstanding this fearful state of society he testifies that the organization has been broken up by the instrumentality of the Federal prosecutions and the moral sentiment of the people against it. He states also that the trials at Raleigh were conducted fairly; that Judge Bond is an able lawyer, an upright man, and an excellent judge, (pages 389, 394); that the juries acted fairly, rightly, and justly, rendered just verdicts; and that the defendants are properly punished. With these admissions we direct attention to the whole tone and tenor of his testimony as calculated to discredit the Federal officers in the discharge of their duties in the enforcement of the law aimed at these criminals.

Space has been given to this abstract of Mr. Schenck's testimony because he has been the last witness examined, and testifies as to North Carolina. As that State was made the first subject of examination, it is proper that this evidence should be quoted as an example of the progress that has been made since the existence of the organization was denied. His testimony establishes—

First. The existence of the Ku-Klux.

Second. That it was opposed to the thirteenth and fourteenth amendments to the Constitution.

Third. That it was a political organization based upon the democratic platform of 1868.

Fourth. That it was either perverted by those who controlled it, or they deceived those whom they took into it, for it became a fearful conspiracy against society, committing atrocities and crimes that richly deserve punishment.

Fifth. That it demoralized society, and held men silent by the terror of its acts and by its powers for evil.

Sixth. That relief has come through the instrumentality of the act of Congress and its enforcement, aided by a better public sentiment.

SOUTH CAROLINA.—After the presidential election in 1868, the operations of the Ku-Klux ceased in this State until a short time before the election of 1870. The contest was upon the governor and members of the legislature. Upon the one side the candidates were, for governor, R. K. Scott, the present executive, and for lieu-

tenant governor, A. M. Ransier, nominated by the republicans, and supported by that party. Upon the other was, for governor, Hon. R. B. Carpenter, and for lieutenant-governor, General M. C. Butler, nominated as reform candidates and supported principally by the democratic party, claiming to have with it such republicans as made opposition to the corruptions and abuses of the State government. The canvass was conducted with spirit throughout the State, and no unusual amount of violence or disorder ensued. General Butler alleges that in his canvass disturbances of meetings were caused by the negroes at Chester, Lancaster, and in Charleston. It resulted in the election of Governor Scott, and that result and the party character which the contest assumed we state in General Butler's own words, before proceeding to consider the hostilities which followed it. He says, (page 1199:)

Question. That campaign, you say, resulted in a majority of 33,000, when you think there is no more than 15,000 republican majority?

Answer. I do not believe that in a square stand-up fight there would be more.

Question. Do you mean there were 15,000 against the reform party, or that that is the actual division between the republican and democratic parties?

Answer. I think that is about the actual division between the democratic and republican votes.

Question. You think the republican majority in this State is about 15,000?

Answer. Yes, sir; about that.

Question. The excess over that you attribute to the fraudulent administration of the election laws?

Answer. Yes, sir.

Question. Therefore the contest assumed, according to your idea, the form of not one between reform and corruption, but really between the two parties, if that was the result?

Answer. Yes, sir; I think it would be narrowed down to that. We hoped, in the nomination of Judge Carpenter, to secure a republican vote, and I supposed we would get the best among them. I thought we would at least get some republican votes and secure the election of better men. We nominated republicans on our ticket—among others a colored man—showing that the movement was not partisan; but I think that, in the end, hardly any republicans voted with us—none except a few; he brought no strength at all.

Before the election Governor Scott had organized and armed the colored militia, alleging that it was necessary to protect them against violence. This action was very objectionable to the democratic party, and its members testify that they believed it to have been for the purpose of improperly influencing the election, and that it caused great alarm. Judge Carpenter himself states his belief that Governor Scott organized them to prevent the colored men from voting the democratic ticket.

Some of the arms belonging to the State militia were stored at the town of Laurens, in charge of Joseph Crews, who is represented as having made incendiary speeches to the negroes during the campaign. A state of feverish excitement evidently prevailed throughout that region, and apprehensions were felt of collision between the whites and blacks. Upon several occasions they were upon the eve of conflict with each other, both before and upon the day of election, at various points in the county. It is asserted upon one side, and denied upon the other, that there was a preconcerted arrangement on the part of the whites to interfere with the election. It passed off without serious disturbance; but, upon the next day, an altercation occurred in Laurens between two men of opposite parties, and during that altercation a pistol, not in the hands of either, went off. One of them ran to the armory, where the State arms were stored, and a number of negroes went with him. Almost immediately a com-

pany of white citizens was formed, armed with pistols, and firing commenced on both sides. From this beginning a riot ensued.

The impression had evidently prevailed throughout the surrounding counties that trouble would ensue at Laurens, for, soon after this firing commenced, large bodies of armed men made their appearance, coming from the direction of Union, Newberry, and Spartanburgh. Not only in the town were there riot and bloodshed, but it extended for many miles through the country. At least seven persons, and it is alleged thirteen, were killed; among them was the republican candidate for probate judge, Volney Powell, and a republican candidate for the legislature, Wade Perrin, whose bodies were found some miles away from the town. So great was the excitement that Mr. Simpson, a lawyer of Laurens, testifies that by midnight of that day 2,500 men had come in, more than the whole white voting population of the county.

The disturbance had commenced about noon, and in a short time all the white republicans and the negroes had left the town, leaving it and the arms in possession of the democrats. All the persons killed were republicans. Some thousand or eleven hundred rifles, State arms, were taken possession of by whites there assembled, and of these not more than two hundred have ever been returned, (pp. 1305-1319.)

This riot commenced in Laurens on Wednesday, the 20th of October, at noon, and the violence continued through the county until Thursday evening, men being arrested and threatened upon all the leading highways. (See the testimony of Major E. W. Everson and J. A. Crews.) None of the parties were disguised, and, however strongly the circumstances indicate that they were assembled by virtue of and as members of a thoroughly disciplined organization, the manner of proceeding was different from what are popularly called Ku-Klux demonstrations. It has occupied considerable attention in the testimony, and, whatever its real origin, we have related its results.

Immediately after this election, outrages commenced against the colored people by the Ku-Klux, and were committed in great numbers, through the winter and spring, in the counties of Spartanburgh, Union, York, Newberry, Chester, and Fairfield. As numerous witnesses were called who gave their opinions at length that no Ku-Klux organization existed—that the acts complained of were mere local disturbances, mostly inflicted as punishments upon men guilty of immorality or crime, and not for any political purpose—we introduce the language of witnesses bearing upon all these points, to show the actual existence of the organization, the light in which some of its apologists view it, and its avowed purpose, as expressed to the victims, by those who perpetrated the outrages. In doing this, we can recount but few of the cases that are proved, and, to obtain a full knowledge of the barbarism which characterized their proceedings, the evidence must be resorted to.

The actual existence of the Klan in South Carolina in 1870 is shown by the testimony of W. K. Owens, already referred to, who was initiated before Christmas, 1870. He gives the oath, the signs, the pass-words; the fact that they are bound to obey all the orders of their chief; that if ordered to commit murder, the penalty for refusal is death; that they are bound to deny their membership, even as witnesses in court, and to clear each other by their testimony or as jurors; that it is organized all over the State; that he had recognized members in Columbia, Winnsborough, and Spartanburgh; also, members from North Carolina, thus showing the organization to be the same in both States. He speaks of murders committed in York County as communicated to him by his chief; of a raid upon which he went to arrest and murder the county

treasurer of York, who escaped from them; gives the names of chiefs and members in the town of York; describes their disguises; states that it was part of their business to disarm negroes, and that their object was political—"to carry the negro for the democratic party," (pp. 1363-1370.)

This testimony is so entirely in accordance with the acts committed by the Ku-Klux, with their declarations when committing them, and with the experience of the communities in which they operate, that all who are conversant with these acts would ask for no further corroboration. If it be asked by any one, however, there is now abundance of it in the several hundreds of confessions made by members of the order in York since his testimony was taken by the committee, and referred to in the reports of Major Lewis Merrill, the commander of the post at Yorkville, transmitted to the committee from the War Department. Not only evidence of its existence, but the light in which its acts are viewed, will be found in the statements of R. W. Shand, esq., and Dr. A. W. Thomson, leading citizens and democrats at Unionville, when we come to speak of the occurrences at that place.

The order has sought to accomplish its purposes by coercing republicans publicly to renounce their political faith; by whippings, other indignities, and murder. In the county of Spartanburgh, forty-five persons had, during a few months after the election of 1870, published in the Spartan, the democratic newspaper, notices of such renunciation, one of which, as a specimen of the whole, is here given, (page 573:)

[COMMUNICATED.]

MR. EDITOR: I desire to make this public announcement of my withdrawal from all affiliation with the republican party, with which I have heretofore acted. I am prompted to take this step from the conviction that the policy of said party, in encouraging fraud, bribery, and excessive taxation, is calculated to ruin the country; and that I did not vote at the last election, because I entertained my present opinion of the republicans, and have been so for the last twelve months.

Respectfully,

SAMUEL F. WHITE.

Mr. White is a respectable white man, a carpenter and millwright; fifty-four years of age, and a native of the county.

The value of public sentiment affected by such publications, as well as the sincerity of such political conversions, will be appreciated by learning from Mr. White's testimony the persuasive means that were used to obtain that card, (pp. 571, 572:)

Question. Have you been visited at any time by the Ku-Klux?

Answer. Yes, sir.

Question. When?

Answer. It was the week of the court that was at Spartanburgh, I think about the 3th.

Question. Of what month?

Answer. Of April last. It was on Wednesday night, I know.

Question. Go on and tell what they said and did.

Answer. They came there and surrounded the house in the night. I was asleep. They got around each door, and demanded of me to make a light and to open the door. They were all around the house, some at one door and some at the other. I did not have much fire, and was slow getting it made up, when they commenced lamming at the back door. After I got up the light I walked to the front door and opened it, and the men there hallooted to the others at the back door to stop lamming, and they stopped. They then ordered me to cross my hands; I did so. They asked for a rope; I told them there was none. I reckon one of them went up the stairs with a light to get a piece of rope—an old bed-cord or something, and they took a pillow-slip and slipped it over my head and led me into the yard. They asked me my principles, and I told them. They said, "That was what I thought you were."

Question. What did they say?

Answer. About as bad as a State government could be having the name of a State government.

Question. Is there any other reason than inefficiency? Do you believe it is corrupt?

Answer. Yes, sir; I think there is no doubt that the legislature is corrupt?

Question. Can there be a bad government instituted or administered anywhere unless it produces also bad men?

Answer. It is very likely that government has a great influence in corrupting men.

Question. You think there is no redress for these difficulties. Why do you think so?

Answer. I do not say I think there is no redress; I say the present government gives no redress.

Question. If it is impossible to find out who committed these outrages, can any government give redress?

Answer. There was no difficulty at all, when that number of men came to my house, in taking the tracks and tracing them up for two days, and detecting them. There is no difficulty in detecting them.

Question. Have you known instances of open opposition to the administration of law?

Answer. No, sir; I do not know of any.

Question. Have you any doubt that if these men could be found out the authorities could arrest them?

Answer. If they were found out, and the magistrate would issue a warrant against a particular person, I have no doubt the sheriff could arrest him; but, as I have said, my opinion is, that there is such an organization that they will not be found out, nor will a State officer issue a warrant.

Question. If a person made affidavit before the proper officer that a certain man had committed outrages, could he get process and have it served?

Answer. Yes, sir; I think our sheriff would arrest them. He is a clever man; he would make the attempt. I do not think there would be any difficulty there.

Question. It is not the fault of the sheriff, then?

Answer. The fault is in the public opinion that makes it unsafe for any man to make an attempt to either inform or make an investigation, or find them out.

Question. Is that the general public feeling now?

Answer. Yes, sir; that is the general public feeling and opinion so far as I know it. Many men have told me, "I would have been glad to come to see you when you were shot, but men might hear of it and fall upon me."

Question. Black men or white men?

Answer. White men.

Question. Of all political parties?

Answer. I do not know the political parties they belong to.

Question. I understood you to say you have heard strong democrats say they have as much reason to fear these men as you have?

Answer. Yes, sir; so I have heard them say; a good many democrats came to see me when wounded; I have as many friends who are democrats as republicans.

The whipping of William M. Champion, an election officer, a short time before the day of the election, and the indignities offered to him and a negro woman at the same time, are too revolting in their details to introduce here. They illustrate the degradation and brutality of the men who have entered upon this midnight warfare on the defenseless. It is not possible to take up and describe the cases of whipping in Spartanburgh County. The testimony of P. Q. Camp, esq., (pages 895, *et seq.*) and of Rev. A. W. Cummings, D. D., (pages 919, *et seq.*) make out a list of 227 persons who, in this county, were whipped, maimed, otherwise abused, and killed by the Ku-Klux—four of them being killed. Of these, 118 were in one township, Limestone. C. L. Casy, deputy United States marshal in that county, who has traveled all through it, says this list does not embrace near all who have been whipped; that near 500 have been whipped. The state of alarm pervading society in these parts of the country may be inferred from the following account given by him, (pp. 943-4:)

Answer. I have heard a great many say they slept in the woods. Here ten days ago I told Mr. Poinier, "We will go up in the Cowpens battle-ground district," where the people have been sleeping out since October. We had a number of warrants for parties for illicit distilling and violence at elections. We found a fellow—Blackwell—that had been lying out since October. We got to his house about 2 o'clock at night, hitched our horses, and laid down outside of the fence, in the road. The house was in a little field. I went up to the house and knocked at the door and found there was nobody

there and the lock hanging to the door. I went back and told Poinier and Lieutenant McDougal that the parties who lived there were gone. I said, "somebody else is here, though; there are wagons, &c., around here." But the next morning when day broke, between daybreak and sun-up, a woman came through the cornfield with a bundle of bed-clothes under one arm and a child on the other. She came in at the back door without seeing us. Our horses were hitched at the front door, about forty yards from the door. Then I went up and knocked at the front door, and she came, and when she saw us I think she was the worst frightened woman I ever saw. I told her not to be afraid. She said, "O, I thought it was the Ku-Klux. They always came before in the night, but I thought this time they had staid for us." I saw where she had been with the clothing out in the woods. She said she had been lying out, and her folks, for over two months.

Question. Who was that?

Answer. Mrs. Blackwell—Tench Blackwell's wife.

Question. How prevalent was that?

Answer. She said they had been there and broken open the house.

Question. I ask to what extent did this practice of people sleeping in the woods go in that part of the county, or in any other?

Answer. I don't know; a good many in the country told me they were sleeping out, and afraid to stay at home; and I know of men in the lower portion of the county sleeping out that have not slept in their houses since the election last November—in fact the times have been so here in town that about six or eight of us could not stay at our own houses. We had to club together and lie out every night, first at one place and then at another.

Hundreds of persons slept in the woods from October until March, under apprehension of visits from these midnight raiders; quite a large number of persons named in the list referred to were examined before the committee, and in nearly all cases the negroes who were whipped testified that those who beat them told them they did so because they had voted the radical ticket, and in many cases made them promise that they would not do so again, and wherever they had guns took them from them.

In Union no such detailed list of persons could be procured as was furnished in Spartanburgh. Several murders were shown to have been committed since the last election, and the number of persons who had been whipped was very variously estimated; twenty were named by one or two witnesses as within their knowledge in their localities, while one witness stated that in his township a majority of the colored people had either been whipped or had left, abandoning their crops, for fear of the Ku-Klux; the officers in this county were all required to resign by Ku-Klux notices posted upon the court-house door, and they obeyed them; the clerk of the commissioners, a democrat, who had consented to serve, as he stated, in order to assist them because of their ignorance, was among the number who resigned, and he testified that such was the influence of the organization in that county that no officer would disregard these notices, thus substantially admitting the county was at their mercy.

The true state of feeling, however, will be better understood from a case which attracted a large share of public attention because of its boldness, and which illustrates the power and character of the organization, and the celerity with which its decrees are executed.

On Saturday evening, the 31st of December, 1870, a company of negro militia left Unionville, and when a short distance from the town met a man named Stevens coming in with a barrel of illicit whisky for one of the hotels. He was a drayman, had lost a leg in the confederate service, and was accompanied in his dray by another man. The purpose with which the militia went out is not clearly ascertained; one statement being that they said they were going out to "mug a man," and another that they were going out to "guard Budd Williams," a negro, from being Ku-Kluxed. Whatever was their purpose, upon meeting

Stevens they demanded whisky from him, and he gave them what he had in a flask. They asked for more, and upon his starting from them they fired at him; he jumped from his wagon and ran; they followed, caught and killed him. It would seem to have been a cruel, unprovoked murder, one for which all who participated in it certainly deserved to be convicted, and to suffer the extreme penalty of the law. It excited great feeling in Unionville, the white population believing, as expressed by a witness, "that the entire negro community were in sympathy with the murderers." Moved by that feeling they proceeded to disarm the negroes who composed the militia company, as a measure of self-protection. The people turned out on Sunday morning and arrested quite a number of the negroes charged with the offense, and lodged them in jail. On the following Wednesday night, the 4th of January, some forty or fifty Ku-Klux rode into the town, surrounded the jail, entered it, took out five of these prisoners, proceeded a short distance out of the town, where they killed two of them, the other three making their escape after being shot at and wounded. They were recaptured and again lodged in jail in a few days, and with some eight or ten others who were charged with the same offense remained there until the night of Sunday, the 12th of February.

Judge Thomas, the presiding judge of that circuit, apprehending that these persons might also be taken out and disposed of as the others had been, under a statute of the State authorizing him so to do, issued a writ of *habeas corpus* for the purpose of bringing them before him at Columbia and committing to prison there. This writ was delivered to the sheriff at Unionville on Thursday evening, the 9th of February. The train would return to Columbia Friday morning and not again until Monday. After the train left, Friday morning, the sheriff called a conference of lawyers to determine whether he ought to obey the writ. They thought it was informal, but all recognized "the well-known signature of Judge Thomas," and "advised the sheriff to keep the matter secret and communicate with Judge Thomas, and ask him whether it was genuine." Subsequently this advice was reconsidered, and on Friday evening the sheriff was advised to obey the writ on Monday morning.

On Sunday night a body of armed and disguised Ku-Klux, variously estimated at from four hundred to eight hundred, rode into the town, took possession of the jail, took out eight of the prisoners charged with the murder of Stevens and hung them.

If this intention to remove them on Monday was kept a secret until Friday evening, it will strike every one forcibly that this organization must, in that county or the adjoining ones, be not only numerous but under wonderfully strict military discipline, when from four hundred to eight hundred disguised, mounted, and armed men could be assembled in that time, especially when it is remembered that Union County had in 1870 but 8,718 white population, and the village itself not over 400. It may not appear so strange, however, when the prevailing sentiment is ascertained from the testimony and incidents revealed by it.

It seems that one man, Thomas Hughes, when he heard the firing which shot the prisoners on the first raid, supposed it was by negroes on the way to rescue the prisoners. He says he immediately got his gun and traveled hastily three-quarters of a mile into town, to defend the jail against the negroes. He went in, aroused a magistrate, and informed him of his suspicions. Although the magistrate slept within one hundred and fifty yards of the jail, the operation of taking out the prisoners had been so noiselessly performed, that his slumbers had not

been disturbed. He directed Hughes to go up street, ring the bell, and arouse the citizens. Hughes went, and in the hotel found members of a special citizens' police which had been guarding the town, who informed him that the negroes were not coming to the jail; that the Ku-Klux had been there, and had taken the prisoners out. Upon hearing this, his ardor subsided; he rang no bell; the citizens were not aroused, and Hughes went home with his gun. He was Stevens's brother-in-law. Some days after that he was selected as the jailer, and was in charge of the jail when the second raid was made. On neither occasion were the citizens aroused, although the special police, who had been raised from apprehension of a negro rescue, were on duty.

Upon the trial of two men in court subsequently for another offense growing out of this, a leading lawyer—and a democrat—at that bar, R. W. Shand, esq., took notes; and he testifies that the evidence disclosed that one of the men who were hauged by the Ku-Klux, Walker, a trial justice, arrested on suspicion, was not with the militia at all, and that the testimony did not justify the suspicion, (page 981.)

The feeling of the community as to outrages of this character is expressed in the testimony of Mr. Shand, (pages 976, 977 :)

Question. Now let us have an explanation from you of why it is that when Stevens, a white man of good character, and engaged in bringing in illicit whisky, was murdered, the people turned out, but when the probate judge of your county was whipped by disguised men nobody turned out.

Answer. I will explain it in this way. In the case of the murder of Stevens it was very easy to find out who the guilty parties were. In that of the whipping of Goings, it was an impossibility. Goings said he knew none of them, and could not designate any of them. He could not recognize them. He had no means of telling us who any of them were. There was another reason, and it is a reason that I confess would have its influence upon me, and I am sure I am a law-abiding citizen. It is that the whole power of the State government was thrown around these men and against us—against the white people—and we had this feeling about it: That "if these are your own pets you may arrest these men. You are against us; we stand off. You are opposed to us, and when your men are afflicted you must do the prosecuting. When our men are visited we will do the prosecuting."

Question. Did the community divide in that way?

Answer. That was the feeling. But after the raid on the jail it struck many of us with horror. The first raid of the Ku-Klux on this jail, I remember when I first heard it told, affected me so that I turned sick and held on to the railing of the fence at the horror; and yet that day the citizens of this town met in the town-hall to see what could be done to put a stop to it. There were gentlemen here who had seen all the horses, as Dr. Thompson, a gentleman who visits all parts of the country in his travels, and knows all the horses. He saw their horses. He made an effort to get to the jail, but he found his life would be sacrificed, and stopped. He did not recognize any of the horses or voices. We had a meeting in the town-hall—

Question. First let me understand if I appreciate your position. Is it that you had an unfortunate state of feeling here, that these men who were whipped by the Ku-Klux were considered pets of the administration, and the Ku-Klux who did it had impunity because the community made them their pets, that is, that they had pets on both sides?

Answer. Not exactly pets, but they felt that it was not their duty but was for those who were the pets of the Government to prosecute those who had punished the State's pets.

Question. You gave them immunity?

Answer. Not that the Ku-Klux are our pets. Then joined to that there was the great difficulty of ascertaining who they were, and further, not knowing what power we would run against.

Question. To test that let me bring this case home. This man was murdered because his handwriting was believed to be that discovered in the notice for burning property. We desire to get at the true state of the community. Are you aware that it is alleged that your own handwriting was discovered in a notice posted on the court-house here or on the jail?

Answer. No, sir; I never knew it.

Question. You have never been informed that this Ku-Klux Order No. 10, which was posted here, was alleged to be in your own handwriting?

Answer. No, sir; I never heard it.

Question. Do you consider it a safe position for any law-abiding citizen in the county to take, that when a man is charged with such an offense, whatever the motive, that the community ought to protect lawless men who will murder him on such a charge?

Answer. No, sir; I do not think it is right.

Question. Yet your public sentiment here does?

Answer. Yes, sir; there is that feeling. Your reason and your feeling will sometimes lead you to very different conclusions. That has been about the feeling. Reason and feeling are different.

Question. Of course it would have been wrong, assuming that that order was in your handwriting, to have visited summary punishment on you?

Answer. Yes, sir; and it was wrong to visit it on Owens.

Owens had been killed by the Ku-Klux. The witness having stated that he had no relatives in that community, was asked in reference to others who had, (page 995:)

Question. Do you not suppose their feeling is a warmer one toward the organization, and that they are less disposed to condemn it than you are?

Answer. You can find persons not connected with the organization—at least you would feel certain they were not if you knew them—who will state publicly they do not condemn the Ku-Klux at all; that it was the only manner of punishing criminals in this country; and they think they did exactly right.

By the CHAIRMAN:

Question. With that state of feeling and the relationship running through the families here that would be likely to be involved in any criminal trial of a young man charged with one of these Ku-Klux offenses, do you think it at all probable that justice could be administered against such a man in this community?

Answer. Well, sir—with the choice of a jury?

Question. Yes, sir.

Answer. I think it is doubtful that he would be convicted.

Question. To what extent does that feeling prevail in the adjoining counties?

Answer. I have no knowledge on that point at all. I have not been out of this county, Mr. Chairman, since the 1st of January, except to go to Charleston once.

By Mr. VAN TRUMP:

Question. Do you mean to say that the family relationships of the population of Union County are such that no single party could be arrested?

Answer. He could be arrested without trouble.

Question. That no single party could be arrested and tried without these family ramifications running through the county, so that you could not get a jury?

Answer. O, no, sir; I think that, with the right of a party to choose his jury—

Question. The legal right, you mean?

Answer. Yes, sir; with the challenge of twenty men out of the panel, the probability would be that he would have on the jury some men who would look on the Ku-Klux as an organization which was necessary; which had arisen from the necessity of the state of things existing here, and which, therefore, excused the men in the acts they did.

By Mr. STEVENSON:

Question. You are a practicing lawyer here?

Answer. Yes, sir.

Question. Nobody except the members of the Klan themselves know who are members, so far as you know?

Answer. No, sir.

Question. Is it not probable that you, even if you were prosecuting counsel, would get men on the jury who sympathized with the order, and even members of the order, as members of the jury?

Answer. Yes, sir.

Mr. Shand in another part of his testimony stated that he believed every respectable unmarried man in that town was a member of the organization.

Still further, to show the sentiment prevailing in Union County as to this organization and its works, we add the following from the testimony of Dr. A. W. Thomson, the leading physician of the county, who witnessed the first raid and interceded to have one man in the jail spared, who he believed was innocent, (pages 1115, 1116:)

Question. My purpose is to ascertain whether they have operated to such an extent

and in such a manner that persons are, to a considerable degree, afraid to take measures for the purpose of detecting and bringing them to punishment.

Answer. I don't want to be led, and will not answer questions yes or no; but I will answer your question, I think, so I will be understood. I do think this, that there are persons in this community, men who are considered law-abiding men, who are considered good men, who really, in their hearts, approved of the first demonstrations of this sort that were made. I mean good men. I only judge from what I have heard them say—by the general expression and tone and sentiment of the people. If they feel that way—feel that although this is a terrible remedy, yet ultimate good will follow from it, it is naturally likely that they would not want to inflict punishment upon those who are willing to sacrifice themselves for the general good.

Question. To what extent does that feeling prevail?

Answer. Allow me to finish. I say I think that was the case at first, for I heard men who are looked up to as leading men in society—men who are considered examples for young men, who would be probably led correctly or misled by them—I have heard them speak indirectly approving. "It is a terrible thing," they would say, "for such a thing as this to occur, yet we must confess that we see a difference; that we are safer; that we feel more at ease;" have expressed themselves in that way, and in that way, I think, have partially encouraged it; but they do not do so now. These same men I have heard talk in that way now say at once, "This thing must be stopped; it has gone far enough." They look at the ultimate result of it. They are anxious that it shall stop, and are willing to do anything in their power that it shall be stopped. They do not speak encouragingly of it. They shut their mouths, for they say it has gone too far.

Question. Do many of them feel that they are responsible for its having gone too far, by having encouraged it in the beginning?

Answer. I think not. I do not say they encouraged it directly, but indirectly.

Question. In the manner in which you have stated?

Answer. Yes, sir. They did not encourage it directly. For instance, if met by a young man in the street, they would have been very far from telling him to take the law into his own hands, yet they had to confess we had been delivered, as it were, from a terrible future. So I think, sir.

Question. Was not that the prevalent tone of the community here when these outrages commenced?

Answer. I think not; but stop; do you ask did they approve of it?

Question. Yes.

Answer. Only so far as I tell you—to say that they believed that these outrages—for they were outrages; we can call them nothing else—had wrought their own good.

Question. Were utterances of that kind simply exceptions, or were they the prevalent tone of the community when this lawlessness began?

Answer. I rather think it was prevalent; I rather think the majority used it.

Question. Now you think that tone has changed?

Answer. I think it some time since changed, and that the same community now would be willing to take measures to repress the disposition to such lawlessness. My opinion is, that anything that can be done to stop anything of the sort now, they will do it by their conversation or by their example in any way.

Question. Has public sentiment so far changed on that subject that men who have been guilty of murder through this organization in the past can be brought to justice and punished for such lawlessness?

Answer. I doubt that; I will tell you my own feeling, and I expect that I probably was as much opposed to it as almost any man in the country. I think this: we look upon them, and I for one now speak more freely than I did at the outset—

Question. Go on; I desire to ascertain the true state of feeling here.

Answer. That is what I say; I speak, in what I am going to say now, more than I would talk outside; I believe that these outrages have saved this community; I believe it firmly; I believe there would have been a general conflict of races had something of this sort not been resorted to. Believing that, I must believe that it was the shortest road, and perhaps the most humane road—for I am speaking in that way—to becoming civilized, as you may say.

Question. I am not speaking of your duty, or that of any private citizen to make himself active in ferreting out these men now; but if a man, who has been guilty of one of these murders or outrages, is apprehended by a proper officer and brought to this court-house for trial, will public sentiment sustain such a proceeding, if there be evidence to convict him, or is it looked upon in the view you have stated, that he has done a good work to the community, and that he ought to be released?

Answer. No, sir; I think this would be the feeling, while really sorry to see that man punished, who would be looked upon as a martyr—I should, I really should, because my idea is that he is not doing it as a labor of love; I don't think they would commit any of these outrages except for the ultimate good, to save the country—I

say, while we might be sorry that he should be brought to punishment, I know the fact that the court would be sustained in its action.

The offenses in Newberry, Fairfield, and Chester Counties were not so numerous as in Spartanburgh, Union, and York. In Fairfield, members of the legislature were visited and required to resign; and there were numerous cases of whipping through the county.

In Newberry persons were threatened, and left the county to escape violence. Protection papers, as they were called, were given to negroes, being simply certificates by members of the democratic party that they (the negroes) had voted or agreed to vote the democratic ticket, and they were assured that with these they could remain with safety.

There were frequent offenses in that part of Chester County bordering upon Union. Several visits having been made by the Ku-Klux Klan and others apprehended, a negro militia company, whose captain had been attacked, went into Chester in March, 1871, to consult about their means of defense. The citizens became alarmed; the report spread to Union, York, and even as far as North Carolina, as we learn from the testimony of Plato Durham, that the negroes were rising in insurrection. These negroes left the town, and, when out some seven or eight miles, agreed to separate and go to their homes, at the instance of a Major Wilkes, who proposed that on the following Saturday a meeting should be held, and some terms of understanding arrived at, the colored people saying that they wished protection against the Ku-Klux. On the next morning after this agreement a church, used by the colored people at Carmel Hill, was burned. A large number of white men, armed, had assembled from the adjoining counties, and the negroes were attacked and at least five of them killed. There were no disguises used; it was in daylight, and the accounts of how hostilities began are somewhat conflicting. The opposite sides of the statement may be found in the testimony of Joseph F. Gist, who conducted a party of young men from Union, on the one side, and that of Benjamin Gore, a member of the colored militia, upon the other.

It is evident that, if apprehensions of organized violence on part of the negroes were entertained by the whites, they were entirely groundless. The negroes were as badly scared as the whites.

In York County the same state of affairs and of public sentiment prevailed as already described in Spartanburgh and Union. Murders, whippings, and intimidations occurred from November until March, when the United States troops arrived and were stationed at Yorkville. Lieutenant Colonel Lewis Merrill, who assumed command at that post on the 26th of March, and commenced investigation into the state of affairs, says, (p. 1465:)

From the best information I can get, I estimate the number of cases of whipping, beating, and personal violence of various grades, in this county, since the 1st of last November, at between three and four hundred, excluding numerous minor cases of threats, intimidation, abuse, and small personal violence, as knocking down with a pistol or gun, &c. The more serious outrages, exclusive of murders and whippings, noted hereafter, have been the following:

He then proceeds with the details of sixty-eight cases, giving the names of the parties injured, white and black, and including the tearing up of the railway, on the night before a raid was made by the Ku-Klux on the county treasury building. The rails were taken up to prevent the arrival of the United States troops, who, it was known, were to come on Sunday morning. The raid was made on that Sunday night while the troops were lying at Chester, twenty-two miles distant, unable to reach Yorkville, because of the rails having been torn up.

Having spoken of this occurrence, and said that the treasurer was, in his belief, justly obnoxious to the community, he proceeds, (pp. 1471, 1472:)

Answer. There has been no session of the court at this place since this occurrence, and, so far as I can learn, no move has been made by the civil authorities in this matter except to take action on the defaulting, absconding treasurer. About two or three weeks subsequent to this, the office of the county probate judge was broken open and a box of ammunition for breech-loading muskets belonging to the State, and which had been turned in to the sheriff by the negro militia, was taken and carried off; most of the ammunition was subsequently distributed to a Klan of Ku-Klux, which is armed with the muskets to which it is adapted. Having a reason to believe that a quantity of this kind of ammunition was in the hands of certain Ku-Klux, I endeavored to trace the facts in this case, and found no difficulty in getting at evidence, circumstantial and oral, which clearly to my mind traced this crime to its authors. Preceding these events, and during the time covered by them, there occurred a large number of incendiary fires in buildings of various grades and kinds—generally gin-houses and the like—which are alleged, and I believe in most instances correctly, to have been the work of the negroes in attempting to retaliate for real and supposed grievances brought upon them by the whites. As is likely to be the case in such instances, most of these fires entailed loss upon persons who, it might reasonably be believed, were not the authors of the outrages which it is supposed provoked them. From the best information I can obtain, I find that this class of incendiary fires, from about December last to the present time, number twenty-two or about that. Besides those which are, with reasonable certainty, to be imputed to the negroes, there have been burned and torn down some three houses or cabins, and several negro school-houses and churches—about four or five—which was the work of the Ku-Klux. I know of no instance of punishment, and only one instance of arrest of the parties concerned in any of these fires. One, which occurred within ten or twelve days, resulted in the arrest of a negro supposed to have been the author. Since about the 1st of last December there have been six murders by the Ku-Klux. I have examined the official records relating to these cases with considerable care, and find that they show as follows.

He then gives the names of the victims and the details of the cases, for which reference must be had to his evidence. That his testimony may be properly weighed, we introduce his own views and feelings, as elicited by examination of two members of the committee, (pp. 1470-1482.)

By Mr. VAN TRUMP :

Question. What are your politics, Colonel ?

Answer. I am an officer in the Army, bred up in a school which taught me that officers of the Army were not proper persons to mix in politics.

Question. Are you not known here as a pronounced republican ?

Answer. If I am I do not know it.

Question. Are you not a republican ?

Answer. Perhaps in the main my political opinions coincide more nearly with the republican than with any other party on questions relating to public affairs.

Question. Do you vote the republican or the democratic ticket ?

Answer. I have never cast but one vote in my life. I have never had any connection or association with politics. I went to West Point when sixteen years of age, and my life has been in the Army ever since.

Question. I know it is a rule that the officers of the Army take little or no interest in politics—

Answer. I do not say that I take no interest in politics. I take a deep interest in the affairs of my country; but I do not take an active part in politics, and am not decided in expressing political opinions, except it be in social or domestic conversation.

Question. You do not know whether you are a republican or not ?

Answer. In one sense I am not a republican; that is, there are many parts of the policy of the republican party which I would object to as a citizen; but I do decidedly and much more decidedly object to a great many parts of the policy of the democratic party.

Question. With which party, the democratic or republican, do your affiliations and sympathies go ?

Answer. Mostly with the republicans—more decidedly with the republicans than with the democrats.

Question. You say you are not a partisan ?

Answer. I am not at all, sir.

I will ask permission to say one word with reference to the last question which has been put—the question whether I was not known as a pronounced republican. I wish to be allowed to state that I have engaged in no political discussion of any kind whatever since I have been here, and the reason for doing so was that I consider my position such that it would be unbecoming in me to engage in political discussions, particularly in the excited state of public feeling here.

By Mr. STEVENSON :

Question. I desire to ask with what impressions you came here in regard to this organization generally.

Answer. I came here from Kansas, where I had no knowledge at all of anything connected with these matters, except such as one gets in an ordinary reading of the newspapers, and up to the time when I reached Louisville, the headquarters of this department, I fully believed that the stories in circulation were enormous exaggerations, and that the newspaper stories were incredible. To satisfy my curiosity on that point more than anything else, in the course of my official conversation with General Terry, commander of the department, I asked him how much truth there was in the newspaper stories. He replied, "When you get to South Carolina, you will find that the half has not been told you." Still, I came here with the idea that they were sporadic instances of mob violence, fully impressed with the notion that they were a few occasional cases that might be regarded rather as vigilance committee matters than anything else. When I first came here I was impressed for a number of days with the idea, from my conversation with the principal people here, and from the appearance of things, that there was every probability, and I so reported, of a speedy termination of these acts. But very soon, from the facts brought to my notice, I had occasion to change my mind, and I became convinced that the Ku-Klux organization was not only a very large one and exceedingly well organized, but a very dangerous one, and that their purpose was to persist in this whenever opportunity favored them. I am now of opinion that I never conceived of such a state of social disorganization being possible in any civilized community as exists in this county now. Although quiet, it is now very little better than it has been previously. There appears to me to be a diseased state of public sentiment in regard to the administration of justice. The outrages which have occurred in the Clay Hill region, I feel confident, could be controlled by the white people there very readily, if they chose to bring the force of public opinion against them. But until I endeavored to stimulate that opinion myself against acts of this kind, there appeared to be no effort of the kind made by the people; and certainly it was the fact that public sentiment was silent; if not sustaining these acts, it was silent in regard to them. In all my conversations with people, I have been met constantly with the palliative remark in regard to these outrages—conceding that they are wrong and all that—almost always the conversation has contained the substance of this remark, "But you cannot but acknowledge that they have done some good," as if lawless violence could ever do anything but harm. It is that point in the conversation of the best men of the community here which has so startled me as to the demoralization of public opinion.

Question. If I understand you, then, you came here predisposed to doubt the extent and serious character of this Ku-Klux organization and its proceedings?

Answer. Let me put it stronger even than that. I was absolutely incredulous, not only of its extent, but of the possibility of such a state of facts as exists here.

The difficulty of restoring or preserving order in such a community will be better understood when it is learned that, about the middle of May, Colonel Merrill had a conference with the leading citizens of Yorkville, the nature of which will be more fairly stated by giving it from the Yorkville Enquirer of May 18, 1871, as it was introduced in the testimony of I. D. Witherspoon, esq., a leading lawyer of that county, (pages 1498, 1499 :)

A CONFERENCE—THE KU-KLUX LAW.

A number of our citizens, by invitation, visited Major Merrill, post commandant at this place, on Saturday last, to confer upon the subject of the disorderly and turbulent spirit which has prevailed in this section of the State.

Major Merrill expressed his regrets that bands of disguised men had recently been whipping and otherwise maltreating white and colored citizens of this section. He mentioned incidents connected with each of the most recent acts of violence, which impressed those present with the idea that he is kept informed as to the operations of disguised persons in this county. He stated that he had in his possession the names of a number of the parties who had engaged in these lawless acts; and was also in possession of proof amply sufficient to convict some of the persons before any impartial

jury. He seemed to be amused at the idea that the names of the guilty parties were not known to the people, and asserted that he could furnish them, and could also have such persons arrested in a few hours. He expressed the belief that the reason why these parties persisted in such acts, was the certainty they felt that no person would dare to testify against them; and, in this connection, he exonerated the civil officers of what would appear to be dereliction in the discharge of their duties, by not arresting and bringing to trial the guilty persons. For the reason that victims are afraid to make complaints, no warrants are issued, and consequently the sheriff or other proper officer is powerless to make arrests.

Major Merrill frankly stated that his sole object in asking a conference was that he might induce the influential citizens of the county to adopt prompt and decisive measures to suppress any further disturbance, and thereby avoid the consequences of military interference; that he much preferred that the civil authorities should regulate their own affairs; and that he was satisfied that if the people opposed to lawlessness would unite and sustain each other and the civil authorities in suppressing such acts, domestic disorder would cease at once. He referred to the fact that a large number of the laborers in the northeastern section of the county were afraid to sleep in their houses, and that such a state of affairs could not longer be tolerated; that he was daily expecting notice that the writ of *habeas corpus* had been suspended in this county, but still hoped, by the timely action of the people, the necessity of declaring martial law would be avoided.

It is now left with our people to say whether or not they intend to regulate their own civil affairs. To succeed in restoring quiet and order, men must no longer withhold their expressed and unequivocal disapprobation. Can we longer permit the best interests of society to be imperilled without a protest, when the remedy is so plain and obvious? All unlawful acts are wrong in principle, and the only difference can be as to the remedy. In this case that remedy lies in public opinion. Let public opinion condemn violent acts as wrong, and society will no longer be afflicted with domestic disorder.

Any further repetition of acts of violence in this county, we feel assured, will be regarded by the military authorities, under the Ku-Klux act, as a denial of the equal protection of law to all of our citizens. The military will proceed, by arresting the supposed guilty parties, to suppress acts of violence, as directed under the Ku-Klux act; and parties, when arrested, will be delivered over to the United States marshal, to be tried before the United States court at Columbia, Charleston, or Greenville. Under such circumstances, it will be next to impossible to procure bail. The innocent as well as the guilty are liable to be suspected, and the expense of trial in the United States court will necessitate costs in procuring witnesses, counsel fees, &c., that few of our citizens can meet.

The Ku-Klux act comprehends all persons found in disguise, or in unlawful assemblies on the highways, or on the premises of another. This act will be enforced, and rigidly enforced; and unless our people at once determine that there must be no further acts of violence in the county, we will soon have occasion to observe the practical operations of the law in its utmost severity, and with all its unpleasant consequences.

With this very clear apprehension of the results likely to follow from any further violence, a card was drawn up and signed by several hundred citizens of the county, closing with these words, (p. 1499:)

We respectfully solicit a hearty co-operation of our fellow-citizens throughout the county in our efforts to preserve the peace and prevent further acts of violence and domestic disorder.

Two of the participants in that conference were J. W. Avery and Dr. J. R. Bratton. J. W. Avery's name is signed to the card. The testimony taken by the committee shows that J. W. Avery is the chief of the Ku-Klux Klan in the county, and that Dr. Bratton also recognized members by the signs, and is since clearly shown to have been with the party of Ku-Klux who committed the murder of Jim Williams. We find also among the names those of J. J. Hunter, W. H. Snyder, E. E. McCaffrey, W. H. Colcock, Marcus Harris, all of whom are shown to be members of the order. The effect of a "respectful solicitation" from a chief who could command under penalty of death, it would not be difficult to determine. The publication of these names throughout the county was but notice to their brethren that they knew all that was to be done against them. Colonel Witherspoon himself testifies as follows, (pp. 1519, 1520:)

By the CHAIRMAN:

Question. Why had not the citizens of the county taken measures before Colonel Merrill requested this conference to suppress them?

Answer. I am not able to state.

Question. Did you not see and feel that the people here who acknowledged the danger and the great enormity of these crimes had not the moral courage to speak out against them?

Answer. At one time the feeling was so great—

Question. Was not that the fact?

Answer. Yes, sir; at one time.

Question. That the terrorism was so great?

Answer. Yes, sir; there was a time here when the men who were opposed did not express their opinion, because they did not know who they were expressing it of.

Question. Was not that your own feeling?

Answer. Yes, sir; my own feeling of the matter was, I would have spoken of it much sooner if I had thought public sentiment was prepared for it.

Question. Was not the public sentiment of this town and county, whatever it may have been in private, was it not suppressed and kept quiet until the arrival of the troops at this place?

Answer. I do not know that it was suppressed. I speak only of my own individual case. I spoke to Major Merrill of my individual case. I did not speak of actual force.

Question. Did not people keep quiet so far as condemning these outrages was concerned?

Answer. No, sir; I think so far as they felt that they could do it safely, they expressed themselves, so far as that expression would have been safe.

Question. What was your own opinion?

Answer. My opinion was that I could not guide or quell this storm, and I did not know where I was going in putting myself in it.

Question. Did you not feel apprehensive that, if you denounced these outrages, you would encounter personal danger?

Answer. I did not know but what I would. I did not know whether I would or not. I did not know but what I might.

Such being the state of public sentiment, we do not deem it necessary to give any detail of their disguises, arms, mode of proceeding, and avowed purposes, as they correspond with those of the Ku-Klux proceedings elsewhere.

One case of whipping in this county may, however, be properly introduced as a specimen of that class of cases, and as an illustration of the designs of the order and the effects of its operations.

Elias Hill is a remarkable character. He is crippled in both legs and arms, which are shriveled by rheumatism; he cannot walk, cannot help himself, has to be fed and cared for personally by others; was in early life a slave, whose freedom was purchased, his father buying his mother and getting Elias along with her, as a burden of which his master was glad to be rid. Stricken at seven years old with disease, he never was afterward able to walk, and he presents the appearance of a dwarf with the limbs of a child, the body of a man, and a finely developed intellectual head. He learned his letters and to read by calling the school children into the cabin as they passed, and also learned to write. He became a Baptist preacher, and after the war engaged in teaching colored children, and conducted the business correspondence of many of his colored neighbors. He is a man of blameless character, of unusual intelligence, speaks good English, and we put the story of his wrongs in his own language, (pp. 1406-S:)

Question. State whether at any time men in disguise have come to the place where you live, and if so, what they did and said. First, state when it was.

Answer. On the night of the 5th of last May, after I had heard a great deal of what they had done in that neighborhood, they came. It was between 12 and 1 o'clock at night when I was awakened and heard the dogs barking, and something walking, very much like horses. As I had often laid awake listening for such persons, for they had been all through the neighborhood, and disturbed all men and many women, I supposed that it was them. They came in a very rapid manner, and I could hardly tell whether it was the sound of horses or men. At last they came to my brother's door,

which is in the same yard, and broke open the door and attacked his wife, and I heard her screaming and mourning. I could not understand what they said, for they were talking in an outlandish and unnatural tone, which I had heard they generally used at a negro's house. I heard them knocking around in her house. I was lying in my little cabin in the yard. At last I heard them have her in the yard. She was crying, and the Ku-Klux were whipping her to make her tell where I lived. I heard her say, "Yon is his house." She has told me since that they first asked who had taken me out of her house. They said, "Where's Elias?" She said, "He doesn't stay here; yon is his house." They were then in the yard, and I had heard them strike her five or six licks when I heard her say this. Some one then hit my door. It flew open. One ran in the house, and stopping about the middle of the house, which is a small cabin, he turned around, as it seemed to me as I lay there awake, and said, "Who's here?" Then I knew they would take me, and I answered, "I am here." He shouted for joy, as it seemed, "Here he is! Here he is! We have found him!" and he threw the bed-clothes off of me and caught me by one arm, while another man took me by the other and they carried me into the yard between the houses, my brother's and mine, and put me on the ground beside a boy. The first thing they asked me was, "Who did that burning? Who burned our houses?"—gin-houses, dwelling-houses and such. Some had been burned in the neighborhood. I told them it was not me; I could not burn houses; it was unreasonable to ask me. Then they hit me with their fists, and said I did it, I ordered it. They went on asking me didn't I tell the black men to ravish all the white women. No, I answered them. They struck me again with their fists on my breast, and then they went on, "When did you hold a night-meeting of the Union League, and who were the officers? Who was the president?" I told them I had been the president, but that there had been no Union League meeting held at that place where they were formerly held since away in the fall. This was the 5th of May. They said that Jim Rauey, that was hung, had been at my house since the time I had said the League was last held, and that he had made a speech. I told them he had not, because I did not know the man. I said, "Upon honor." They said I had no honor, and hit me again. They went on asking me hadn't I been writing to Mr. A. S. Wallace, in Congress, to get letters from him. I told them I had. They asked what I had been writing about? I told them, "Only tidings." They said, with an oath, "I know the tidings were d—d good, and you were writing something about the Ku-Klux, and haven't you been preaching and praying about the Ku-Klux?" One asked, "Haven't you been preaching political sermons?" Generally, one asked me all the questions, but the rest were squatting over me—some six men I counted as I lay there. Said one, "Didn't you preach against the Ku-Klux," and wasn't that what Mr. Wallace was writing to me about. "Not at all," I said. "Let me see the letter," said he; "what was it about?" I said it was on the times. They wanted the letter. I told them if they would take me back into the house, and lay me in the bed, which was close adjoining my books and papers, I would try and get it. They said I would never go back to that bed, for they were going to kill me—"Never expect to go back; tell us where the letters are." I told them they were on the shelf somewhere, and I hoped they would not kill me. Two of them went into the house. My sister says that as quick as they went into the house they struck the clock at the foot of the bed. I heard it shatter. One of the four around me called out, "Don't break any private property, gentlemen, if you please; we have got him we came for, and that's all we want." I did not hear them break anything else. They staid in there a good while hunting about and then came out and asked me for a lamp. I told them there was a lamp somewhere. They said "Where?" I was so confused I said I could not tell exactly. They caught my leg—you see what it is—and pulled me over the yard, and then left me there, knowing I could not walk nor crawl, and all six went into the house. I was chilled with the cold lying in the yard at that time of night, for it was near 1 o'clock, and they had talked and beat me and so on until half an hour had passed since they first approached. After they had staid in the house for a considerable time, they came back to where I lay and asked if I wasn't afraid at all. They pointed pistols at me all around my head once or twice, as if they were going to shoot me, telling me they were going to kill me; wasn't I ready to die, and willing to die? Didn't I preach? That they came to kill me—all the time pointing pistols at me. This second time they came out of the house, after plundering the house, searching for letters, they came at me with these pistols, and asked if I was ready to die. I told them that I was not exactly ready; that I would rather live; that I hoped they would not kill me that time. They said they would; I had better prepare. One caught me by the leg and hurt me, for my leg for forty years has been drawn each year, more and more year by year, and I made moan when it hurt so. One said "G-d d—n it, hush!" He had a horse-whip, and he told me to pull up my shirt, and be hit me. He told me at every lick, "Hold up your shirt." I made a moan every time he cut with the horse-whip. I reckon he struck me eight cuts right on the hip bone; it was almost the only place he could hit my body, my legs are so short—all my limbs drawn up and withered away with pain. I saw one of them standing over me or by me motion to them to quit. They all had disguises on. I then thought they

would not kill me. One of them then took a strap, and buckled it around my neck and said, "Let's take him to the river and drown him." "What course is the river?" they asked me. I told them east. Then one of them went feeling about, as if he was looking for something, and said, "I don't see no cast! Where is the d——d thing?" as if he did not understand what I meant. After pulling the strap around my neck, he took it off and gave me a lick on my hip where he had struck me with the horse-whip. One of them said, "Now, you see, I've burned up the d——d letter of Wallace's and all," and he brought out a little book and says, "What's this for?" I told him I did not know; to let me see with a light and I could read it. They brought a lamp and I read it. It was a book in which I had kept an account of the school. I had been licensed to keep a school. I read them some of the names. He said that would do, and asked if I had been paid for those scholars I had put down. I said no. He said I would now have to die. I was somewhat afraid, but one said not to kill me. They said "Look here! Will you put a card in the paper next week like June Moore and Sol Hill?" They had been prevailed on to put a card in the paper to renounce all republicanism and never vote. I said, "If I had the money to pay the expense, I could." They said I could borrow, and gave me another lick. They asked me, "Will you quit preaching?" I told them I did not know. I said that to save my life. They said I must stop that republican paper that was coming to Clay Hill. It has been only a few weeks since it stopped. The republican weekly paper was then coming to me from Charleston. It came to my name. They said I must stop it, quit preaching, and put a card in the newspaper renouncing republicanism, and they would not kill me; but if I did not they would come back the next week and kill me. With that one of them went into the house where my brother and my sister-in-law lived, and brought her to pick me up. As she stooped down to pick me up one of them struck her, and as she was carrying me into the house another struck her with a strap. She carried me into the house and laid me on the bed. Then they gathered around and told me to pray for them. I tried to pray. They said, "Don't you pray against Ku-Klux, but pray that God may forgive Ku-Klux. Don't pray against us. Pray that God may bless and save us." I was so chilled with cold lying out of doors so long and in such pain I could not speak to pray, but I tried to, and they said that would do very well, and all went out of the house except one. He handed me back a little book, that school-book, saying, "Here's that little book;" but it seemed that he forgot to speak in that outlandish tone that they use to disguise their voices. He spoke in his common, plain voice, and then he went out.

Question. Was that the end of it with you?

Answer. Yes, sir.

Question. How many of these men were there?

Answer. Six.

Question. How were they disguised?

Answer. With coverings over their faces. Some had a kind of check disguise on their heads. One had black oil-cloth over his head, and something like gloves covering his hands and wrists. When they brought the lamp to read that little book I could see his face all around his eyes, and he seemed a red-whiskered man.

Question. Did you know any of them?

Answer. No, sir; I cannot say I know any one of them.

Satisfied that he could no longer live in that community, he had written to make inquiry about the means of going himself to Liberia. Hearing this, many of his neighbors desired to go also. Being interrogated upon that subject, he said, (pages 1410, 1411 :)

Question. Is it a fact that you are making arrangements to go?

Answer. Yes, sir; that is the fact.

Question. And others are making arrangements to follow you?

Answer. Yes, sir; to go to the same place, whether because I am going or for some other cause I cannot tell; but we all ascribe the same cause for this movement; we do not believe it possible, from the past history and present aspect of affairs, for our people to live in this country peaceably, and educate and elevate their children to that degree to which they desire. They do not believe it possible—neither do I. I think so from reading history and from the present state of things around us. The number of families there stated, seventy or eighty, assign their own reasons for their going, which are those I have stated, but not my advice.

Question. It is done on their own motion?

Answer. Yes, sir.

Question. What is the feeling out there now among the colored people?

Answer. Those that are not arranging to go to Liberia have some hope, through the operation of this sub-committee here and elsewhere, and that they will pacify the whites, who will cast off the Ku-Klux in such degree that we hope the times will be

better for them. We hope for much through the operation of this sub-committee, and through the punishment of the Ku-Klux, who are the neighbors generally, so that the times will eventually come that those who want to go away now may stay, finding that they can live in peace. But for certain of us, we have lost hope entirely since the whites pledged themselves at the meeting at the forks of the road three miles from where I live, and then broke all those pledges; those whites that professed to be our friends then have since cried out and rejoiced in our hearing over our injuries and sufferings. That is the reason we have arranged to go away. Others are still hoping, as I said, for relief, through the means of this sub-committee.

He having been charged by the Ku-Klux, while whipping him, with preaching political sermons, that subject was brought to his notice, (pages 1412, 1413 :)

By Mr. VAN TRUMP:

Question. You do not feel very kindly toward the white race?

Answer. I am afraid of them now.

Question. Frightened at them?

Answer. Yes, sir. I have good-will, love, and affection toward them, but I fear them.

Question. Is that because you are a Baptist, or why?

Answer. I know it is my duty as a human being to respect all the human race, and also the grace of God teaches me to say so.

Question. When you get to preaching, do you not show up the wrongs and oppressions suffered from these white people?

Answer. Yes, sir.

Question. Is that what you generally preach about?

Answer. Yes, sir; love universal.

Question. I do not wish to mislead you or have you answer without fully understanding my question.

Answer. Please to ask it again.

Question. I ask you if the subject-matter of your sermons is the wrongs and cruelties inflicted by these white people?

Answer. No, sir; not at all. I was accused of that on the night when they beat me; but that is not the subject on which I preach; it is scriptural salvation.

Question. You have the idea that these white people are determined to put you black people down?

Answer. Yes, sir; I have that idea very strongly. They are determined to keep us from using any influence for republicanism, which we believe is God's will. I do believe it comes nearer to God's will and universal love and friendship in this world than any other.

Question. You mean republican government?

Answer. Yes, sir.

Question. Do you also mean the republican party?

Answer. Yes, sir. I believe the republican party advocates what is nearer the laws of God than any other party, and therefore I feel that it is right.

Question. When you are preaching, do you preach republicanism in your sermons?

Answer. No, sir; I preach the Gospel, repentance toward God, and faith in our Lord Jesus Christ.

Question. Do you never preach about politics?

Answer. No, sir.

Question. Then these Ku-Klux were wrong in their accusation

Answer. Yes, sir; they were.

Having thus given the state of things prevailing in these counties, we desire to state, so that no false impression may be made, that whatever may be the fact as to the existence of the organization throughout the State, its operations since 1863 have been confined chiefly to these nine counties, a few sporadic cases only having occurred in other counties, and they commenced immediately after the election in October, 1870.

Since the testimony in these counties was taken, the President, by proclamations of 12th and 17th of October, suspended the privileges of the writ of *habeas corpus*, under the third and fourth sections of the act of April 20, 1871, in these nine counties. Numerous arrests have been made, and the prisoners held to bail or committed for trial. At the recent term of the circuit court held at Columbia true bills were

found against 785 defendants, there being about 500 in all, as some are defendants in several bills. Five have been convicted upon trial; fifty have plead guilty. At the close of the term the grand jury made the following presentment:

PRESENTMENT OF THE GRAND JURY.

To the Judges of the United States Circuit Court:

In closing the labors of the present term, the grand jury beg leave to submit the following presentment: During the whole session we have been engaged in investigations of the most grave and extraordinary character—investigations of the crimes committed by the organization known as the Ku-Klux Klan. The evidence elicited has been voluminous, gathered from the victims themselves and their families, as well as those who belong to the Klan and participated in its crimes. The jury has been shocked beyond measure at the developments which have been made in their presence of the number and character of the atrocities committed, producing a state of terror and a sense of utter insecurity among a large portion of the people, especially the colored population. The evidence produced before us has established the following facts:

1. That there has existed since 1868, in many counties of the State, an organization known as the "Ku-Klux Klan," or "Invisible Empire of the South," which embraces in its membership a large proportion of the white population of every profession and class.
2. That this Klan, bound together by an oath, administered to its members at the time of their initiation into the order, of which the following is a copy:

OBLIGATION.

I, (name,) before the immaculate Judge of Heaven and Earth, and upon the Holy Evangelists of Almighty God, do, of my own free will and accord, subscribe to the following sacredly binding obligation:

"1. We are on the side of justice, humanity, and constitutional liberty, as bequeathed to us by its purity by our forefathers.

"2. We oppose and reject the principles of the radical party.

"3. We pledge mutual aid to each other in sickness, distress, and pecuniary embarrassment.

"4. Female friends, widows, and their households, shall ever be special objects of our regard and protection.

"Any member divulging, or causing to be divulged, any of the foregoing obligations, shall meet the fearful penalty and traitor's doom, which is Death! Death! Death!"

That in addition to this oath the Klan has a constitution and by-laws, which provides, among other things, that each member shall furnish himself with a pistol, a Ku-Klux gown, and a signal instrument. That the operations of the Klan were executed in the night, and were invariably directed against members of the republican party by warnings to leave the country, by whippings, and by murder.

3. That in large portions of the counties of York, Union, and Spartanburgh, to which our attention has been more particularly called in our investigations during part of the time for the last eighteen months, the civil law has been set at defiance, and ceased to afford any protection to the citizens.

4. That the Klan, in carrying out the purposes for which it was organized and armed, inflicted summary vengeance on the colored citizens of these counties, by breaking into their houses at the dead of night, dragging them from their beds, torturing them in the most inhuman manner, and in many instances murdering them; and this, mainly, on account of their political affiliations. Occasionally additional reasons operated, but in no instance was the political feature wanting.

5. That for this condition of things, for all these violations of law and order, and the sacred rights of citizens, many of the leading men of those counties were responsible. It was proven that large numbers of the most prominent citizens were members of the order. Many of this class attended meetings of the Grand Klan. At a meeting of the Grand Klan, held in Spartanburgh County, at which there were representatives from the various parts of Spartanburgh, York, Union, and Chester Counties, in this State, besides a number from North Carolina, a resolution was adopted that no raids should be undertaken, or any one whipped or injured by members of the Klan, without orders from the Grand Klan. The penalty for violating this resolution was one hundred lashes on the bare back for the first offense, and for the second, death. This testimony establishes the nature of the discipline enforced in the order, and also the fact that many of the men who were openly and publicly speaking against the Klan, and pretending to deplore the work of this murderous conspiracy, were influential members of the order, and directing its operations even in detail.

The jury has been appalled as much at the number of outrages as at their character, it appearing that eleven murders and over six hundred whippings have been committed in York County alone. Our investigation in regard to the other counties named has been less full; but it is believed, from the testimony, that an equal or greater number has been committed in Union, and that the number is not greatly less in Spartanburgh and Laurens.

We are of the opinion that the most vigorous prosecution of the parties implicated in these crimes is imperatively demanded; that without this there is great danger that these outrages will be continued, and that there will be no security to our fellow-citizens of African descent.

We would say further, that unless the strong arm of the Government is interposed to punish these crimes committed upon this class of citizens, there is every reason to believe that an organized and determined attempt at retaliation will be made, which can only result in a state of anarchy and bloodshed too horrible to contemplate.

We have visited the United States prisoners confined in the county jail, and find them all in a healthy condition, being provided with seemingly ample provisions of good, wholesome quality; but the quarters in which they are confined, owing to their being greatly crowded, have not been kept as clean as is desirable.

Should it be necessary for these prisoners to be kept here any length of time, we would respectfully recommend that at least one-half of those in the jail be removed to the prison on Sumter street. The prisoners complain of having to pay a servant for bringing up their wood to them after it has been delivered in the jail-yard.

Some of them are in want of clothing, not having a change with them, and what they have is insufficient to keep them comfortable at this season of the year. Some are also in want of shoes. There is some complaint of the food being at times indifferently cooked; they should have some change of diet at least three times per week.

The prisoners confined on Sumter street, in what is known as the Neagle House, we find in good, clean, comfortable quarters, well provided with blankets, &c. The food seemed to be good and wholesome, and we are of the opinion that the officers in charge have discharged their duties as well as they could possibly have done.

All of which is respectfully submitted.

BENJ. F. JACKSON, *Foreman.*

The estimate of the means by which the negroes are controlled, and of the influences which have brought about the existing state of feeling between them and the white race, was given in the testimony of General M. C. Butler, (pages 1200, 1201:)

Question. In proceeding to state what had caused the disposition to violence among the negroes, you answered that it was by men from the North, combined with some of the most unrelenting slave-drivers who had been in the South. Do you attribute so much greater influence to that class of people than to the former masters, and the intelligent portion of the State?

Answer. Yes, sir.

Question. How has that ascendancy been procured?

Answer. I think by misrepresentation and falsehood in many instances, and by bribery, by playing upon their superstition. It is done by the organization of this Union League; it is by a misrepresentation of the feeling of the former masters. Because many of these very men now have more influence over them than their former masters, and they have only acquired that influence by misrepresentation and falsehood.

Question. They were formerly slave-masters?

Answer. Yes; many of these men I speak of, known as scalawags in this State, were slave-masters. I do not pretend to say it is universal, or that that class is composed of relentless slave-drivers, for I believe that some few South Carolinians have gone into the republican party conscientiously.

Question. Then the effect of the relation of master and slave having existed, does not prevent the master from acquiring that ascendancy over the negro?

Answer. I do not think it does. I think if the master would become a radical he would go for him right off.

Question. Is that the only way the negro vote could be controlled?

Answer. I think it is about the only way. I do not say eventually; I think, in the long run, it may be controlled by different means, when their eyes are opened to the character of the radicals. I do not mean to say that every radical is a rascal.

Question. You do not say that the former relation of master and slave deprives the native South Carolinian of an influence over the former slave?

Answer. Not at all.

Question. You think bribery, intimidation, and deceit are the only means by which the negro is kept by the radical party?

Answer. Yes, sir; I think misrepresentation and becoming a radical. I think if I

should declare myself a republican to-morrow I could get a large majority of their votes just from that fact, without regard to my antecedents.

Question. Have you no idea that the negro is led to that party by his conscientious belief?

Answer. No, sir.

Question. And his apprehension that the other has not been and will not be his friend?

Answer. I think it has been drilled into him that the republican party freed him; that they came here with banners flying and emancipated him. I think all this sort of falsehoods have been drilled into him, which is not true, as I understand it; for I think the democrats had about as much to do with freeing them as the radicals.

Question. You think that is a part of the system of falsehoods used by them as a party?

Answer. Certainly; for if a man is a republican, that is enough, if he is from the penitentiary; but if he is a democrat, they will have nothing to do with him, whoever he is. They are under the influence of the Union League and this sort of misrepresentation and deceit which is used to control them, for that is the only object. I think the scales will be removed from their eyes and leave them in the next five years.

Question. You think the statement to the negro that the republican party, as an organization, was the instrument of his emancipation, and that they came here with banners flying, and that the republicans were the friends of the negroes, is a part of the system of falsehood resorted to in order to keep the negroes in the republican party?

Answer. Certainly I do.

Question. And that that is falsehood?

Answer. I do not pretend to say that the republican party was not instrumental in the emancipation of the negro, but I do not say that they were solely responsible for it, for that is not a historical fact.

Question. I think they were only instruments.

Answer. But democrats—you were a democrat up to 1863, Mr. Senator?

Question. Yes, sir, and I think both parties were responsible.

Answer. If you come to that question, I think, in reality, the authors of the rebellion were the active instruments of emancipation, and, therefore, I think the negroes should be more thankful to us; and so I said on the stump last summer. I illustrated it in this manner: Take Governor Scott. I mention him merely because he is a governor. His party came here and found the white people strung along on one side of a line and the negroes on the other. There was a sharp line of demarcation between them, a caste distinctly recognized. It seems to me that if he had desired the interest and prosperity and welfare of the whole country—I take him as an illustration, meaning men that come down here like him—instead of going between those two hostile lines arrayed against each other and endeavoring to bring about harmony and good feeling, attempting to induce them to get along quietly without bickering and bad feeling, he comes down here and says to the negro here, "Just across this line are your enemies. Have nothing to do with them. Eschew them. They will put you back into slavery." Now that was a falsehood. He would say, "I am one of those who emancipated you. You must stick to us. We are republicans," and so on. That is all the negro knows. He has been told, these people are your enemies. Instead of bringing about harmony, as he could have done, he steps between the lines and increases the bitterness. The natural result is that the negroes and the whites have had each other by the throats, while he and his party have been between the lines of battle profiting by the spoil.

That General Butler, as a representative man, entertaining these views, may express for himself his feelings toward the State government, we introduce the following, (pp. 1203, 1204:)

Question. Was it not that state of feverishness and opposition to the General Government which prepared every man's mind here to find all the fault he could after the close of the war?

Answer. Immediately after the close of the war, of course, there was that feeling. There always is in such cases, and I dare say there is the same in the North against the South; but, as I said, I think that dissatisfaction would have subsided to a great extent if we had felt that we had been treated with proper good faith. I think if Mr. Johnson had called together Congress, and harmony had been preserved with them and his cabinet, and a different course had been pursued by them, there would have been a different state of things here now.

Question. Then the want of good faith consists in Congress not permitting the government here to go on as President Johnson had organized it, but insisting upon their right to organize it?

Answer. I think so, to a great extent, that we are not responsible for Mr. Johnson's action.

Question. But your view is that this portion of the United States was to be treated, to some extent, as a foreign territory, and whatever terms were imposed were to be accepted by you as a conquered people?

Answer. Yes, sir.

Question. But notwithstanding that, the terms finally imposed were to the South so distasteful, you have assumed such an attitude, viewing the State government as a result of the reconstruction by the Federal power, that when a riot is going on in the State now you do not feel disposed or called upon to stop it, even if you could do so.

Answer. No, sir; I would not. I have felt that way. I think, however, since Governor Scott has taken his present attitude, that I would do it; but heretofore I would not have raised my arm. Through 1865, '66, '67, '68, and '69 it was universally known that Governor Bouham and myself used our influence in Edgefield to prevent this thing; but when I saw such a determined purpose exhibited by the authorities of the State to ignore everything like justice to myself, I said then, and I say now, "I would not raise my hand to stop it until the State government assumed a different attitude." If it would say to me, "I call upon you, General Butler, as a citizen, to aid us in putting down violence," I would answer, "Very well; allow me, now, to make suggestions, and treat them with respect and I will aid you." I believe that is the sentiment of our people; but as long as Governor Scott thinks he will run the State government according to his own notions, without consulting that class of people in the State, he must do it as he can, and be responsible for order. In every other State where I see violence, as in New York, Pennsylvania, and Illinois, as at the coal riots in Pennsylvania, the governor calls out the militia, turns out himself in person, and suppresses it; but Governor Scott has never done that.

This being the feeling entertained and expressed by gentlemen holding the views and position of General Butler, the effect of such utterances upon those who look up to and acknowledge them as their leaders cannot be a matter of doubt. Upon this point we quote the testimony of General Wade Hampton, (pp. 1226, 1227:)

By the CHAIRMAN:

Question. Have you heard any instance of any one who has had any connection with these alleged outrages which exist, say that they are caused by the maladministration of the State government?

Answer. I have never heard any one who acknowledged at all that he had any connection with any of these outrages. I have always expressed my opinion very decidedly against them, and I have never known directly or indirectly any participants in any of them at all.

Question. So many gentlemen have given us, as the reason for these outrages, the maladministration of the State government, that I have been anxious to trace the connection between the two, if we could find reasonable ground for tracing it. The allegation of a great many gentlemen is that these outrages are committed, certainly by lawless men, by men of very little character; that they are not countenanced by and certainly not committed by men of respectability and standing in society. If that theory be true, is it at all probable that the lawless men would undertake to correct the errors of the State government themselves? Would they not rather sympathize with extortion and lawlessness?

Answer. No, sir; I think that the solution would be very easy; in one case, a man who can appreciate all this ill-conduct and maladministration of the State government, and may see the evil of what would flow from any violence, may denounce these things very much, and his denunciation of them may lead a man with less discretion and foresight to resort to violent means in order to remedy them. I think that is the solution of it.

It is only necessary to read the denunciations of those who are supposed to appreciate the evils of the State government, and the acts of those "of less discretion and foresight," who resort to violent means, as both are contained in the testimony, to learn how nearly correct this opinion is as to the solution of the state of affairs in South Carolina. With the intelligence which enables one class to appreciate evils, and to know that denunciation in a particular vein will lead another class to violence, the country will probably not hesitate long in determining which class should be held most rigidly responsible for the violence thus willfully incited.

GEORGIA, ALABAMA, AND MISSISSIPPI.

These States are grouped together for these reasons: General testimony relating to them was taken in the city of Washington, and after-

ward sub-committees visited them and Florida and took testimony in detail. The evidence taken by the sub-committees is quite voluminous, and it has been impossible to have it printed in time to use in making this report, which is made as to these States upon the general testimony taken in Washington. The committee will ask to make the testimony taken by the sub-committees as to these States and Florida the subject of a future report.

Georgia.—The feelings existing at the close of the war and the successive phases through which they have since passed are so candidly stated by J. B. Gordon, of this State, that he may be fairly quoted as representing them in all the States. Especially is this so when we remember that he became the commander of Jackson's corps, and, at the surrender, was in command of the left wing of Lee's army; has since been the democratic candidate for governor of Georgia, and was not under disabilities.

His testimony is that the magnanimity and deference shown by General Grant and his officers toward the army of the south, at the time of and after the surrender, led them to hope that they would be permitted to go home, resume their places and rights as citizens, organize the State governments, and again assume their relations to the General Government as if there had been no rebellion. After President Lincoln's death and Johnson's announcement of his policy, they became apprehensive that some hanging and general confiscation would follow. When relieved of those apprehensions, and terms of reconstruction and the fourteenth amendment were proposed by Congress, they began to complain of want of good faith, and when terms were imposed they became sullen and defiant, looking upon the Government as having outraged them and deprived them of their rights. His own language is, (p. 316 :)

I know that the general feeling at the North is that our people are hostile toward the Government of the United States. Upon that point I wish to testify, and hence I have introduced it; I want to state what I know upon that subject. Commanding, as I did, Jackson's corps of the confederate army, for some time before the surrender, and at the time of the surrender one wing of that army, I know very well that if the programme which our people saw set on foot at Appomattox Court-House had been carried out—if our people had been met in the spirit which we believe existed there among the officers and soldiers, from General Grant down—we would have had no disturbance in the South, and we would long since have had a very different state of things in this country. I believe that as firmly as I believe in my own existence. I know it was generally felt that there was shown toward the officers and men who surrendered at Appomattox Court-House a degree of courtesy and even deference which was surprising and gratifying, and which produced at the time a very fine effect. I want to say, moreover, that the alienation of our people from the Government—an alienation which, resulting from the war, continued to some extent immediately after the war—has been increased since that time by the course which our people believe has been wrongfully pursued toward them. Whether right or wrong, it is the impression of the southern mind—it is the conviction of my own mind, in which I am perfectly sincere and honest—that we have not been met in the proper spirit. We, in Georgia, do not believe that we have been allowed proper credit for our honesty of purpose. We believe that if our people had been trusted, as we thought we ought to have been trusted—if we had been treated in the spirit which, as we thought, was manifested on the Federal side at Appomattox Court-House—a spirit which implied that there had been a conflict of theories, an honest difference of opinion as to our rights under the General Government—a difference upon which the South had adopted one construction, and the North another, both parties having vindicated their sincerity upon the field in a contest which, now that it had been fought out, was to be forgotten—if this had been the spirit in which we had been treated, the alienation would have been cured. There is no question about that.

But to say to our people, "You are unworthy to vote; you cannot hold office; we are unwilling to trust you; you are not honest men; your former slaves are better fitted to administer the laws than you are"—this sort of dealing with us has emphatically alienated our people. The burning of Atlanta and all the devastation through Georgia never created a tithe of the animosity that has been created by this sort of treatment of our people. Not that we wanted offices; that is not the point at all, though our people feel that it is an outrage to say that the best men in our midst shall

not hold office. The feeling is that you have denied that we are worthy of trust ; that we are men of honor ; that we will abide by our plighted faith. We feel a sense of wrong as honorable men. We do not think we have done anything in the dark. We think that when we tried to go out, we did it boldly, fairly, and squarely, staking our lives upon the issue. We thought we were right. I am one who thought so at the time ; I thought I had a perfect right to do as I did. I am not going into that question except to say that our people were conscientious in what they did. They were conscientious when they took the obligation at Appomattox and elsewhere at the time of surrender. They felt that as honest men they ought to be trusted, and that there ought to have been an end of the thing. We had fought the contest out ; we had been defeated ; and we thought that ought to be the last of it. That was the way we felt at the South. By the course that has been pursued toward us since the surrender we have been disappointed, and the feeling of alienation among our people has in this way been increased more than by any other one fact.

Again he says, (p. 334):

Question. You probably recollect the effect produced upon the southern people by the declaration of President Johnson that " treason was to be made odious and traitors punished ? "

Answer. Yes, sir.

Question. Was there any apprehension that there would be executions for treason ?

Answer. Yes, sir ; there was an apprehension of that sort. We did not believe we could ever be convicted of treason before the courts of the country ; I do not think a man in the South believed that. There was a fear that some of us might be hanged, but we never believed that before any legitimate court of the country on a fair, honest trial for treason, we could be convicted under the Constitution of the United States.

Question. You mean a court of law ?

Answer. Yes, sir.

Question. But there was an apprehension that there would be executions ?

Answer. O, yes ; very serious apprehension.

Question. Did not the southern people feel very considerably relieved when it was found the Government would not go to that extent ?

Answer. O, yes, sir ; we never had any sort of apprehension of a conviction for treason by a court of justice. We did not believe that the act of secession was treason. I do not believe it now. I do not expect ever to believe it. I never expect to advocate any more secession ; I have given that up ; but I do not believe it was treason.

Question. You did not believe it was treason when you originally advocated it ?

Answer. No, sir ; and I do not believe it to-day ; I never expect to believe it.

Question. Was there not an apprehension among the southern people that there would be some confiscation of landed property ?

Answer. Yes, sir. But all that apprehension arose, mark you, when Andrew Johnson commenced his course.

Question. And there was a very great feeling of relief when it was found that that was not going to be resorted to by the Government ?

Answer. Yes, sir.

On the behavior of the negro during and since the war, General Gordon's testimony was very emphatic :

Question. Have the negroes, as a general thing, behaved well since the war ?

Answer. They have behaved so well that the remark is not uncommon in Georgia, that no race on earth, relieved from servitude under such circumstances as they were, would have behaved so well.

Question. How did they behave during the war, when the white men went off to fight and left them at home ?

Answer. Well, sir, I had occasion to refer just now to a little speech which I made at Montgomery, Alabama, when General Clanton also spoke. He and I both struck on that train of thought. I went so far as to say that the citizens of the South owed it to the negroes to educate them. One of the things which I mentioned, and which General Clanton also mentioned, was the behavior of the negroes during the war : the fact that when almost the entire white male population, old enough to bear arms, was in the army, and large plantations were left to be managed by the women and children, not a single insurrection had occurred, not a life had been taken ; and that, too, when the Federal armies were marching through the country with freedom, as was understood, upon their banners.

Question. Scarcely an outrage occurred on the part of the negroes at that time ?

Answer. Scarcely an outrage. When I made that speech at Montgomery, I may say, without intending to compliment myself, that, when I referred to the handsome behavior of the negro during our absence in the army, and his protection of our families at that time, my remarks were heartily responded to, and with a great deal of feeling by every man in the convention.

Question. Do you mean that the colored men responded to them?

Answer. No, sir; I mean the white men in that convention.

Question. Were colored men present?

Answer. Yes, sir. They came afterward and thanked me for what I had said. There is that same feeling, I am satisfied, among our entire people. If you could get at the heart of every man in Georgia you would find that he appreciates that fact very heartily.

Question. Those negroes were almost all of them pretty well aware that the contest was to decide whether they should be freedmen or slaves?

Answer. O, yes, sir. I told my slaves of it at the beginning of the war. I think the negroes generally understood that if the South should be whipped freedom would be the result. I notified my slaves of it early in the war. I think it was in 1863.

Notwithstanding this, in 1865 and 1866 what General Gordon calls "a brotherhood" was established, extending throughout the State, for self-protection against the negroes. Having stated that the Union League and the carpet-baggers were organizing the colored people, he says, (p. 308:)

We were afraid to have a public organization, because we supposed it would be construed at once, by the authorities at Washington, as an organization antagonistic to the Government of the United States. It was therefore necessary, in order to protect our families from outrage and preserve our own lives, to have something that we could regard as a brotherhood—a combination of the best men of the country, to act purely in self-defense, to repel the attack in case we should be attacked by these people. That was the whole object of this organization. I never heard of any disguises connected with it; we had none, very certainly. This organization, I think, extended nearly all over the State. It was, as I say, an organization purely for self-defense. It had no more politics in it than the organization of the Masons. I never heard the idea of politics suggested in connection with it.

For the disappearance of this organization he gives these reasons, (p. 309:)

Question. Why did it cease to exist; why did it pass away?

Answer. Well, sir, it just dissolved because the courts became generally established; and though the courts were in the hands of the opposite party, our people believed they were trying to do justice; that a general protection was extended over us. Our people thought we could get justice at the hands of these judges; though they were of the opposite party, and though negroes were on the juries, we were satisfied that in the existing condition of things we were safe. Since Governor Bullock's election I have not heard anything of that organization. I am not sure that it did not pass away with his election. It certainly has not existed since within my knowledge; and I think I would have known it if it had. I think that my position would have brought it to my knowledge, if any such organization had existed for several years past. As I have stated, the only reason it has passed away is, I think, because the people felt safe. Courts were established and police regulations were generally instituted.

Of this organization General Gordon, having at first declined to answer, admits that he was asked to become chief in the State, (p. 341.) He says it pervaded the entire State, and his impression is it extended to other States; "that they had some sort of means of controlling the organization in different localities," and feels reluctant to state "what my (his) position was in that particular organization;" does not know the name of the organization although he agrees he ought to know; says there was a county chief and a district chief, but does not feel at liberty to give names, for the very singular reason "that they do not know anything more about it than himself," (pp. 321, 322;) that an obligation tantamount to an oath was taken, one feature of which was "that we would obey when called upon the orders of the party that we selected, whoever he was;" that it was confined to white men, and no white republican was found in it; that it was "mainly confined to soldiers of the army, men who had shown themselves plucky and ready to meet any emergency, and who were accustomed to command;" that there were signs of recognition, &c., (pp. 324, 325.)

This mysterious organization has so many points of resemblance with

those whose existence, acts, and purposes, have been fully developed elsewhere and since the time when General Gordon says this was disbanded, that we do not deem it necessary to follow it further in detail. He may have been found too conscientious for its subsequent purposes, but the history of Georgia since shows that violence and crimes have been committed by means of just such an association. His testimony, however, shows that the political control of the negroes by northern men is an exasperating thought with southern men now. He says, (p. 335 :)

We never had any apprehension from the conduct of the negroes until unscrupulous men came among them and tried to stir up strife. But for such men we never would have had any trouble with the negro, and would not have any now. We can get along forever with the negro, loving him, and having him love us, if you will just take away these "carpet-baggers."

Question. Are you willing to swear that if the negroes differ from you in politics, if they take strong republican grounds in opposition to the democrats, you can get along peaceably with them in Georgia?

Answer. I am willing to swear until I am gray that the negroes and the white people can live together in Georgia peaceably and happily if they are not interfered with.

Question. In spite of political differences, such as divide the republican and the democratic party?

Answer. The political differences would not exist under the circumstances which I suppose. The negroes would be largely democratic if you would let them alone. I have spoken from the same platform as republican speakers to the negro population; I have said to them, "The tobacco you chew, the food you eat, is taxed just as much in proportion as mine is taxed." Not ten days ago a negro, who voted against me for governor, said to me in Atlanta, "I voted against you for governor; but I am now beginning to have some property in the State; I have bought a little house; and I am now going to vote with the people that have the property." That is the feeling in the State. The negroes are getting to feel that their labor is a part of the property of the State. I do know that the people of Georgia will vote the negro population whenever we are left to ourselves.

The extent to which carpet-baggers may be justly complained of as office-holders in this State may be gathered from his testimony, (page 327 :)

Question. Governor Bullock states in a recent publication that of all the State officers elected by the people or appointed by himself, there are not more than a dozen men holding offices (and those offices unimportant) who are not either natives of the State or residents of the State before and during the war.

Answer. I presume that is true.

Question. You think that is true?

Answer. Yes, sir. There are a great many offices in Georgia, and it would be very hard to find enough of these men to fill the offices.

Question. You mean enough of the carpet-baggers?

Answer. Yes, sir. Very few of them were lawyers, and therefore they could not be judges; they did not know anything about law, and could not be justices of the peace. I want to say for Governor Bullock that I think, so far as he could consistently with what he may have construed to be his party obligations, he has appointed very good judges. As I have already said, our people are reconciled to the judiciary that we have. The law is now administered there, I think, as well as it is anywhere in the country. It is the stealing of the public money that is now principally complained of.

It is proper to say, however, that in addition to this complaint he also considers as a grievance the election laws and the abuse of the pardoning power.

The apprehensions of which General Gordon speaks could not well account for the subsequent cruelties against the negroes in the counties where their numbers could give rise to no such fears; yet it was in such counties violence occurred, as is shown by the following quotation from the evidence of N. L. Angier, (page 175:)

Question. Have the negroes generally been very quiet, peaceable, and well behaved?

Answer. Yes, sir, in everything except this pilfering; and I do not suppose they consider that as actual trespassing. They have been accustomed to think "what is my master's is mine." So far as any violence is concerned, they are pretty peaceable, and are entitled to very great credit for their conduct.

Question. Do you believe it was necessary to have these armed organizations of men about the State for the purpose of keeping the negroes quiet?

Answer. No, not to keep the negroes quiet; I do not believe it was.

Question. Do you believe there is any fair-minded man in your State who ever did believe that these armed organizations of disguised men were necessary for the purpose of keeping the negroes quiet?

Answer. Well, I do not live where there are many colored people. Where the negroes are as three to one of the white people, I do not know but it might have been thought necessary to awe them.

Question. If it was necessary anywhere, it would be necessary in the districts where the negro population is most numerous?

Answer. Yes, sir.

Question. Are the counties in which the disorders have existed large negro districts?

Answer. Warren County is a large negro district; but in Chattooga and Floyd there are few negroes.

Question. In most of the counties that you have named the whites generally predominate over the negroes?

Answer. Yes, sir.

Question. And in those counties it would be utter folly for the negroes to attempt any rising or outbreak?

Answer. Yes, sir, I think so.

The appearance and acts of the Ku-Klux in the State cannot be disposed of by opinions that they did not exist. George P. Burnet, candidate for Congress in 1870, says that, when at Somerville, they came within thirty yards of the house in which he was staying, fired off their pistols, and sent him word that he could not travel through that county, (Chattooga,) or make a speech, and that he must leave by 8 o'clock the next day.

He states (pp. 67-69) that their operations began in 1868, and that he had heard of cases occurring within a month of the time when he was testifying, (July, 1871;) that colored men were whipped and killed by them, and many who lived in the country were driven into the towns for safety. Even the towns did not afford a refuge from their raids in all cases, for they rode into the city of Rome at one time, and into Watkinsville, Clarke County, at another. Their visit to Rome is thus described by Z. B. Hargrove, of that place, a lawyer, who was an officer in the confederate service. Speaking of the acts occurring about the time of the election in 1870, he says, (pp. 74, 75):

Answer. That was the election for members of the legislature. That comes immediately within my own knowledge, for then I came in direct conflict with these lawless men, more or less, because then I espoused the republican cause; that was some few months since. I, with some few other men who had been acting with the democratic party up to that time, concluded that we would act with it no longer if it was to be governed by such men as those. I was willing to leave the race of life free and open to all; I counselled submission to the powers that rule the Government. At that time there came to my immediate city, and in the neighborhood, a band of men in disguise, some twenty in number. This was after the election. They shot a colored man in the suburbs of the city, very severely beat another, and also beat the wife of the colored man whom they shot, and who was a bright-colored woman. Is it desired that I should give names and dates?

Question. Give the names as nearly as you can.

Answer. The name of the colored man who was shot was Joe Kennedy, and the name of the colored man who was beaten was Jourdan Ware. In justice to those men, if there can be any palliation of their crimes, I will say that the reason they gave for beating Jourdan Ware was, that he had made some insulting remark to a white lady—a lady with whom I am well acquainted. Previous to that time he had borne the reputation of being an humble and obedient negro. He had a little farm, and was doing well, and was comfortable, though in a neighborhood surrounded by the poorer class of white people, who did not like his residence there. He may or may not have made some insulting remark to a white lady; I do not say whether he did or did not, though, from my knowledge of him, my opinion is that he did not.

Question. Let me understand the character of the allegation against him. You say that he made some insulting proposal to a white lady?

Answer. O, no; that he had just made some insulting remark. He remarked, "How d'y'e, sis," or something of that kind, as the young lady passed down the road. She

was a sister of the lady of whom he had rented the place on which he was living. He was driven away from his home, and came very near being killed. The charge they had against Joe Kennedy was that he had married this mulatto girl, and they did not intend he should marry so white a woman as she was; and they beat her also for marrying so black a negro as he was. They told me that these men stated that they had such charges against them. They also stated in that neighborhood, as they went along home, that that was what they did it for.

Question. Did you know Kennedy?

Answer. I know the boy; I put him to work on the police force at Rome while I was mayor of the city. He has as good a reputation as anybody there. I saw this party as they went out of town. They came groaning through the streets of the city of Rome, and I heard them; I was sitting by my stove; it was the 6th of February, I think; I did not get up as I heard them going down.

Alfred Richardson, a house carpenter, a respectable, intelligent negro, residing in Watkinsville, was a member of the legislature for that county. He thus narrates their appearance in the town:

Answer. There was a set of men came down to about a quarter of a mile of where I live. They were all disguised. They had taken out an old man by the name of Charles Watson. They commenced beating him. His wife and children all ran out, and screamed and hallooed for help, to stop the men from beating him to death. We, who were in town, came out to see what was the matter.

Question. You heard the outcry?

Answer. Yes, sir; and came out to see what was the matter. We went up the street a piece, out on the edge of the town, and heard a great parcel of men talking beside the fence. It was the Ku-Klux, who had this old man down in the corner of the fence, knocking him, and telling him he had to tell where Alfred Richardson was, and had to go with them to his house and show how he was fixed up. The old man seemed to be sort of dilatory in telling them, and they rapped him over the head again, and told him he had to go.

Question. They wanted him to tell where you were?

Answer. Yes, sir; they wanted him to tell where I was, and how I was fixed up. They said he had to go and get me out. In the mean time, while they were telling him this, a crowd of boys came on behind me, and we all ran up, after we heard what they were up to. They all broke and ran, and carried this old man with them. We followed them to the forks of the road, about three hundred yards from where we met them. They all stopped and got over into the field, taking the old man with them. I ran up, and looked first up one road and then the other, to see which way they had gone. I could not see anybody for a long time; a cloud had got over the moon. After a while I saw one fellow slipping alongside the fence. He had a pistol in his hand, as if to shoot me. When I saw him doing that, I took my pistol and shot at him. When I shot at him, there were three or four men who shot me from through the fence. I did not see them. They shot about twenty shots into my leg and hip. I went off home, and went to the doctor's office. The doctor examined me, and fixed my wounds up. In three or four days I got so that I could travel very well. Things went on till after Christmas.

On the 18th of January they returned to his house, of which visit he gives this account:

Between 12 and 1 o'clock these men came; there were about twenty or twenty-five of them, I reckon. About eight or ten of them got abreast and ran against my door. I sort of expected them, and had my door barred very tight; I had long staples at the side, and scantling across the door. They ran against the door and tried to burst it in. They could not do it. One fellow had a new patent ax with him; and he commenced cutting down the door. One lit a candle and put it down in the piazza; the other man cut the door till he cut it down. I stood and looked at him until he cut it spang through. Then I thought I had better go up-stairs. I did so. I thought I would stand at the head of the stair-steps, and shoot them as they came up. But they broke in the lower door, and came up stairs firing in every direction. I could not stand in the stairway to shoot at them. I had some small-arms back in the garret. There was a door up there about large enough for one man to creep in. I thought I had better go in there, and maybe they would not find me—probably they would miss me, and I could make my escape. They all came up-stairs. My wife opened the window to call out for help, and a fellow shot at her some twelve or fifteen times through that window while she was hallooing. A whole crowd came up, and when they saw that window open, they said, "He has jumped out of the window," and they hallooed to the fellows on the ground to shoot on top of the house. Thinking I had gone out the window, they all went down-stairs except one man. He went and looked in the cuddy-hole where I was, and saw me there. He hallooed to the rest of the fellows that he had

found me ; but they had got down-stairs, and some of them were on the piazza. Then he commenced firing, and shot me three times. He lodged two balls in my side, and one in the right arm. That weakened me pretty smartly. After he had shot his loads all out, he said to the rest of them, "Come back up here; I have got him; and I have shot him, but he is not quite dead; let us go up and finish him." I crept from the door of the little room where I was to the stairway; they came up-stairs with their pistols in their hands, and a man behind with a light. I shot one of them as he got on the top step. They gathered him up by the legs; and then they all ran and left me. I never saw any more of them that night; and I have not seen them since. I have heard talk of them; and they say they will have me, they don't care where I go. After that they attacked a man five miles from town—a man who was raised in the county where I was. I think he was born about the mountains, and brought down to Clarke County when he was a little child. He was an orphan boy—had no mother—and was brought down to old man Durham's, and he staid there till he was a young man. I think he was twenty-four or twenty-five years old.

Question. What was his name?

Answer. James Ponder.

By Mr. Pool :

Question. Was he killed?

Answer. Yes, sir; I think he was killed dead.

Occurrences such as these are proved to have occurred to a greater or less extent in the counties of Walton, Clarke, Chattooga, Morgan, Greene, Macon, Webster, Randolph, Baker, Chattahoochee, Floyd, Polk, Wilkes, Talliaferro, Glascock, Washington, Jefferson, Walker, Wilcox, Sumter, Warren, Hancock, Columbia, and Haralson.

In Chattooga County, by a stratagem of the solicitor for the Rome judicial circuit, three of the Ku-Klux and their disguises were taken. They were indicted and convicted for having robbed some negroes of their guns and pistols and a white man of his watch. Five of them were together when it was done. One of the three, after conviction, confessed to the solicitor their connection with the Klan, and that there was a regular organization in each militia district; that they had a short time before released a member of their order from the calaboose when confined there for some offense. Names of those who had committed crimes were revealed by another member; and as soon as they heard the solicitor had the names, they left the county. They knew that there was an organization above the one they belonged to, whose orders they were bound to obey without question when brought to them, (pp. 20, 21.)

We close what we have to say at present with reference to Georgia with the following extract from the testimony of Mr. Forsyth, the solicitor referred to, showing his estimate of the nature and extent of the organization in the State, the conduct of the negroes, and the state of sentiment prevailing, (pp. 25-27 :)

By Mr. Pool :

Question. You say you have heard of other outrages in different parts of the State committed by these men in disguise?

Answer. Yes, sir.

Question. Are the victims members of one party?

Answer. I cannot tell you anything about their political standing. I merely hear of parties going through the country and committing crimes in disguise; I am not acquainted with the men.

Question. Did you ever know one of these outrages to be committed upon a white man?

Answer. I have heard of it.

Question. Whipping?

Answer. Yes, sir.

Question. Do you know the politics of the parties who were victims of these outrages in your circuit?

Answer. I think I do pretty generally.

Question. Are the victims all of one party?

Answer. I am not positive about this man Phant; all the others I know belong to the republican party.

Question. What was the case of this man Phant?

Answer. I do not know whether he was a democrat or a republican.

Question. Was he whipped?

Answer. No, sir; they took his watch away from him.

Question. Is there a state of intimidation among the republicans there—a feeling of dread and terror—on account of these things?

Answer. Not among the white republicans, that I know of; that is, I have not had any fear.

Question. Is there among the colored people?

Answer. I think there is.

Question. You said the effect of this was to keep them from taking any part in public affairs?

Answer. Yes, sir.

Question. You do not know whether such is the intention?

Answer. I do not.

Question. Did the man who made the confession to you say anything about that, whether it was to keep negroes from voting or any thing of that kind?

Answer. No, sir.

Question. Did either of them give the obligation taken by the order?

Answer. One did; he could not tell all the obligation, not the exact language of it, but he went over what he remembered. The principal part of it was that they should obey all orders without question or investigation; that whenever an order came, they were to execute it. They were also bound by their obligation to be subject to the call of the captain of their district, to meet when notified, and to keep secret everything that was done.

Question. Was anything intimated as to what was the purpose?

Answer. No, sir; nothing more than what I have already stated.

Question. To accomplish what?

Answer. They represented that it was to keep the negroes in subordination.

Question. To keep them down?

Answer. Yes, sir.

Question. You say that there was nothing on the part of the negroes, in their conduct, that would warrant any such movement?

Answer. Nothing as a race.

Question. They have been orderly and peaceable?

Answer. Generally.

Question. Except in individual cases?

Answer. Yes, sir.

Question. Have you known a great many negroes to be taken from their houses and whipped? Have you heard it from reliable authority?

Answer. Yes, sir.

Question. Any killed?

Answer. I have heard of their being killed.

Question. You have heard of these men riding about in their disguises, displaying themselves in the night-time?

Answer. Yes, sir.

Question. With arms?

Answer. I do not know about their arms; sometimes they have arms, and sometimes not—at least none that could be seen.

Question. Do you suppose taking the negroes from their houses and whipping them at night, outraging them in that way, is calculated to allay any bad feeling the negroes might have against the white people, or otherwise?

Answer. My opinion is that it would have a tendency to make them worse.

Question. To make them worse?

Answer. That is, if the negroes had any resentment. That is the position I have taken all the time, that it was a bad way to control the negroes.

Question. Would it not be likely to stir them up to take revenge by burning houses, barns, &c.?

Answer. It is reasonable to suppose that it would; but there has been nothing of that sort.

Question. No burning of houses or barns there?

Answer. None in my circuit.

Question. Is your circuit democratic or republican?

Answer. Democratic.

Question. Are the county officers democrats?

Answer. Yes, sir; except in Haralson County, where they are republicans.

Question. No excuses that improper officers have been elected have been assigned as a reason for such things?

Answer. I have known of no corruption on the part of officers.

Question. The democrats have full control of everything ?

Answer. Yes, sir.

Question. There has been no burning of barns ?

Answer. None that I have heard of.

Question. The negroes have been orderly ?

Answer. Generally so.

Question. You say you have had no difficulty in having the law executed upon negroes, when individuals of that race have committed outrages ?

Answer. No, sir.

Question. No difficulty about it ?

Answer. No, sir ; none at all.

Question. Your difficulty has been in executing the law upon white men who have committed these outrages ?

Answer. The difficulty has been in identifying them ; I believe I could convict the men if I could identify them.

Question. Suppose you had the assistance of the better part of the community earnestly given, would you not be able to ferret them out in all probability and identify them ?

Answer. I think I would.

Question. The reason why they cannot be identified is because a great part of the white people do not help with earnestness to ferret them out and pursue them ?

Answer. Well, sir, I cannot regard the Ku-Klux Klan as being the better part of the community ; I think it is the bad part.

Question. The bad part of the community ?

Answer. I do, most assuredly.

Question. Do you think any good men belong to it ?

Answer. I think some good men have belonged to it, but I believe they have quit it ; I do not believe there is any good man in it now.

Question. I mean men who had a fair character before, and in regard to other acts.

Answer. I think there are men who have got some standing in the community belonging to it.

Question. And some influence ?

Answer. Yes, sir.

Question. You think there is still another class of men of more influence that encourage it and in some degree direct its operations ?

Answer. Yes, sir ; I think that is the case to some extent.

Question. Men of still better standing ?

Answer. I think there are some men of considerable influence in the country who stand back behind and sort of govern the thing and encourage it.

Question. What is the politics of those men ?

Answer. Well, they run in the democratic line, all of them that I have any suspicion of having any connection with the Klan.

Question. Do you know any republican who encourages this thing ?

Answer. No, sir.

Question. Do they oppose it in a body and denounce it ?

Answer. Yes, sir.

Question. You find no difficulty in identifying negroes and bringing them to justice when they commit crimes ?

Answer. No, sir ; I have had no trouble at all in convicting them.

Question. Is your judge a democrat ?

Answer. Well, no ; he is not a democrat ; he has hardly got any politics. He was appointed by Governor Bullock, the republican governor.

By the CHAIRMAN, (Mr. POLAND :)

Question. Who is the judge of your circuit ?

Answer. R. D. Harvey.

By Mr. POOL :

Question. You think the cause of this thing was the emancipation of the slaves, as you said just now, and the conferring upon them civil rights, among other rights that of voting ?

Answer. Yes, sir ; that is my opinion.

Question. That is at the bottom of it ?

Answer. Yes, sir.

Question. The object of this organization is to prevent the free exercise by the negroes of such rights ?

Answer. It is very hard for me to testify as to that being the object ; I think it has that effect, but not being acquainted with the organization, I would dislike to testify that it is for that purpose.

Question. You cannot testify as to the purpose ?

Answer. No, sir.

Question. What is your judgment from the manifestation of it? You say it is a general organization, you think, and that it extends all over the State?

Answer. Yes, sir; my opinion is that it is intended to control the colored race in every respect, politically as well as in every other way, and to keep them in subjection to the whites. And people justify it upon the ground that it is necessary to keep the negroes in subjection.

Alabama.—The feelings of resentment or hostility against the reconstruction policy of Congress entertained in other States are alleged to have been intensified in Alabama by the admission of the State to representation with a constitution upon which the discontented people refused to vote. Governor Lindsay says of this, (p. 189 :)

By Mr. BLAIR :

Question. What I want to get at is, whether after defeating the adoption of the constitution in strict accordance with the reconstruction acts, the people of Alabama did not feel seriously aggrieved that the members of the first State legislature and other State officers should be imposed upon them afterward, as they were by the omnibus bill?

Answer. The last fact which you state was the cause of the greatest annoyance and feeling to the people of Alabama. If they had anticipated such action on the part of Congress, they would have pursued a different policy; would have run their candidates for office, thereby softening the obnoxious part of the constitution through the administration of the laws and the constitution. But they entirely abstained, with one or two exceptions, from running candidates; and the offices were filled by default, by every Tom, Dick, and Harry who saw fit to announce himself as a candidate.

He stated elsewhere (p. 201) the terms that would have been satisfactory :

Question. You say that, in your opinion, when the war closed, there was a general disposition on the part of the people of Alabama to accept the situation upon the terms of the capitulation?

Answer. I think there was.

Question. What did they understand those terms to be, and how different from the reconstruction policy of Congress?

Answer. They understood those terms to be that the State governments should move on and be conducted in their operations precisely as they were prior to the war; that the States would have the right, the same as prior to the war, to regulate their own political affairs; that the electors of the States should have their character given to them by the State legislature, saving and excepting those included in President Johnson's proclamation, in which, I believe, there were eleven classes of exceptions. They were willing to accept that condition of affairs, hoping that time would change and remove the disabilities imposed upon those exceptional classes.

Governor Lindsay was elected in 1870, when it is complained Ku-Klux violence deterred people in various counties from voting. He admits his belief that there was an organization about 1868, and afterward, known as the Ku-Klux, which committed outrages at night, armed and in disguise, but thinks that organization has ceased for the past two years, (he testified in June, 1871.)

That it was seriously believed to exist in 1868, and to require remedy, is very apparent from the act of the legislature approved December 26, 1868, which provides "for the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages." The preamble to it is as follows :

Whereas there is in the possession of this general assembly ample and undoubted evidence of a secret organization, in many parts of this State, of men who, under the cover of masks and other grotesque disguises, armed with knives, revolvers, and other deadly weapons, do issue from the places of their rendezvous, in bands of greater or less number, on foot or mounted on horses, in like manner disguised, generally in the late hours of the night, to commit violence and outrages upon peaceable and law-abiding citizens, robbing and murdering them upon the highway, and entering their houses, tearing them from their homes and the embrace of their families, and, with violent threats and insults, inflicting on them the most cruel and inhuman treatment; and whereas this organization has become a wide-spread and alarming evil in this

commonwealth, disturbing the public peace, ruining the happiness and prosperity of the people, and in many places overriding the civil authorities, defying all law and justice, or evading detection by the darkness of the night and with their hideous costumes: Therefore, be it enacted, &c.

It imposes penalties on the crimes defined, and renders the counties in which they are committed liable for the damages to individuals suffering. This act Governor Lindsay says that he, as a citizen, when it passed, approved of.

The incredulity with which he looks upon the present existence of what was then so glaring an evil as to require this stringent legislation is revealed by the following, (p. 223:)

Question. You have several times expressed your opinion that the Ku-Klux Klan has been abandoned; have you examined the testimony taken last August and September in Calhoun County, before one of the supreme court judges of your State?

Answer. I never saw it.

Question. It was an investigation of some acts of violence there. Are you not aware of the fact that it was proven there by a number of witnesses—perhaps forty—that that county, and several of the adjoining counties, had been the scene of Ku-Klux outrages from some time in 1868 down to the acts of violence which were then investigated?

Answer. I do not believe it was proved by any such number of witnesses.

Question. Do you believe it was proved by any witnesses?

Answer. I think it likely it was proved that disguised men had committed crimes, but I would not believe that any such thing existed if forty thousand witnesses were to swear it, for Calhoun County is remarkable for its good behavior. It lies on the Georgia line, and on the Coosa River. I understood at the time that this man Luke referred to was killed by some disguised men; but that he was killed by Ku-Klux, as Ku-Klux are generally understood, I do not believe it.

Question. Are you aware of the fact that it was testified there on that examination, by a man who professed to have belonged to the Ku-Klux Klan, a man by the name of Force, that the organization did exist in the State of Alabama, and also in the State of Georgia, and that he gave an estimate of the number of the organization in each State?

Answer. I do not know what he testified to.

Question. Do you know that such a man did testify, and also that he testified to such facts?

Answer. I do not.

Question. This is the first you have heard of it?

Answer. I think it is.

The investigation to which the governor's attention was thus directed grew out of the facts and disclosed the evidence contained in the following portion of the testimony given by Ex-Governor Lewis E. Parsons, (pp. 77-80.)

The governor of the State employed my firm to prosecute on behalf of the State certain persons charged with the murder of William C. Luke, a white man, and a school-teacher, and four colored men named Tony Cliff, Berry Harris, Caesar Frederick, and William Hall. In the course of the investigation it was proven that on the same night, and by the same band of disguised men, another colored man by the name of Essex Hendricks was put to death by hanging and shooting, for he was both hanged and shot, about four miles from where these others were put to death.

Question. Please give the date of those occurrences, and the date of the investigation.

Answer. The murders were perpetrated on Monday night, the 11th of July, 1870, near a little village called Cross Plains, in the county of Calhoun.

Question. At what time did you proceed to make this investigation?

Answer. The governor convened a court, or requested a judge of the supreme court, who, under our constitution, has jurisdiction coextensive with the State, as a conservator of the peace, to go to that county and hold a court of investigation under our State law. He went there on the 8th of August, 1870, about a month after the murders. The Governor also attended; General Crawford came also, at the request of the governor. When we got there we found that it was necessary to make an investigation in the best manner we could for the purpose of ascertaining who were probably concerned in the murder. For some reason, the white inhabitants, with one or two exceptions, neither came and offered any information, nor, when called upon, expressed any willingness to develop anything that they did know. Such information as could be obtained led to the arrest of nine persons, upon warrants duly issued, on affidavit, by Judge Peters. Do you wish the names of the parties arrested?

Question. You will please give them.

Answer. Their names were William Estes, Thomas I. Estes, Samuel Slaton, John Farmer, Shields Keith, Patrick Craig, John W. Neighbors, George Dempsey, and one other whose name I do not now call to mind. These men were arrested upon warrants charging them with having been concerned in the murder of these five men, Luke and others. The five men, to wit, William C. Luke, and the four colored men whose names I gave, were in the custody of the sheriff; Luke and three of the colored men upon the charge of having been concerned in shooting at some people returning from church, ladies and gentlemen, perhaps some children, on Sunday night, the 10th of July, the Sunday night previous to their murder. William Hall was not charged with any fault, except that on Monday night, after dark, he was taken from his home, while sitting upon his door-step, and while his wife was engaged in preparing supper, by a body of armed men, who carried him off, because, as they said, he had given information to some other colored men they wanted to arrest, on the ground that they had also been engaged in the shooting the night previous, and that information had enabled those men to get away. His wife testified on the trial that she begged them not to take him away, and when they told her that she must go back, and if she did not, they would "shoot her head off," her husband said to her, "Good bye, wife; if I never see you again, take good care of our child." She said she never saw her husband again. He was carried to and put on the platform where these others were in the keeping of the sheriff and his deputy, and was taken off by the crowd of disguised men, and put to death along with the others, and at the same time. William C. Luke, Tony Cliff, Berry Harris, and Caesar Frederick were arrested on Monday during the day by virtue of a warrant, issued by a justice of the peace, named Neighbors. He and another justice, named Steele, held an investigation a little before sundown on Monday evening, and they decided to commit those persons to the custody of the sheriff for safe-keeping, until the next morning at 9 o'clock, when the court would again assemble. The justice said that the evidence on the part of the defense had been closed, but that there was other evidence on the part of the State. For that reason he adjourned the court, and directed the sheriff to summon a strong guard, and to keep the prisoners safely until the next morning. During the day of Monday, early in the morning, in making the arrests of these persons, a negro named Jacob Moore was arrested, but he attempted to escape. They had not taken out any warrant for him at that time; did not obtain it until later in the day. When he was attempting to escape they ordered him to stop, and he not obeying the order, one of the crowd shot him in the rear, and he was wounded so badly that the physician said on Monday evening, when the other prisoners were committed to the sheriff's keeping, that he would probably die before morning. They accordingly left him in the school-house, where the examination had been had, without any guard, except that a couple of negro men were detailed to watch him and wait upon him.

By Mr. VAN TRUMP:

Question. The negro was arrested and shot by the State authorities?

Answer. No, sir; the arrest was made in the morning before the warrant was obtained.

Question. It was done by authorities representing the law?

Answer. No, sir; it was simply a voluntary arrest on the part of the citizens. They said they thought there was danger of the negroes getting off on the train going south, so that they could not be arrested when the warrant should be obtained. They obtained a warrant for this man and the others at as early an hour as they could get the justice, Mr. Neighbors, to come into town and issue it. This negro, Jacob Moore, was examined as a witness on the trial. He testified that during the night, while he remained in the school-house, various persons who were unknown to him came to the house, and also one who was known to him, to wit, Patrick Craig; that he did not himself think that he should die, but that he made out that he was very badly off, because he was afraid that, if he did not, they might take him off with the others, and he thought he was safer to remain where he was, under the impression that he would die before morning any way. This man identified the man who shot him; my recollection is that he said Shields Keith was the man who shot him when he attempted to run.

By Mr. BLAIR:

Question. At the time of his original arrest?

Answer. Yes, sir; when he was arrested in the morning about daylight, by a party of men who at that time had no warrant, but subsequently, as soon as it could be done, got a warrant and had him duly arrested. He was returned as arrested under the warrant, though up to that time they had no warrant.

By the CHAIRMAN:

Question. These are the facts, as disclosed upon the examination?

Answer. Yes, sir. The court commenced this investigation on the 8th day of August, but arrests could not be made for a number of days, in consequence of not having the

necessary information upon which to base affidavits. But finally the information was obtained, affidavits were made, the arrests were made, and the trial proceeded, the evidence, as required by our statute law, being taken down in writing. Some one hundred and thirty or one hundred and forty witnesses were examined, and the investigation finally closed in October, about the 12th or 13th. This was an investigating court for the purpose of deciding whether there was probable cause for believing, first, that an offense had been committed, and, secondly, whether there was probable cause for believing that these parties were guilty, and ought to be held for trial. When the court adjourned in October, the grand jury of Calhoun County was in session, and, as the law requires, the testimony was sent to the clerk of the circuit court, to be laid before the grand jury, and the witnesses were all recognized to appear there to testify. But the grand jury of Calhoun County declined to find any bill against any of these parties, but they did find a bill against Jacob Moore, for assault with intent to kill.

Question. Was Jacob Moore the man who was shot?

Answer. Yes, sir; early in the morning of Monday, by a party of men who came down from Cross Plains to Peytona, to make arrests, because, they said, they feared the negroes would go off on the train that morning, before warrants could be obtained.

Question. Please state whether that investigation disclosed the existence, in that county, of any organization known as the Ku-Klux; if so, to what extent did it disclose the organization and the manner of their operations?

Answer. The State examined a witness named Lewis M. Force, who proved that he had been a member of the Ku-Klux Klan. He stated that the organization in Alabama numbered from eight to ten thousand members, and that it had from ten to twelve thousand members in Georgia, where he was initiated, with headquarters at Atlanta; that the object of the organization was to control the negro vote, and to defeat the republican party in obtaining offices.

By Mr. VAN TRUMP:

Question. What has become of Force?

Answer. I do not know where he is now; I suppose he is in that section of the country. I asked him how he came to join that order, and, having joined it, why he withdrew from it. He said that he joined it for the purpose of obtaining aid from the organization to procure the arrest of a man who had committed a rape on his little daughter, about eleven or twelve years old, if I remember correctly; that he succeeded in arresting the man, after a very long and tedious pursuit of him.

By Mr. BLAIR:

Question. Was he a black man?

Answer. No, sir; he was a white man. He had him arrested and lodged in the jail of Cherokee County, Alabama. The witness further testified that shortly after this man was put in jail—I am giving what he testified, not what I know myself, except as he stated it—he was called on by the Klan to aid in liberating this man; that the reason given for it was that the man and his friends had, during the previous year, I think it was, aided in liberating from jail the head man of the order, who was in jail in Chattooga County, Georgia; Summerville is the county seat, I think.

By Mr. BLAIR:

Question. Did he tell the name of the man?

Answer. Yes, sir; but it has escaped my memory. I can ascertain it if desired, by referring to the notes of the evidence; I think I have it. That circumstance being of such a character as to be of publicity, I learned from the United States officers, then present, that the thing had occurred; that the liberation of that man had occurred at Summerville, in Chattooga County, as the man Force said, and the very man that he said. Mr. Force was not known prior to that time, and I did not know how much weight ought to be accorded to his evidence.

By the CHAIRMAN:

Question. Did he disclose the manner of their proceeding when he was initiated, and how they proceeded on their raid?

Answer. He described it very much as it is generally understood; that he took an obligation, of which he gave the substance; that he went out the same night he was initiated, and was present when a negro man was called out of his house and whipped by the gang then present; that they whipped him after having made him dance some time, and admonished him to behave himself better in the future.

Question. Were the defendants represented by counsel at that examination?

Answer. Yes, sir; a firm of very able gentlemen, General William Henry Forney and Chancellor Foster, who were then practicing law in partnership, represented them.

Question. Did this man disclose the names of other persons who were members of that organization?

Answer. He gave the names of those known to him, but they were residing just across the line in Georgia, not within the reach of the subpoenas of the court; only a few miles distant, however, compared with the distance from which some of the witnesses were summoned.

Question. Were any of them produced to contradict or corroborate his testimony?

Answer. No, sir, we did not obtain any of them, and the defense did not offer any evidence in regard to the existence of the Klan, *pro* or *con*. I believe they did not even cross-examine Force; I think they declined to ask him any questions.

Question. Did he go on and state whether he had released that man from prison who was charged with the rape of his daughter?

Answer. No, sir; he came down to this court to obtain the necessary force for the safe-keeping of the man, and he was taken from that jail by order, and placed in the jail of Jacksonville for safe-keeping, is my recollection.

Question. He declined to assist them in liberating him?

Answer. Yes, sir; and he said that he told them that if that was their purpose, to release men charged with such offenses as that, he would have nothing further to do with the organization. The man was subsequently indicted at the fall court in Cherokee County for the rape; he obtained a continuance of the trial of his cause until the last spring term. I have never learned what was done with him.

Question. Did Force state the strength of the order in the county in which these murders took place of which you have spoken?

Answer. I do not think he did.

Question. What is the political character of that county?

Answer. The county of Calhoun?

Question. Yes; the county in which you say the grand jury declined to act?

Answer. In 1860 the county voted, I think, by two thousand votes, or two thousand majority, for Breckinridge and Lane. It has always been a very decided democratic county, and I suppose is more so of late, aside from the colored vote.

Question. What is the proportion of white and colored population in the county?

Answer. The white population outnumbers the colored; the exact proportion, however, I am unable to state; but it outnumbers it largely.

Question. Does your statement embody the result of the examination, so far as this question of organization and crime is concerned, in that county?

Answer. What I have already stated is all the information we had of the general organization of the Ku-Klux Klan. But the proof in the progress of that trial, in regard to the operation of that Klan, or of persons who were wearing the disguises, which it is understood the Klan generally wears, showed that they had been operating all through that county and Cherokee County, at various points, and some up in Northern Alabama, ever since the year 1868. During the election in 1868 there was some manifestation by the Klan in Huntsville, where a man was killed while standing on his door-step; not the man, however, that they intended to kill, as was subsequently shown. But in regard to this immediate vicinity of Calhoun County and its surroundings, the proof shows that in repeated instances colored men had been taken out and whipped with hickory withes; sometimes beaten very severely with canes—not a fair whip—and with other instruments; that they had been shot; in some instances seriously wounded, in others killed; and some had been otherwise outraged. In one instance there was proof of rape by a party of these fellows, who went into a negro man's house, drove him out, and raped his wife, threatening to kill her if she did not submit to their demands.

Question. How recently had any of these occurrences taken place?

Answer. They covered a period commencing some time in December, 1868, running through 1869, and down to the time when Mr. Luke and the four colored men were put to death in July, 1870. The proof showed that no raiding of the Klan, that was known, had taken place since that time and up to the time when the court was sitting, which was in August, September, and October, 1870.

Governor Parson's opinion as to the extent of the organization and the power to punish its members by the State courts, was elicited as follows:

By Mr. VAN TRUMP:

Question. Is it your opinion that in any of these Southern States, with, perhaps, the exception of South Carolina, this organization, if it exists at all, as a general proposition, is so strong that the State courts and the State authorities cannot control it without the aid of the military power of the Federal Government?

Answer. I cannot speak with regard to South Carolina, or any other State, so well as of my own. My opinion is that in the heavy negro counties, as we call them in our State, there is a state of public opinion which completely overrides the law, which re-

fuses to enforce it with respect to a certain class of offenders and a certain description of offenses.

Question. How many counties of that kind are there in Alabama?

Answer. In my opinion, a great many of these negro counties. I say so because I have no information of all the murders that have been perpetrated, but they are numerous, and I have never known an instance in which a man has been convicted of killing a negro.

J. S. Clark, of Eutaw, Greene County, chancellor of the middle district of the State, a gentleman seventy-five years of age, testifies as follows, (pp. 259, 260:)

Question. From the information which you derived in the practice of your profession, and as a citizen, from your intercourse with the people, had you any doubt as to the existence of that organization in those counties?

Answer. I have no doubt myself that such an organization has existed in that section of Alabama; but other gentlemen, in whom I have confidence, have doubts, and say that it never has existed there; that there have been only these occasional collections of men, and that there never was a Ku-Klux organization there. My own opinion has been, and for a very considerable time, that there was such an organization.

Question. From your information, derived in that manner, please state to the committee what you understand to have been the purpose of that organization, and its mode of operation.

Answer. I think the first purpose of the organization was to counteract these Loyal or Union Leagues, as some call them. There were collections in our section of country, (I presume the committee have been informed of them,) night after night, or if not night after night, week after week, of large bodies of negroes, with some bad white men among them to control and manage them. I think this Ku-Klux organization was set on foot for the purpose of scaring the negroes, as its members went in disguise, and their appearance, as I am told, was not very prepossessing, but rather calculated very much to alarm. The object was to scare the negroes, and prevent those organizations of them. But I think they went further than that. If they had stopped at that, perhaps it might have been well enough; but I think they went further than that.

Question. Did they go so far as to intimidate negroes by violence, by whippings, and in some instances by murder?

Answer. I think that the negroes were intimidated by that organization; and it was said that some negroes were slain; some were missing, but I cannot speak with any degree of certainty; only I know that in regard to one negro he was missing. He lived near me, and never was seen afterward.

Question. Assuming now that the Ku-Klux was organized for the purpose of counteracting the political organization of the Union League, and that it passed from that purpose to the commission of acts of violence, was there any organized effort, or any pronounced public sentiment brought to bear for the purpose of preventing that kind of violence?

Answer. You say "organized effort;" I suppose you mean public expression of sentiment.

Question. Yes, sir.

Answer. I do not think that there was any public expression of sentiment on the subject. That the larger portion of the population of the community in which I live was decidedly opposed to everything of that kind, I have no doubt. But there never were any meetings, or anything of the kind, held for the purpose of putting it down.

Question. What prevented that sentiment, which you say existed, from finding public expression? Was there any terror on the subject?

Answer. I do not know; there might have been some cause; these men traveled in the night; they were unknown to us; we might be conversing with one of them in the street and not know it. But I am inclined to think that the public, the orderly men, did not like to come into any contact with that class of men, for they were generally the reckless and lawless part of our community.

Question. Did not that understanding, which you say existed, that the Ku-Klux was organized in opposition to the Union League, give to its existence a political character?

Answer. Well, it did to some extent.

Question. And did not men divide, to some extent, according to their political opinions, as to whether they condemned, or justified, or excused the operations of the Ku-Klux?

Answer. No; there was no such division, or, I might say, very little. There was no body of people to divide; we were all of one way of thinking; we had no white republicans there, or only three or four; not half a dozen in the county.

Question. Was it understood that the Ku-Klux was composed of white men?

Answer. Yes, sir; it was understood that it was composed of white men.

Question. And, therefore, whether designed or not as a political organization, all its members acted with the democratic party?

Answer. Well, whenever the democratic party acted they acted with us; when I say "with us," I mean that I belong to that party.

Question. Has that feeling rendered it difficult, even when members of the democratic party condemned the proceedings of that organization, to bring them to justice?

Answer. I do not know whether it has or not. I can only tell you that there have been parties indicted that I know of, and that vigilance has been exercised by officers of the law and grand juries, so far as I could learn, without bringing any one of that organization to justice.

In the county of Greene there occurred in March, 1870, the murder of Alexander Boyd, the prosecuting attorney of the county, a case strongly illustrating the power of this organization to execute its decrees even upon an officer of the law, and to paralyze the public voice and the authorities, a full corroboration of Chancellor Clark's statement, that "they keep quiet, for they might be conversing with one of them in the street and not know it," and that "grand juries have been powerless to bring any one of that organization to justice."

The facts are these: A man named Snoddy was killed, and three negroes were arrested for the murder, named Henry Miller, Sam Caldwell, and Sam Colvin. Colonel Jolly, who defended them on the preliminary hearing, (page 265,) says that Miller and Caldwell were committed for trial, and Colvin was discharged. Miller and Caldwell escaped from jail, and it was understood that in some way Miller had been taken and killed. Colvin, who was the father of Caldwell, (Caldwell taking his former master's name,) was afterward killed by disguised men.

It was asserted that Mr. Boyd made declarations to the effect that he had evidence in his possession to show who were the murderers of Colvin, and that he intended at the then approaching term of court to prosecute them vigorously, and to hold over the grand jury for the purpose of doing so. He was a single man, and boarded and lodged in the hotel on the public square in Eutaw, the county town. About 11 o'clock on the night of the 31st of March, a band of disguised men, estimated generally at twenty-five, rode into the town, formed in front of the hotel, detached a squad who went in, compelled the clerk to show them to Boyd's room, and there deliberately murdered him, putting two balls through his forehead, and several through other parts of his body, (p. 298.)

At the time this was done there were in the town the ministers and elders of a presbytery then holding its sessions, (p. 258.) The sheriff was at the hotel a very short time after Boyd was killed. There were yet persons on the street. The town contains, according to the census, a population of 1,920; but no alarm was given. The sheriff made no effort to call a posse, offered no reward, took no steps then or afterward to follow or detect the murderers. The people remained in their beds unaware of the occurrence until the next morning, and when communicated to one witness, Mr. Pierce, a member of the bar and afterwards mayor of the town; it was in such manner that he supposed his informant was seeking to make an April-fool of him, (p. 298.)

Boyd was buried the next day after he was killed. No meeting of the bar was called, and not a member of it attended his funeral, (p. 300.) So fixed and so certain is it that he was a victim of the Ku-Klux, that Mr. Pierce states his friends had placed upon his tombstone, "Murdered by the Ku-Klux," (p. 301.) At the next court the grand jury investigated the case, and their finding was, that they were unable to identify anybody connected with it, but that the parties who committed

the murder were traced on their way home to Pickens County. The impression seems almost universal that the men who did it came from some other county, some even stating that they came from Mississippi; and, strange as it may seem, it is also conceded, in the face of this, that the cause of his murder was the declaration of his intention to prosecute the murderers of Colvin, which could affect only persons in Green County.

It would not be strange in a community where this event could occur, and be treated so lightly, that other causes for it might be suggested, but no one seems to doubt that his declaration of his intention to prosecute the disguised murderers of Colvin was the real cause.

Colonel Jolly says of this, (p. 277 :)

By Mr. VAN TRUMP:

Question. What was the public impression and the fact in regard to the conduct of Boyd in being very active, or otherwise, in ferreting out the persons that killed Snoddy?

Answer. He was not very active.

Question. Was that the public impression there, that he was rather lax?

Answer. Yes, sir; indeed, he had nothing to do with it, or did not take any part in it; counsel were employed; I defended the negro myself.

Question. When Sam Colvin was dealt with, was Boyd particularly active in trying to get up a prosecution against those who did that?

Answer. It was never investigated, for the reason that Mr. Boyd was killed very shortly after Colvin was hung. There have been no arrests, and no investigation brought about.

Question. Did you state that the public impression and public idea was that he had made some indiscreet declarations in regard to prosecuting those men?

Answer. It was said there that he perhaps stated to one or two persons that he knew the parties; I think that one said he went so far as to name the parties, though I never heard the names. He said he knew the persons who had hung old man Sam Colvin, and he intended to keep the jury in session six months but he would get them indicted.

Question. So the people contrasted his manifestation of interest in regard to that as compared with his laxity in regard to the other?

Answer. I do not think there was anything of that kind; there was no anger against his energy. But the particular parties whom it was thought he accused of that crime were mad with him because he made that accusation, and it was thought that was the reason he was killed.

The suggestion of some of the witnesses that the persons who murdered him probably came from Mississippi, reveals a belief in the existence of a common organization and understanding among the Ku-Klux in the several States, which is fully borne out by the testimony. North and South Carolina are shown to have been in communication with each other, men being sent from the one to join in a raid upon Mr. Justice in the other State.

The testimony of Force shows mutual co-operation between Alabama and Georgia. The evidence of Andrew J. Flowers (miscellaneous testimony) discloses that information is communicated from Alabama to Southern Tennessee, and the order was in constant communication along Western Alabama and Eastern Mississippi. Reynolds, shown to have been a prominent promoter of disturbances at the Eutaw riot, endeavoring to get a democratic negro upon the stand to speak at a republican meeting after the adjournment of a democratic meeting, at which he had not spoken, again appears as a leading spirit in causing and promoting the riot at Meridian, Mississippi, and again at the assault upon Mr. Cockerell on his return from court at Mobile, as a witness against the persons indicted for the Eutaw riot.

Of that riot, as it occurred in open day without disguise, and especially as it is still awaiting judicial investigation, we do not propose to speak. The attack then made upon the negroes being just before the

election, and violences in Sumter and Macon Counties are alleged to have interfered with a free election in those counties to an extent sufficient to have changed the result in the State. How far that may have been so, we do not undertake to determine from the testimony before us, but refer those desirous of studying it to the testimony of Major Hays, the candidate for Congress in that district, and Mr. Speed, a resident in it, and to the figures quoted from the returns on pages 101 and 223 of the testimony, showing the contrast of results between the election of 1869 and 1870.

To show the condition of affairs and the state of public sentiment in the counties along the western border of Alabama, where ladies' fairs were held and public concerts were given to raise money for the defense of prisoners indicted for the riot at Eutaw, (p. 262; where armed men went into court, (pp. 101, 331,) to intimidate a judge who is shown even by his political opponents to be capable, honest, and efficient in the discharge of his duties, (p. 341;) where worthy men honestly assert that the way for Government to stop the Ku-Klux outrages is not to punish but to forgive them, (p. 340;) we must, without burdening the report with further citations upon these points, refer generally to the testimony of Turner Reavis, esq., of Sumter County, Hon. Luther R. Smith, of Choctaw County, Chancellor Clark, Major Hays, and Judge Miller, of Greene, General Warner and Ex-Governor Parsons, who were witnesses at, and speak of, the Eutaw riot from one standpoint, and Colonel Jolly and J. S. Pierce, also present, who speak of it from another.

The light in which educational enterprises are viewed when at all under the control of others than natives, will be understood from the testimony of Mr. Speed, a southern man, one of the regents of the State University. He thus relates his visit to that institution, (pp. 417, 418:)

When I was in Tuscaloosa to take part in reorganizing the university, Professor Whitfield, a professor in the institution, gave me some letters which I have here, which were addressed to students of the university. There were only a very few students there. These letters had a string tied around them, and were hung upon this dagger, [witness produces a dagger,] which was stuck into one of the doors of the university. This is the instrument given to me by Professor Whitfield, and these are the letters [producing letters] which were addressed to the students, ordering them to leave. One of these students was the son of Ex-Governor Smith.

Question. Read the letters.

Answer. They are as follows:

"DAVID SMITH: You have received one notice from us, and this shall be our last. You nor no other d—d son of a d—d radical traitor shall stay at our university. Leave here in less than ten days, for in that time we will visit the place, and it will not be well for you to be found out there. The State is ours and so shall our university be.

"Written by the secretary, by order of the Klan."

"SEAVEY: You have received one notice from us to leave. This is the last. We will be out in force in less than ten days, and it will not be good for you to be found out there. We are resolved it shall not be carried on under the present faculty. Some have been wise enough to take our warning. Do the same.

"The Klan."

"CHARLES MUNCCEL: You had better get back where you came from. We don't want any d—d Yank at our colleges. In less than ten days we will come to see if you obey our warning. If not, look out for hell, for, d—n you, we will show you that you shall not stay, you nor no one else, in that college. This is your first notice; let it be your last.

"The Klan, by the secretary."

"HARTON: They say you are of good democratic family. If you are, leave the university and that quick. We don't intend that the concern shall run any longer. This is the second notice you have received; you will get no other. In less than ten days we intend to clean out the concern. We will have good southern men there or none.

"By order of the K. K. K."

This Charles Muncel, to whom one of the letters was addressed, was a young man from the State of New York, as I was informed by the faculty. The letters were inclosed in one envelope, addressed—

“K. K. K.,
“Students' University.”

Question. These letters were all left at the door at one time?

Answer. Yes, sir; they were all tied together. The persons to whom they were addressed were students of the university.

Question. And the letters were fastened to the door by this dagger?

Answer. Yes, sir.

Question. When was that?

Answer. I cannot be positive as to the time.

Question. Was it recently?

Answer. Yes, sir; this year.

By Mr. BLAIR:

Question. Did those students leave?

Answer. They left. They were smart enough for that.

One of the marked characteristics of the Ku-Klux operations in this State is the persecution of that branch of the Methodist Church known as the Methodist Episcopal, as distinguished from the Methodist Episcopal Church South.

To build it up in Alabama, Bishop Clark, of Ohio, sent out Rev. A. S. Lakin, who went there in the latter part of 1865 and immediately commenced his work. He says that he was met with the declaration made to one of his preachers, “Mr. Sullivan, that when they were whipping him they said they would kill his presiding elder; that he must preach for the Methodist Episcopal Church South; that there should be no church south of Mason and Dixon’s line, except the Methodist Episcopal Church South.”

Before proceeding, however, with Mr. Lakin’s experience, it is proper to introduce what Governor Lindsay said of him upon being asked about him, (p. 219:)

By the CHAIRMAN, (Mr. POLAND:)

Question. Since the war, the Methodist Church North, or the Methodist Episcopal Church, as they call themselves, have undertaken to set up their organization in your State?

Answer. That is my understanding.

Question. And to induce Methodists in your State to connect themselves with the northern organization, or the general organization, as they call it; and this Mr. Lakin, of whom you have spoken, and who has been a witness here, went down there to superintend the movement in your State on the part of the Methodist Episcopal Church?

Answer. He came there, as I understand, for the purpose of establishing the Northern Methodist Church, but whether to superintend it or not I am not able to say.

Question. Did you not understand that he was the leading man in that movement?

Answer. I do not know anything about his position. I know he was considered a leading man in his activity in furthering that object.

Question. Do you know, or have you ever heard, anything against the character of Mr. Lakin as an earnest Christian man?

Answer. Well, I have heard so many things about him that sounded so unchristian—

Question. What have you ever heard about him that was derogatory to his Christian character?

Answer. So far as his personal character is concerned—his freedom from the commission of crime—I have no reason to make any charge.

Question. What have you ever heard of his saying or doing in your State that was derogatory to him as a Christian minister?

Answer. In the communities in which I have been, and heard him spoken of, I have generally heard the expression that he was a very bad and dangerous man; that he was fomenting disturbances between the races in his efforts to establish this Northern Methodist Church. That is about the extent and substance of what I have heard about him.

Question. Can you give anything more specific than that?

Answer. Nothing at all, further than general hearsay. I am not acquainted with the man further than a passing introduction.

Question. Have you heard anything more said in reference to him and his efforts than this: that he was assiduous and earnest in endeavoring to get Methodists in your State, and Methodist churches also, to attach themselves to the northern organization?

Answer. That is alleged to be his chief object.

Question. Have you ever heard anything about his efforts there beyond that?

Answer. Not separated from that.

That he ever preached politics or endeavored to create any bad feeling between the races Mr. Lakin most earnestly denies, and, placing his statement against Governor Lindsay's, we proceed with his evidence.

He became presiding elder of the Montgomery district in 1867, was sent through all the other districts by order of the bishop to disburse moneys, and traveled through a large portion of the State. In 1868 he was elected president of the State University, and upon going to Tuscaloosa to take charge of it was compelled to leave by searches of the Ku-Klux made for him, and was grossly caricatured in the newspaper printed at that place, (see p. 113.) Without following him in detail as he narrates the events of his travels, he states the following as the result and character of his labors.

We have there now about 15,000 members, a fraction over three-fourths of whom are white; we have six presiding-elder districts, seventy circuits and stations, seventy traveling ministers, and about one hundred and fifty local preachers.

By Mr. VAN TRUMP:

Question. Let me ask you, in what character were you sent there; as a missionary to the South, or were you sent there by the Cincinnati conference to take charge of that church south?

Answer. We had no organization there.

Question. Did the Cincinnati conference claim that they had a right to go there and organize a church?

Answer. Yes, sir.

Question. As against the Southern Methodist church?

Answer. Not against the Southern Methodist church; we regarded the whole world our parish.

Question. Having no organized church there you went in the character of a missionary to found a church there?

Answer. I was sent there to organize the Methodist Episcopal Church, and build up her interests, and in that capacity I have labored there for years, and have raised that showing which you see there in five years and eight months.

Question. Are we to understand that all this concatenation of attacks upon you has come from the Methodist Episcopal Church South?

Answer. I have said no such thing.

Question. What is your belief? Does it spring from a difference in regard to religious matters?

Answer. I think there is a bitter feeling on the part of the Methodist Episcopal Church South against the Methodist Episcopal Church, and the affinities of that church are with the party that is opposed to our organization.

Question. Just as the affinities of the northern members are with the northern church?

Answer. Yes, sir.

Question. Is there any difference?

Answer. I think it is a very similar state of things; I regard it as a politico-religious feeling and bitterness. We drew out the loyal element and concentrated it, and it seemed to assume proportions and dimensions that were a little alarming.

Question. What do you mean by drawing out the loyal element? Do you mean that your efforts were directed to that portion of the Southern people and not to the others?

Answer. Not in the least. I never advanced a political idea in the pulpit, North or South.

Question. Then what do you mean by drawing out the loyal element of the South?

Answer. I mean by that that as I commenced and continued preaching there, and they understood the antecedents and general principles of the Methodist Episcopal Church, from which they had formerly been severed, they decided to return; and as a natural consequence the loyal element gravitated toward us.

Question. Did you not go there to organize the loyal element in the Methodist Church?

Answer. No, sir; I had no such purpose and no such design. My orders were peremptory not to mingle in the political arena at all; my charge to my preachers was peremptory—

The fact that the larger portion of the church was composed of those

who were considered Union men in Alabama made them, and especially the preachers, the particular objects of Ku-Klux hatred, notwithstanding all of the preachers were native Alabamians, (p. 124.) He proceeds to give the names of those who were outraged and killed from 1868, the time of the first appearance of the Ku-Klux in North Alabama, until 1871; the frequent attempts to interrupt his preaching, the incidents showing the nature and character of the organization; one remarkable occurrence of the effect of the hideous disguises worn by them at night upon a fœtus, (p. 118,) (an occurrence, we take occasion to say, which was corroborated, so as to be beyond question, by the testimony taken in Alabama not yet in print,) through all of which we cannot follow him, but for which we must refer the reader, desirous of understanding the trials of Union people in a Ku-Klux country, to the testimony at large. Of the outrages upon the preachers he gives the following account:

- Mr. Sullivan was whipped, (p. 123.)
 Rev. J. A. McCutchen, presiding elder, driven from the Demopolis district in 1868, (p. 127.)
 Rev. James Buchanan was driven out, (p. 127.)
 Rev. John W. Taily, presiding elder, was driven away, (p. 127.)
 Rev. Jesse Kingston, local preacher, was shot in 1869, (p. 127.)
 Rev. Mr. Johnson, shot in the pulpit, 1869, (p. 127.)
 Rev. James Dorman, whipped, 1869, and driven away in 1870, (p. 128.)
 Dean Reynolds, whipped, and left for dead, both arms broken, (p. 127.)
 A colored preacher and his son shot dead at the West Point and Montgomery road, (p. 127.)
 Rev. George Taylor, whipped, (pp. 128, 148.)

The circumstances connected with each case can be found by referring to the pages given. Some of them are cruel in the extreme; and of these preachers Mr. Lakin says:

I was personally acquainted with every man of them but Johnson, and he is reported to have been a man of excellent character. All the rest I can vouch for as being men of sterling integrity and piety—quiet, peaceable, and unobtrusive.

In his district there were six churches burned by incendiaries, four of them within three weeks preceding the congressional election in 1870. Many school-houses were burned through Northern Alabama, and marked hostility was shown to the school-teachers, especially in opposition to those who taught colored schools, (pp. 139, 140.)

From memoranda kept by Mr. Lakin, during his travels, he reports the following results of Ku-Klux operations in the counties named, from 1868 to 1871:

County.	Whipped and maltreated.	Killed.	Total.
Madison	68	(*)	68
Jackson	31	6	37
Limestone	30	6	36
Blount	71	6	77
Marshall	76	7	83
Morgan	57	8	65

(* Number of killed not given.)

Making 371 cases of violence.

A summary of the number of cases in all the counties is impossible from the general testimony, and until the evidence taken by the sub-committee shall be printed a full list of the counties in which violence has prevailed cannot be given. From the general testimony it is shown to have prevailed in the following counties: Chambers, Coosa, Elmore, Lee, Macon, Talladega, Tallapoosa, Marengo, Perry, Pickens, Sumter, Tuscaloosa, Calhoun, Cherokee, De Kalb, Jackson, Madison, Marshall, St. Clair, Blount, Colbert, Limestone, Morgan, and Walker.

Mississippi.—This State was the scene of violence in many instances similar to that described in other States in 1869. During 1868, and the first part of 1870, comparative peace and security prevailed. In the latter part of 1870, and during the early months of 1871, the Ku-Klux organization began to be very active. Committing numerous murders and whippings, the character and atrocity of which, and the motives assigned for them, correspond with the deeds and declarations of the organization in other States. These disorders prevailed principally in the eastern and northern portions of the State and are described as occurring in the counties of Lowndes, Monroe, Noxubee, Oktibbeha, Choctaw, Winston, Kemper, Itawamba, Tishemingo, Alcorn, Prentiss, Pontotoc, Lee, Leake, Tippah, Union, Chickasaw, and Lauderdale.

In addition, however, to the general characteristics of Ku-Klux proceedings elsewhere, those in Mississippi are marked by the development of most decided hostility to all free schools, and especially to free schools for colored children.

Under the law of the State separate schools were established for white and colored children. These were to be maintained first out of a common-school fund under article 8, section 6 of the constitution, as follows:

There shall be established a common-school fund, which shall consist of the proceeds of the lands now belonging to the State, heretofore granted by the United States, and of the lands known as swamp lands, except the lands lying and situated on Pearl River, in the counties of Hancock, Marion, Lawrence, Simpson, and Copiah, and of all lands now or hereafter vested in the State by escheat or purchase, or forfeitures for taxes, and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, and all moneys received for licenses granted under the general laws of the State for the sale of intoxicating liquor or keeping of dram-shops; all moneys paid as an equivalent for persons exempt from military duty, and the funds arising from the consolidating of the congressional township funds, and the lands belonging thereto, together with all moneys donated to the State for school purposes, which funds shall be securely invested in United States bonds, and remain a perpetual fund, which may be increased, but not diminished. The interest shall be inviolably appropriated for the support of free schools."

Article 8, section 7, of the constitution provides for the levy of a poll-tax not to exceed \$2 per head, in aid of the school fund. Section 5 of the State revenue laws provides for the levy and collection of this poll-tax, and also that all moneys arising from it, as well as the tax on the following privieges, shall be used entirely for the support of common schools, to wit: on physicians, lawyers, dentists, and veterinary surgeons; druggists, distillers, breweries, rectifying establishments, billiard-tables, ten-pin alleys, livery stables, trading-boats, commission merchants, licensed auctioneers, brokers of every description, insurance companies, banks, insurance and gas-light companies, and savings institutions; express companies, ferries, bridges, and turnpikes; transient vendors, or dealers in live stock or merchandise, licensed inns, taverns, hotels, and restaurants; photograph galleries, circuses, menageries or other shows or exhibitions.

This fund is distributed pro rata to each county according to the number of children between the ages of five and twenty-one years; and the public schools must be maintained at least four months in order to draw the school funds from the State.

After the use of the funds derived from the foregoing sources, any deficit in maintaining the schools is required to be raised by tax, authorized by the constitution and required by law, as follows:

Sec. 31. *Be it further enacted*, That the board of school directors shall, as soon as practicable, prepare and submit a report to the board of county supervisors, containing an estimate of the cost of school sites, construction, and rental of such number of school buildings as may be necessary to afford school facilities for each and every sub-

school district in the county or city; and shall also make an estimate of the necessary contingent expenses, such as repairs upon school buildings, improvement of school grounds, fuel, necessary school apparatus, and any deficit in the teacher's fund which may arise. They shall in like manner, thereafter make and submit a report annually on or before the fifteenth day of March.

SEC. 32. *Be it further enacted,* That it shall be the duty of the board of county supervisors thereupon to levy a tax upon the taxable property in each district sufficient to defray such estimated costs and expenses for said district: *Provided,* That no more than ten mills on the dollar shall be levied for school-house purposes, or five mills for teachers' fund. It shall be the duty of the president of the board of county supervisors to certify the number of mills or per centum upon the State tax thus levied to the collector of county taxes. The said collector thereupon shall enter upon separate assessment rolls, and submit the same to the board of county supervisors, who shall examine, and, if correct, approve the same. The tax thus levied shall be collected in the same manner as other county taxes are by law collected, and shall be paid to the county treasurer, who shall keep a separate account with each district in the county, and shall credit each district with the amount thus collected and paid.

From this brief synopsis of the school system it can be determined whether the opposition to it, as exhibited by the testimony to be adduced, has any reasonable pretext, in view of the facts that the poll-tax imposed upon the negro was \$2, and that the tax upon property could not exceed one and one-half cents in the dollar, for both building and teaching purposes.

In Pontotoc County the white population largely predominates. There were fifty-two white and twelve colored schools organized. The colored schools employed teachers of a lower grade of qualifications and at smaller salaries than the whites. The most of the teachers employed were natives of the South. Colonel Flournoy, the county superintendent, testifies that although he made no distinction in politics in employing them, he found, upon inquiry, that of the sixty-four teachers engaged but eleven were republicans, and but one of them a colored man.

In April and May, 1871, a number of the teachers of the colored schools were called upon by the Ku-Klux and warned that if they did not stop teaching they would be "dealt with." (P. 821.)

A teacher named Smith had been twice called upon, and after the second visit abandoned his school, having, as was generally believed, been whipped, although he was too high-spirited to admit it. Having stated this (p. 86) Colonel Flournoy proceeded, (p. 87:)

Question. Did he communicate to you the reason they gave for making that demand upon him?

Answer. Yes, sir; they said they were determined that there should be no colored schools kept; that they intended to break up every one of them in the State; that it was useless to contend about it; that they should be stopped. At some other points where they went—I state this as a hearsay testimony—at some other places they called upon persons who were not school-teachers to intimidate them. One white man they took into a swamp about a mile off, and I have no doubt they punished him very severely. They went into a negro house and danced about on the floor, exhibiting their pistols, and said the whole question was between the Loyal Leagues and the Ku-Klux. I state to this committee that there has never been a Loyal League in Pontotoc County. I know this is so. I never was in a Loyal League in my life; I know nothing about them; there has never been one in my county. But these men said the Government was afraid of them; that the courts could not touch them; that they were too strong; and that a democratic President should be elected in 1872; that they were determined upon that.

Question. According to your information, to what extent have visits been made by men in disguise in that county or in adjoining counties?

Answer. Well, sir, they have been riding in that county more or less for the last six or eight months; but of late they have ridden more frequently. There is such a reign of terror there now that persons whose backs are cut all to pieces will actually deny that they have been whipped by them.

Question. What are they afraid of?

Answer. They are afraid of being killed. These men tell them that if they ever disclose the matter, or say a word about it, they will kill them.

Of the teachers thus called upon and compelled to desist, all were democrats but one. These proceedings Colonel Flournoy denounced in severe terms in the newspaper of which he was editor. After he did so, the Ku-Klux rode in force into Pontotoc, the town in which he lived, and inquired for him. Judge Pollard and some other citizens sent word to Colonel Flournoy's house of the fact, and before the raiders reached it he had left it armed, and with some young men who were friends proceeded up-street and met them. Judge Pollard, as an officer under the law of the State, demanded of them to unmask and surrender. This was answered by firing upon him, when the fire was returned and one of the disguised men, named Hardin, was mortally wounded and captured with his disguise upon him, (p. 84 and 466.) Others were wounded, it is believed, but escaped, some leaving their horses and disguises also. These disguises correspond with those described as used by the order elsewhere.

Colonel A. P. Huggins, having served in the Union Army, went in 1865 to Monroe County, Mississippi, rented a large plantation, commenced planting, and continued in that occupation until the fall of 1867. He then became an officer of the Freedmen's Bureau, and resided at Jackson until May, 1869, when he returned to Monroe County, having been appointed assistant assessor of internal revenue. In May, 1870, he became county superintendent of schools. On the 8th of March, 1870, he went into the country some eight or ten miles from Aberdeen, the county town, on business as assistant assessor and school superintendent, and on the 9th made several assessments of revenue, visited several schools, and went to stay, by invitation, at the house of a Mr. Ross. That night the Ku-Klux, numbering one hundred and twenty came to Mr. Ross's house, compelled Huggins to come out, and after they had got him into the yard he thus narrates what followed, (pages 272, 273:)

Answer. There were about twenty who came up afterward to the horses; there were one hundred and twenty in the crowd altogether, as I numbered them. The gate was closed, and I went down to the fence. The night was as bright as a moonlight night can well be. I looked at my watch, and had no difficulty in telling the position of the hands of my watch. When I got down to the fence I asked the chief if he would now state my little bit of warning; that I wanted to hear it and be gone. He said the decree of the camp was that I should leave the county within ten days, and leave the State; that I could not stay there. He then gave me the decree, pronounced it out in a very pompous manner, and said it was given at a certain place, and registered in some corner of hell; I never did get the name exactly.

Question. The location of the register's office there you do not remember?

Answer. No, sir; I do not remember. He told me that the rule of the camp was, first, to give the warning; second, to enforce obedience to their laws by whipping; third, to kill by the Klan altogether; and, fourth, if that was not done, and if the one who was warned still refused to obey, then they were sworn to kill him, either privately, by assassination, or otherwise. I was then warned again that I would have to go; that I could not stay there; that there was no such thing as getting around one of their decrees; that if I undertook to stay there I certainly should die. They repeated again that I could not live there under any circumstances; they gave me ten days to go away. They said that during that time I must relieve them from all the taxes of the county.

Question. From the United States tax?

Answer. Well, sir, everything; they included everything; they said the taxes of the county. I reminded them that I could not possibly be held in any way responsible for any tax except the revenue tax and the school tax; that the State and county taxes really amounted to three times all the other taxes. They said I could take them off, and they knew it; that I had got to do it, and to promise them that I would do it. I asked them if the tax was my offense, or what my offense was. They said that I was collecting obnoxious taxes from southern gentlemen to keep damned old radicals in office; that they wanted me to understand that no laws should be enforced in that country that they did not make themselves; that they did not like my general radical ways a bit; that was the charge they gave against me. In fact, they treated me very

courteously, except the beating they gave me; but otherwise I was not insulted or treated unkindly at all.

Question. They were civil in their manner?

Answer. Yes, sir; they were civil. One of them commenced to curse; he began, "God damn," and was going to say something, when the captain stopped him and said that he should not do that; that all they wanted of me was to get me out of the country; they said they did not like my radical ways any way. I asked them if their operations were against the radical party; they said they were; that they had suffered and endured the radical sway as long as they could; that the radicals had oppressed them with taxation; that they were oppressing them all the time, and that I was the instrument of collecting the taxes; that they had stood it just as long as they could, and that this was their way of getting rid of it; that they were bound to rid themselves of radicals, or else kill them, or if it took the killing of them, or something to that effect. There was a colored school and a white school in the neighborhood. I knew most of the men there were from that neighborhood; I asked them with reference to Mr. Davis's school; that was the white school, where I supposed the most of their children were attending; I asked them if they were not satisfied with his school; they said, "No;" that they liked Davis well enough as a teacher, but that they were opposed to the free-school system entirely; that the whites could do as they had always done before; that they could educate their own children; that so far as the negroes were concerned, they did not need educating, only to work. They said they had no objection to Davis at all, but that they could manage their own affairs without the State or the United States sending such as I was there to educate their children, and at the same time to educate the negroes too. After the conversation on the school subject closed, one of them said, "Well, sir, what do you say to our warning? Will you leave?" I told them I should leave Monroe County at my pleasure, and not until I got ready. The captain then said to me, "Sir, you say you will not leave; you will not obey our warning." I said I would not obey; that I would leave when I got ready, and not before; that I would not be driven from any place. The gate was then thrown open, and the fence was climbed by twenty men in a moment. I was surrounded and disarmed; the pistol that I had had until that time was taken away. They then took me between an eighth and a quarter of a mile down the road, and came to a hill, where they stopped; they then asked me if I was still of the same opinion—that I would not leave the country; I told them I was; that I would not leave. I reasoned with them a little; I told them I was like every other man; that all I had was there; that this was a very sudden thing, and that I would rather die than say that; that I would not say it under any circumstances. They said they should hate very much to interfere with me; that they had made promises to Mr. Ross and myself; that I had really not been obnoxious to them only in the tax line, and that they would not like to interfere with me, for they counted me as a gentleman; that they did not want to interfere with me at all; that all they wanted was to get rid of me from the county and from the State; that I could not stay there. They then said, "You cannot stay at Jackson; you must leave the State." Mr. Ross saw that they really intended to treat me badly.

Question. Was Mr. Ross along?

Answer. He was along; he went with me. He said, "Remember your promise; you must not do anything to harm the man at all; your promise is out." After they had said that they remembered their promise, I warned them to beware what they did, and told them that I never would let go of them; that if they left me alive I would certainly do what I could; that I was a United States officer, and would not take any such treatment without doing what I could to get redress; that it was not safe for them to do what they were doing. They ordered me to take off my coat, which I refused to do; they then took it off by force. After that they asked me if I consented to leave, and I still refused. They said that if I would promise them, I should go back to my bed and sleep quietly, and they would all go on home; they really urged in every way that it was possible for men to do to get me to promise to leave the county and the State without any violence. They then showed me a rope with a noose, and said that was for such as myself who were stubborn; that if I did not consent to leave I should die; that dead men told no tales. At this time I saw a man coming from toward the horses, from where I then supposed and where I afterward knew the horses were; he had a stirrup-strap some inch and a quarter in width, and at least an eighth of an inch thick; it was very stout leather; the stirrup was a wooden one. As he came up he threw down the wooden stirrup and came on toward me, and I saw that he was intending to hit me with the strap; that that was the weapon they intended to use first. He came on, and without further ceremony at all—I was in my shirt-sleeves—he struck me two blows, calling out, "One, two," and said, "Now, boys, count." They counted every lash they gave me. The first man gave me ten blows himself, standing on my left side, striking over my left arm and on my back; the next one gave me five blows. Then a fresh hand took it and gave me ten blows; that made twenty-five. They then stopped, and asked me again if I would leave the county. I still refused, and told them that now they had commenced they could go just as far as they pleased;

that all had been done that I cared for; that I would as soon die then as to take what I had taken. They continued to strike their blows on my back in the same way until they had reached fifty. None of them struck more than ten blows, some of them only three, and some as low as two. They said they all wanted to get a chance at me; that I was stubborn, and just such a man as they liked to pound. When they had struck me fifty blows they stopped again and asked me if I would leave; I told them I would not. Then one of the strongest and most burly in the crowd took the strap himself and gave me twenty-five blows without stopping; that made seventy-five; I heard them say, "Seventy-five." At that time my strength gave way entirely; I grew dizzy and cold; I asked for my coat; that is the last I remember for several minutes. When I recovered myself they were still about me; I was standing; I do not think I had been down; they must have held me up all the time. I heard them say, "He is not dead yet; he is a live man yet; dead men tell no tales." But still they all seemed disposed, as I thought, to let me go; I heard no threatening, except what passed a few moments afterward. They all passed in front of me, or a great number of them—I will not say all—and drew their pistols and showed them to me; they told me that if I was not gone within ten days they were all sworn in their camp, and sworn positively, that they would kill me, either privately or publicly. They then asked me where my office was; I told them my office was at the court-house in Aberdeen. They said they would kill me either privately or publicly; that they would be sure to do it if I did not leave. These men were all armed with the same style of pistol, those that passed before me; before they got through I had completely recovered my senses, and I noticed everything particularly, and saw that all had the same style of pistols, what appeared to be about six-inch revolvers.

They left him in that condition with Mr. Ross, and to secure himself from an apprehended return, upon Mr. Ross's advice, he passed the remainder of the night concealed in the gin-house.

In April two of the board of school directors of Monroe County who had voted in favor of imposing school tax were warned by the Ku-Klux to leave the board, and in pursuance of that notice one of them did resign. About the same time all the teachers on the east side of the Tombigbee River, in that county, were notified by them to close their schools, and did so, twenty-six schools being thus interrupted, (pp. 281, 282.) They went in a body at night and gave these warnings to the teachers.

Among those called upon was a Miss Sarah A. Allen, a lady sent by a missionary society from Geneseo, Illinois, and engaged in teaching one of the free schools. Eighty Ku-Klux came at 12 o'clock on a Monday night, after she had retired, entered her room, and told her she must close her school on Wednesday; that if they came again she would not get off so easily. She reported this to Colonel Huggins, who says: "Miss Allen made this statement to me herself. She is a highly educated and accomplished young lady."

In April the Rev. Mr. Galloway, a southern-born man, a Congregationalist, who preached at times to the freedmen, was called upon twice at night by disguised men and notified that he must quit preaching. About the same time the Rev. Mr. McLachlin, a preacher of the Methodist Episcopal Church North, after receiving various warnings, was constrained to leave Oktibbeha County.

The rate of school tax estimated for Monroe County was 10½ mills on the dollar for both buildings and teachers, and the result of the opposition was that the supervisors were notified that they should not make the assessment, and they did not. Thus not only were the schools stopped, but the teachers who were driven away were deprived of pay for the time they had taught.

Similar occurrences took place in Noxubee and in Lowndes Counties, and so far was it carried in Lowndes County that not only were the schools stopped, but a part of the tax that had been collected was refunded to those who had paid it, (p. 285.)

Cornelius McBride, a young Scotchman, taught a colored school near

Sparta, Chickasaw County, during the week, and, at the request of the white people, took charge of their Sabbath school in Cherokee Church. In that immediate neighborhood the whites were favorable to education, and Mr. McBride got along well and was very much respected. Other school-houses had been burned and teachers threatened, but he felt secure. He was not, however; and the spirit of hostility to schools will be more fully appreciated from statements given by himself than from any abridgment we can make of them. He says:

The last week in March there was a raid made over several counties there. I had several warnings, in the shape of several school-houses being burned there; but inasmuch as I was on good terms with the people in the neighborhood where I was teaching, I did not apprehend any difficulty. There was a school-house burned down not far off from where I lived; Mr. Burt Moore was teaching the school there, and they threatened his life if he did not stop teaching. At Houston several teachers of colored schools were attacked; one of them told me that they ordered him to leave in three days or they would take his life. His wife was about to be confined, but he had to leave. But I did not fear any difficulty for myself, inasmuch as I had opened the school there with the consent of the white people in the neighborhood. During the last week in March some of my scholars told me they had heard that the Ku-Klux were out after me, but I did not pay any attention to it. I boarded with Mr. Thomas Johnson, an old gentleman; he was then in Alabama, and I was alone in the big house, and I had no arms in the house. There were some colored people living in cabins in the yard, but there was no one with me in Mr. Johnson's house. Between 12 and 1 o'clock on Thursday night, in the last week of March, a body of men came to the house, burst in the doors and windows, and presented their rifles at me. I asked them, "What are you all coming here this time of night for, making this row?" The leader of the party said, "You God damned Yankee, come out here." Well, I realized my position at once; I knew it was a matter of life and death; I did not believe those men came there merely to whip me and then leave me, as they did colored men; I thought they meant to kill me, and I made up my mind to make an effort to escape. There were two men standing at the window with their rifles presented at me; I leaped out of the window, right between those two men.

Question. Were you in bed when they came there?

Answer. Yes, sir; I was in bed when they came. I jumped out of the window and ran to the house of a colored man in the yard, where there was a double-barreled gun; I was determined to get that, if I could, and defend myself. I had no time to wait for the colored woman to open the door, but I just burst right in. While I was running down the yard, they fired at me a number of times, crying out, "God damn you, stop, or we will blow your God damned brains out."

Question. Did any but the two men fire who were at the window where you jumped out?

Answer. I do not know; I expect that the whole party fired, from the reports; I do not know.

By Mr. BECK:

Question. Were you hit?

Answer. No, sir.

By the CHAIRMAN, (Mr. POLAND:)

Question. Go on with your story.

Answer. While I was in the cabin trying to find the gun, these men came in before I could find it. There were two rooms in the house of the colored man, and I went into one of them and tried to hide. They came in and searched for me and got me. The colored people prayed to them, "O, don't hurt Mr. Mac; for God's sake let him alone." They said, "Don't make that noise; keep quiet; we will not hurt you; hold your tongues." They took me out of the house and across the yard; I asked them in what way I had injured them to justify that attack on me. They cursed me, told me to stop talking, struck me in the side with their bowie-knives that had their scabbards on, and with the but-ends of their pistols. They took me scarcely a quarter of a mile from the house, to a field near the road, and told me to take off my shirt, which I refused to do. Then one fellow struck me on the head with a pistol, cut my head, and knocked me down, and then pulled off my shirt.

Question. You had nothing on but your shirt then?

Answer. No, sir. Two of them then held me down, and one of them took a bundle of black-gum switches. I did not know what they were then, but one of the colored people told me the next day that they had picked up some thirty, and that they were black-gum.

Question. Black-gum switches?

Answer. Yes, sir; a peculiar kind of stick, which stings and raises the flesh when it hits. One of them took the bundle of switches and commenced to whip me. They said they were going to give me a hundred each. I do not know how many men there were; I counted only five around me, but I believe there were more than a dozen there. They agreed to give me a hundred lashes each. One man gave me a hundred, and then handed the bundle of switches to another, who gave me about seventy-five. He said he had given me seventy-five when I escaped from them. I asked them while they were whipping me what I had done to merit that treatment. They said I wanted to make these niggers equal to the white men; that this was a white man's country. They said, "God damn you! Don't you know this is a white man's country?" I said, "The white people in the neighborhood are satisfied with my conduct and the manner I have been conducting the school here. They have shown it by selecting me to take charge of their Sunday-school." They said, "Yes, God damn you, that is the worst feature in it, having a nigger teacher to teach the white school on Sunday!" I was fighting them all the time as well as I could—kicking at them and doing what I could—for the torture was horrible. I thought they would kill me any way when they got through whipping me, and I begged them to shoot me. One of them came up to me with his pistol and asked me if I wanted to be shot. I said, "Yes; I can't stand this." The leader of the party said, "Shooting is too good for this fellow. We will hang him when we get through whipping him." I saw a rope hanging from a limb of a tree by the side of the road. There was only one man standing between me and the fence of the plantation. I observed that, and I tried to gain his attention, for I was determined to make an effort to escape. They threatened to hang me, or to tie me. I hardly know what they said. I thought they were going to hang me. I got the attention of this man for a moment. He was standing between me and the fence, and had two pistols. I asked him whether they would let me off if I would promise to leave in the morning. All this time they were whipping me, but I managed to partly raise myself. I was half way up, on my hand and knee; I made a spring and made for this man, and struck at him as hard as I could. I do not know what part of his body I struck. I know he disappeared; I do not know where he went. The way was then clear to the fence, and I leaped the fence. As I did so they swore terribly and fired at me, and the shots went just over my head, scattering the leaves all around me. As I went across the field they kept firing at me and followed me a short distance. By that time the neighborhood was alarmed, hearing my screams and the shooting. I went back to the house to get the gun I was after in the first place; but the colored people had hidden it, thinking that if I got it and shot at them they would kill me, but that without it they would let me off with a whipping. I went to the house of a neighbor there, Mr. Walser, and remained there during the rest of the night. Mr. Walser of course sympathized with me; he was my near neighbor and my friend. He said, "My God! Has it come to this now, that no man is safe, when you are attacked?" It was a very cold night, that night was—piercing cold. Before I went to Mr. Walser's house I had staid in the woods for probably a half an hour. The blood was running down my back, and my suffering was fearful. Mr. Walser was afraid if I staid at his house they might come there; but I remained there that night. The next day I taught my school as usual. They had threatened me while they were whipping me that if I held the examination I had advertised—they spoke something about the examination, and said they were preparing me for examination in another way. Some colored people brought me word that if I held that examination the Ku-Klux would come again and kill me that time sure; but I held my examination the following Monday notwithstanding the threats. I went there with a gun over my shoulder, and several people came there and brought their guns, and I held the examination. That night several white men and some colored men and myself laid out in the woods expecting that the Ku-Klux would come.

The state of affairs as affecting the schools in Winston County is thus described by Mr. McBride, (p. 333 :)

Question. Have there been many colored school-houses burned?

Answer. Yes, sir; in Winston County the state of affairs is terrible. Parson Murff, of the Methodist Episcopal Church South, a southern man, held a position there as school director. His most intimate friends came to him and told him that, though he was a popular man, they had heard such threats against him that he must resign, or his life would be taken. He told me himself that he had to resign his position, for he was satisfied that if he did not resign his life would be taken.

Question. He was a native of the South?

Answer. He was a native of the county, and a presiding elder of the Methodist Episcopal Church South.

Question. That grew out of their opposition to the system of free schools?

Answer. O, yes, sir; they had no other objection to Parson Murff.

Question. Did they burn any school-houses in that county?

Answer. Yes, sir, quite a number of them. The Rev. John Avery stopped at the same house in Oxford that I did; his house was burned.

Question. Where does he live?

Answer. In Winston County. His brothers and cousins belong to this Ku-Klux organization; so he said himself. They had threatened his life because he was teaching a free white school, and he threatened to go before the grand jury at Oxford and give evidence against them. They then sent for him to go to one of their meetings. I give you Mr. Avery's statement. He was going to swear before the grand jury at Oxford, and his brothers sent for him to go to one of their Ku-Klux meetings. He went there, and they proposed to compromise the matter, which he agreed to do, if they would let him alone and not annoy him. But they broke their agreement by burning down his school-house afterward, and he came to Oxford to give evidence there. His brothers sent him word, while he was in the same house with me, that they would kill him, so help them God, for turning traitor and giving evidence against them. He had not turned traitor to them, for he had never belonged to their organization.

Question. Was he a southern man?

Answer. Yes, sir; a southern man.

Question. And a Methodist minister?

Answer. Yes, sir, of the Methodist Episcopal Church South; and a man highly respected and of good standing in that community, I understand. The order there was to put down every free school, and I do not believe there is a single free school in that county; the information is that they are all closed.

Question. They have broken up all the schools in that county?

Answer. Yes, sir; or nearly all of them.

Question. Do you expect to return to Chickasaw County?

Answer. I want to return there, because I am interested in my school work there; but I dare not now; at present I cannot return.

Question. You do not suppose it would be safe for you to go back there now?

Answer. No, sir; my life would be taken. They have sworn there, since I have taken this action against them, that they will kill me, day or night; that they would track me wherever I might go. My friends have sent me word from there that these men have sworn to kill me, by day or by night, wherever I may go in that country.

This witness also states that the objection is not only to the expense of the system; that those who object have told him the free-school system is not so expensive as private schools, but it is to the education of the negro and because it is a "radical" measure, and enacted against their will, (pp. 336, 340.)

To give the details of the whipping of men to compel them to change their mode of voting, the tearing of them away from their families at night, accompanied with insults and outrage, and followed by their murder, would be but repeating what has been described in other States, showing that it is the same organization in all, working by the same means for the same end. Five murders are shown to have been committed in Monroe County, fifteen in Noxubee, one in Lowndes, by the testimony taken in the city of Washington; but the extent to which school-houses were burned, teachers whipped, and outrages committed in this State, cannot be fully given until the testimony taken by the sub-committee shall have been printed and made ready to report.

Having thus spoken of the first appearance, the progress, and acts of this organization, the inquiry presents itself, What are we to deal with as a cause or causes in finding a remedy for the evil? We turn to the testimony of General Forrest, who gives the account of its earliest existence, and, from the extracts already given, it may be fairly presumed he knows why the Ku-Klux were organized. Four distinct motives or causes may be gathered as assigned by him—

First. The animosity existing between the Union and rebel soldiers, (p. 23.)

Second. Opposition to the Loyal Leagues, (pp. 6, 7.)

Third. Apprehension of violence from the negroes, (p. 24.) This is put in the form of an apprehension of their unlawful acts and of resentment against northern men and republicans for influencing the negro, and detaching him from the political support of his former masters.

Fourth. Apprehension of the State militia, called out by Governor Brownlow, (pp. 14, 15.)

We endeavor to group the causes that have been assigned in the testimony of others than General Forrest, as accounting for the Ku-Klux.

First. The reconstruction acts are given as the exciting cause, because—

Second. It is alleged that they brought in the "carpet-baggers," who influenced the negroes to vote with them, whereas, if left to themselves, they would have acted with their former masters.

Third. To control them politically, Union Leagues were established, and it is charged that in them they were instigated to steal and commit other offenses, and the Ku-Klux were instituted to counteract them.

Fourth. That by these means ignorant and unworthy men obtained power in the State and local governments, squandered public money, increased State debts, imposed oppressive taxes, enacted election laws which resulted in frauds, and have been guilty of corrupt practices in legislation and in administering the State and local finances.

Fifth. The incapacity or want of integrity in inferior magistrates, and in some instances in judges of courts.

Sixth. The abuse by the executive of the States of the pardoning power.

Seventh. The arming of the militia in some of the States.

Eighth. The continuance of political disabilities.

The first three causes assigned by General Forrest for the organization in 1866, are identical in meaning, if not in language, with the first three gathered from the testimony of those who undertake to account for this organization at subsequent dates; and, therefore, before proceeding to consider these later-assigned causes, we notice that of the apprehension of the militia called out by Governor Brownlow. They were called out, as is to be inferred from General Forrest's testimony,* to resist the late rebels, as he states that they were ordered to shoot rebels with impunity. As they were organized and in service by authority of the State, opposition to them signified hostility to the State government; but without going into the history of this subject, we dispose of it by quoting from the report of General Thomas, (report of Secretary of War, 1867-'68, vol. 1, pp. 182, 184:)

The condition of affairs generally in the country districts in Tennessee was most deplorable in the first part of the year, murders, robberies, and outrages of all kinds being committed without any effort on the part of the civil authorities to arrest the offenders. This was particularly the case in Sumner and Robertson Counties, localities in which loyalty to the Government never was considered "respectable," Union men and negroes being in constant danger of their lives. The town of Columbia, in Maury County, Tennessee, may also be mentioned as standing prominently forth for obstacles thrown in the way of obtaining justice through the civil courts by any who were not identified with the confederates. The petty officers of the law, particularly a sheriff, by virtue of that freemasonry existing among rebels and rebel sympathizers in that locality, oftentimes could make life almost unbearable to those who had not remained consistently disloyal to the Government.

Just previous to the August election in Tennessee, and ever since, there has been considerable feeling aroused among a certain class concerning the misbehavior of the State militia in that part of the country.

On two occasions I have sent officers of my staff to make inquiries and investigation on the spot, and they could elicit nothing of a general character which could be considered in the light of gross irregularities, such as the malcontents of the local press endeavored to represent. Occasional rows, such as might be expected from a newly organized body of men, would occur, and would then be immediately seized upon by an unscrupulous set of newspaper demagogues, only too willing to misrepresent, if the opportunity were afforded.

Recurring now to their operations as described in the report of Gen-

eral Thomas, heretofore quoted, and to the report of the legislative committee in Tennessee, before proceeding to consider causes subsequently assigned, in connection with the first three assigned by General Forrest, the following points of resemblance are observable between the organization formed for these alleged causes in 1866, and the one which is said to have been formed for subsequent causes, viz :

First. They were called the Ku-Klux Klans.

Second. They were described as "organized companies of men, mounted and armed, horses and riders disguised," &c.

Third. The civil authorities were powerless to repress them.

Fourth. The tone of the sympathizing press.

Fifth. Assassination of all who interfered with their plans.

Sixth. The Loyal Leagues were given in excuse for their organization.

Seventh. The complaints of the defeated insurgents, contrasting their past and present condition, assigned as the controlling causes of lawlessness.

These points can all be verified by referring to the report of General Thomas for 1868-'69, vol. 1 ; Report of Secretary of War, pp. 144-151 ; and on pp. 193 and 197 will be found the interview with General Forrest and his letter, heretofore referred to, inserted as having attracted the attention of that officer, as part of the development of this organization at that time.

These last-alleged causes are gathered from the testimony of leading men in the several States, such as Judge Carpenter, General Chestnut, Wade Hampton, General Butler, and Ex-Lieutenant Governor Cannon, in South Carolina ; Judge Battle and others, in North Carolina ; Colonel Baskerville and J. F. Sessions, in Mississippi ; Governor Lindsay and General Clanton, in Alabama ; General Gordon and Judge Wright, in Georgia ; all of whom very distinctly avow that they are not members of the organization, never met a member knowing him to be such, and give these causes as in their opinion accounting for the organization of the Ku-Klux, or, where they are skeptical as to its existence, as some of them are, for the outrages which they admit have been committed. In considering these causes, it is impracticable, within the limits of this report, to take up each State, and speak in detail of its condition, as showing the existence of any or all of them. They must be dealt with generally, using the several States as occasion may require as illustrations.

Bearing in mind that the existence of the organization is established as early as 1866, and taking the four causes assigned by General Forrest, it is easy to determine the class of men who composed and the motives which actuated the order then.

It was composed of the late rebel soldiers as opposed to Union men ; of democrats as opposed to the white and negro republicans in the Union Leagues ; of those who resisted as against those who sustained Governor Brownlow's efforts to maintain order and preserve peace in the State.

Starting in Tennessee, it had rapidly spread into adjoining States, and, as already shown, had manifested itself by its acts, to a greater or less extent, in every one of the late insurrectionary States as early as during the summer and fall of 1868. Now, with the exception of the presence of northern men in Southern States, and the establishment of Union Leagues to influence the political action of the negroes, none of these later-assigned causes for the origin of the Ku-Klux were themselves in existence in 1866, when it was established.

The reconstruction acts were passed in March, 1867. The State gov-

ernments of the other insurrectionary States, after Tennessee, were not organized until the summer of 1868. The thirteenth and fourteenth constitutional amendments were declared ratified 18th December, 1865, and 28th July, 1868, respectively. It follows that those were not the causes of the organization. It was an organization already in existence when these events took place, and from the elements drawn into it, and the motives actuating it in its beginning, have flowed the terrible consequences revealed by the testimony taken and reported by the committee. It doubtless did develop with events and adapted itself to them. Coming into existence after the thirteenth amendment to the Constitution was adopted, it visited its vengeance in Tennessee upon the negro and the Union man whose acts had liberated him. The reconstruction acts, being another step to secure national safety, were met with increased bitterness; and the report of the committee of the Tennessee legislature tells the results in that, the then (1867-'68) only reconstructed State. When the fourteenth amendment was proposed, conferring citizenship and its rights and privileges upon the negro, and imposing disabilities to hold office upon those who had already disregarded the obligations of office, the contest became still more bitter and more widely spread; and the spirit of the early Tennessee organization is readily discerned in the atrocities narrated by the reports of commanding officers and of the superintendents of the Freedmen's Bureau, and in the contested election cases of the year 1868.

That contest ended, the State governments were about going into operation after their admission to representation. The light in which they have been viewed, and the spirit in which they have been received by those who sullenly stood back and refused to take part in their organization, complaining of them as imposed by the usurpation and tyranny of Congress, have been manifested by the extracts already given from their own testimony in different States. These complaints, uttered by the leaders of southern sentiment in the hearing of their more humble followers, have again produced their fruits. Evils bad enough in themselves, and needing correction, were carried, clothed in the language of these leaders, breathing bitter complaints against national and State governments, and deprecating the enfranchisement of the negro, into the meetings of their subalterns, and then became the pretext for crimes and lawlessness that, unchecked, could end only in anarchy.

The adoption of the fifteenth amendment, having made the ballot secure against the spirit which opposed the thirteenth, and rejected, as far as it could, the fourteenth amendment, presented the colored man clothed with freedom, citizenship, and the ballot. The organization of 1866, animated by the spirit and composed of the material already mentioned, had developed in the opposite direction, and in 1870 and 1871 it rode into Eutaw, Alabama, and murdered Boyd for seeking to punish by law the murderers of colored men. It pursued the ministers of the Methodist Episcopal Church in that State because of their loyalty. In North Carolina it hung Wyatt Outlaw, for no other offense than opposition to the Ku-Klux, and barbarously whipped Mr. Justice for exercising his political rights. In South Carolina it tortured Elias Hill for preaching the gospel to his race, for educating their children, for leading them in their political and business life. It assembled in force, armed and disguised, to prevent the execution of a writ of *habeas corpus* in Union County, issued to secure ten negroes charged with murder for lawful trial, and hanged them without trial. In Mississippi it destroyed school-houses and drove away school-teachers. In Georgia, and indeed in all the States examined into, it committed murders, whippings, and out-

rages so numerous and so horrible that one of the retained defenders of the perpetrators has honored his own nature and announced the existence of these enormities by declaring that, in South Carolina, "they are shocking to humanity; they admit neither of justification nor excuse; they violate every obligation which law and nature impose upon men."

The first cause assigned by General Forrest, the animosity existing between Union men and the confederates in Tennessee, naturally prepared the Ku-Klux for assigning all these subsequent causes for their acts. That there were depredations and petty pilferings by the negroes after the close of the war cannot be doubted. That it would be so was almost inevitable. They had been chattels; ignorance was enforced upon them by statute; they had seen their masters in arms seeking to absolve themselves from the obligations of the supreme law of the land. When that rebellion failed and found the negro a free man, it was not to be expected that he would have a highly cultivated sense of the rights of property, or of the obligations of that law which gave the results of his toil to those who had themselves disregarded law in a struggle to perpetuate his bondage. But that ever there was serious apprehension of general or combined lawlessness by the negroes we cannot believe, as the testimony does not establish that they ever contemplated it. Upon the contrary, there was no difficulty in arresting, convicting, and punishing them for their offenses, and the cases in which apprehension of general attack from them is alleged, as, for instance, in Chester County, South Carolina, when examined, show that, instead of intending hostilities against the whites, they were themselves fearing attack and seeking protection.

The animosity against northern men who settled in the South, and are, by way of reproach, called carpet-baggers, was entirely natural at the inception of this organization, and it has been faithfully transmitted. Many of the soldiers of the Union Army felt that they had a right to make their homes in the land they had wrested from the grasp of treason. They could not expect to be more hospitably received by their defeated enemies than were the Union men of Tennessee. If they found congenial associates in the Loyal League—a political organization formed, not to instigate or encourage crime, but in aid of the Union for which they fought—and if by its means they obtained place and power, they became still more the objects of the aversion of those who looked upon them as at once the instruments and the representatives of tyranny. Faithful and honest service would hardly reconcile these animosities; but when, as was too often the case, unfaithful and dishonest men, strangers, without the merit of soldiers or the virtue of good citizens, climbed into place by their means, they afforded a pretext for a proscription so inexorable that no intelligence or purity of character could withstand the odium of the term "carpet-bagger." As the violence of the Ku Klux has been directed in but few instances against the dishonest and unfaithful carpet-bag officials, it is evident that the complaint of them is but a pretext for the hostilities visited upon others.

Thus we dispose of the reconstruction acts, the apprehension of the negroes, the carpet-baggers, and the Union Leagues, assigned as causes for the organization and acts of the Ku-Klux in the opinions of those who say they are not members and who have not been its victims. But other classes of witnesses have testified who give other reasons for the existence and acts of this order; they are its members and its victims. Some of its members testified, and their testimony has been before the country in the report upon North Carolina. Since then the testimony of Durham and Scheuck, in the same State, that of Owens in South

Carolina, that of Talliaferro in Mississippi, and the multitude of confessions at Yorkville, Columbia and Raleigh—all show clearly that whatever may have been its original intent or the avowed design with which men were seduced into it, it has become a political organization whose purpose, as variously expressed, is to put the democratic party up and the radical party down, to oppose the amendments to the Constitution, to have a white man's government, and, as finally revealed in the printed constitution and oath published with the testimony of the last witness examined, (Mr. Schenck,) "to oppose and reject the principles of the radical party," an end, as shown by the constitution, to be accomplished by "each member providing himself with a pistol, a Ku-Klux gown, and signal instruments."

If corroboration were needed upon this point, it can be found in the expressions made by those bandits to their victims when inflicting their scourgings upon men and their outrages upon women. That testimony is uniform, and if "out of their own mouths we condemn them," it must be upon the ground of their hostility to the Government, and to the enjoyment by the negro of the rights conferred upon him by the amendments to the Constitution, and by the laws which they are organized to oppose.

Although these assigned causes did not give rise to the Ku-Klux, and although where any of them can be urged they do not either justify or excuse the wrongs committed, there do exist evils of so grave a character, and which do so seriously affect the people in these States, that the committee feel it a duty to notice them. They may be considered as comprised in the fourth, fifth, sixth, and seventh assigned causes, of which we proceed to speak collectively.

The state of society at the close of the war was one which would have been very difficult to deal with, even by the best-established government. It became very much more difficult in the contest which ensued over the proper mode of re-establishing the destroyed State governments.

We have already spoken of the negro. Those who had owned him and the land he tilled, by their education, wealth, and consequent position, were the governing power in the State. They took up arms for the idea that the States had formed and were superior to the National Government. They were unwilling to accept at the hands of that Government the reconstruction acts or the fourteenth amendment, proposing terms which substantially left the power of the State governments in their hands, and enabled them to limit suffrage and office to the white race. They declined to participate in the reorganization of the States, and we now find them almost universally attacking the State governments with all the intensity of party feeling in the present, fed by the remembrances of the past, and aggravated by the results of the errors which many of them concede they committed in their refusal to take part in the preliminary steps for their reorganization and in their rejection of the fourteenth amendment to the Constitution.

Unfortunately there are too many causes for complaint in the subsequent conduct of the State governments. If good government had resulted, the opposition founded upon their former political creed, and upon what they characterized as the bad faith, usurpations, and tyranny of Congress, would ere this have lost much of its power even in their own communities. Gentlemen have not hesitated to say that they acknowledged the right of Congress to impose terms upon the States after the war, and in the same connection to charge that good faith had been violated in requiring them to do more than observe the terms of

their parole when the armies surrendered, or in demanding ratification of constitutional amendments as part of the terms of readmission to representation. The same persons were careful to assert that there was no hostility to the General Government, and yet to base their denunciation of the State government upon the ground that it had been imposed upon them by the usurpations of Congress, and against their will. In this temper it would have made but little difference what terms were proposed, they would have met with the same reception. The power to impose any terms was inconsistent with the principle for which they had fought; and if in the exercise of that power a form of government had been proposed which they believed to be otherwise good, it is but too evident that so long as it embraced the liberation, the civil and political elevation, of the negro, it would have been rejected. From simple opposition they advanced to sullen and even defiant denunciation.

In Alabama, for instance, in order to defeat the proposed State constitution, they advised that the people should register and then not vote upon the constitution, so that it would not have a majority of the registered votes. They could have voted at that time for State officers and refrained to vote upon the constitution, but to avoid the risk of the people voting upon both they advised them to vote upon neither. When Congress in the exercise of its power defeated this revolutionary effort to prevent the establishment of any government, the men who did this now complain that the officers elected by those who did vote are not their choice, and assign this as a reason for bad government, and the bad government as a cause for Ku-Klux.

In other States men who were educated and eligible to office were asked by the colored people to accept it, and refused.

The consequences of this state of feeling and society have been disastrous in the South, as such a course must be in any country. The refusal of a large portion of the wealthy and educated men to discharge their duties as citizens has brought upon them the same consequences which are being suffered in northern cities and communities from the neglect of their business and educated men to participate in all the movements of the people which make up self-government. The citizen in either section who refuses or neglects, from any motive, to take his part in self-government has learned that he must now suffer and help to repair the evils of bad government.

The newly made voters at the South at the close of the war, it is testified, were kindly disposed toward their former masters. The feeling between them even yet seems to be one of confidence in all other than their political relations. The refusal of their former masters to participate in political reconstruction necessarily left the negroes to be influenced by others. Many of them were elected to office, and entered it with honest intentions to do their duty, but were unfitted for its discharge. Through their instrumentality, many unworthy white men, having obtained their confidence, also procured public positions. In legislative bodies this mixture of ignorant but honest men with better educated knaves gave opportunity for corruption, and this opportunity has developed a state of demoralization on this subject which may and does account for many of the wrongs of which the people justly complain. It is apparent, at the same time, that the demoralization is not confined to race, nativity, or political creed, but presents specimens alike in the negro, the carpet-bagger, and the white native citizens of both parties. These remarks are not applicable to all the reconstructed States. They are to several of them.

Taking South Carolina as an illustration, and it is certainly as bad in these respects as any of the States, and there can be no doubt that venality and corruption in the legislature prevailed largely. They are spoken of as existing by men of all parties, and seem to be couched; certainly their existence is almost universally believed by the people of the State. With such material in the legislature and such views of virtue outside as are shown to have prevailed, corruption was inevitable.

To make this clear, we quote from the testimony of two citizens, one a democratic member of the South Carolina legislature from Spartanburgh, Dr. R. M. Smith, another, General M. C. Butler, the candidate for lieutenant governor supported by the reform or democratic party at the last election. Dr. Smith testified as follows, (pp. 729, 730:)

By the CHAIRMAN :

Question. I suppose you accept the common maxim that the man who offers a bribe is as bad as the man who accepts one?

Answer. No, sir; I do not accept it, for this reason: a man should not prostitute an official position, and when it is known that a man in an official capacity is purchasable property, any man has a right to purchase him as well as anything else.

Question. Is that your code of morals?

Answer. Yes, sir.

Question. As a legislator, legislating for the public good?

Answer. I hold that the man who purchases any gentleman acting in an official capacity is not any more culpable than the purchaser of any other species of property, when he holds himself out in the market.

Question. Is that in accordance with the penal code of South Carolina?

Answer. I am not a lawyer—I am an illiterate man.

Question. You are a graduate in medicine?

Answer. Yes, sir.

Question. Does your penal code in South Carolina impose a penalty only upon the man who takes the bribe, and not upon the man who gives it?

Answer. I am not prepared to answer, but I have taken that view.

Question. You would not, as a legislator, impose any penalty upon a man who bribes a public officer?

Question. No, sir; because when it is understood that a man is for sale, like a sheep, or anything else, any man has a right to buy him.

By Mr. VAN TRUMP :

Question. You base your opinion on the fact that the legislature is known to be unblushingly in the market?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Is that the general tone of feeling among the members you associate with?

Answer. That they are for sale?

Question. That it is no offense in a man to buy up members?

Answer. I don't know whether I ever heard that question raised.

Question. You have not even heard it mooted?

Answer. No, sir; not as to the criminality of the two parties. I may be wrong in this matter.

Question. If that is the general tone of feeling among the members, I think your legislature does need a great deal of reform here. Go on to 1869. Was the same charge of corruption made in 1869?

Answer. Yes, sir; it became worse—more unblushing.

Question. Was it then confined to members of either political party?

Answer. The phosphate bill is, I think, of 1869. There was no charge in 1868, except charges implicating the republican party. It is only in this phosphate bill that a democrat was implicated; it was the legislature elected in 1868, and meeting in 1869. I think the phosphate bill was passed in 1868.

“Tim Hurley,” a republican member from Charleston, was so often introduced in the testimony of witnesses from this State as the leader of corruption in the legislature that he may fairly be treated as a representative character, and bids fair to go down as a historical one; and as further illustrating the pervading tone of public sentiment we quote

again from the testimony of Dr. Smith, who himself claims to be an honest man, never suspected, and is a native of the State, as follows, (pp. 736, 740, 741 :)

By Mr. VAN TRUMP :

Question. Is Hurley a carpet-bagger ?

Answer. Yes, sir.

Question. Where from ?

Answer. From Massachusetts; he is now a member of the legislature.

Question. Is he not understood to be a shrewd, keen, and most unscrupulous man, and corrupt ?

Answer. He is a very shrewd man. To say that he was corrupt would be going further than I would like to state.

Question. Take my sense of corruption, then. Has he been suspected of buying votes in the legislature ?

Answer. They don't suspect him of that—he does not deny it. I have heard it stated on the floor of the legislature; but “corruption” covers a great deal of ground. Tim Hurley has the reputation of being a man that will not go back on his friends. If he contracts to put through a job, any one else may offer him more money, but he will not forsake his first man.

Question. He goes on the maxim, “Honor among thieves.”

Answer. Yes, sir; but I will not say that, for I don't know.

Question. Is he notoriously engaged in carrying measures in the lobby with money ?

Answer. Yes, sir; he is recognized as the principal lobbyist; but he refused \$60,000 to report upon the Port Royal Railroad bill—so a member from Beaufort charged him with upon the floor; and he did not do it, because he was already engaged to the Greenville Railroad.

Question. Did Tim say he got more from the Greenville Railroad ?

Answer. This man charged him with it to his face, and he did not deny it. I do not suppose he would deny it.

By the CHAIRMAN :

Question. I have one or two questions to ask in connection with your examination. I understood you to say, in answer to a question by Judge Van Trump, that you were not willing to say that Tim Hurley was corrupt ?

Answer. I would not be willing to say it in the full acceptance of that word, and I went on to state why; that he had some good qualities.

Question. I understood you to say that Tim Hurley refused \$60,000 offered to him, giving that as a reason why he was not corrupt ?

Answer. I do not give that as a reason.

Question. I understood it to be given as a reason that he refused \$60,000 when offered to him to not report on the Port Royal bill, because he was in the interest of the Blue Ridge Railroad Company.

Answer. Yes, sir; that was the report there.

Question. In other words, that he had received some compensation from the Blue Ridge Company.

Answer. That was the rumor.

Question. Was he at that time a member of the house of representatives ?

Answer. Yes; sir; chairman of the committee on railroads.

Question. He had in his charge a bill affecting the interests of the Port Royal Railroad, and was offered \$60,000 if he would not report on that ?

Answer. Yes, sir; that is the charge; that he had been offered \$60,000 to report. I was talking with one of the members about that, and stated that I didn't believe it. He says, “You don't know Tim Hurley. He makes more money from the Greenville Railroad.”

Question. And the reason he would not report on the Port Royal road was because he had already received a consideration for his action from the Blue Ridge road ?

Answer. I will not say he had received it.

Question. But he was to receive it ?

Answer. Yes, sir.

Question. With that statement here, you are still unwilling to say that Hurley is a corrupt man ?

Answer. Not in every sense of the word. “Corruption” covers the whole ground. Hurley is a gentleman socially so far as I know him, and would not do a wrong act with you or me with anything intrusted to his care. When you say a man is totally corrupt you cover everything.

Question. Still you consider that, as a legislator, he would sell his vote and his position as a member of the committee ?

Answer. I will not say that. Report said so, and I heard a member charge him with it, and he did not reply.

Question. You believe it ?

Answer. I believe he is the principal lobbyist, and that he does buy the votes of other members.

Question. He corrupts other members ?

Answer. Yes, sir ; he has done so.

Question. And still you are unwilling to class him among corrupt men ?

Answer. Not absolutely corrupt.

Question. It is only a qualified corruption ?

Answer. Yes, sir.

Question. Is that the view generally taken, or your own individual view ?

Answer. My own individual view. I do not think I ever heard the question raised before. I may be very erroneous in it.

Question. I think so myself.

Answer. I think a man can be a gentleman in some positions and spheres, but—

Question. But I cannot see how a man can injure his fellow-citizens more than to corrupt their representatives who are intrusted with their interests.

By Mr. VAN TRUMP :

Question. I ask whether Tim Hurley is a corrupt man if he refused \$60,000 to do one legislative act because he had received more for doing another legislative act—was not that itself a corrupt act ?

Answer. Both are corrupt acts, but he is not so corrupt as a man would be to take the \$60,000 and whatever the other party would give also.

Question. To take both ?

Answer. Yes, sir ; that is the view ; he would not do that.

General Butler's attention was called to the frauds practiced by the land commission, and the following resulted, (pages 1207, 1208 :)

Question. You spoke of the fact that the owners were considerably to blame also. Is it not a fact that the fraud on the State, of the character to which you have referred, buying at \$5 an acre and inserting in the deed a consideration of \$10, could not have been consummated without the co-operation of the venders ?

Answer. Certainly, of course not.

Question. Were not the venders, in a very large degree, the native South Carolinians here who owned the land ?

Answer. O, yes, sir.

Question. So that, in reality, if the fraud exists to the extent that is charged, they have at least given their countenance to it, whether they have profited by it or not ?

Answer. Clearly so ; and I think they are to blame for it ; but it was human nature almost. I do not think a strictly honest man would do it. If I had 10,000 acres of land to sell, and a senator would come to me and say, " I will buy that if you will give me \$500," I would buy him up as I would buy a mule.

Question. Has the impression been made on the public mind that the corruption existing in the South Carolina legislature and through the negroes is attributable entirely to these bad men who come from the North ?

Answer. I don't think it has.

Question. Nor that the disturbed condition of your State is attributable to them ?

Answer. No, sir. I think some of the natives of the State are as responsible as men from the North ; but there is this difference, that one is invested with a trust, a public trust, and the other is not. He is simply a private individual making a trade, like trading horses. But here stands a man clothed with a public trust, and, of course, the obligation rests upon him to discharge that trust honestly and faithfully, and there is no excuse for him.

Question. Certainly not ; but is the moral atmosphere of this State of such a character that it holds that the public servant who is corrupted is to be any more reprobated than the man who corrupts him ?

Answer. I think so, clearly so ; because if a man who has a public trust is susceptible of being corrupted—there are corrupt men everywhere—he only wants an excuse. It is far more reprehensible in a man who is invested with a public trust. I do not apologize for the morality of cheating in a horse-trade, or anything else ; but the public servant never could have been corrupted if he had not been approachable.

Question. We hear so much of carpet-baggers and scalawags that we want to trace them out, and find out who are guilty.

Answer. I think that is fair.

The effect of such casuistry is apparent in the history of South Carolina legislation and its consequences. After the acts releasing the lien

of the State upon the Blue Ridge and Greenville and Columbia Railroads, and other acts complained of, were passed; when taxation was complained of, a taxpayers' convention was called, composed principally of the property-holders of the State; and in the proceedings, as incorporated in the testimony, will be found the following extracts from the speeches of F. F. Warley, a prominent democrat. In reference to one of these acts he said, (pp. 499-508:)

There is no sin uninduced by temptation; there can be no corruption without corruptors; and we fail to discharge the duty we owe to those who sent us here, if we do not endeavor to seek them out. The legislature of South Carolina, ignorant as it is, could not have been bribed without money; that money must have been furnished from some source; that source, it is our duty to endeavor to discover.

Mr. President, one prominent feature in this transaction is the part which native Carolinians have played in it; and it is to this feature that I ask to be allowed to address myself in closing. I say, sir, and I say it in sorrow, that some of our own household, men whom the State in the past has delighted to honor, but whose honors have been withered by the atmosphere of corruption that they breathe, are involved in this swindle. I can't conceive how these men, thoroughly acquainted as they are with the negro character, and with the circumstances which, up to a recent date, surrounded the negroes then in slavery—knowing, as they well know, that in mature manhood the negro is mentally a child, and that, morally he never passes the stature of infancy—could reconcile it to themselves to approach them when, by force of law, they were suddenly raised to political power, and, by appealing to their cupidity and avarice, make them their instruments to effect the robbery of their impoverished white brethren. The highwayman spares the idiot; the pirate has mercy on the fool; but these, our own people, use idiot and fool alike to consummate their schemes of spoliation and plunder. A legislature, composed chiefly of our former slaves, has been bribed by these men—to do what? To give them the privilege, by law, of plundering the property-holders of the State, now almost bankrupt by reason of the burden of taxation under which they labor.

That the honest people of the State would complain of such results will excite no surprise. In the light of these extracts it is also apparent how useless and idle it is for either party to charge the other with the consequences, as the result of party measures. The political party in power must, of course, bear the responsibility of its partisan administration, but the individual dishonesty of the members of either party in public trust, or of private citizens who bribe them, should be treated not as a party fault, so as to give it even the slightest party support, but as a gross departure from duty, meriting the scorn of all honest men, and teaching the man guilty of it that he forfeits the respect of all parties; that no party distinction or services can atone for the lack of personal integrity.

To proceed with results in South Carolina: A commission was organized to purchase lands for the purpose of furnishing homes to the destitute laborers at cheap rates and upon terms of easy payment, and \$700,000 was appropriated for that purpose. The policy of the measure, in the then impoverished condition of the State, had its advocates and opponents in both houses. The intention, if honestly carried out, was commendable, but the administration of the trust discloses, as already intimated by the extracts given, a greedy avidity by the owners of land to sell; a willingness to insert in their deeds a price higher than that they obtained—the difference to be used as a corruption fund between themselves and the officers—thus defrauding the State; making purchases of land unfit for the purpose, at exorbitant prices, and defeating, in a great degree, the benevolent purposes of the act.

The election law of the State is one which could not be better calculated to produce frauds by affording the facilities to commit and conceal them, and, tempted by these facilities, we cannot doubt that in many instances they were committed.

The pardoning power has been exercised freely by the executive, and unless we bear in mind the peculiar state of society existing in this State, the party divisions so nearly separating the whites and the blacks, the severity of punishment visited upon the negroes for trivial offences, the temptation which would naturally present itself to give credence to their wrongs when asking for clemency, the proportion of pardons to the number of convictions seems at once to establish that the power has been abused. That it has been exercised in mistake in many instances, as it often is in all the States, we cannot doubt, after hearing of the acts of some of the pardoned convicts. But we are not prepared to give the sweeping condemnation of this feature of the administration that some of its other features deserve.

The reports for the year 1870 show that in that year there were in the penitentiary 575 convicts, and 205 pardons were granted. The governor's message thus accounts for a large number of them :

Such as are enumerated as pardoned mainly consisted of those whose terms were about to expire, and who were recommended for their good behavior by the superintendent. By anticipating the expiration of their sentence, the criminal generally avoids the deprivation of his civil rights, many of which would be forfeited by their consummation. The effect of this leniency is stated by the superintendent as being most salutary in promoting good behavior among the convicts, and enabling him, from day to day, to designate large numbers of the convicts for work as laborers, teamsters, and mechanics, without the presence of a guard outside the inclosure of the prison, and not one has betrayed the confidence thus reposed in them.

That he may have had reasons, in many others not given in detail, will be believed when we refer to the record of a case occurring in York County, incorporated in the testimony, (p. 1268.) From this it appears that William Wright made oath before a trial justice charging Abraham Sapaugh with having been one of a party of Ku-Klux who visited and whipped him. Before the justice of the peace he identified him as the man and gave his reasons for his belief. Upon the usual ready-made proof of an alibi, heard by the committing magistrate, he discharged the defendant. Sapaugh then indicted Wright for perjury, in having sworn to his identity, and, upon the testimony of this prosecutor, himself charged with Ku-Kluxing, corroborated only by one man, who proved an alibi, and, without any proof that if the negro was mistaken he was willfully so, he was convicted of perjury and sentenced to the penitentiary in a county where hundreds of negroes have been whipped and not one man convicted for the crime. We do not know whether this was one of the pardoned convicts or not, but it can hardly be questioned that he ought to have been. And it will be remembered that there were nine counties in the State in which a like atmosphere existed.

The controversy existing in this State as to the amount of its debt illustrates the spirit of partisan opposition to the State government by those who complain of the increase of debt, and at the same time the utterly indefensible conduct of the officers of the State which renders such a question doubtful or even difficult of a clear, honest, and conclusive solution.

The obstacles with which the State government has to deal in the bitterness of hostility evinced to its every act, is manifest when the testimony of those who complain of the increase of State debt is examined. Take, for instance, that of Judge Carpenter: In the increase of State debt attributed to Governor Scott's administration, he includes \$500,000 of bonds issued to meet the debt incurred during the previous administration of Provisional Governor Orr; \$1,000,000 of bonds issued to pay the interest of the former debt of the State which accumulated during the war and remained unpaid; and \$1,259,000 of bonds issued to redeem the notes

of the State bank, for which the faith of the State was pledged. These were all debts existing before Governor Scott's administration began, but they are classed with the burdens which the State is bearing under his rule. It is to be remarked also that a portion of the State bank bills were issued during the war and ought to have been rejected as issued for war purposes, but the amount being uncertain, they were included in those to be redeemed. This much of the debt was clearly forbidden to be paid by the terms of the fourteenth amendment; but that ground of objection was not urged by any of the complainants. But, on the other hand, the statements made by the governor, by the comptroller, by the State treasurer, and financial agent of the State, vary so much from the statements derived from other sources claiming to have knowledge of the actual amount of the debt, of the overissue of bonds, and of the hypothecation of others, that the real amount of debt seems to be an unsettled problem, involving governor, treasurer, and State agent in charges of dishonest and unlawful conduct, and presenting a state of such uncertainty upon a question which the records of the State ought to settle at once upon examination, that the existence of the controversy is in itself disgraceful to all these officers, and cannot but be disastrous to the credit and interests of the commonwealth.

The general venality of the legislature is complained of, in connection with fraudulent bills for furnishing the State-house, with the passage of bills for aid to railroads, for charters of incorporation, and, indeed, the charge is so general as almost to prevent specification. Like all such indiscriminate charges, it is doubtless exaggerated; but that there was too much foundation for it in truth, the whole tenor of the testimony leaves no room to doubt.

Many of the inferior magistrates and some of the county officers appointed by the governor were men not qualified for the discharge of their duties. Complaint was made of this, and in many instances other men better qualified and named by the opposite party were by him appointed. The difficulties of his situation, however, may be appreciated, when it is stated that recent examinations have disclosed that in York county three of the trial justices, appointed at the instance of those who complained of former appointees, were proved to be members and leaders of the Ku-Klux Klan. (See Colonel Merrill's report.)

If there were some incompetent inferior magistrates, communities would hardly organize resistance to them when their wrongs could be redressed by appeal to superior tribunals. The testimony quoted has shown that, as a general rule, civil rights and all ordinary criminal cases are tried and justice administered in the courts as effectually as in the Northern States. Tribunals which thus enforce the law between man and man and between State and citizen, in cases brought before them, cannot afford a decent pretext for a resort to violence and crime in disguise, so as to escape detection.

In North Carolina aid was granted by the action of both parties in the legislature to railroads, and the securities were shamefully misapplied by some of the railroad officers, also of both parties, to whom they were issued, resulting in great financial embarrassment in that State.

In Georgia the administration of the finances of the State is involved in obscurity and confusion. The abuse of the pardoning power is also complained of by some of the governor's political opponents, while others say that in that respect they have nothing to complain of. In nearly all the States the desire to develop their resources by State aid, and thus relieve the distress and embarrassment resulting from the war,

has unquestionably led to legislation which, however well intended, has resulted disastrously and imposed heavy burdens upon the people.

From such and similar causes Virginia is presented as tampering with repudiation, and Louisiana as convulsed by a legislative schism threatening revolution and bloodshed.

That such causes have neither originated nor stirred into action the Ku-Klux, however, is manifest from the facts that in Mississippi and Alabama, where these causes did not exist, they have been active, and in Louisiana and Virginia, where they do exist, the Ku-Klux, although manifesting themselves in 1868, have not again renewed their operations.

For details upon these subjects, in the several States which have been thus incidentally brought before us, as alleged causes for disorders and for interference with life, persons, and property, reference must be made to the report of the sub-committee having them specially in charge. In referring to it we ask attention to the fact that the dates when the increase of debt and taxation occurred conclusively show that they could not have been causes for the many scenes of blood and violence which were enacted before such increase occurred.

Having referred to evils which have resulted in some of the States from the state of things following the war, and from the difficulty of reorganizing society and government, we desire to say upon this whole subject, that while much exaggerated complaint is made, and will continue to be made, by those who look upon these State governments as "evil and only evil, and that continually," because of their origin, yet wherever bad men have appealed to the passions of the negro and sought to incite him to violations of the law, to disregard the established rules of property or to engender animosity between the races, wherever they have taken advantage of ignorance to place corrupt or incapable men in office, wherever they have disgraced their official position and betrayed public trust for private gain, wherever they have used the arts of corruption in legislative bodies or in executive stations, wherever men have sought to hide from responsibility by exciting their followers to disorder, by aggravating either the evils of the present or the hatreds of the past, we brand them all as the foes alike of the negro and the white man, of the laborer and the land-owner, as deserving of reprobation alike with those who disorganize society by armed raids upon the sleeping and defenseless. We would not conceal the difficulties that beset these communities. A state of feeling exists that can hardly be appreciated by those who have not been in its midst and observed its effects upon business and social life, and these effects must be taken into consideration in dealing with the evils which flow from them. We make but one quotation upon this subject. It is from the testimony of the Hon. Samuel F. Rice, of Alabama, who became a practicing lawyer in that State in 1838, has been frequently a member of its legislature, became a judge, and finally chief justice of the supreme court. He gives a better idea of the feelings that prevail in southern communities than any words of the committee could give, (pp. 506-508:)

By Mr. BUCKLEY:

Question. In the testimony taken by the committee some charges have been made against Governor Parsons on the ground that he left the democratic party and joined the republican party for some mercenary purpose. I would like you to state your own reason for abandoning the democratic party and joining the republican party.

Answer. I know for myself that I never took any step or did any act more regretfully than I did that of leaving the democratic party and determining to act with the republican party. I knew the state of public feeling; I had had all those passions myself; I knew what an utter contempt I had entertained for the republicans; and it

was the hardest struggle of my life to get myself cool enough and calm enough to look at these great questions which have been disturbing the country, through republican spectacles—that is, to fully appreciate the view the republicans take of such questions—to survey the matter from their stand-point; for I am satisfied if you want to do justice to any man's position, you must look at the question not merely in your own view, but so far as possible in his. It did not occur to me until after a long time that the republicans could be actuated in the course they were pursuing by anything else than hate toward the people of the South. That I knew to be the prevailing view among the white people of Alabama; and I knew that any man who would quit the democrats and take part with the republicans would be, no matter what his motives or what manner of man he might be, hated and despised by a large portion of our white people. I do not know that any man could take a more unpopular and ungracious step, one more dangerous to all his prospects. I took the step under the absolute conviction that it was best for the southern people themselves, whom I love better than I do any other people, that I and all others who had any influence with them should take the republican side and should try to calm the people down and bring about peace in the country. I did not see any other way to peace; I do not believe there is any other. In my own opinion we cannot, as a State, attain peace and prosperity while one-half of the people of the State are continually struggling to deny to the other the right of suffrage.

Judging Governor Parsons by myself, I should say that nothing but an imperative conviction of patriotic duty could have induced him to make the change he did. I do not see how he could have promised himself any gain by it. I know that when I quit the democrats, and concluded to act with the republicans, I considered it as equivalent to resignation for all time of anything in the way of political promotion. I know that personally I have suffered greatly by it—in the breaking of social ties, &c. Even my law partnership with Judge Goldthwaite was broken up in the storm which prevailed at the time of the suit between Governor Smith and Governor Lindsay. Judge Goldthwaite was a candidate for the Senate; and he became perfectly convinced that he could not obtain the votes of the democratic members of the legislature if he remained a partner of mine. No business connection between any two men was ever more pleasant than ours, as he himself said, at the time that he desired to dissolve the partnership. I know that no two men ever got along better together in business. There was never anything to disturb our relations, personal or professional. I will state further that I have no bitterness toward any of the democrats—not even those who have treated me the worst; and for this reason: At the close of the war, and for some time afterward, in the frame of mind in which I then was, I would have justified myself to the full in all those things which they are doing now, and which I now condemn. My own conviction was that people who had treated us as the northern people had, did not deserve much to live anyhow, and that if they did live they ought to have hot times, especially if they tried to live in the South. I am satisfied that these democrats are good men, men whom anybody, knowing them well, would like; but their passions have been long indulged about this accumulation of wrongs as they view them; and when a man has been, as I have been, in the same condition of mind, and understands the feelings that are driving them on, he cannot but feel that he ought not to be bitter toward them. Hence I have been enabled to practice forbearance when they were abusing and maligning me, and offering to me insult and outrage which I could not otherwise have borne.

By the CHAIRMAN, (Mr. POOL:)

Question. Do you know Governor Parsons well?

Answer. I have known him for thirty years. We have had a good deal of business with each other, and I have had much communication with him.

Question. Is he a man of purity of character?

Answer. Well, sir, I do not think any one in Alabama would have any doubt about that. I should unhesitatingly say he is a man of good character.

Question. We have had as witnesses here men of eminence who have stated otherwise.

Answer. I think the general idea concerning Governor Parsons is that he is a very ambitious man; I think so myself; but when you ask me as to his general character, whether it is good or bad, I cannot have any hesitation in saying that his character is undoubtedly good. He has been abused very largely about his political course. He has been on different sides politically, as I have myself; and any man who changes his political position in times of high excitement will always make enemies; that is very certain.

Question. It has been charged before this committee that he changed his politics from mercenary motives—from considerations connected with some claims he had against the Government?

Answer. Well, I have no knowledge about his having any claims, and I know of no

fact or circumstance that would induce me to come to any such conclusion or would justify that conclusion.

Question. Before he turned republican, did he always maintain before the people of Alabama a character for honor and purity?

Answer. His character has been uniformly good. I wish the committee to understand that I have heard a great many hard things said about him in political contests, but I do not esteem such things as furnishing a just standard by which to form an opinion as to a man's character, for many of the men whom I have heard speak of him harshly and bitterly at one time have exalted and magnified him at another. I know what the law means by a character, and in that view I have no hesitation in saying that Governor Parson's character is a good one.

Question. Is it not a part of the tactics and principles of the democratic politicians in Alabama to abuse and malign inordinately any man who is a republican?

Answer. The practice in that respect is unexampled; I have never known anything to equal it. I have resided in Alabama for thirty-three years, and have been connected somehow or other with politics ever since, sometimes quite actively. I was born and raised a democrat, and one of the first things that I did when I went to Alabama was to buy out a whig paper, giving about ten prices for it; and I was for a while an exceeding fierce little editor in a country town. As whigs and democrats, people used to abuse each other very fiercely in speeches and newspapers, but such things scarcely ever affected our social relations. It was an unusual thing for social relations to be disturbed by the severe and apparently angry political controversies carried on through the newspapers and on the hustings. But in these latter days, since the war, I notice what I never noticed before, that the estimate of a man is more controlled by his politics than by anything else.

By Mr. BLAIR:

Question. What is the reason of that?

Answer. I have thought much about it, and I think it is caused by this long continued indulgence of passions, accompanied by a conviction that the southern people are the most grossly wronged and outraged people on the face of the earth. That is the honest belief of the white people generally. It is this feeling, doubtless, that makes them so bitter, especially toward a man like myself. I was a nullifier; a States-rights man out and out. I entertained extreme Southern views until I became a republican. At one time I acted with the know-nothings, but I advocated southern rights just as strongly in the know-nothing organization as anywhere else. Now, I think I may say without vanity that I have as many personal friends in Alabama as any man there. In fact, I think my safety and protection in being a republican, and taking the prominent part which I have taken since leaving the democrats, is attributable in a large measure to the personal friendship entertained toward me by democrats, my old political brethren. Mr. Pugh and General Pettus, who, I understand, have been before you, are friends of mine, and our personal relations have continued undisturbed. They are leading men; men of mind and comprehension. They are strong partisans; at least General Pettus is a strong partisan. Mr. Pugh is not so strong, because he has been pretty much of a republican in his real views, though he has acted with the democrats all the time; and it is interesting to hear him explain why he does so. But I tell you that any man born and raised in the South who acts with the republicans has a hard road before him.

Question. Does not that arise from the conviction that such a course is an abandonment of a conquered people in the hour of their distress?

Answer. I think in a great measure it is attributable to that; I think that is the view of the southern people; and knowing this, I have borne things which I never could have borne otherwise. I will say that for some time after the war closed I was as bitter as any of them.

Question. I suppose the people of the South are like all other people; they can believe in the sincerity of the motives with which men turn from the stronger side to the weaker; but when the change is connected with some personal gain or advantage it is very hard for them to believe it sincere?

Answer. I have no doubt about that. It is remarkable how much the southern people do misunderstand a great many of the northern people. I understand them now because I have got over my former feelings; but before I became cool I rated a northern man very low; and any southern man who would take part with him I would rate the same way, or, if anything, a little worse. I think the mass of the southern people are in that condition yet.

Question. You assume that you are the cool man, and that everybody else is blinded by passion?

Answer. Of course I do; I think I am right in the assumption.

Question. You are like the one jurymen who complained of the obstinacy of his eleven fellow-jurymen?

Answer. I may be that way. It hardly enters the heads of the southern people that the northern view of this question may be conscientiously entertained.

Question. Do you think that putting all the talent and ability of the South under political disabilities is an outrage on your section?

Answer. I did think so; and I will not say that I justify it now. On the contrary, I think the republicans committed a great mistake in adopting that measure. It is my opinion that they were the losers by it. I am satisfied of that fact. I know that the imposition of disabilities has been largely used to the disadvantage of the republican party. I was one of those disabled.

Question. You have had your disabilities removed?

Answer. Not by my request; and it was done a long time after I was a republican.

Question. You were understood to be on their side before you were relieved?

Answer. Yes, sir; that is true; but I want this understood: Several of my republican friends proposed to me to apply for, or request, a removal of my disabilities, but I declined to do so. I was determined that, if I went to my grave with the disabilities on me, it would not swerve me from following those convictions which I knew, through great tribulation, tended to the best interests of the country.

Question. People are not supposed to be operated upon altogether by that which applies personally to themselves; but a patriotic citizen of your State who sees an overbearing conqueror forbidding the people to use the best talent in the State for their government, and who unites himself with the party which does that thing, which places these disabilities upon his State, can hardly expect that his course will be readily appreciated by his fellow-citizens?

Answer. I went to the republicans with my disabilities on me.

Question. And that party placed those disabilities upon you and your people, and refuses to relieve them?

Answer. Well, it is irritating. My opinion is that anything the republicans do which can be used by the able men we have down South, on the democratic side, to keep up excitement and passion, helps the democrats and hurts the republicans. If the southern people could become cool—if these irritating influences could be removed—I think there would be a decided change; and I want to see such a change.

Question. The trouble is that the republican party does not want to encounter here in Congress the ablest men of the South?

Answer. I reckon that is not the cause; for those men can do more against the republican party down there than they could do here. The democrats have as able men who are not under disfranchisement as any who are disqualified in that way.

This testimony reveals the sentiments of the very large body of southern men who yet stand where Judge Rice stood at the close of the war, and at the same time the unrelenting ostracism that is sure to follow any opposition to those who entertain them.

In addition to these feelings it is to be remembered many of them avow their fixed belief that the co-operation of the two races in the same government is impossible. The following is from the testimony of W. D. Simpson, a prominent lawyer of Laurens County, South Carolina, (page 1316:)

Question. Your own idea is that, if the negro was ignorant and the whites were intelligent, the two races were incompatible in one government?

Answer. Yes, sir; I do honestly believe the solution of this difficulty is the separation of the two races. The two races ought to be separated; that is my view. Either one or the other ought to be colonized. I tell you, as a citizen of South Carolina, I would rather be moved to-day by the General Government beyond the Mississippi, if they would pay me for my house, make a new State, and let the negro take this, or move the negro—one or the other. I think it is a fallacy, this effort to carry on government by these two races so widely distinct. It is a fallacy, and the sooner the American people find it out the better.

By Mr. VAN TRUMP:

Question. Do you not think that the republicans all over the United States, and especially those in power at Washington, ought to have come to that conclusion by this time?

Answer. Yes, sir. If these negroes were removed it would create a vacuum and temporarily destroy our agriculture.

Question. How long has the experiment been tried?

Answer. Since 1863, and it grows worse from year to year.

Question. Anybody who will come down here and stay through one election, or visit

the legislature, ought to be convinced that it is a total impossibility to carry on a government by the two races?

Answer. Yes, sir; totally.

By the CHAIRMAN:

Question. Do you not think that anybody coming here would be equally convinced that if the question were left to the white men, they would quickly disfranchise the negro and drive him out, and get rid of the General Government too?

Answer. I do not think there is any disposition to get rid of the General Government. We tried it once.

Question. But if the opportunity offered?

Answer. No, sir; we tried that once. We will go if they will let us go in peace. We believed, in the days of secession, that rather than have this constant collision at Washington between the two sections, we could get along better without it, and establish a government of our own. I believe that still, but I would not be willing to embark in another revolution. We have had enough of war. If they would give us justice at Washington, I am perfectly satisfied; if they remove our disabilities, and do not tax us to keep us in—

Question. You still put the "if" in.

Answer. Well, I say I do not want to engage in another revolution.

It will be observed that the objection to the negro is not founded upon his want of intelligence, but that separation of the races is essential to peace and security in the State. Upon the same subject Ex-Governor Parsons, of Alabama, (pages 87, 88,) gave his former conviction and views of present duty, as follows:

Question. The people there see that this class of persons who have been enfranchised by act of Congress, affirmed by an amendment to the Constitution, are really unfitted by their condition of life, their want of information and knowledge, to exercise those franchises?

Answer. They think all that.

Question. Do they not have good reason to think so?

Answer. I think so; I thought it was unwise to make the negroes voters, particularly in mass. My own conviction was that, in a popular government where two races exist who are so different, from any cause, that they can mingle in marriage and become one, the exercise of political power must be confined to one or the other of those races, if we wish to have peace and security; that, when political power is placed in the hands of races who cannot in that way become one, all history shows that the dividing line is very apt to continue in such a marked way as to render it difficult to preserve the peace and have anything like a systematic policy of government.

By Mr. VAN TRUMP:

Question. Now if you add to that clear, philosophical, political statement the fact, if it is a fact, that the right of suffrage has been forced upon the people, would not that tend still more to aggravation, forced upon them by some superior power like the Federal Government?

Answer. If, for instance, the people of Alabama had themselves conferred suffrage on the negro, they would have had no right to complain, except of their folly in doing so, if they found it did not work well. The fact that negro suffrage was made, by the Government of the United States, a condition of political reconstruction has certainly not tended to reconcile the people to that state of things.

Question. Would you not be better satisfied with the converse of the proposition: that it has really provoked and irritated the people?

Answer. My own judgment is that it has. But the thing has been done, and the question is now, How shall we get along with it? How it may be in other States I will not undertake to say. But with reference to our own State, so far as I understand it, we think that as it is settled that the negro is to be a voter, and is free, and free certainly by our own act, for in Alabama we indorsed his freedom in the convention of 1865, which was a white man's convention, entirely based upon white man's suffrage, no negro voting in the election, nor was he invited to vote—

Question. We are not here to enter into an argument as to what would be the better policy, but to find out the cause for the existing state of things in the country.

Answer. The negro was made a voter in Alabama against the consent and views of what is best of the great body of the white people of the State. Now that he is made a voter, the republican party wish to educate the negro as well as the white child, and fit him for the duties of his new position. As I understand it, the democratic party is bitterly opposed, not only to the negro's voting, but to his education. There are some reasons why they might oppose education on such a liberal basis of expenditure grow-

ing out of our poverty, which reasons are peculiar to our present condition. But the great difference between the two parties, as I understand it, is this: The one proposes to educate the negro and make the best of his capacity, whatever it may be; the other is not in favor of doing so.

We do not discuss this question. We point to the results of the opinion in South Carolina in the fact that the negroes in the nine counties of that State in which Ku-Klux violences prevail to such an extent as to call for the suspension of the privilege of the writ of *habeas corpus* in them are, according to the testimony of Judge Carpenter, much more intelligent than in any other part of the State, (p. 238.)

The fact that they are so when placed alongside the list of men murdered and maltreated in these counties demonstrates that it requires the strong arm of the Government to protect its citizens in the enjoyment of their rights, to keep the peace and prevent this threatened, rather to stay this initiated, war of races until the experiment which it has inaugurated and which many Southern men pronounce now, and many more have sworn shall be made, a failure, can be determined in peace.

The race so recently emancipated, against which banishment or serfdom is thus decreed, but which has been clothed by the Government with the rights and responsibilities of citizenship, ought not to be, and we feel assured will not be left hereafter without protection against the hostilities and sufferings it has endured in the past, as long as the legal and constitutional powers of the Government are adequate to afford it. Communities suffering such evils and influenced by such extreme feelings may be slow to learn that relief can come only from a ready obedience to and support of constituted authority, looking to the modes provided by law for redress of all grievances. That Southern communities do not seem to yield this ready obedience at once should not deter the friends of good government in both sections from hoping and working for that end.

Northern communities, exasperated by the delay and insubordination, may be reminded that the elements of the two societies are widely different. Composed of those who, a few years since, ruled the State and exacted obedience to their will from their slaves, and held absolute sway over the votes of their white dependents, but who are now reduced in influence and in wealth by the events of war; of the poor white who has found himself, as he supposes, degraded by the elevation of the negro to political equality with him, his vote before having been the chief badge of his superiority; of the negro, not only voting, but ruling the State, in office with or over his former master, or struggling with the evils of poverty in beginning life for himself after the best years of his strength have been spent in the service of others—all these elements beget feelings and result in disorders to which northern communities are strangers.

The strong feeling which led to rebellion and sustained brave men, however mistaken, in resisting the Government which demanded their submission to its authority, the sincerity of whose belief was attested by their enormous sacrifice of life and treasure—this feeling cannot be expected to subside at once, nor in years. It required full forty years to develop disaffection into sedition, and sedition into treason. Should we not be patient if in less than ten we have a fair prospect of seeing so many who were armed enemies becoming obedient citizens? Should we not give all encouragement to those who manifest the disposition now to become such, especially when it is apparent, as it is, that in many sections well-disposed men were deterred by fear of the power of an armed

and desperate conspiracy from affording aid to the authorities in enforcing the law? But while we invoke this forbearance and conciliation, fully recognizing that from far the largest part of the southern people a reluctant obedience is all that is to be hoped for, let it be understood that less than obedience the Government cannot accept. Obedient citizens they cannot be considered who themselves, complaining of bad laws, excuse or encourage the masked and armed mobs that override all law. Brave and magnanimous enemies even they cannot be reckoned who permit the remnants of rebellious feeling, the antagonisms of race, or the bitterness of political partisanship to degrade the soldiers of Lee and Johnston into the cowardly midnight prowlers and assassins who scourge and kill the poor and defenseless.

Against all such crimes, as well as against incompetency and corruption in office, the power of an intelligent public sentiment and of the courts of justice should be invoked and united; and appealing for patience and forbearance in the North while time and these powers are doing their work, we would also appeal to the good sense of Southern men, if they sincerely desire to accomplish political reforms through a change in the negro vote. If their theory is true that he votes solidly now with the republican party, and is kept there by his ignorance and by deception, all that is necessary to keep him there is to keep up by their countenance the Ku-Klux organization.

Having the rights of a citizen and a voter, neither of those rights can be abrogated by whipping him. If his political opinions are erroneous he will not take kindly to the opposite creed when its apostles come to inflict the scourge upon himself, and outrage upon his wife and children. If he is ignorant, he will not be educated by burning his school-houses and exiling his teachers; if he is wicked, he will not be made better by banishing to Liberia his religious teachers. If the resuscitation of the State is desired by his labor, neither will be secured by a persecution which depopulates townships and prevents the introduction of new labor and of capital.

The law of 1871 has been effective in suppressing for the present, to a great extent, the operations of masked and disguised men in North and South Carolina. Bills have also been found by grand juries in Georgia, Alabama, and Mississippi, but comparatively few, if any, of the defendants in the last-named States have yet been tried. The apparent cessation of operations should not lead to a conclusion that community would be safe if protective measures were withdrawn. These should be continued until there remains no further doubt of the actual suppression and disarming of this wide-spread and dangerous conspiracy.

The results of suspending the writ of *habeas corpus* in South Carolina show that where the membership, mysteries, and power of the organization have been kept concealed this is the most and perhaps only effective remedy for its suppression; and in view of its cessation and resumption of hostilities at different times, of its extent and power, and that in several of the States where it exists the courts have not yet held terms at which the cases can be tried, we recommend that the power conferred on the President by the fourth section of that act be extended until the end of the next session of Congress.

In view also of the large number of indictments found in the several courts under this act which yet remain untried, and of the evident encouragement derived from the belief that the present United States courts cannot possibly reach and try them within any reasonable time, we recommend such an increase of the judiciary of the United States by districts and circuits in the States shown to be affected by these dis-

orders as, in the judgment of Congress, will secure speedy and certain justice to be administered, and leave no hope of impunity to criminals by the law's delay.

The continuance of disabilities is the only cause not yet considered. No man under disabilities has avowed himself as either committing or encouraging outrages for that reason, and no member of the organization has justified their acts upon that ground. It is one of the pretexts made by those who were willing to urge any plausible excuse for outrages which admit of none. But to remove alleged impediments to the local government encountered by the existence of disabilities to hold office, and being satisfied that there should be a general removal of them, with proper conditions and exceptions, we recommend the passage of a law for that purpose, agreeing in the recommendation made by the President to exclude from its benefits "any great criminals distinguished above all others for the part they took in opposition to the Government."

In this connection we wish to say that, as disregard of law has been the evil so largely complained of and so widely extended in the late insurrectionary States, no encouragement should be given to those who have accepted office in defiance of the existence of these constitutional disabilities, or elected to office men whom they knew to be excluded by them.

JOHN SCOTT, Chairman.

Z. CHANDLER,

BENJ. F. RICE,

JOHN POOL,

DANIEL D. PRATT,

On the part of the Senate.

LUKE P. POLAND, Chairman.

HORACE MAYNARD,

GLENNI W. SCOFIELD,

JOHN F. FARNSWORTH,

JOHN COBURN,

JOB E. STEVENSON,

BENJ. F. BUTLER,

WILLIAM E. LANSING,

On the part of the House of Representatives.

REPORT OF MR. STEVENSON, OF OHIO, FROM THE SUB-COMMITTEE ON DEBTS AND ELECTION LAWS OF THE LATE INSURRECTIONARY STATES, TO THE JOINT SELECT COMMITTEE.

The sub-committee to whom were referred the subjects of finance and election laws, submit the following report:

We have endeavored, from official documents and other authentic sources, to find the facts and fix their relations to disorders in the late insurrectionary States. We have not confined our inquiries to the answers of State officers, but have consulted intelligent citizens of both parties, who have given us directions leading to official information. We have examined reports of officers, and books and journals bearing on finance, such as the American Almanac, Hunt's Year Book, Hunt's Merchants' Magazine, De Bow's Review, The American Cyclopædia, The Financial and Commercial Chronicle, The American Year Book, Poor's Railroad Manual, the reports of the Commissioner of Agriculture, The Census Report for 1860, and such advance sheets and tables as the Superintendent of the Census the chief of the Bureau of Statistics, and the War Department, have furnished us; and we have, on some points, extended our examination to the records of Congress, and other sources of information. State officials generally have been courteous and attentive, and many have rendered us great service; but our investigation as to some States has been made more difficult by inattention and neglect of State officers; and in several States the inquiry ordered by the committee has been resented as an infringement of State rights and official dignity. Ex-Governor Bullock, of Georgia, sent a letter more remarkable for argument against our proceedings, as a breach of State rights, than for the facts furnished; and Governor Reed, of Florida, declined to answer at all, though he has forwarded to a member of the sub-committee several of his messages. He protested against the invasion of the rights of the State of Florida. Generally where our inquiry has been resented, evaded, or ignored, we have discovered reasons for concealment which convince us that officials are more concerned about their own dignity than that of the State. In South Carolina, the State treasurer has neglected all inquiries; the governor has answered promptly, but sent us such contradictory statements that we can give little weight to any.

In this, as in all inquiries for cause and effect, an important element is the order of events, and we propose to show the condition of each State at secession, at the surrender, at the inauguration of the reconstructed State government, and at the present time. It has generally been impracticable to procure statements for dates not concurring with the beginning of the fiscal year, and we have therefore taken authentic statements for the nearest dates.

Tennessee having been re-admitted soon after the surrender, we make but three periods as to her.

In comparing the assessed value of property in 1860 and 1865, we deduct the assessed or estimated value of persons held in slavery, believing that such property was fictitious, and that inhabitants are of more worth to a State as freemen than they were as slaves. Their liberation did not destroy nor lessen their value, but only changed the title and possession from the master to the man, with advantage to the commonwealth.

In deducting the value of slaves from the assessed value of property, we have taken the valuation as returned from the State, or, when none was found, we have taken \$350 as the average assessed value. We are

aware that this sum is below the "true market value," but it is about the rate at which they were estimated on assessment for taxation.

VIRGINIA.

SUMMARY.

1860.	
Debt	\$31,938,144 00
1865.	
Old debt	\$41,061,316 00
Rebel debt	7,505,724 00
Total	48,567,040 00
Increase of old debt	9,123,172 00
Total increase	16,623,896 01
1870.	
Old debt	\$45,872,778 00
Rebel debt repudiated	
Increase of old debt since 1865	4,811,462 00
Increase from 1860	13,934,634 00
JANUARY, 1872.	
Debt	\$45,480,542 21
Balance in treasury	1,800,000 00
Debt, less balance	43,680,542 21
Decrease since 1870	2,192,235 79
ASSETS.	
1860	\$39,996,533 21
1865	27,709,319 00
Loss	12,287,214 21
PROPERTY.	
1860.	
Assessed value	\$632,203,691 05
Slaves	236,323,500 00
Balance	395,880,191 05
1866.	
Assessed value	\$320,580,561 00
Loss since 1860	311,623,130 05
Loss, less slaves	75,299,630 05
Total loss, including debt and assets	340,539,240 27
Total, less slaves	104,205,720 53
1870.	
Assessed value	\$365,439,917 00
Increase since the war	44,859,356 00
Census valuation	409,588,133 00
Increase	89,007,572 00
Value of agricultural products since the war : Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census	\$245,930,116 00
Estimated value of all products, 1871	50,000,000 00
Total	295,930,116 00
Estimated value of cotton for 1865-'66 to 1868-'69	25,000,000 00
Total	320,930,116 00

1860.

The debt of Virginia was contracted before the war in aid of internal improvements, and the increase is from interest accruing during and since the war.

In 1860 the debt was \$31,938,144, and the State held in trust a literary fund of \$1,833,420 17. The assets were \$39,995,533 21; \$12,452,327 05 in bank and other productive stock, and \$27,544,206 16 in unproductive railroads and canals.

There was a balance in the sinking-fund of \$400,836 40.

The banks of the State had \$16,005,156 capital, \$2,943,652 coin, and \$9,812,197 circulation.

There were 1,771 miles of railway, which cost \$64,958,807.

The assessed value of property in that part of Virginia, now the State, was \$632,203,691 05; \$236,323,500 in persons held as slaves; \$101,736,720 49 in other personal property, and \$294,143,470 56 in real estate. Total valuation of property, excluding slaves, \$395,880,191 05.

The receipts for 1859 were \$4,326,549 67; disbursements, \$4,222,449 65; disbursements for 1860, \$4,147,917 92.

Expended for common schools in 1860, \$160,530 42; 56,743 "poor children" had schooling for an average of twelve weeks, at a cost for tuition of \$2 96 each.

The taxation in 1860 was—

State	\$2,228,875
County	488,091
Towns, city, &c.....	924,094
Total	<u>3,641,060</u>

1865.

In 1865 the old debt was \$41,061,316; increase of old debt, \$9,123,172, and the debt contracted in the rebellion, \$7,505,724. Total, \$48,567,040. Total increase since 1860, \$16,628,896. The bank stocks and literary funds were gone. The banks were broken, the public improvements prostrated, the productive assets were lost, and the State had \$27,709,319 in unproductive stocks.

The value of property at the first assessment after the war was \$320,580,561. Loss in value of property, \$311,623,130 05. Loss, exclusive of slaves, \$75,299,630 05. Loss by increase of debt and reduction of assets and loss of funds and balance in treasury, \$28,906,090 48. Total loss, exclusive of slaves, \$104,205,720 53.

1870.

The reconstructed State government was inaugurated in 1870. The rebel debt had been repudiated. On January 1st the old debt was \$45,872,778. Increase since 1865, \$4,811,462. Since 1860, \$13,934,634. The valuation of property in 1870 was \$365,439,917. Increase in valuation of property since 1866, \$44,859,356. The true value by the census was \$409,588,133. Increase since 1866, \$89,007,572. Value of agricultural products, estimated, \$50,000,000.

1871.

On the 6th day of December, 1871, the debt was \$45,480,542 21. Decrease since 1870 of \$392,235 79. The balance in treasury, \$1,800,000, which, when applied, will reduce the debt to \$43,680,542 21—a decrease, since 1870, of \$2,192,235 79.

The governor, in his message of December 6, 1871, says:

There has been received from the Richmond and Danville Railroad Company \$1,034,924 22, and from the Richmond and Petersburg Railroad Company \$575,400, in State bonds, for the sale of the State stocks in those companies; in all, \$1,610,324 22, which must be applied to the reduction of the State debt, and should be deducted from the total liability of \$47,090,866 43, which would reduce that amount to \$45,480,542 21. And this sum will be further reduced certainly to the amount of \$755,862, and probably more within sixty days, by the sale, under an advertisement of the board of public works, in pursuance of law, of bonds and stocks owned by the State of the Richmond and Danville, Richmond, Fredericksburgh and Potomac, and Washington and Ohio Railroad Companies, which will reduce the total liability to \$44,724,680 21, and it is altogether probable that the second mortgage bond of \$4,000,000 of the Atlantic, Mississippi and Ohio Railroad Company, held by the State, and to be sold at the same time, will further reduce the total debt to \$40,724,680 21. By the sale of the State's interest in the Orange, Alexandria and Manassas Railroad Company, (that company having already accepted the law approved March 28, 1871,) amounting, with interest and dividends, claimed by the board of public works to be \$1,573,248 74, the total debt will be reduced to \$39,151,431 47. But this sum is subject to further reductions by amounts realized and to be collected on the claim against Selden, Withers & Co., and the sale of other property and stocks held by the State.

The treasurer reports the receipts from all sources the last fiscal year at \$2,781,851 94, and the expenses for all purposes at \$1,533,162 03—showing a balance of receipts over expenses of \$928,699 86.

The treasurer reports a balance on hand the first instant, to the credit of the commonwealth, of \$1,521,634 14, and this sum will probably be increased to \$1,800,000; and if the past-due taxes from corporations should be paid in, this will be increased to \$2,000,000 on the 1st of January, 1872.

Deduct from this balance \$600,000 for interest, and apply the remainder, \$1,400,000, and the debt is reduced to \$44,080,542 21. Deduct available assets, stated by the governor, and the debt will be further reduced to \$37,751,431 47; subject to further deductions from claims to be collected.

The cost of conducting the State government for the year ending 1869 was \$1,819,634 87; for the year 1870, \$1,505,650 68; taxes levied in 1870 were—

State	\$2,475,742
County	841,090
Towns and cities	924,094
Total	4,240,926

The expenditures in 1871 for common schools were \$353,188 08; children of school age, 411,104; number taught, 128,288.

The governor says: "The success of our school system, inaugurated under the laws passed by the last legislature, has surprised its warmest friends."

These facts show that the present panic, which has caused the legislature to pass over the governor's veto a resolution suspending the law to fund the debt, is without good reason, and that there is no need for Virginia to tamper with repudiation.

The following statement from the city auditor, of the condition and growth of the city of Richmond, is added as indicating what we may expect for the State when her industries shall have been fully restored and her natural resources developed:

CITY DEBT.

February 1, 1861, six per cent. bonds		\$1,987,942 72
April 1, 1863, six per cent. bonds		1,910,442 72
February 1, 1863, six per cent. bonds		2,084,852 72
November 1, 1871, six per cent. bonds	\$2,687,698 05	
November 2, 1871, eight per cent. bonds	250,000 00	
		<u>2,937,698 05</u>

APPRAISEMENT OF PROPERTY.

Year.	Real estate.	Personal property.
1860	\$18,521,598	\$2,472,861
1866	19,707,277	2,691,450
1871	26,006,566	9,469,172
Total property in 1860		\$20,995,459
Total property in 1866		22,398,727
Total property in 1871		35,475,738
Increase since 1866		13,077,011
Increase since 1860		<u>14,480,270</u>
The assessed value of property in 1870, in the State, was		\$365,439,917
Gain since the war		44,859,356
Census valuation		409,588,133
Gain		<u>89,007,579</u>

The estimated value of agricultural products of Virginia since the war is as follows, (excluding cotton, sugar, and rice) for 1866-'67 '68 and '69, and including all products for 1870 and 1871: \$295,930,116. Cotton for 1865 to 1870, \$25,000,000. Total, \$320,930,116.

NORTH CAROLINA.

SUMMARY.

1860.	
Debt	\$9,129,505 00
Contingent liabilities	150,000 00
Prospective liabilities	4,699,000 00
Total	<u>13,978,505 00</u>
1865.	
Debt and liabilities, old	16,308,500 00
Debt, rebel	18,117,836 00
	34,516,336 00
Prospective liabilities	3,571,000 00
Total	<u>38,087,336 00</u>
Increase total	* 24,108,831 00
Increase of old debt and liabilities	5,990,995 00
1868.	
Debt and contingent liabilities	20,638,445 00
Prospective liabilities	3,571,000 00
Total	<u>24,209,445 00</u>
Increase since 1865	4,239,945 00
Increase since 1860	<u>10,230,000 00</u>

1871.	
Debt and liabilities.....	34,887,464 45
Increase since 1868.....	10,678,019 45

ASSETS.

1860.	
Balance in treasury.....	615,691 00
Assets.....	7,668,140 00
Trust funds.....	3,428,950 00
Total.....	11,712,781 00

1865.	
Assets.....	300,000 00
Trust fund.....	153,250 00
Total.....	453,250 00
Loss.....	11,259,531 00

PROPERTY.

1860.	
Assessed value.....	292,297,602 00
Slaves.....	115,870,650 00
Balance.....	176,426,952 00

1865.	
First assessment.....	120,900,000 00
Loss.....	171,397,602 00
Total loss in debt, assets, and property.....	193,325,152 45
Loss, less slaves.....	55,526,952 00
Total loss, less slaves.....	77,444,502 45

1870.	
Assessed value.....	\$130,378,622 00
Increase since war.....	9,478,622 00
Census valuation.....	260,757,244 00
Increase since war.....	139,857,244 00

Estimated value of agricultural products since the war, (Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay,) for 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census.....	\$212,207,973
Estimated value of all products for 1871.....	57,000,000
Total.....	269,207,973
Estimated value of cotton for 1865-'66 to 1868-'69.....	40,000,000
Total.....	309,207,973

The debt of North Carolina was contracted before, during, and since the war for internal improvements.

1860.

In 1860 the debt was \$9,129,505; contingent liabilities, \$150,000, and prospective liabilities, \$4,699,000; total, \$13,978,505. Assets, \$7,668,140. School, literary, and sinking funds, \$3,428,950. Balance in the treasury, \$615,691 16.

Property in the State was assessed at \$292,297,602. Estimated value of slaves, \$115,870,650. The banks had capital, \$6,626,478; and coin, \$1,617,687; circulation, \$5,594,047. There were 889 miles of railway,

which cost \$16,709,793. The average expense of the government for 1858, 1859, and 1860 was \$137 977. Taxes levied in 1860 were—

State	\$543,643
County	255,417
Towns and cities	245,672
Total	<u>1,044,732</u>

Expended for common schools by State and county, annually, \$240,000. The number of white children of school age, in 1860, was 186,174; the number at school, 108,938, for an average of four months.

1865.

In 1865 the old debt and liabilities were \$16,398,500; prospective liabilities, \$3,571,000; debt contracted in rebellion, \$18,117,836; total debt and liabilities, \$38,087,336; increase, \$24,108,831; assets, \$300,000; trust funds, \$153,250; loss, \$11,249,531. The bank capital was lost; the banks owed \$8,555,000, and were able to pay one-tenth. There were 984 miles of railway in bad condition.

The first assessment of property was \$120,900,000. Loss in property, exclusive of slaves, \$55,526,902; loss of assets and trust funds, \$11,249,531; increase of debt, \$24,108,831; total loss since 1860, \$90,885,264.

1868.

The reconstructed government was inaugurated in 1868.

The rebel debt had been repudiated; the recognized debt and liabilities were \$20,638,445; prospective liabilities, \$3,571,000; total, \$24,209,445; increase since 1865, \$4,239,945; increase since 1860, \$10,230,000; loss of assets, \$11,249,531; total, \$21,479,531.

1871.

At the end of the fiscal year 1871 the debt and liabilities were \$34,887,464 45; increase since 1868, \$10,678,019 45. Part of this increase is interest unpaid; but it is mainly from aid to railroads granted by the convention of 1868 and the legislature of 1868 and 1869. The bonds were issued in October, 1868, and April, 1869.

The acts were generally approved and passed by votes of members of both parties. The object was to extend and complete a general railroad system, and the popular belief was that immigration and consequent development would justify the improvement and secure the State against loss. These expectations have been disappointed.

Immigration was checked and prevented. Part of the bonds were sold at a sacrifice and the proceeds misapplied by the officers of the companies. Among the men managing the railroads and converting the proceeds were members of both political parties. Both parties have condemned their conduct and joined in measures to punish them, to prevent further loss, and retrieve what has been incurred. These measures have resulted in the return to the State of \$1,343,000, bonds, in preventing further transfer by companies, save as the roads are completed in sections, and in the indictment of several of the men believed to be most guilty of the frauds.

The probable loss to the State from railroad bonds issued since the war is estimated at from \$6,000,000 to \$10,000,000, but it is understood that some of the holders of these bonds, having purchased them at heavy discount under circumstances which should have suggested inquiry,

would cheerfully refund their claims on equitable terms. Taxes levied in 1870 were—

State.....	\$1, 160, 413
County.....	923, 604
Towns and cities.....	228, 351
Total.....	<u>2, 312, 368</u>

Expended for schools, \$302,045 50. Number of children of school age, 346,507; at school, 49,303. The last valuation of the property in State was, in 1870, assessed at \$130,378,622. Increase since the war, \$9,478,622. The true value by census was \$260,757,244. Increase since 1865, \$139,857,244. In 1871 there were 1,260 miles of railway, which cost \$16,799,585. The agricultural productions for 1870 were valued at \$57,845,940. The returned and estimated value of agricultural productions for the years since the war was for 1866 to 1869 inclusive, excluding cotton, rice, and sugar, and total for 1870 and 1871, \$269,207,973. Estimated value of cotton for 1865 to 1870, \$40,000,000. Total, \$309,207,973.

The following schedule shows when the debt falls due :

STATEMENT I—*Showing years of maturity of bonds not due, issued prior to May 20, 1861, and from and including the year 1866.*

When due.	Where payable.	Amounts.	When due.	Where payable.	Amounts.
1872.....	Raleigh	\$9, 500	1891.....	New York ..	\$245, 000
1875.....	New York ..	26, 500	1892.....	do	453, 000
1876.....	do	9, 000	1896.....	do	99, 000
1877.....	do	8, 000	1897.....	do	800, 000
1878.....	do	15, 000	1898.....	do	8, 934, 400
1883.....	do	977, 000	1899.....	do	7, 257, 000
1884.....	do	573, 000	1900.....	do	2, 417, 400
1885.....	do	1, 271, 500	Educational		
1886.....	do	717, 000	fund certif.		
1887.....	do	1, 156, 000	(indefinitely)	Raleigh	383, 045
1888.....	do	274, 500	Total ...		<u>28, 527, 045</u>
1889.....	do	1, 195, 300			
1890.....	do	1, 655, 900			

The continued depression of values in North Carolina is attributed to several causes: the condition of the State credit, which prevents investment of capital from other States; the want of those internal improvements, which should have been made, and the disorders which have prevailed in that State, beginning in 1867 and culminating in 1868-'69. What may be expected when order shall have been restored may be seen from the statement of the mayor of Wilmington, which shows the condition of and growth of that city:

MAYOR'S OFFICE, WILMINGTON, NORTH CAROLINA,
December 1, 1871.

DEAR SIR: Your communication of the 28th ultimo is received.
I answer your questions as follows:

1. City debt before the war ?

Answer. Bonded debt January 1, 1861.....	\$394, 700
Floating debt	51, 700
Total.....	<u>446, 400</u>

Of the above, \$350,000 was created by appropriations to railroads, and \$44,700 by appropriations to public buildings.

2. City debt after the war ?

Answer. Bonded debt	\$394,700
Floating debt	80,300
Total	<u>475,000</u>

3. City debt in 1868 ?

Answer. The whole debt, as near as ascertained, was	\$525,000
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The increase apparent in the statements "after the war" and "1868" is the accumulated interest on the funded debt of 1861, which was not paid.

4. City debt now ?

Answer. The bonded debt, July 10	\$460,700
Unfunded debt	78,582
Total	<u>539,282</u>

No new debt has been contracted except for actual improvements, in the fire department principally, which are worth now fully the amount of cost.

5. War debt repudiated ?

Answer. The amount was small. No means of ascertaining correctly.

6. Appraised value property, 1861

Appraised value property, 1866	\$2,223,000
Appraised value property, 1869	3,136,000
Appraised value property, 1869	3,510,000

This valuation alludes to real estate. The personal property not taxed is of about the value of one million dollars. The last valuation was in 1869, under which all real estate is now taxed. I estimate the value, actual, for taxation now, at \$4,000,000. All property belonging to the United States, State of North Carolina, county, city, schools, charitable institutions, churches, parsonages, Odd-Fellows, Masons, temperance societies, is exempt. This is worth not much under one million dollars. Not less than 600 buildings have been erected since 1865, of small value in most cases, but some of them very fine.

It will give me pleasure to respond to any questions you may propound. I inclose some city documents.

Yours, respectfully,

SILAS N. MARTIN,
Mayor.

Hon. JOB E. STEVENSON, M. C.,
Washington, D. C.

TENNESSEE.

SUMMARY.
1860.



Debt.

Debt proper	\$3,894,606 66
Liabilities for railroads, &c	16,211,000 00
Total	<u>20,105,606 66</u>

1866.

Debt and liabilities, (including bank bills, \$1,500,000)	\$26,777,347 00
Increase since 1860	6,671,740 34
Rebel debt, (estimated)	5,000,000 00
Total debt and liabilities	31,777,347 00
Total increase since 1860	<u>11,671,740 34</u>

1872

Debt and liabilities	\$32,054,476 69
Increase since 1866, excluding rebel debt	<u>5,277,129 69</u>

ASSETS.

1860.

School and other trust funds	\$3,292,717 00
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1865.

Assets	300,000 00
Loss	<u>2,992,717 00</u>

REPORT ON THE CONDITION OF

PROPERTY.

1860.

Assessed value	\$382,495,200 00
Slaves, (estimated)	96,501,650 00
Balance	<u>285,993,550 00</u>

1866.

Assessed value	\$221,387,030 00
Loss since 1860	161,108,170 00
Loss less slaves	64,606,520 00
Total loss, excluding slaves, in property, debt, and assets, including \$10,000,000, estimated depreciation in State liens on railroads	89,270,877 34

1870.

Assessed value	287,905,020 00
Gain since 1866	66,517,990 00
Census valuation	497,341,851 00
Gain since 1866	275,954,821 00
Estimated value of agricultural products since the war—Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay— 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm pro- ducts for 1870, as per census	304,146,940 00
Estimated value of all products for 1871	86,000,000 00
Total	390,146,940 00
Estimated value cotton for 1865-'66 to 1868-'69	110,000,000 00
Total	<u>500,146,940 00</u>

The debt of Tennessee arose chiefly from State aid to internal improvements before and since the war.

1860.

At the end of the fiscal year 1860 the debt proper was \$3,894,606 66; the liabilities on bonds loaned and indorsed in aid of internal improvements, \$16,211,000. Total debt and liabilities, \$20,105,606 66. The State held productive bonds and stocks, \$3,292,717. School fund in banks. Her liabilities were secured by stocks in and liens on roads. There were 1,197 miles of railway, which cost \$29,537,722. The banks had capital, \$8,067,037, and \$2,267,710 in specie. Property in the State was valued at \$382,495,200, including slaves, estimated at \$96,501,650. Value, exclusive of slaves, \$285,993,550. Expended for common schools, in 1859, \$230,430 27, 79 cents per scholar, to about 290,000 white children of school age.

Taxes levied in 1860 were:

State	\$445,192 00
County	330,034 00
Towns and cities	317,567 00
Total	<u>1,092,793 00</u>

1865.

At the close of the year 1865 the old debt and liabilities, including \$1,500,000, bank-bills, for which the State was pledged, were \$26,777,347. Increase since 1860, \$6,674,740 34. The debt contracted in rebellion has not been furnished us officially. The secession convention began by issuing \$5,000,000 in bonds, and we understand that other debts may have been incurred, but we state the amount at \$5,000,000. Total debt and liabilities, \$31,777,347. Increase since 1860, \$11,671,740 34. The assets the State reduced to about \$300,000.

The railroads were in bad condition, burdened with debt and unable to pay principal or interest to the State. Property was assessed at \$221,387,030. Loss since 1860, \$161,108,170. Loss, exclusive of slaves, \$64,606,520. Total loss by decrease in value of property, exclusive of slaves, and increase of debt since 1860, including estimated injury to State liens on railroads, \$10,000,000, \$89,270,877 34.

1871.

The rebel debt having been repudiated and the State having extended additional aid to railroads, the debt and liabilities were, on the 1st of January, 1871, \$38,316,961 40. Since then the amount has been reduced by payments from railroad companies which have paid their debts to the State in State securities, and the Comptroller, in his report for 1871, makes the following exhibit showing the state of affairs January 1, 1872 :

SUMMARY.

Total railroad and turnpike indebtedness, with interest estimated to January 1, 1871		\$31,300,417 14
State debt proper	\$4,083,991 26	
Interest funded on same	735,553 00	
		4,819,541 26
Bonds indorsed by State		2,172,000 00
Interest funded to January 1, 1871		25,000 00
		38,316,931 40
Interest to January 1, 1872		1,878,028 02
		40,194,959 42
Tennessee money outstanding	710,000 00	
Warrants outstanding	752,417 27	
Loan account	206,000 00	
		1,668,417 27
		41,863,406 69
Less indorsed bonds that will hereafter pay interest....	2,172,000 00	
Interest for twelve months	130,320 00	
Bonds and coupons paid in since last report.....	6,873,340 00	
Interest for eighteen months on bonds paid in only.....	535,590 00	
Estimate for balance revenue due January 1, 1872.....	1,200,000 00	
		10,911,250 00
		30,952,156 69
		10,990,565 76
		19,961,590 93

This exhibit shows the debt and liabilities upon which the State pays interest to be \$30,952,156 69. If we add the amount due on bonds and coupons of roads which pay :

Bonds	\$2,172,000 00
Interest	130,320 00
Total	2,302,320 00

and deduct balance, \$1,200,000, we have \$32,054,476 69; increase of debt and liabilities, excluding rebel debt, \$5,277,129 69. If we deduct bonds and interest which are no burden on the State, because the railroad companies comply with their contracts, \$2,302,320, and the estimated value of the debts of other roads, \$10,990,565 76, the balance of debt and liabilities remaining is \$19,661,590 93.

The increase of debt since the war was caused by granting aid to railroads. This was thought necessary, and all parties united in it. Aid was granted to a large amount to many companies, and it was charged

that part of the funds were misappropriated. These charges involved officers of the roads, members of both political parties.

We have no evidence of the truth of the charges, or of any other affecting the administration from 1866 to 1869. There have been two legislatures since the State government changed hands, and we understand there have been some investigations ordered into past transactions, but no proofs of corruption have come to our knowledge. The governor, in his last message, says:

DELINQUENT RAILROADS.

There remain but three of the delinquent railroads unsold.

The information you have through the report of the commissioners appointed to sell the delinquent roads is all you desire on that subject. It will be a gratifying result when the State is entirely divorced from the railroad system. And, although the sales will not realize all that was desired, and leaves a large debt to be provided for, yet the internal-improvement system of Tennessee has added millions to her wealth, and diffused such energy and enterprise into every class of society that no intelligent man can regret the policy which inaugurated the system, notwithstanding a large amount of appropriations made since the war may have been improperly expended.

Commerce, trade, and manufactures have been promoted and multiplied, population has largely increased, and the value of real estate enhanced over one hundred millions of dollars.

The reduction of the debt has been effected under an act permitting the railroad companies to pay their debts to the State in State bonds and coupons.

The governor says: "Bonds to over eight millions of dollars have been retired and canceled, nearly all of which are bonds issued since the war; Other roads have purchased, and are now purchasing, bonds with which to cancel their liabilities to the State." While the present administration does not produce the means to reduce the debt, it is entitled to the credit of applying the resources of the State wisely.

The value of property is \$287,905,020. Gain since the war, \$66,517,990. The governor estimates the true value of property over all exemptions is not less than \$300,000,000. The census valuation is \$497,341,851. Increase since 1866, \$275,954,821. It is admitted that assessments are inadequate, and this, with the low rate of taxation, prevents the State from resuming the payment of interest on her bounded indebtedness.

The Comptroller says:

Our rate of taxation is wholly inadequate for any practical purpose. It would be a more commendable forecast that provided even enough for State expenses, but our present laws do not even this.

First, we should have no exemptions except such as the constitution of the State may designate. It is to the interest of every man within our borders to see our credit restored, and this can be accommodated by taxation alone. We have no other resources.

Illinois, with a debt not one fifth as large as ours, has a tax of 6½ mills on the hundred dollars. In the State of Maine, two years ago, her tax was 15 mills; it is now 5 mills, with an addition of 2 mills for a sinking fund.

Indiana has a tax for current expenses—one for school purposes, one for sinking fund, and one for interest account—all aggregating quadruple what ours is.

Many other States could be named whose debt is smaller, and whose revenue is larger.

With a proper assessment in Tennessee our bonds would soon take position in price with those of other States whose laws look to the meeting of every obligation at maturity, and our warrants when issued would mean payment at once.

For our purpose we need a tax of at least 75 cents, while \$1 on the hundred would do better. It has to come to this finally, and the men who see what is needed and apply the remedy are those who, when the danger is passed, will be applauded as faithful to the duty committed to them.

Low taxes and general exemptions do not bring capital or emigration into a State. Some of the States mentioned heretofore, who levy a much heavier tax than we do, receive twenty-five emigrants to where we receive one, while low taxes and exemption have never yet started a manufacturing enterprise. Let us once get our finances regulated and a system of free schools fostered and emigration will find us of its own accord.

But to make valuation and taxation of all taxable property more uniform and just we must make a radical change in our method of listing.

In looking about for a different plan, it will be a source of consolation to feel that a worse one could not be adopted. As a general proposition I may assert that our assessors are incompetent. Three-fourths of them know nothing, and care less, about the importance of the work, or the value of real estate. Many are guilty of making assessments in the interest of their districts. During the last four months I have taken some trouble to inquire into the working of our present method. In some 70 cases ascertained the property was assessed at less than one-third of its value.

A few instances only are given. The trustee of Green County informed me that a place of his was assessed at \$375; it was worth \$1,500. His neighbor had a \$6,000 farm, on which he paid taxes at \$1,600. So with other property in his county. In Wilson County a place recently sold for \$6,000 that has for years paid taxes at \$1,500. In Marshall County a \$15,000 farm is assessed at \$3,000, while in Rutherford one worth \$60,000 is assessed at \$15,000.

The same disproportion exists in every county in the State, except in towns and cities where the wants of corporations have forced the employment of intelligent assessors.

By the United States marshal's books the real estate of Davidson County is set down at over \$22,000,000, while on our books it is only, in round numbers, \$8,000,000.

The present way of assessing is, in the broadest acceptation of the term, a perfect farce. In more than one county I have been informed that the entire assessments was made in one day, at the county court-house, by copying from old lists.

Again he says:

When once we get our property assessed at its value we need then two kinds of laws. First to enforce the collection thereof. This cannot be done without the penalty system. Our present plan is a voluntary system—voluntary because men pay or neglect to pay—just as they choose.

In Shelby County some of the wealthiest men neither pay State, county, nor corporation taxes. Why? Because there is no law to compel them. There is a farce enacted every year, to the infinite damage of the State, called selling lands for State tax.

When sold what does it amount to? Who ever knew in Tennessee a case of this kind that stood the test of a judicial investigation? Therefore, these parties, well knowing that such sales convey no title, make no haste to pay, and, as a rule, never do pay or redeem such lands sold for taxes and bid off in the name of the State.

Quite recently Shelby County sold lands for State and county taxes of over \$100,000, until the costs alone amounted to over \$13,000. For this outlay the State will never be reimbursed to the extent of one hundred dollars. In some localities this system of swindling has been reduced to a science. For example, they will take a tract of land of forty acres and lay it off into perhaps eighty beautiful-sized lots, and sell it in that way. In this way the collector adds materially to his own fees, as well as to the printer's and clerk's and sheriff's. It is a gift enterprise equal to anything that ever originated at Washington or elsewhere, and calls for most stringent legislation.

An inspection of these tax-sales and of the delinquent tax-payers of each county will show that of the whole number almost 90 per cent. are men of means, who could pay, but who do not. This assertion will be corroborated by the personal knowledge of each member of your honorable body.

Secondly. Having once got our property properly assessed and the taxes collected, then comes one other trouble, namely, that of getting the taxes out of the hands of the collectors.

That is not a humorous remark by any means. The list of defaulting and delinquent tax collectors, amounting to \$1,283,115 81, is a striking proof that severe laws are necessary to govern them. In many counties, on the tax of 1870, we have not received a dollar, although collections have been made. In some instances this money, which is so badly needed here, is held for private speculation by collectors and their sureties.

Other collectors pay in nothing but Tennessee money. It is impossible for any one to collect the taxes of a county without getting at least thirty-three per cent. of currency. Some collectors, I am informed, carry with them a convenient tool, who sells Tennessee money to tax-payers, and divides the profit. As the law now stands, we cannot possibly get collectors to do their duty. In the county of Davidson men are permitted to stand at the collector's door with Tennessee money in hand to sell to the tax-payers; we get but little currency from the Davidson County collector. The tax collector for Shelby County has paid into the treasury \$26,000 since June last, and out of this sum he has paid \$500 in currency, the balance in Tennessee money. This is a remarkable feat. This collector is one of the few whom it would be to the interest of the State to look after. There are others of the same type, equally as deserving, that should be noticed. I will, however, mention only a few of the many. In Bedford County the collector permits speculators in Tennessee money to cull from his tax-books the best citizens, and pay their taxes in Tennessee money; whereas, if the par-

ties paid their own taxes, the State would receive a much larger proportion in United States currency, so much needed at this time.

The county court clerk of Davidson, an honest man, pays 65 per cent. of moneys collected in his office in currency. The street brokers are so busily engaged elsewhere that they do not have time to watch his doors, I suppose.

We need the enactment of a law requiring every collector to forward a sworn statement of the amount of Tennessee money received, and the name of the party who pays, and the dates. This should be done monthly, and his commissions to be paid out of the exact money collected.

I would also urge upon your honorable body the great importance of making each county pay the cost of its own criminal prosecutions. This could be done for less than half of what it costs the State, and place the responsibility of providing for this class of claims where it properly belongs. Counties regard the State as a fit subject for all kinds of swindles, and the attempt is every week unblushingly made to effect them. Judges and attorneys general rely upon clerks to make out and correct bills, and, as a rule, certify without examination. If I allude to any one county in these remarks more frequently than another it is simply because it affords a finer illustration of my points.

Now, the claims of Shelby County alone, for bills of cost, jail fees, &c., would exhaust every dollar of United States currency we will get this year, if they were allowed without examination; while I am satisfied that were it the law that each county should pay her own costs, many frivolous prosecutions would never be brought, and her citizens would hold the officials to a stricter regard of official duties.

As it is, the counties are a positive burden to the State, and the present method does not, in any way, promote public morality, but, by opening up such a vast field for enterprising men of a bad sort, has the opposite tendency. When each county is forced to foot the bills, my word for it, public opinion will see that they are all small.

One other item of expense I beg to call the attention of your honorable body to. Since October 1, 1869, the item of public printing alone has cost the State in excess of \$60,000. The wagon-loads of documents thrown about as waste-paper would indicate that too much printing had probably been done. Having next to no income, it is proper that our expenses should be curtailed as much as possible.

Another leak that should be stopped is this thing called "indexing land grants;" a work that under some law passed some two years ago, and which, by oversight of your honorable body, was not repealed, has already cost the State some \$7,363 10, and, as it is still going on, calls for an immediate arrest. Dr. Gattinger is the fortunate recipient of the State's liberality in this particular, and has done his work well, no doubt, but has been elegantly paid.

I ask of you gentlemen, a careful consideration of the facts embraced in the foregoing report.

I have the honor to be, your obedient servant,

ED. R. PENNEBAKER,
Comptroller of the Treasury,

These statements of the Comptroller show a condition of things which certainly required remedy; whether any has been applied, we have not been informed. In 1870 there were 1,490 miles of railway in operation. The receipts for 1869-'70 were \$1,924,428 07; the disbursements, \$1,335,030 22. Taxes levied in 1870 were:

State	\$514, 364
County	1, 302, 836
Towns and cities	1, 022, 482
Total	<u>2, 839, 682</u>

Expended for common schools in the fiscal year 1868-'69, \$753,795; children of school age, 410,000; at school, 185,845.

The State does not now provide for common schools, the law having been changed, and the burden thrown back on the counties, from which we have no returns. The governor, in his last message, says:

COMMON SCHOOLS.

The last general assembly, actuated by a commendable desire to promote learning, authorized the several counties to establish and support common schools.

And whether, as an original proposition, that system meets our approbation, yet, inasmuch as it has proven eminently successful in the counties adopting it, it would,

perhaps, be unwise to disturb it until a fair experiment demonstrates what changes, if any, are necessary.

We cannot, if we would, disguise the lamentable fact that there are a large number of children in the State deprived of instruction in the ordinary principles of an English education.

Intelligence is a large element in the enterprise, prosperity, and happiness of every community, and, so far as facilities can be afforded, the education of the people should be aided and advanced; and if legislation can be devised by which the present system could be more generally and effectually tested, great good might result therefrom, and future legislation, if need be, more intelligently directed toward the perfection of this, or the adoption of some other system, by which the educational necessities of the State would be fully met.

This question will, of course, receive at your hands the careful consideration its great importance demands.

The agricultural products of 1870 were valued at \$86,472,947. The valuation of real estate was \$223,035,375. This included town and city property, estimated at about \$50,000,000, leaving for farming lands and wild lands \$173,035,375, upon which the value of products is about 50 per cent. The taxes, State and county, were \$1,817,200. The governor estimates the value of taxable property at \$300,000,000, and says:

Tennessee has all the natural elements necessary to make her the wealthiest among the States of America.

She has room for millions more of population, and capital without limit could find a rich return to its investment in mining and manufacturing.

There are 1,520 miles of railway, which cost \$50,841,781, and mileage in construction will increase the total to 2,057 miles.

The agricultural productions since the war were valued and estimated, excluding cotton and sugar, for 1866 to 1869, and including all for 1870 and 1871, at.....\$390, 146, 940 00
The estimated value of cotton, from 1865 to 1870, was..... 110, 000, 000 00

Total..... 500, 146, 940 00

SOUTH CAROLINA.

SUMMARY.

1860.

Debt.....	\$4, 046, 540 16
Contingent liabilities, railroads.....	3, 722, 000 00
Contingent liabilities, bank bills.....	1, 258, 550 00
Prospective liabilities.....	3, 000, 000 00
Total.....	12, 027, 090 16

1865.

Old debt.....	\$5, 058, 414 10
Rebel debt.....	2, 853, 982 20
Contingent liabilities.....	4, 980, 550 00
Prospective liabilities.....	3, 000, 000 00
Total.....	15, 892, 946 30
1860.....	12, 027, 090 16

Increase..... 3, 865, 856 14

1868.

Debt.....	\$6, 915, 490 10
Contingent liabilities.....	4, 980, 550 00
Prospective liabilities.....	3, 000, 000 00
Total.....	14, 896, 040 10
Increase of old debt.....	1, 857, 076 00
Rebel debt repudiated.....	2, 853, 982 20
Decrease of total since 1865.....	996, 906 20
Increase of old debt since 1860.....	2, 868, 949 94

1871.	
Debt.....	\$15,768,306 27
Contingent liabilities.....	6,712,608 20
Total	22,480,914 47
Increase since 1868	7,584,874 37

PROPERTY.

1860.	
Assessed value of property	\$489,319,128 00
Estimated value of slaves.....	211,203,000 00
Balance.....	278,116,128 00

1866.	
Assessed value property	\$90,888,436 00
Loss	388,430,692 00
Loss, less slaves	177,227,692 00
Balance trust fund and assets lost.....	7,151,422 09
Increase of debt.....	3,865,856 14
Total loss, less slaves.....	188,244,970 23

1870.	
Assessed valuation property	\$183,913,337 00
Increase since 1866	93,024,901 00
Property by census.....	207,642,571 00
Gain since 1866.....	116,754,135 00

Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census.....	\$99,113,624 00
Estimated value of all products, 1871.....	40,000,000 00
Total	139,113,624 00
Estimated value cotton for 1865-'66 to 1868-'69.....	100,000,000 00
Total	239,113,624 00

We have received conflicting statements from South Carolina, but we believe the following outline will furnish facts sufficient for the purposes of this inquiry, and the papers we submit will enable all to form opinions for themselves.

1860.

In 1860, South Carolina had a direct debt, contracted chiefly for banks, railroads, relief of Charleston, and a State-house, of.....	\$4,046,540 16
Contingent liabilities for railroads.....	3,722,000 00
For bank bills.....	1,258,550 00
Total contingent and prospective liabilities for further aid to the Blue Ridge Railroad, in stock.....	1,000,000 00
In bonds to be indorsed.....	2,000,000 00
Total debt and liabilities, contingent and prospective.....	12,027,090 16

The balance in the treasury was.....	\$100,000 00
The State held United States surplus fund.....	1,051,422 09
Bank and railroad stocks valued at.....	6,000,000 00
Total assets and funds.....	7,151,422 09

The contingent liabilities on railroad bonds were secured by liens on the roads. The bank of South Carolina yielded the State annually..... \$350,000

In November, 1860, the banks had, capital..... 14,952,487

Undivided profit..... 2,013,109

Specie..... 2,324,121

Circulation..... 11,475,634

There were 987 miles of railway, which cost..... 22,385,287

The property in the State was assessed at..... 489,319,128

Slaves estimated at..... 211,203,000

Assessed value of property, exclusive of slaves..... 278,116,128

The taxes for 1859 were upon 393,305 slaves, 95 cents each..... \$373,639 00

On 3,225 free negroes, \$2 75 each..... 8,868 00

On sales of merchandise..... 50,291 00

On faculties, professions, &c..... 13,980 00

On bank and other stocks..... 44,501 00

On insurance premiums..... 5,809 00

On town lots..... 52,126 21

On 17,603,583 acres of land, valued at \$10,227,241, 58 cents per acre,..... 82,840 00

Tax per acre under 5 mills, (some minor items)..... 3,470 79

Total..... 635,525 00

The appropriations for free schools, in 1859, was \$74,000.
The taxes levied in 1860, were—

State..... \$518,799 00

Counties..... 55,506 00

Towns and cities..... 706,081 00

Total..... 1,270,386 00

1865.

In 1865 the old debt was \$5,058,414 10; debt contracted in rebellion, \$2,853,982 20; the contingent liabilities, \$4,980,550; the prospective liabilities, \$3,000,000. Total debt and liabilities, \$15,892,946 30. Increase since 1860, \$3,865,856 14. The treasury was empty. The loss of balance, \$100,000; of surplus revenue, \$1,051,422 09; of bank stock and other assets, \$6,000,000. Total, \$7,151,422 09. Annual income from bank lost, \$350,000. There were 1,007 miles of railway, much worn and almost without rolling-stock. The assessment of property in 1866 was \$90,888,436. Loss in value of property since 1860, \$187,227,692. Total loss since 1860, exclusive of slaves, \$188,244,970 23.

1868.

The reconstructed government was inaugurated in 1868. The rebel debt had been repudiated. The recognized bonded and floating debt was \$6,915,490 10; the contingent liabilities were \$4,980,550; prospective liabilities, \$3,000,000. Total, \$14,896,040 10. Increase since 1860, \$2,868,949 94.

1871.

The debt proper in 1871 is controverted. The documents before us tend to establish that the amount outstanding on the 20th day of December, 1871, was \$15,768,306 27. This includes \$3,773,000 bonds held as collateral for a floating debt, alleged to be about \$900,000. The old bonded debt outstanding in 1868 was \$6,454,306 27. Bonds have since been issued and delivered to the financial agent amounting to \$9,514,000. Total, \$15,968,306 27. There are bonds held as sinking

fund \$200,000, which leaves bonds outstanding \$15,768,306 27. This includes \$3,773,000 bonds held as collateral for the floating debt, estimated at \$900,000. It is claimed that these hypothecated bonds should be deducted and the floating debt added, which would make the debt \$12,895,306 27. If the State were able to meet her obligations as they mature, there could be no reasonable objection to this deduction, but it is admitted that these bonds are pledged, on the street, in New York City at 25 cents on the dollar, to secure a floating debt nearly equal to their value at that rate; that the credit of the State is and has long been so depressed as to place her bonds at the mercy of usurers; that her Financial Agent has been accustomed, under authority of law, to pledge her securities at such rates; and that her bonds have been repeatedly sacrificed for want of means to redeem them. Hence we include these hypothecated bonds in our estimate of the debt.

There are bonds in the State treasury, known as "the sterling loan," amounting to \$6,000,000; of these, \$3,500,000 have been executed, and \$2,500,000 are unsigned. It is claimed that these bonds should be added to the outstanding debt. If the officials who have them in charge were men of acknowledged trustworthiness, such a claim would seem absurd. Certainly no financier would ask that bonds of the United States, printed but unsigned, or executed but unissued, in the vaults of the Treasury of the United States, the property of the Government, should be included in the national debt. But when officers of a State have concealed the truth and made false or grossly erroneous statements; when they have speculated on the expiring credit of the State, and grown rich while she has become bankrupt; when they are charged with corruption on probable proofs, and do not attempt, having opportunity, to meet the charges, prudent men may question the safety of funds in their hands. The risk is greater of executed than of unexecuted bonds, as a single officer might use the one, while misapplication of the other would require concert. If the \$3,500,000 executed bonds were added, the amount would be \$19,268,306 27. If to this the \$2,500,000 unexecuted were added, the total would be \$21,768,306 27. Having presented the facts and alternate results, we deem it due the State to say that, however well grounded apprehensions as to unissued bonds may be, they relate not to the past or the present, but to the future; not to the amount of debt now, or on any day past, but to what it may become; and before allowing such fears to control our judgment, even as to the future, we should consider the effect of recent and current events in South Carolina.

The extent of injury done and of danger impending has been discovered. Those officially responsible have been arraigned before the legislature, and at the bar of public opinion. The movement for reform is so strong as to bear with it some of those who have heretofore been considered obstacles to good government; and it is hoped that all in authority will hereafter deal faithfully with their trusts, and that measures will be taken in South Carolina, as they have been in another place, to secure this result. We do not include the "sterling loan" bonds, because they are not outstanding against the State.

The contingent liabilities for railroads are \$6,712,608 20; total debt and liabilities, \$22,480,914 47; \$2,712,608 of the contingent liabilities are well secured by first liens on roads; \$4,000,000 are in bonds in aid of the Blue Ridge Railroad. These have not been sold, and if the company consults its own interests, it will hold them until the credit of the State shall have been restored.

INCREASE OF DEBT.

It is clear and confessed that there have been issued since the reconstructed government was inaugurated, bonds amounting to \$9,514,000, and that only \$200,000 have been redeemed—leaving outstanding \$9,314,000. The treasurer reports that \$3,200,000 had been issued prior to October 31, 1870, and the remainder between that date and October 31, 1871. Whether in the statement for October, 1870, he includes bonds pledged as collateral, does not appear. There was a floating debt of nearly \$3,000,000 existing when the new government was inaugurated, consisting of bills and claims against the State, and interest on the debt. Acts were passed August 26, 1868, and February 17, 1869, to pay these debts and relieve the treasury. These acts provided for \$3,500,000 of bonds, \$2,949,000 of which were delivered to the financial agent, and now form part of the debt. We have heard no complaint of either of these measures. They were supported by men of both parties, and acknowledged to be proper. There were outstanding, when the new government came in, notes of the Bank of South Carolina, which the State was bound to redeem, \$1,258,550, with interest, and an act was passed September 15, 1868, for the redemption of these notes, under which bonds were issued, \$1,590,000, of which \$1,259,000 are outstanding, and \$331,000 are in the treasury. Members of both parties voted for this measure, which appeared to be one of justice to public creditors; but it is now alleged, and there is evidence before the joint committee to sustain the charge, that notes had been purchased at nominal rates, and were held in large quantities by State officers, members of the legislature, and influential citizens of both parties, and that the act enabled them to make a speculation on the credit of the State.

It has also been charged that the notes redeemed were not destroyed, but the documents before us refute this charge.

The policy of those who controlled South Carolina before the war was to discourage small land-holders, mechanics, and tradesmen, and keep the soil and the power in few hands; this kept the masses landless and poor, and dependent on land-holders, who were slave-owners.

An act was passed March 27, 1869, and amended March 1, 1870, to establish a land commission, to purchase lands to be sold as homesteads. Under these acts bonds were issued, and are outstanding, amounting to \$700,000, and \$547,329 85 have been expended, and 104,078 acres of land have been purchased, at an average cost of \$5 25 per acre, which was probably below the intrinsic value, though above the market price at which the same or better lands might have been obtained when these were purchased. Part of the lands have been divided among settlers, and the market price of real estate has risen so that what the State holds are valued at \$1,000,000.

No complaint has reached us of the policy of these acts, and, if properly applied, it would have been beneficial to the people and profitable to the State. But it is charged, and the documents before us and evidence before the joint committee tend to establish, that abuses were practiced. Lands were purchased not adapted to the purpose, fictitious prices charged the State, while owners received less and the difference was divided between the vendors and the officers or intermediates. The names of public officers not connected with the commission, and of members of the legislature, appear in some sales. These practices have deprived the people of benefits and the State of a source of profit and prosperity, and brought the system into disrepute. The governor recommends that the commission be abolished and the lands

sold. These measures account for \$3,496,329 85 of the bonded debt. The additional increase has not been explained except by the general statement that bonds issued under the foregoing and sundry other acts, and delivered to the financial agent, have been used as collateral in raising money in New York City to meet the necessities of the State, and to pay the debts already mentioned, on such terms as have cost the State about three dollars in bonds for one in money. The governor, in his special message of January 9, 1872, says:

In the fall of 1868 I visited New York city for the purpose of borrowing money on the credit of the State on coupon bonds, under the provisions of the acts of August 26, 1868. I had the assistance of Mr. H. H. Kimpton, United States Senator F. A. Sawyer, and Mr. George S. Cameron. I called at several of the most prominent banking-houses to effect the negotiation of the required loan, and they refused to advance any money upon our State securities, for those securities had been already branded with the threat of a speedy repudiation by the political opponents of the administration, who have ever since howled the same cry against the State credit. As the persons who made this threat controlled the press of the State, they were enabled to impress capitalists abroad with the false idea of a speedy reaction that would soon place them again in authority.

As the capitalists well knew that these persons, when in power in 1862, did repudiate their debts due Northern creditors, their distrust of our bonds was very natural and apparently well founded. It soon became evident to every man familiar with our financial standing in New York that, to negotiate the loan authorized, the question was not *what we would take for the bonds*, but *what we could get for them*. After much effort, and the most judicious management, I succeeded in borrowing money, through Mr. Cameron, at the rate of four dollars in bonds for one dollar in currency, the bonds being rated at 75 per cent. below their par value, or at 25 cents on the dollar. This loan, however, was only effected at the extravagant rate of 1½ per cent. per month, or 18 per cent. a year—a rate only demanded on the most doubtful paper, to cover what is deemed a great risk—for the money loaned.

Subsequent loans were effected at a higher valuation of the bonds, but at rates of interest varying from 15 to 20 per cent., in addition to commissions necessarily to be paid the financial agent. If, then, \$3,200,000 in money have cost the State \$9,514,000 in bonds, it does not, therefore, follow that the financial board have criminally conspired against the credit of the State, and, still less, that any *one member* of the board can justly be held up to public execration or stigmatized by an accusation of "high crimes and misdemeanors" for the assumed results of its action. It is proper that I should add that the armed violence which has prevailed in this State for the past three years has had upon our bonds the same effect as actual war, in lessening their purchasing-value, as money is dearer in war than in peace. Ku-Kluxism made capitalists shrink from touching the bonds of this State, as a man would shrink from touching a pestilential body.

Those who complain of the low price at which our bonds have sold in the markets of the country, and that it has cost nine millions of bonds to buy less than three and a half millions of dollars in currency, have only to examine the testimony being developed before the United States court, now in session in the capitol of the State, to find an easy solution for every financial evil that has afflicted the people.

This may explain the increase of debt, and it is probable that money could not have been otherwise procured. Yet we cannot agree that it was proper to submit to such disastrous and degrading terms continually for three years. Had the credit of the State been unsullied up to 1868, it might have been expedient to make light loans on almost any conditions to preserve her good name, or a great emergency might have justified such terms temporarily for limited amounts, but for a State to go upon the "street" as a mendicant borrower and remain there buffeted from broker to broker for three years, raising money to pay old and dishonored debts at a cost of three dollars in renewed obligations for every dollar paid, seems to us indefensible. It is not justified by showing that it was legal, nor by the fact that citizens of the State conspired to destroy her credit in order to undermine the government. A public officer should take such a course only on legal compulsion or to preserve the existence of a State, and there was no such necessity in this case, which was mainly that of borrowing money to pay old debts

and damaging the credit of the State and weakening the government by every loan. It would have been better to have levied increased taxes to meet actual necessities. But taxation seems to have been avoided as if to conciliate, and that levied was hardly sufficient to pay the ordinary expenses of the State economically administered.

The following statement from the message of the governor for 1871 shows the amount assessed and collected since reconstruction, the amount in arrears, with the appropriations and deficiencies.

TAX LEVY, TAXES COLLECTED, AND DELINQUENT TAXES.

Many and extravagant statements have been made regarding the assessment and collection of taxes, and those not familiar with the actual facts, when compared with collection of revenue for the same purposes in other States, are doubtless frequently led to believe that taxation is extravagant and unusual. I undertake to say that not a State in the Union has collected less tax in the same length of time in proportion to its population and resources. The following is a correct exhibit of the appropriation of moneys, the levy of tax, collection of revenue per annum, and the delinquent list for the years 1868, 1869, and 1870:

Statement of amount of taxes levied, amount collected, and appropriations made, during years 1868, 1869, and 1870.

Total taxation for 1868 (rate of taxation, State, 7½ mills)	\$1,338,742 19	
Total amount collected	1,163,053 28	
Delinquent		\$175,688 91
Total appropriations for the year 1868, exclusive of interest on public debt, for which no appropriation was made	817,968 28	
Total taxation for 1869 (rate, State, 5 mills)	\$1,014,901 83	
Total amount collected	766,736 08	
Delinquent		248,165 75
Total appropriations for the year 1869, including interest on public debt	1,191,805 09	
Total taxation for 1870 (State, 9 mills)	\$1,670,063 66	
Total amount collected	1,146,037 06	
Delinquent		524,026 60
Total appropriations for the year 1870	1,604,053 54	
Total delinquent taxes		947,881 26
Twenty per cent. penalty		189,576 25
Total		1,137,457 51

If the taxes, as shown in the foregoing statement, had been paid, as they should have been, it would have saved the State at least two millions and a half of bonded debt.

The sums collected are not much larger than those expended before the war, and if expenses had been kept within receipts there would have been little ground of complaint. The arrears, if paid, would enable the State to redeem the hypothecated bonds and save \$3,773,000.

Resistance to the government by the conspiracy known as the Ku-Klux Klan, repeatedly breaking out into open rebellion, has required heavy expenditures. The increased expenses of the public schools and of the elections, and, generally, of a government representing the whole people, would have justified moderate increase, and that occurring under an honest, economical government would have justified taxation.

CORRUPTION.

It is generally admitted that the legislature has been extravagant, and has made unnecessary and, in some cases, corrupt appropriations, some of which have been vetoed by the governor and defeated, and others passed over his veto. And where extraordinary expenses were necessary for the safety of the State, as to supply arms and ammunition to suppress violence, advantage has been taken by individuals to secure exorbitant gains.

Even the recent investigation by a joint committee of the legislature to detect corruption is followed by charges, sustained by proofs, that members of the committee, and men connected with it, were more anxious to make illegitimate profits to themselves than to perform their duty. It is charged, and in evidence, that there has been corruption in the legislature in connection with acts conferring or extending corporate privileges, and that bribery has prevailed to such an extent that legislation has been controlled by a band composed of members of both political parties and of both colors, commonly called the "forty thieves," who would not permit such measures to pass until they were satisfied. This legislation does not generally affect the State, but in several cases the contingent liabilities were involved in extending aid to railroads, or changing the terms of laws granting such aid. We have heard no complaint of this policy, which was that established before the war, but it is claimed, and in evidence, that there was a speculation in the stock of the Greenville and Columbia Railroad similar to that in the notes of the Bank of South Carolina. The form of security held by the State for aid to the Blue Ridge Railroad was changed, and the statutory lien converted into a mortgage. This places the security in the first instance in the control of the holders of the bonds guaranteed by the State. Ordinarily it might be safer for a State to retain control of the property pledged to secure advances, but while the affairs of South Carolina are managed as at present it may be as well to let the creditors control the security, they being answerable to the State for the value of the property, and the State having the right and the legal remedy to compel its application to the debt.

The worst feature of corruption in South Carolina is that members of both parties and men of all classes are involved in it, and that public abhorrence of corruption which is the safeguard of popular government seems wanting or dormant. Even the old aristocratic class, to whom we had been taught to attribute sentiments of chivalric honor, have not scrupled to bribe officials. In the operations of the land commission, the vendors were generally old citizens of the planting class, who held more land than they could utilize, and the frauds committed in the sale of their lands were with their consent and to their advantage by bribery of the officers by the land-holders. On this subject the governor, in his special message of January 9, 1872, says, (see pp. 20 and 21 :)

Many of the purchases of land having been severely criticised, and grave charges of irregularities in the administration of the office of land commissioner being current, I applied, in the month of May, 1870, to an eminent lawyer of this city, Colonel J. D. Pope, to initiate legal proceedings for the purpose of bringing the alleged fraudulent transactions of the land commissioner under review in the courts. Colonel Pope stated, in a written opinion, which he furnished me, that after a thorough investigation of the law, and the facts in the premises, he was satisfied that great irregularities had been practiced to the injury of the State, but that the necessary legal proofs of the malfeasance alleged could be furnished only by those who sold the lands, and by others interested in effecting such sales, and who profited by them, and they were not likely to appear as witnesses and criminate themselves.

General M. C. Butler, who was the democratic candidate for lieutenant governor in 1870, a native of the State, was a major general of the rebel army, a large planter, a lawyer, and a leading citizen of high standing, stated under oath before the sub-committee, sitting in South Carolina, that if he had land to sell and could sell it by buying a State senator for \$500 he would do so.

Dr. R. M. Smith, of Spartanburgh County, an old citizen, democratic member of the legislature, testified before the said sub-committee that he could see no wrong in bribing a public officer, and compared the transaction to the purchase of a mule. In the tax-payers' convention, held at Columbia, South Carolina, Mr. F. F. Warley, of Darlington County, an old citizen of high standing, spoke as follows:

As I said on yesterday, public frauds would not exist were it not for private individuals who act the part of corruptors. Were none of these engaged in bribing members of the legislature, we would hear nothing of such frauds as the one I have endeavored to expose.

Mr. President, one prominent feature in this transaction is the part which native Carolinians have played in it; and it is to this feature that I ask to be allowed to address myself in closing. I say, sir, and I say it in sorrow, that some of our own household, men who the State in the past has delighted to honor, but whose honors have been withered by the atmosphere of corruption that they breathe, are involved in this swindle. I cannot conceive how these men, thoroughly acquainted as they are with the negro character, and with the circumstances which, up to a recent date, surrounded the negroes then in slavery—knowing, as they well know, that in mature manhood the negro is mentally a child, and that morally he never passes the stature of infancy, could reconcile it to themselves to approach them, when by force of law they were suddenly raised to political power, and by appealing to their cupidity and avarice make them their instruments to effect the robbery of their impoverished white brethren. The highwayman spares the idiot, the pirate has mercy on the fool, but these, our own people, use idiot and fool alike to consummate their schemes of spoliation and plunder. A legislature, composed chiefly of our former slaves, has been bribed by these men—to do what? To give them the privilege, by law, of plundering the property-holders of the State, now almost bankrupt by reason of the burden of taxation under which they labor.

It is difficult for citizens of other States to realize such prevalent corruption, affecting all classes of society, bringing to the same level patriot and rebel, white and black, the old citizen and the new. Probably one cause contributing to produce this result is the condition of civil war which has prevailed in the State, in which the power has been almost exclusively in the hands of one class and the property in the hands of the other. While open hostilities have not generally and continually existed there has been mutual enmity more bitter than usually accompanies flagrant warfare. Hence, some of the men in office may have regarded what was taken from the treasury as taken from the property-holders, enemies of the Government, and therefore spoils of war; and, on the other hand, some property-holders have come to consider what they procure by bribery and corruption as a right of which they are wrongfully deprived, and which they are justified in recovering by any means. Another cause seems to be the contempt which the old property-holding class manifest and feel for freedmen and all who cooperate with them politically. This gives to bribery of such persons, in the eyes of the old native class, the semblance of the purchase of a slave. It is hoped that these two causes will disappear when equality before the law shall have been acknowledged and peace permanently restored.

VIOLENCE.

Having thus considered what we deem the chief points in the financial history of South Carolina, we ask attention to the dates and some facts in order to see how far, if at all, extravagance, mismanagement, and corruption have affected the public peace and the enforcement of the laws. The most casual reader of the foregoing statements will remem-

ber that there was little or nothing known in the financial management of the State of which complaint was or could have been made until after October, 1870; the increase of the debt since that date was not publicly known until October, 1871. In the tax-payers' convention in 1871, the debt was reported to be as the governor had stated it. Yet the fact is clearly shown by documents before us, official reports and the testimony before the committee, that the conspiracy known as the Ku-Klux Klan was in full existence in the spring and summer of 1868, and active and efficient in the presidential election of that year, controlling, by intimidation and violence, about one-third of the State. It was in operation before the new administrator had begun to receive taxes or the burdens of government had been felt in any way. These dates negative the allegation that financial mismanagement or corruption bred the Ku-Klux, and show that the conspiracy preceded as it contributed to cause the financial troubles. While there are, and have continually been, persons in the State, and in various parts of it, generally believed to be corrupt and the authors of the monetary misfortunes of the State, and State officers, commonly believed to be venal, have freely traversed the State, yet no such person, official or unofficial, has, to our knowledge, been molested by the Ku-Klux on account of his corrupt conduct. It might have been supposed that the worst outlaws, though organized for other ends, would have taken special pleasure in punishing such offenders, if it were only to salve their own consciences and the security enjoyed by bad men, while the humble, innocent, and helpless have been outraged and assassinated, shows not only that to punish or prevent corruption is no part of the object of the Ku-Klux, but that they tolerate those who rob the State. This may be because among the robbers are members of both political parties, including some who direct and others who control and might easily suppress the Klan, and if the Ku-Klux were to punish corruption impartially they would strike men in sympathy with themselves, even their own members. Another reason for the indulgence of public robbers by Ku-Klux is, that the doings of both tend to the same result—the overthrow of the State government. The one assaults while the other undermines. It is a branch of Ku-Klux operations to defraud the United States by covering and protecting illicit manufactures of spirits and tobacco, and they could scarcely keep up such practices and preserve a high moral tone. But if it were any part of their plan to correct financial abuses the fact should appear in evidence.

The documents and testimony are voluminous, containing “prescript” “constitution,” “by-laws,” and “regulations” of several orders of Ku-Klux, the confessions of members of Klans in different localities, and many accounts of their acts and words while proceeding as Klans, both in councils and on raids, but it nowhere appears in print, manuscript, word, or deed that any part of their object is to deter or punish or avenge corruption, or that they take any cognizance of financial affairs. We, therefore, conclude that the financial condition of South Carolina cannot be assigned as a cause or a provocation of the Ku-Klux Klan or the bloody proceedings of that order. It is, however, proper to add that the malfeasance and corruption of republican officials must have indirectly tended to turn society and the State over to violence by bringing the State government, the party in power, and the national authority into contempt, and by increasing the reluctance of well-disposed southern men to identify themselves with the republican party, or even to interfere against such an organization to protect republicans, and by giving to the opponents of reconstruction on impartial suffrage, argument and illustration against them, and it is equally evi-

dent that the corruption, malpractice, and speculations of officials, tending to divert them from and weaken them in the performance of their public duties, have opened the way for the prevalence of violence. It is, therefore, clear that thus, indirectly, corruption and malfeasance have promoted, though they have not caused nor provoked, the lawlessness which has prevailed in South Carolina.

PROPERTY.

In 1870 the assessed value of property in the State was—

Real estate.....	\$119,494,675
Personal estate.....	64,418,662
Total.....	<u>183,913,337</u>
Increase since 1866.....	<u>\$93,024,901</u>

The true value by the census was \$207,642,571; gain since 1866, \$116,754,135.

There were 1,133 miles of railway, which had cost about \$25,719,100.

The agricultural productions of the State for 1870 were valued at \$41,909,402, being 35 per cent. on assessed value of real estate.

Amount expended for education, \$150,000; children of school age, 206,210; children at school, 66,056.

PRODUCTION.

The estimated value of all farm products except cotton, rice, and sugar, for 1860, 1867, 1868, and 1869, and of all products for 1870 and 1871, was \$139,113,624. Estimated value of cotton from 1865 to 1870 inclusive, \$100,000,000. Total, \$239,113,624.

We were instructed to extend our inquiries to the cities of Charleston and New Orleans.

CHARLESTON.

The city debt of Charleston in January, 1861, was.....	\$3,680,245
In August, 1865.....	4,715,058
In August, 1868.....	5,187,244
In October, 1871.....	5,292,536
Increase from 1860 to 1868.....	<u>1,506,999</u>
Increase from 1868 to 1871.....	<u>105,192</u>
The value of real estate in 1860 was.....	25,690,000
In 1866.....	18,121,200
In 1871.....	18,652,585
Decrease from 1860 to 1866.....	<u>7,568,800</u>
Increase from 1866 to 1871.....	<u>531,385</u>

GEORGIA.

SUMMARY.

1860.	
Debt.....	\$2,670,750 00
Liabilities, railroad.....	500,000 00
Total.....	<u>3,170,750 00</u>
1865.	
Debt.....	\$5,706,500 00
Rebel debt.....	15,104,726 50
Total.....	<u>20,811,226 50</u>
Increase since 1860.....	17,640,476 50
Increase less rebel debt.....	<u>2,535,750 00</u>

1868.	
Debt.....	\$6,544,500 00
Increase since 1865.....	838,000 00
Increase since 1860.....	<u>3,873,750 00</u>

1872.	
Debt.....	\$8,618,750 00
Increase since 1868.....	2,074,250 00
Contingent liabilities, railroad.....	7,083,400 00
Prospective contingent liability for railroads.....	22,916,600 00
Total contingent and prospective liabilities for railroads commenced..	9,533,900 00
Total estimated contingent and prospective liabilities for railroads....	<u>30,000,000 00</u>

ASSETS.

1860.	
Railroad, &c.....	\$7,565,720 54
1865.	
Railroad, &c.....	\$4,565,720 54
Loss, chiefly on railroad, (damage).....	<u>3,000,000 00</u>

PROPERTY.

1860.	
Assessed value.....	\$672,322,447 00
Slaves.....	<u>302,694,855 00</u>
Balance.....	<u>369,627,592 00</u>

1865.	
Assessed value, (1866).....	\$207,051,677 00
Loss since 1860.....	464,270,770 00
Loss less slaves.....	161,575,915 00
Total loss in debt and assets, excluding slaves.....	<u>182,716,641 00</u>

1871.	
Estimated value.....	\$240,000,000 00
Increase since 1866.....	32,948,323 00
Census valuation.....	268,169,143 00
Increase since 1866.....	<u>61,117,466 00</u>

Estimated value of agricultural products since the war—Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay—1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census.....	\$213,638,801 00
Estimated value all products, 1871.....	<u>80,000,000 00</u>

Total.....	298,638,801 00
Estimated value cotton for 1865-'66 to 1868-'69.....	<u>160,000,000 00</u>
Total.....	<u>458,638,801 00</u>

1860.

At the close of the fiscal year 1860, the debt of Georgia was \$2,670,750, contracted chiefly in constructing railroads.

The State was pledged to further railroad subscription \$500,000. Debt and contingent liabilities, \$3,170,750. The balance in the treasury was \$274,820 54, including \$100,000 of the school fund in bank on interest. There was bank stock pledged to education amounting to \$290,900, and yielding 10 per cent. per annum, and property in railroads which cost \$4,711,532—the Western and Atlantic Railroad, yielding the State \$450,000 per annum. This road was valued at about \$7,000,000. There were 1,420 miles of railway, which cost \$29,057,742.

The banks had \$16,689,560 capital, \$3,211,974 specie, and \$8,798,100. circulation.

The assessed value of property, in 1860, was \$672,322,447, as follows :

Land	\$161,764,955
Slaves	302,694,855
City and town property	35,139,415
Money and solvent debts	107,336,258
Merchandise	15,577,193
Shipping and tonnage	943,940
Stocks, manufactories, &c.	4,034,252
Household and kitchen furniture.....	2,374,284
Other property not mentioned	42,427,295
Making a total of	672,292,447
The value of slaves	302,694,855
Valuation of the taxable property in 1860, exclusive of slaves	<u>369,597,592</u>

The school fund was \$440,900; annual income \$29,090; the appropriations for schools in 1859 were \$150,000; white children of school age, 117,670; number taught, 79,922; the State tax was 6½ cents on the \$100.

The taxes levied in 1860 were—

State	\$381,687
Counties	283,365
Towns, cities, &c.	132,833
Total	<u>807,885</u>

During the year ending October, 1860, the State expended \$42,801 73 for arms.

1865.

In 1865 the old debt had increased to \$5,706,500; the debt contracted in rebellion, \$15,104,726 50; total, \$20,811,226 50; increase since 1860, \$17,640,476 50; damage to State railroads, \$3,000,000; the assessed value of taxable property, \$207,051,677; loss since 1860, \$464,270,770; loss exclusive of slaves, \$161,575,915; total loss of property, excluding slaves and assets and increase of debt, since 1860, \$182,716,641; the total loss, including railroads, banks, and public buildings, estimated by State authorities on basis of true valuation for 1860, was \$786,254,876.

There were 1,420 miles of railway, the same as in 1860, in bad order. The losses of the companies were estimated at \$15,000,000. The banks were broken, and their losses estimated at \$30,000,000.

The population had decreased from 1,057,286, in 1860, to 869,201.

1868.

In 1868, when the reconstructed government was inaugurated, the rebel debt had been repudiated, and the recognized debt was \$6,544,500. The following is the report of the treasurer, Mr. N. L. Angier, of December 31, 1870:

TABLE C.—Consolidated statement of the public debt of the State of Georgia on the 1st day of January, 1871, showing date of issue and maturity of outstanding bonds, annual interest on each issue, total interest due each year, and total annual payments.

When issued.	When due.	Annual amounts, (principal)	Total interest on each issue.	Total interest due each year.	Total amount due each year, (prin- cipal and in- terest.)		
1849	1859	\$6,000	None, bonds be- ing past due.	None, bonds be- ing past due.	\$6,000		
1852	1862	15,000			15,000		
1848 and 1849	1863	3,500			3,500		
1849	1864	9,500			9,500		
1855	1865	3,000			3,000		
1848	1868	20,500			20,500		
1844	1869	53,000			53,000		
1840	1870	61,000			61,000		
1841 and 1866	1871	154,250			\$9,485	\$427,375	581,625
1842 and 1852	1872	730,250			44,815	417,890	1,148,140
1842 and 1843	1873	137,000	8,220	373,075	510,075		
1844 and 1848	1874	251,500	16,855	364,855	616,355		
1858	1878	100,000	6,000	348,000	448,000		
1859	1879	200,000	12,000	342,000	542,000		
1860	1880	200,000	12,000	330,000	530,000		
1861	1881	100,000	6,000	318,000	418,000		
1866	1886	3,900,000	270,000	319,000	4,212,000		
1868	1888	600,000	42,000	42,000	642,000		
Total debt		6,544,500	427,375	Total int.			

“There fell due, in 1868, £15,000, (sterling bonds,) all held in Europe, none of which have been paid; £3,000 interest on same is still unpaid.”
As will be seen, all of this debt, save \$600,000, had been contracted before 1868.

Increase since 1865, \$738,000; increase of debt since 1860, \$3,773,750.
The treasurer, Mr. Angier, says:

The above table shows the State bonded debt at the close of the war \$2,114,500, besides the small sterling debt less than \$100,000. This was the State's indebtedness at the commencement of secession, upon which interest had accumulated in amount less than \$600,000 at the close of the war. The \$3,900,000 issued in 1866 were to fund the past due bonds and the matured interest during the war, and to put the State railroad in repair after the war.

On the 1st day of January, 1871, the ascertained debt was \$6,544,500. In his report for 1870, the treasurer states the known bonded debt at this sum, and gives the foregoing detailed statement, as under 1868; but he says “table C shows the bonded indebtedness of the State exclusive of the bonds issued in 1870. Besides the bonded indebtedness as shown in table C, a large amount of new State bonds have been issued greatly in excess of honest demands against the State, and under circumstances that lead to the belief that these bonds have been used for private purposes to further the ends of certain individuals.”

These bonds, so far as the coupons are concerned, not being executed according to law, and not registered in the treasurer's office as the law requires, I have no data by which I can arrive at the exact amount of new bonds issued. I have made several attempts to learn the amount and disposition made of the bonds, but the financial agent, who has them in charge in New York, has been instructed by the governor to withhold all information concerning them. Enough, however, has been learned to authorize the statement that nearly five millions have been issued and sent to New York. This attempt at concealment leaves grounds for grave suspicions; and it would well behoove an honest executive to expose such fraud against the State.

The contingent liabilities for railroads for bonds indorsed are stated by Governor Conley in his message of January 11, 1872, at \$7,083,400.

Governor Conley says that on December 2, 1871, roads had complied with and were entitled to indorsement and loans of bonds amounting, when the roads are completed, to \$7,029,500. The governor says:

If all roads building under the law December 2, 1871, be completed, the entire indorsement will be \$9,533,900.

Additional aid has been promised roads, a list of which is appended from the report of the treasurer.

Name of railroad.	Amount of State aid.
Albany and Columbus Railroad	\$12,000 per mile.
Albany, Mobile and New Orleans Railroad	12,000 do.
Americus and Florence Railroad	12,000 do.
Americus and Hawkinsville Railroad	12,000 do.
Americus and Isabella Railroad	12,000 do.
Athens and Clayton Railroad	15,000 do.
Atlanta and Blue Ridge Railroad	15,000 do.
Atlanta and Lookout Railroad	15,000 per 8 miles.
Augusta and Hartwell Railroad	15,000 per mile.
Camilla and Cuthbert Railroad	12,000 do.
Chattahoochee Railroad	12,000 do.
Columbus and Atlanta Air-Line Railroad	12,000 do.
Dalton and Morganton Railroad	15,000 do.
Fort Valley and Hawkinsville Railroad	12,000 do.
Georgia Seaboard and Northwestern Railroad	12,000 do.
Grand Trunk Railroad	12,000 do.
Great Southern Railroad	12,000 do.
Griffin, Monticello and Madison Railroad	15,000 do.
Lookout Mountain Railroad	15,000 do.
Macon and Brunswick Railroad	3,000 additional per mile.
Marietta, Canton and Ellijay Railroad	15,000 per mile.
McDonough Western Railroad	12,000 do.
Memphis Branch Railroad	15,000 do.
Newnan and Americus Railroad	12,000 do.
North and South Railroad	12,000 do.
North Georgia and North Carolina Railroad	12,000 do.
Ocmulgee and North Georgia Railroad	15,000 do.
Polk Slate Quarry Railroad	15,000 do.
Savannah, Griffin and North Alabama Railroad	12,000 do.
Saint Mary's and Western Railroad	15,000 do.

The treasurer estimates the full amount of railroad liabilities incurred since reconstruction, including all the aid that all the roads may be entitled to if all are completed, at \$30,000,000, and the length of lines at 2,000 miles, which would make \$22,916,600 prospective liabilities.

The State reserves the first lien, with power to seize and sell the road on failure to pay interest or principal.

The aid is granted on completed sections of twenty miles, but in no case to exceed one-half the actual cost of the road invested by the company.

Governor Conley, in his letter of December 2, 1871, says:

4th. The contingent liability of the State is as indorser of the bonds of certain railroads. This liability has been contracted since 1868, and the State, by her legislation, may be said to have adopted a general system of internal improvements by granting the loan of her indorsement to railroads in the course of construction and after they had built and equipped a certain number of miles. This indorsement of railroad bonds is restricted by article 3, section 6, paragraph 5, clause 3, of the constitution of the State, viz: "The general assembly shall pass no law making the State a stockholder in any corporate company, nor shall the credit of the State be granted or loaned to aid any company without a provision that the whole property of the company shall be bound for the security of the State prior to any other debt or lien, except to laborers; nor to any company in which there is not already an equal amount invested by private persons; nor for any other object than a work of public improvement." In all indorsements of bonds of railroads by the State, the roads seeking the indorsement have first placed themselves within this provision of the constitution, and in no case has the indorsement of the State been granted for a greater amount than one-half the estimated cost per mile of the road when completed and equipped.

It is hardly possible from the data in the executive office to form anything like a positive estimate of the value of the roads for which the State has indorsed, but it is supposed they are worth at least the full value for which the State is liable.

These acts were passed by votes of members of both political parties, and the State is considered secure against loss if the law be properly enforced.

The terms on which indorsements are made are so stringent that the Georgia Air-Line Company, which had begun to receive indorsed bonds, and would have been entitled, as completed, to an amount equal to \$12,000 per mile, the first installment of bonds on twenty miles having been completed, the company relinquishes its claim and cancels the bonds received.

We find the following in the report of the superintendent of public works for 1871:

GEORGIA AIR-LINE.

Atlanta, Georgia, October 16, 1871.

DEAR SIR: Your letter of inquiry of this date received, and contents noted, and I have the pleasure of stating to you that in the building and completion of the Atlanta and Richmond Air-Line Railroad we will not want the indorsement of the State on our bonds, having lifted, marked, and cancelled all that the State has indorsed for us, amounting to \$240,000. The bonds are in my vault, subject to the order of the proper authorities.

Very respectfully, yours,

ALFRED AUSTELL,
Vice President A. & R. A. L. R. E.

Colonel B. W. FROBEL, *Superintendent Public Works.*

Governor Conley says these bonds are now in the treasury. The following table from the report of the superintendent of public works for 1871 shows that this road was needed, and that it has benefited the property along its line.

GEORGIA AIR-LINE.

Aggregate value of property in the counties through which the road passes, and the increase thereon during the past year.

Counties.	1868.	1869.	1870.
Fulton	\$9,943,489	\$11,752,504	\$13,500,000
Gwinnett	1,244,925	1,350,431	1,400,000
Hall	922,665	960,662	1,000,000
Banks	408,471	431,696	450,000
De Kalb	1,265,538	1,394,555	1,450,000
Habersham	499,861	488,727	500,000
Franklin	730,657	787,442	800,000
Total	15,015,606	17,176,347	18,500,000

Being an increase during the past year of \$2,582,900, and of \$4,742,821 since the road was begun. In 1869 the average value of improved lands in these counties was \$4 15 per acre. In 1870 it was \$4 67 per acre, being an increase of 52 cents per acre, or about 12½ per cent.

Other companies are reported as declining State aid for the same reason, but we have not the facts in relation to them. We deem it probable, however, that such companies as are to receive aid, at the rate of \$12,000 per mile or less, will find their advantage in making loans of capitalists, which can now generally be done on good lines where roads are needed, although when the laws were passed granting State aid such negotiations were not practicable.

We do not see how the State can suffer loss on her indorsement for

railroads, if the laws be observed. The largest risk which has been taken is that on the Macon and Brunswick Railroad, to which aid has been promised at the rate of \$23,000 per mile, on lines 202 miles long, amounting to \$5,566,000.

The following extracts are made from the report of the company to the superintendent of public works.

MACON AND BRUNSWICK.

To the superintendent of public works, State of Georgia :

The annexed report has been prepared, in obedience to the joint resolution of the legislature of Georgia, approved September 21, 1868, and in conformity with your circular, dated May 26, 1871.

GEORGE H. HAZLEHURST, *President.*

STATE OF GEORGIA, *Bibb County, ss :*

I, George H. Hazlehurst, president of the Macon and Brunswick Railroad Company, depose and says that the statements made in the annexed report are true and correct, according to the best of my knowledge and belief.

TABLE A.—STOCK AND DEBTS.

1. Amount of capital stock, as by charter, not to exceed.....	\$5,000,000
2. Amount subscribed.....	3,334,118
3. Amount paid in by last report, (this is the first report made.)	
4. Amount now paid in.....	3,334,118

INDORSED BONDS.

1. Act under which State aid by indorsement is authorized.	{ Act approved December , 1866. } Act approved October 27, 1870.
2. Amount of said indorsement per mile.....	\$13,000
3. Number of miles completed and equipped under provisions of the acts..	198
4. Whole amount of bonds issued and indorsed under authority of the acts..	\$2,550,000
5. Aggregate amount of interest payable on said bonds annually	\$178,500
6. Amount of interest now due and remaining unpaid	None.
7. The amount of interest paid by the State on these bonds.....	None.

BONDED OR FUNDED DEBT.

Under authority of act granting "State aid," first mortgage indorsed by the State.

1. Amount	\$2,550,000
2. Date of issue	From 1867 to 1870
3. Date of payment.....	20 or 30 years after date.
4. Annual rate of interest.....	Seven per cent.
5. Interest, when payable	January and July, and May and November.
6. Interest, where payable	At Macon and at New York.
7. Realized from sale of bonds in cash. In payment for work and debts.	
8. Average rate of discount at which the bonds were sold.	
9. Amount of sinking-fund.	

TABLE B.—COST OF CONSTRUCTION AND EQUIPMENT.

Total cost of road and equipment to January 1, 1871	\$7,087,425 08
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TABLE C.—CHARACTERISTICS.

1. Length of the main line of road between termini, that is, from Macon to Brunswick and Hawkinsville Branch	198 miles.
2. Length of road laid	198 miles.
3. Length of branches laid.....	4 miles.
4. Length of double track laid	6 miles.
5. Weight of rail per yard on main track	50 pounds.
6. Number of engine-houses and shops.....	None.
7. Number of engines.....	14
8. Number of first-class passenger cars, (rated as eight-wheel cars).....	6
9. Number of second-class cars	4

10. Number of baggage, mail, and express cars.....	3
11. Number of freight cars.....	170

TABLE E.—EXPENSES OF MAINTAINING ROADWAY AND REAL ESTATE FOR THE YEAR ENDING JANUARY 1, 1871.

Total	\$104,668 37
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TABLE F.—COST OF REPAIRS OF MACHINERY FOR THE YEAR ENDING JANUARY 1, 1871.

Total	\$87,689 12
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TABLE G.—COST OF OPERATING THE ROAD FOR THE YEAR ENDING JANUARY 1, 1871.

Total	\$101,363 36
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RECAPITULATION OF EXPENSES.

1. Maintaining roadway and real estate	\$104,668 37
2. Repairs of machinery.....	87,689 12
3. Operating	101,363 36
Total	293,720 85

1. Whole number of persons employed by the company, 1870, was as follows, viz:	
Roadway—depot	429
Transportation.....	69
Machinery	80

2. Average number of persons employed during the year	578
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A statement of the amount charged to construction during the year, with a distribution thereof among the several objects to which it was applied:

Total amount charged	\$126,240 46
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Applied to the following objects, viz:

To equipment	\$26,375 76
To depot buildings	6,572 06
To grading and trestles	78,006 47
To building telegraph line and completing wharf at Brunswick	15,286 17

The gross earnings were	\$428,429 04
The expenses	293,720 85

Net revenue.....	134,708 19
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The following table from the report of the superintendent of public works shows that the projection of this road has enhanced property along its line:

MACON AND BRUNSWICK RAILROAD.

Table showing the aggregate value of property in the counties through which the road passes.

County.	1866.	1867.	1868.	1869.	1870.
Appling.....	\$597,049	\$674,476	\$550,601	\$564,603	\$658,016
Coffee.....	478,812	515,910	433,503	474,246	490,800
Bibb.....	8,443,231	7,649,195	7,490,700	7,275,030	7,839,339
Glynn.....	1,524,027	1,147,482	892,206	1,209,237	1,619,534
Pulaski.....	1,724,384	1,482,090	1,410,120	1,464,970	1,628,164
Telfair.....	412,623	391,443	364,656	425,625	465,450
Twiggs.....	1,421,005	1,303,761	928,487	985,223	1,047,611
Wayne.....	403,324	398,776	274,895	280,189	305,118
Total	15,004,455	13,564,633	12,445,178	12,688,114	14,054,099

It appears from the foregoing table that the increase of taxable property during the past year along the line of this road has been \$1,365,978, and that the total increase since the completion of the road is \$1,602,914. In 1869 the average value of land in these counties was \$2 50 per acre; in 1870 it was \$2 78½—showing an increase of 33¼ cents per acre for the entire landed property of the whole section through which the road passes, and an advance upon real estate of something over 15 per cent.

The following is the statement of Poor's "Railroad Manual" for 1871:

MACON AND BRUNSWICK RAILROAD.

Line of Road.—Macon, Georgia, to Brunswick, Georgia..... 185 miles.
 Branch line; Cochran, (39 miles south of Macon,) Georgia, to Hawkinsville,
 Georgia..... 10 miles.

Total length of main and branch lines owned and operated 195 miles.

Sidings and other tracks, 5 miles. Gauge, 5 feet. Rail, 50 pounds to yard.

Rolling-stock.—Locomotive-engines, 15; cars, passenger, 10; baggage, mail and express, 5; freight, (box, 90; and platform, 90,) 180; total, 195.

Operations for the year ending December 31, 1870.—Trains run, 348,922 miles. Gross earnings—passenger, \$85,052 98; freight, \$333,576 06; mail, \$9,800—total, \$428,429 04. Operating expenses, \$280,366 16. Net revenue, \$148,062 88; from which cost of new work and equipments, \$126,240 46, leaving \$21,822 42.

General balances.—Capital stock, common, \$1,834,118; preferred 7 per cent, \$1,500,000; total, \$3,334,118; funded debt—first mortgage State indorsed 7 per cent bonds, dated (various) 1867–1870, interest January and July, and principal in 20 years, \$1,950,000; second mortgage 7 per cent bonds, dated 1869, interest April and October, and principal in 20 years, \$1,100,000; State indorsed 7 per cent bonds under the amended act dated 1870, interest May and November, and principal in 20 years, \$600,000; equipment bonds, \$150,000—\$3,800,000; fare-bills, \$85,172; floating debt and amount due roads and agents, \$90,175 42. Per contra: Railroad and appurtenances, \$6,422,615 67; equipment, \$539,956 49; telegraph, \$16,238 53; real estate, \$71,438 87; buildings, \$37,175 52; available assets and amounts due from roads and agents, \$217,224 11; cash, \$4,816 23; total, \$7,309,465 42.

It has been charged that Ex-Governor Bullock executed and probably issued indorsed bonds in advance of what the law authorized, but we have no definite information to that effect, and are not advised that any overissue is outstanding. The subject is under investigation by the State legislature, in connection with that of the debt proper, which is alleged to have been illegally increased. Of this we shall speak hereafter.

It cannot be doubted that the completion of the railroad system of the State will benefit the people and the State treasury by enhancing the value of lands and bringing products and property into market.

The following additional tables show the value of property in counties along the lines of several roads, before and after they were authorized. Some of them give assessments from 1866 inclusive, though the roads were not authorized until 1868. Part of the decrease, from 1866 to 1868, was due to bad crops and to disorders in the State; and part of the increase since 1868 is due to good crops and the partial restoration of order. A considerable share is caused by the construction or projection of these roads. The statements are taken from the report of the superintendent of public works for 1871.

ST. MARY'S AND WESTERN.

Aggregate value of property in the counties through which the road will pass, as located by charter.

County.	1869.	1870.
Camden.....	\$532, 530	\$500, 474
Charlton.....	232, 794	234, 850
Ware.....	259, 991	362, 308
Clinch.....	525, 272	575, 331
Echols.....	244, 963	234, 976
Lowndes.....	1, 200, 244	1, 350, 404
Total.....	3, 029, 794	3, 351, 433

There has been an increase in these counties of \$321,639, the increase being principally upon property other than real estate. In 1868 the average value of land was 89 cents per acre; in 1869, 88 cents per acre—a decrease of one cent per acre; in 1870, \$1 14 per acre—an increase of 26 cents per acre upon the assessment of the previous year.

MARIETTA AND WESTERN.

Aggregate value of property in the counties through which the road is located.

County.	1869.	1870.
Cobb.....	\$2, 602, 345	\$2, 785, 404
Paulding.....	747, 235	819, 032
Polk.....	1, 288, 046	1, 407, 475
Total.....	4, 637, 626	5, 011, 961

There being an aggregate increase in these counties amounting to \$374,961. In 1869, the average value of land was \$6 11 per acre. In 1870, it was \$7 95 per acre, an increase of \$1 84 per acre, and of 30 per cent. upon the entire landed estate of the three counties.

SOUTH GEORGIA AND FLORIDA.

County.	1866.	1867.	1868.	1869.	1870.
Thomas.....	\$2, 946, 561	\$2, 643, 124	\$1, 873, 298	\$1, 839, 822	\$2, 122, 905
Mitchell.....	1, 055, 647	979, 924	857, 602	784, 639	1, 146, 023
Dougherty.....	3, 565, 552	4, 339, 371	3, 043, 932	3, 058, 161	3, 771, 406
Total.....	7, 567, 760	7, 962, 419	5, 774, 832	5, 682, 622	7, 040, 334

This gives an increase, during the past year in these three counties, of \$1,357,712. In 1869, the average value of improved lands in these counties was \$4 06½ per acre. In 1870, it was \$5 21 per acre, an increase of 14½ cents per acre, or about 28 per cent.

CHEROKEE.

County.	1866.	1867.	1868.	1869.	1870.
Bartow.....	\$2, 931, 030	\$2, 270, 121	\$2, 945, 638	\$3, 184, 903	\$3, 224, 746
Polk.....	1, 330, 250	1, 227, 171	1, 268, 849	1, 288, 046	1, 407, 475
Total.....	4, 261, 280	3, 497, 292	4, 214, 487	4, 472, 953	4, 632, 221

These tables show an increase in the value property for the last year, of \$159,266, and \$417,734 since the road was placed under contract. In 1869 the average value of land in these two counties was \$8 05 per acre. In 1870 it was \$8 27, being an increase of 22 cents per acre, an aggregate increase of nearly 3 per cent.

CAMILLA AND CUTHBERT.

Table showing counties through which the road passes, with aggregate value of property.

Counties.	1869.	1870.
Mitchell	\$784, 639	\$1, 146, 023
Baker	625, 890	806, 825
Early	821, 214	1, 032, 478
Total	2, 231, 743	2, 985, 326

There has been an increase in these counties since 1860 of \$753,583. In 1869 the average value of land was \$2 29 per acre; in 1870, \$3 26 per acre, an increase of 97 cents per acre, or about 39 per cent. upon the entire real estate of three counties.

BAINBRIDGE, CUTHBERT AND COLUMBUS.

Table showing the aggregate value of property in the counties through which the road passes.

County.	1866.	1867.	1868.	1869.	1870.
Decatur	\$2, 503, 228	\$2, 451, 127	\$1, 985, 244	\$1, 849, 774	\$2, 068, 633
Miller	440, 432	340, 638	222, 335	226, 632	322, 410
Early	1, 275, 754	1, 171, 827	785, 840	821, 214	1, 032, 478
Calhoun	971, 057	976, 985	572, 498	621, 306	818, 404
Randolph	2, 239, 605	1, 983, 126	1, 746, 761	1, 820, 472	2, 147, 620
Stewart	2, 259, 495	2, 224, 047	1, 874, 438	1, 938, 353	1, 921, 723
Chatahoochee	982, 580	970, 422	919, 718	916, 922	931, 511
Essex	6, 696, 845	7, 225, 277	7, 255, 097	7, 006, 941	7, 612, 735
Total	17, 368, 845	17, 357, 449	15, 367, 921	15, 261, 614	16, 915, 954

This gives an increase during the past year, in these eight counties, of \$1,604,340. During the same period there has been an average increase of forty-six cents per acre upon the improved lands, which is equal to an increase in value of about 12½ per cent.

DALTON AND MORGANTON.

No report received at this office.

Table showing the aggregate value of property in the counties through which the road passes.

County.	1866.	1867.	1868.	1869.	1870.
Whitfield	\$3, 306, 115	\$1, 979, 440	\$1, 737, 817	\$1, 757, 445	\$1, 922, 169
Murray	1, 172, 872	978, 661	939, 234	989, 417	1, 023, 633
Gilmer	476, 764	429, 277	422, 739	446, 948	444, 710
Fannin	472, 201	485, 380	443, 815	435, 027	426, 669
Total	5, 427, 952	3, 882, 758	3, 543, 605	3, 628, 837	3, 817, 267

These figures show the aggregate of increase in the value of property in these counties during the past year to be \$188,430. It is worthy of note, however, that the increase is confined to Whitfield and Murray Counties. In Gilmer County there was a decrease of \$2,232, while Fannin lost during the same period \$8,338. In 1869 the average value of land in these counties was \$3 76. In 1870 it was \$3 76½, being an increase of two-thirds of a cent per acre. We find that the increase in the value of land in Whitfield was fourteen cents per acre; in Murray, ten cents per acre; in Gilmer, one cent per acre; while the decrease in Fannin was twenty-two cents per acre—a loss which almost counterbalances the gain in the other three counties.

The foregoing tables show that property has increased along the lines of these ten roads since 1868 more than \$14,000,000 exclusive of the value of the roads themselves.

This increase is four millions more than the whole amount of indorse-

ments made and promised to railroads which were commenced and entitled to aid on December 2, 1871, yet it is evident from the low valuation of lands that the benefits have but begun. The following statement shows the progress of railroads in Georgia :

There were in 1860, 1,404 miles; in 1865, 1,420 miles; in 1868, 1,575 miles; in 1871, 2,157 miles, which cost \$53,475,532; and when all that are in construction shall have been completed there will be 3,087 miles.

The aggregate of roads completed and in construction may seem large to persons unaccustomed to railroad facilities, but when all are done the State will be far behind other States of the same size; indeed she will not stand then where they are now.

1872.

The amount of the present debt is in dispute.

On the first of January, 1871, the ascertained bonded debt was stated as follows:

Consolidated statement of the public debt of the State of Georgia on the 1st day of January, 1871, showing date of issue and maturity of outstanding bonds, annual interest on each issue, total interest due each year, and total annual payments.

When issued.	When due.	Annual amounts, (principal).	Total interest on each issue.	Total interest due each year.	Total amount due each year, (principal and interest.)
1849	1859	\$6,000	(*)	(*)	\$6,000
1852	1862	15,000	(*)	(*)	15,000
1848 and 1849	1863	3,500	(*)	(*)	3,500
1849	1864	9,500	(*)	(*)	9,500
1855	1865	3,000	(*)	(*)	3,000
1848	1868	20,500	(*)	(*)	20,500
1844	1869	53,000	(*)	(*)	53,000
1840	1870	61,000	(*)	(*)	61,000
1841 and 1866	1871	154,250	\$9,485	\$427,375	581,625
1842 and 1852	1872	730,250	44,815	417,890	1,148,140
1842 and 1843	1873	137,000	8,220	373,075	510,075
1844 and 1848	1874	251,500	16,855	364,855	616,355
1858	1878	100,000	6,000	348,000	448,000
1859	1879	200,000	12,000	342,000	542,000
1860	1880	200,000	12,000	330,000	530,000
1861	1881	100,000	6,000	318,000	418,000
1866	1886	3,900,000	270,000	312,000	4,212,000
1868	1888	600,000	42,000	42,000	642,000
Total debt		6,544,500	427,375		

* None, bonds being past due.

There fell due in 1868, £15,000 sterling bonds, all held in Europe, none of which have been paid. £3,000 interest on same is still unpaid.

Ex-Governor Bullock, in his letter of July 5, 1871, says:

Bonds of the State were authorized and issued during the administration of my predecessor—Governor Jenkins—to the amount of \$4,500,000; so that the bonded debt of the State upon my coming into office, in 1868, was represented by \$6,544,500, and this was the amount January 1, 1871.

The treasurer, N. L. Angier, in his letter of June 1, 1871, says the \$600,000 State bonds issued in 1868 were not used until 1870. Ex-Governor Conley, in his letter of November 9, 1871, says of the debt:

On the 1st of July, 1867, it was \$6,256,635, and on the 31st December, 1869, it was \$6,014,500; on the 1st day of January, 1871, it was \$6,544,500.

The treasurer, Mr. Angier, in his report for 1872, dated January 12, 1872, tabulates the ascertained bonded debt as follows:

TABLE C.—Consolidated statement of the public debt of the State of Georgia on the first day of January, 1872, showing date of issue and maturity of outstanding bonds, annual interest on each issue, total interest due each year, and total annual amounts due each year, (principal and interest.)

When issued.	When due.	Annual amounts, (principal.)	Total interest on each issue.	Total interest due each year.	Total amounts due each year, (principal and interest.)
1842 and 1852	1872	\$730,250	\$44,815	\$375,890	\$1,106,140
1842 and 1843	1873	137,000	8,220	331,075	468,075
1844 and 1848	1874	251,500	16,855	322,555	534,355
1858	1878	101,000	6,000	206,000	406,000
1859	1879	200,000	12,000	300,000	500,000
1860	1880	200,000	12,000	278,000	428,000
1861	1881	100,000	6,000	176,000	376,000
1868	1868	3,900,000	270,000	710,000	4,170,000
Total debt.....		5,618,750	375,890		

The above table is exclusive of bonds issued in and since 1868, concerning which see pages 3, 4, and 5 of this report, and the bond act, pages 11, 12, 13, and 14.

This shows that the past due bonds are treated as paid. Of part of them the Treasurer says in his report for 1873:

One hundred thousand dollars of seven per cent. State bonds, issued by Governor Cobb, matured on the first instant; also, at the same time, one hundred and eighty thousand dollars, coupon interest on the old bonds. I have made arrangements to pay, and am now paying, both these amounts from the collected and incoming State tax of 1871.

The \$600,000 issued in 1868, but not used, as he says, until 1870, are treated as invalid, or at least doubtful.

Of the issue of bonds not included in his statement of debt he says:

Two million dollars of currency bonds were issued in October, 1870, without the knowledge of the State treasurer, to meet an indebtedness of less than one-sixth of the amount of bonds issued. These Governor Bullock, when exposed, claimed were for only temporary use; still they had twenty years to run, and one million five hundred thousand dollars are still in the hands of parties in New York, who claimed the right to hold them, though Governor Bullock, when hard pressed, communicated to this office, over a year ago, that they (these bonds) would be returned canceled in a few days.

Ex-Governor Bullock, in his letter to Hon. John Scott, of July 5, 1871, says:

Under the authority granted by act of the legislature (pages 14 and 138 of the laws of 1868, herewith inclosed, and pages 4 and 5 of the laws of 1870, also inclosed, authorizing the governor to issue bonds of the State to redeem bonds and coupons due, or when the same shall have fallen due, until otherwise ordered by law, and for such other purposes as the general assembly may direct, and to borrow a sufficient amount of money, on the credit of the State, on such terms as to him shall seem best, to pay off the members and officers of the general assembly) currency bonds were executed and issued as collateral security for temporary loans. These temporary loans have been met and provided for, and the currency bonds canceled. These currency bonds were never intended and never were offered for sale.

It will be noticed that he does not give the amount of these bonds issued, nor that of the indebtedness to be met.

Again the treasurer says:

Four million dollars of finely engraved State gold bonds were sent to Governor Bullock, and this office has proof that he intended to put the whole amount on the market, and would, had not his movements been closely watched and promptly reported. Three millions were placed on the market to meet the amount falling due on account of matured bonds and coupons for the year 1871, and other small amounts, which were less than one-fourth of the amount of new gold bonds thus placed on the market.

Of this issue Ex-Governor Bullock, in his letter of July 5, 1871, says:

Under the authority of an act of the general assembly authorizing the governor to issue bonds to pay the interest on the public debt, and to meet bonds that have fallen due, and as they fall due, which covers bonds issued before the war that have fallen due since the war and will fall due during this and the next year, (page 4 of pamphlet laws, 1870, inclosed,) three millions of dollars of gold bonds have been executed and registered, and have been, and will be, sold from time to time, as it has become, and may hereafter become, necessary for the purposes authorized by law.

It will be observed that he admits the execution and registry of \$3,000,000 of these bonds—the amount stated by the treasurer—and that part of them have been sold, but he does not give the amount sold, the price received, nor the amount of debt paid from their proceeds. Such laxity in a paper purporting to be a financial statement for public purposes is unusual, and seems to indicate that there may have been something to conceal.

The Comptroller, in his report for 1871, says:

I am required by law to show, in my annual report, a statement of the public debt of the State, the amount of interest paid, and the fund from which paid, but it is well known to all familiar with the operations of this and the treasury department, and the duties pertaining to each, that it is necessary, before complying with this requirement, for me to obtain the *data* from the treasurer; and with that view, on the 16th of December last I addressed him a letter, to which he replied on the 11th February, stating that the amount of interest paid in 1870 was \$416,484. He also states that the amount of new State bonds issued last year is not known to him. I know nothing officially of any bonds having been issued last year, not having been required by law to register them in this office. I have, however, registered the bonds issued under and by virtue of the acts of 15th September and 17th October, 1870, and these are the only bonds that are required by law to be countersigned and registered by me. I have approved bonds issued under the act of the 15th September, 1870, up to the 1st January, 1871, bearing the numbers from No. 1 to No. 2000 inclusive, for one thousand dollars each, making, in the aggregate, under this act, two millions of dollars. And under the act of the 17th October, 1870, up to 1st January last, I have approved bonds from No. 1 to No. 1200 inclusive, for one thousand dollars each, making in the aggregate, under this act, one million two hundred thousand dollars.

This comprises all my official acts connected with bonds up to the 1st day of January last.

The treasurer says the issue of two millions currency bonds was to meet a debt of less than one sixth of the amount, say \$350,000.

This would leave an excess on the \$1,500,000 of those bonds outstanding of. \$1,150,000
He says the issue of four million gold bonds, \$3,000,000 were sold to meet a debt less than say \$750,000, which would leave an excess on this issue of. 2,250,000

Total excess on both issues of.....	3,400,000
Add bonds of 1868 used in 1870.....	600,000
	<hr/>
	4,000,000
	<hr/>

The treasurer seems to doubt whether the bonds have been really sold. In his report for 1872 he says:

I have no faith in their reported sale of gold bonds. The probabilities are their attempt to cover advances to Governor Bullock and his superintendent.

There is said to be an account current against the State in favor of Messrs. Henry Clews & Co. Bankers of New York City have been the financial agents of the State, but we have no statement of the amount.

The treasurer says:

The account of Henry Clews & Co. demands close scrutiny. Besides the amounts reported advanced on Bullock's bonds and Blodgett's drafts, the commissions and interest charged are full double the usual rates on so large amounts.

We attach the account of Henry Clews & Co.

The treasurer attributes the increase of debt to the management of

the Western Atlantic Railroad, which is owned by the State. In his report for 1872 he says:

These bonds, being issued so greatly in excess of the honest demands against the State, seemed to indicate that they were in anticipation, and mutual understanding of frauds upon the State railroad, as well as to supply for executive plunderings and private schemes for speculation on the credit of the State.

The probable object of no net income from the Western and Atlantic Railroad, and involving it in a debt of a million of dollars or more, was a grand swindle, and, outside of enriching those who had the management, designed to effect a transfer of the road under a fraudulent sale to a ring; thus, besides pocketing the income and a million of dollars extra over the net earnings, virtually robbing the State of this main trunk road.

The income of the road and the governor's sale or hypothecation of illegal bonds not meeting all their wants, the Superintendent of said road, Foster Blodgett, enters the market as a borrower of money, and Clews & Co. now appear at the State treasury demanding payment on account of large amounts advanced on Blodgett's drafts as superintendent of the Western and Atlantic Railroad, otherwise State road. Clews & Co. should know there is no law authorizing said superintendent to borrow money—making such transactions invalid, and in no way binding upon the State. They well knew the standing of both these men; and if said Clews & Co. have, or anybody else has, advanced or loaned them money which has not reached the State treasury, or been applied to the legitimate indebtedness of the State, they should find their sole redress in the men upon whom they staked their hazard.

This railroad was built by the State before the rebellion, and was valued at \$7,000,000. It came out of the war much damaged, and the provisional State government spent large sums, estimated at \$3,030,000, in repairing it and restoring the equipment. It had been before the war a source of profit to the State, yielding \$450,000 per year.

From August 11, 1868, to January 1, 1870, the State received from this road, net earnings, \$95,000.

Received in 1870—

January, net earnings for the month of December, 1869	\$25,000
February, net earnings for the month of January, 1869	25,000
March, net earnings for the month of February, 1869	25,000
April, net earnings for the month of March, 1869	25,000
May, net earnings for the month of April, 1869	25,000
June, net earnings for the month of May, 1869	25,000
July, net earnings for the month of June, 1869	25,000
August, net earnings for the month of July, 1869	25,000
September, net earnings for the month of August, 1869	25,000
October, net earnings for the month of September, 1869	25,000
	250,000
For the year ending January 1, 1871	45,000
Total	<u>390,000</u>

In 1871 the road went into the hands of lessees who have leased it from the State for twenty years at \$25,000 per month, and for the year ending January 1, 1872, the State received as rent \$285,399 79. Total receipts since August 11, 1868, \$625,399 79. There is nothing apparent in this statement to justify an increase of debt for this road.

The expenses were paid from the gross receipts, and the \$625,399 79 was paid the State as for net earnings; but we call attention to the singular regularity of net earnings (\$25,000) per month for ten consecutive months, and to the fact that these earnings were not paid until the year after they purport to have been earned, and to the coincidence of amount with the rental of the road under the lease.

The treasurer, in his report for 1870, December 31, says:

The same report estimated the annual net earnings of the Western and Atlantic Railroad (the property of the State, of which the governor was president,) at \$360,000.

Only \$45,000 was paid into the State treasury, while the road is reported to have accumulated a floating debt of over \$700,000, part due connecting roads, balance for supplies and monthly pay-rolls; making a difference against the State of \$1,015,000. This is a subject that calls for thorough investigation, as it is a matter of great wonder that a main trunk road, besides a heavy way freight, receiving at one end the stock, produce, and manufactures of the North and the great West, poured in by river and rail connections; and at the other, distributed by three different railroads in immediate connection, all of which are paying fine dividends to the stockholders—the people are amazed that this great receiver and distributor, one hundred and thirty-eight miles long, fully equipped, should be so badly managed as not to pay expenses, but saddle a large debt upon the State. The inquiry is, "What has become of the money?"

We find the following statement in Poor's Railroad Manual for 1871:

WESTERN AND ATLANTIC RAILROAD.

(Constructed and owned by the State of Georgia.)

Line of road.—Atlanta, Georgia, to Chattanooga, Tennessee, 138 miles. Sidings and other tracks, 13.8 miles. Gauge, 5 feet. Rail, 56 pounds to yard.

This road and its equipment have been leased by the State for 20 years, to a company formed under an act approved October 24, 1870, and entitled the Western and Atlantic Railroad Company, composed of the officers of connecting railroads; Thomas A. Scott, of Pennsylvania; William B. Dinsmore, of New York; Thomas Allen, of St. Louis; William T. Walters, of Baltimore; and others. They contract to pay into the treasury of the State \$25,000 monthly, and have given bonds for the performance of the lease to the amount of \$8,000,000.

Rolling-stock.—Locomotive engines, 52. Cars, passenger, 1st class, 9; and 2d class, 6; baggage, mail, and express, 10; and freight, (box, 403; platform, 69; stock, 28; and coal, 73,) 573; total revenue cars, 598. Also, 2 wrecking-cars.

For several years the road has earned nearly \$1,000,000 per annum, and paid into the State treasury between \$250,000 and \$300,000. It has cost the State about \$5,000,000.

JOSEPH E. BROWN, <i>President</i>	Atlanta, Ga.
<i>Treasurer</i> —Robert W. Shith..	Atlanta, Ga.
<i>Gen'l sup't</i> —E. W. Cole....	Nashville, Tenn.
<i>Auditor</i> —E. J. Cabiness.....	Atlanta, Ga.
<i>Master transp'n</i> —E. B. Walker.	Atlanta, Ga.
Principal office and address, Atlanta, Fulton County, Ga.	
<i>Gen'l ticket agent</i> —B. W. Wren.	Atlanta, Ga.
<i>General agent</i> —F. C. Bullock..	Atlanta, Ga.
<i>Supervisor</i> —M. H. Dooley.....	Atlanta, Ga.
<i>Master machinist</i> —J. H. Flynn.	Atlanta, Ga.

This estimate of cost does not include repairs after the war, which are \$3,003,000. The original cost of the road was about \$4,500,000; it is valued at \$7,000,000.

Complaint is made of the lease; but if what the treasurer says be true, it would seem well for the State to be quit of its management. It is alleged that there was fraud and corruption in the procurement of the lease, but we have no evidence to sustain charges except the foregoing statement of the treasurer and the account for 1868-'69. The treasurer concludes:

The real, valid increased indebtedness of the State, by reason of the issue of so large an amount of new bonds in 1870, I have not the means of knowing, but am satisfied it cannot be more than one-fourth the amount of the new bonds issued. So that this amount, added to the previous indebtedness, cannot make the sum total of the State's indebtedness (independent of subsidy to railroads) over eight millions of dollars, which is an amount not beyond the ability of the State to easily make good by a prompt payment of the coupon interest and bonds when due.

Having given what has been officially said against Ex-Governor Bullock, and what he has furnished us in explanation, we deem it proper to insert his own account of himself and his appointees and official associates. In his letter of July 5, 1871, he says:

In this State there is, so far as I know, not more than a dozen men in office, (and those of an unimportant character,) either elected by the people or appointed by me, who were not either natives of the South or resident citizens here before and during the war.

The officers appointed by the governor are three judges of the supreme court,

twenty judges of the superior courts, one attorney general, twenty solicitors general, State school commissioner, superintendent, treasurer, and auditor of the State railroad, six trustees of the public institutions, &c. In this number there was but one gentleman who was not either a native of the South or a citizen of Georgia before and during the war. The one referred to was eminently fitted for the position to which he was appointed, and, as a man of worth and good character, is not surpassed by any in the State. The gentlemen appointed who were natives or old citizens are men against whom no ill was ever said previous to their "accepting the situation," under the reconstruction acts, by their "departure" in 1867—men who would have been universally recognized as leaders of the "wealth, worth, and intelligence of the country" if they had opposed those acts. These gentlemen possess as much property and pay as much tax as persons occupying similar positions under the State government ever did. There are some hundreds of officials of less importance appointed by me, but the same rule will hold good in their case; and I trust that I will be excused the apparent egotism of saying of myself that I was a citizen and slave-holder in Georgia long before the war, and up to the time of my election was actively and successfully engaged in business pursuits. I resigned the position of president of the Macon and Augusta Railroad Company to accept the office that I now hold.

It seems due other State officers to say that we have no evidence against any whose names are not hereinbefore mentioned :

ASSETS.

The comptroller general, in his report for 1871, says :

ASSETS BELONGING TO THE STATE.

The assets of the State of Georgia, which the law requires me to report, are as follows, to wit :

In the Bank of the State of Georgia.....	Shares 1,833
In the Bank of Augusta.....	890
In the Georgia Railroad and Banking Company.....	186
In the Atlantic and Gulf Railroad.....	10,000

The State owns the Western and Atlantic Railroad, extending from Atlanta to Chattanooga, but that having been leased out for a term of years to a number of gentlemen for \$25,000 per month, no further reference to it here is deemed necessary. The stocks of the Bank of the State of Georgia and Bank of Augusta are worthless. The Georgia Railroad stocks are worth \$100 per share, and those of the Atlantic and Gulf road are worth \$30 per share. One hundred and eighty-six shares Georgia Railroad stock are therefore valued at \$18,600, and 10,000 shares Atlantic and Gulf Railroad stock are valued at \$300,000, making in the aggregate \$318,600. Since my last report the value of these stocks has depreciated, they now being valued at \$101,116 less than they were then.

Ex-Governor Conley, in his letter of December 2, 1871, says :

She owns the Western and Atlantic Railroad, extending from Atlanta to Chattanooga, a distance of 138 miles, which is paying an annual rental of \$300,000. Should this road be put upon the market, it is safe to say that it would bring at least \$7,000,000. The State owns \$1,000,000 in paid-up stock of the Savannah, Albany and Gulf Railroad, besides stock in the Georgia Railroad and Banking Company amounting to about \$18,000. The State also owns a fine capital building and grounds, and an executive mansion and grounds, in Milledgeville; also, a fine capital building, executive mansion and grounds, in Atlanta, besides other real estate worth at least \$500,000.

Having just received the last message of Ex-Governor Conley, which gives a full and what seems a fair statement of the debt and its increase under the administration of his predecessor, Ex-Governor Bullock, we present what Ex-Governor Conley says on that subject in full :

Message of his excellency Benjamin Conley, governor, Atlanta, Georgia, January 11, 1872.

In this connection, I have the honor to transmit herewith to your honorable body a full and complete statement of the amount and character of the bonds issued during the administration of my predecessor. This statement is made from the records of this

department, and from the best sources of information at its command, and may be relied upon as being entirely correct.

Under the authority of acts of the legislature, passed in 1868, there were issued by Governor Bullock, to pay off the members of the general assembly, and other expenses of the body, and to meet the interest due and unpaid, and the interest maturing on the bonds of this State up to February 1, 1869, \$600,000 of seven per cent. currency bonds. These bonds were never intended for sale, but were only to be used as security for temporary loans made to the State until such loans could be met by payments from the treasury. The amount borrowed upon them has long since been refunded, as the books of the treasurer will probably show, and these currency bonds, with the exception of two hundred and sixty-eight, which were deposited in the treasury to secure the school fund that has been used by the State for general purposes, have all been canceled and returned to the treasurer's office.

Under authority of acts of the general assembly, approved August 27, 1870, September 15, 1870, and October 5, 1870, \$2,000,000 of seven per cent. currency bonds were issued by Governor Bullock for the purpose of being used as collateral security upon which to procure temporary loans for immediate use, which loans were to be applied to the objects mentioned in those acts.

These bonds were never intended, and were never offered, for sale. They were issued for the simple reason that they required some time for the preparation of the steel-engraved gold bonds. The distinct understanding with the parties to whom they were delivered was that they were not to be placed upon the market at all, but were to be held simply as temporary collateral for any advances they might make to the State until the gold bonds provided for in the act of September 15, 1870, could be prepared and substituted for them, and that as soon as such gold bonds were substituted, the currency bonds were to be canceled and returned to this department.

The gold bonds were subsequently prepared, and were intended to be substituted for these currencies, and to be used for the purposes provided for by the act under which they were issued.

In pursuance of the understanding above mentioned, there have been canceled and returned to this office of these currency bonds \$500,000

The balance of these bonds are now held by the following parties:

Messrs. Clews & Co., of New York, have	800,000
Messrs. J. Boorman, Johnston & Co., of New York, have	120,000
Russell Sage, of New York, has	530,000
The Fulton Bank of Brooklyn has	50,000
	<hr/>
	2,000,000
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None of these currency bonds can be considered as being in any way a claim against the State, because they were canceled by the substitution of the gold bonds in their stead. I have written to the various parties who now hold them informing them of this fact, but they decline to return them on the ground that it is not customary to surrender any securities until the account is closed.

Under the authority of the act of September 15, 1870, there were prepared and issued \$3,000,000 of gold bonds of the State, having twenty years to run, with interest at 7 per cent., payable quarterly, in gold coin. These bonds were issued for the purpose, as stated in the act, of meeting and redeeming all bonds of this State, and the coupons thereon now due, or when the same shall have fallen due, and for such other purposes as the general assembly may direct, and to take the place of the currency bonds that had been issued for temporary purposes.

Of these gold bonds there were placed in the hands of Messrs. Henry Clews & Co., of New York, for sale and to secure advances made by them upon the currencies and otherwise	\$1,750,000
There were placed in the hands of Russell Sage, of New York, for the same purpose	500,000
There were deposited in the Fourth National Bank of New York	300,000
There were placed in the hands of A. S. Whiton, of New York	100,000
There were given to Mr. H. I. Kimball for the purchase of the capitol building	250,000
There were given to Mr. John H. James for the purchase of the executive mansion	100,000
	<hr/>
	3,000,000
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These figures account for the whole issue of these gold bonds. The statement of the account of Messrs. Henry Clews & Co. with the State is in the treasurer's office, and is open to inspection. The detailed statements of the other parties have not been

forwarded to this office, but I have written to obtain them, and they will probably be transmitted at an early day.

According to the treasurer's report for the year ending December 31, 1870, there fell due during the years 1870 and 1871, bonds of the State amounting to \$215,000. The larger portion of this amount, together with a part of the interest upon other bonds of the State as it fell due, has been met from the proceeds of these gold bonds, as also the £15,000 sterling of bonds which fell due in 1868, and the £3,000 interest due thereon. Large advances have also been made upon these bonds to pay the claims passed upon by the board of commissioners appointed to audit claims against the Western and Atlantic Railroad, and to pay the liquidated claims provided for in the act. Notes of the Western and Atlantic Railroad for large amounts, given for the purchase of cars, engines, &c., and falling due in 1870 and 1871, have also been paid from the proceeds of these gold bonds. An investigating committee of your honorable body can readily ascertain what has become of every dollar that has been realized from the sale of these gold bonds. These gold bonds have all been prepared in strict conformity with the law authorizing their issue, have been duly registered by the comptroller general in a book kept for that purpose, and by him reported to the treasurer in precisely the manner the act prescribes.

Under the authority of an act of the general assembly, approved October 17, 1870, temporary lithographed gold bonds to the amount of \$880,000 were prepared and issued and placed in the hands of the officers of the Brunswick and Albany Railroad Company, to be used for their temporary requirements until the regular steel-engraved gold bonds of the State authorized by that act to be issued to the company could be prepared. These regular steel-engraved gold bonds were soon after issued, and the \$880,000 lithographed gold bonds have all been canceled and are now in the treasurer's office.

The act of October 17, 1870, above referred to, authorizes and directs the governor of the State to receive from the president or other officer authorized by the board of directors of the Brunswick and Albany Railroad Company the whole issue of the second mortgage bonds of said company, amounting to \$10,000 per mile upon said company's road, and amounting in the aggregate to the sum of \$2,350,000, and to pay said company for the same in the bonds of the State of Georgia at par, bearing 7 per cent. interest, payable semi-annually on the 1st day of June and December in each year, at the rate of \$8,000 per mile, and in the aggregate amounting to \$1,880,000, the principal sum of said bonds to be payable in twenty-five years, from the 1st day of December, A. D. 1869, and his excellency the governor is authorized and directed to cause said bonds to be executed in due and legal form, and paid over to said company as aforesaid.

Under the provision above recited, there have been issued and delivered to the officers of the Brunswick and Albany Railroad Company one thousand eight hundred steel-engraved bonds of the State for \$1,000 each, having twenty-five years to run, with interest, at 7 per cent., payable semi-annually, principal and interest payable in gold. These bonds have been duly registered in the office of the comptroller general, and reported to the treasurer. All of the second mortgage bonds of the Brunswick and Albany Railroad Company, for which these gold bonds were given in exchange, have been forwarded to the treasurer's office as required by law, except one hundred and sixty-two, which the company still hold, and which they will continue to hold, I suppose, until they have completed their road and received the remaining eighty State bonds to which they will then be entitled. These eighty bonds have been partially executed, and are now in the executive office.

The foregoing statement covers every description and character of bonds that have been issued during the administration of my predecessor, and from it your honorable body will see that the only kind of bonds issued by him that are now outstanding, and that are a claim against the State, are the \$3,000,000 of gold bonds issued under authority of the act of September 15, 1870, and the \$1,800,000 of gold bonds issued to the Brunswick and Albany Railroad Company in accordance with the act of October 17, 1870. The actual liability of the State, therefore, incurred during his administration, is represented by the sum of \$4,800,000. It should not be forgotten that a large portion of this sum has been devoted to the redemption of bonds falling due in 1870 and 1871, and in years previous thereto, and to the payment of interest on them and on others still to fall due. The debt of the State is not, therefore, actually increased by that amount.

The contingent liability of the State, incurred by the general assembly during the time that my predecessor was in office, is represented by the indorsement of the State upon the bonds of railroad companies.

The railroads upon whose bonds the indorsement of the State has been placed during the administration of Governor Bullock, and the amount of such indorsement as they appear from the records of this department, and from the books in the offices of the secretary of state and treasurer, are as follows:

Alabama and Chattanooga.....	\$194, 400
Brunswick and Albany.....	3, 300, 000
Cartersville and Van Wert.....	275, 000

Cherokee Railroad	\$300,000
Macon and Brunswick	2,150,000
Georgia Air-Line	240,000
South Georgia and Florida	464,000
Total.....	<u>6,923,400</u>

At the last session of the legislature, the charter of the Cartersville and Van Wert road was so amended as to change the name of that road to the Cherokee Railroad, and the indorsement of the State was placed upon the bonds of the road under its new name.

The bonds of the Georgia Air-Line road, upon which the indorsement of the State was placed, have been canceled by the officers of that road, and returned to this department, and are now in the treasurer's office. This indorsement amounts to \$240,000, and should be deducted from the total amount above stated. The sum of \$6,683,400 then remains, which represents the total amount of contingent liability of the State, now outstanding, incurred during the administration of Governor Bullock.

It has been ascertained from the officers of the Macon and Brunswick Railroad Company that \$400,000 of the bonds of that company were indorsed by Governor Charles J. Jenkins, no record of which indorsement is found on the books of this department. If we add this sum to that last above stated, we have an amount of \$7,083,400, which represents the whole amount of contingent liability incurred by the State since the adoption of the policy known as "State aid." The conditions upon which this aid is granted are familiar to your honorable body. As the State does not indorse the bonds of any road until a specified portion of that road has been actually completed, and then only for a sum equal to half the cost of construction, and as she has a prior lien upon the property of the road, in the event the conditions upon which her indorsement is given are not complied with, it is not believed that she will ever be the loser to any great extent, and this contingent liability should not by any means be put down as actual indebtedness.

The above statement covers the whole period that my predecessor was in office, and is a complete and accurate summary of his official action in the matter of which it treats.

Since the adjournment of the legislature in December last, the holders of the bonds issued by the Cartersville and Van Wert, now the Cherokee Railroad Company, and indorsed by the State, have informed me that the company have failed to pay the interest, and they have claimed payment from the State. On looking into the charter of the company, and the law on that subject, I was convinced that it was my duty to seize the road for the benefit of the State and the security of the bondholders. I therefore ordered the road taken possession of in behalf of the State, and appointed Colonel Daniel S. Printup, a gentleman of financial ability and good standing, to act as receiver. Colonel Printup holds a high position in connection with the Selma, Rome and Dalton road, with which the Cherokee Railroad is to connect at its western terminus. He was also the attorney for Messrs. Henry Clews & Co., who advanced the money with which the road was built, as far as completed; and as it is very desirable that it be completed its entire length, I thought it advisable to place Colonel Printup, who is every way well qualified, in the position, as he might be able to influence the same parties to advance capital to complete the work.

Since my order was granted, I am informed that Colonel Printup went to Cartersville for the purpose of taking possession of the road in behalf of the State, when he found, it being sale day, that it had been levied upon by one or more small *fi. fas.* against the company for the wages of employes. But the sheriff informed him that an injunction had been granted by his honor Judge Parrott, restraining the sale upon a bill filed by certain members of the company against Henry Clews & Co., to which it was ordered that the plaintiffs in *fi. fa.* and Colonel Printup, as receiver, be made parties. The same statement was made to Colonel Printup, as he reports, by the attorney of the plaintiffs in the bill. Upon the faith of these assurances Colonel Printup left the town for his home, and in a few hours afterward the road was exposed to sale by the sheriff and bid off by said attorney, who had made the statement that an injunction had been granted, and there would be no sale, when it brought only \$15,500. I am now informed that the purchaser claims the road under the sale, and the parties in possession refuse to deliver it up to the receiver appointed in behalf of the State, and for the benefit of the bondholders.

I have felt it my duty to bring these facts to the attention of the general assembly that you may take such action as may be deemed best for the protection of the State and the parties who advanced the money with which the road was built.

BENJAMIN CONLEY,
Governor

The following shows the receipts for 1870:

General tax of 1869	\$175,971 32
General tax of 1868	7,884 87
General tax of 1867	2,301 79
Poll-tax for 1868	192 30
Poll-tax for 1869	1,598 65
Fees of secretary state's office	330 00
Fees of executive department	8 00
Fees of comptroller general's office	14 75
Liquor-tax of 1869	14,328 57
Liquor-tax of 1870	21,595 76
Circus and show tax	5,643 50
Insurance tax of 1868 on premiums	\$814 78
Insurance tax of 1869 on premiums	8,503 41
Special reciprocity tax on insurance companies	2,675 00
Total amount insurance tax received in 1870	11,993 19
Tax on railroads	6,883 61
Convention tax	1,079 01
Tax on patent-medicine venders	135 00
Tax on wild lands	1,306 00
From Western & Atlantic Railroad, net earnings	45,000 06
Overcharge on legislative pay-rolls	904 00
Interest on State deposits, school fund	5,533 11
Dividends from railroad shares	4,617 45
Scrip dividends on insurance	141 80
Tax on banks	2,235 56
Defaulting agents Western & Atlantic Railroad	630 00
Tax on express companies	332 55
Poll-tax of 1870	177 14
Temporary loans	310,000 00
General tax of 1870	543,465 95
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	1,164,303 79

For 1871:

Cash on hand at date of last report	\$165,744 55
Received from general tax, 1871	514,085 01
Received from temporary loans	324,822 00
Received from rent of Western and Atlantic Railroad	285,399 79
Received from general tax, 1870	214,712 77
Received from poll-tax, 1871	37,107 15
Received from liquor tax	30,698 43
Received from tax on insurance companies	12,150 76
Received from railroad, bank, and express taxes	11,849 29
Received from general tax, 1869	8,654 83
Received from tax on wild lands	5,673 58
Received from tax on circuses	4,765 28
Received from restitution of money	3,950 00
Received from rents of capitol	3,697 88
Received from special reciprocity tax on insurance	3,100 00
Received from convention tax	1,543 13
Received from Western & Atlantic Railroad ticket agent on final settle- ment	1,182 37
Received from sale of abandoned freight Western & Atlantic Railroad ..	1,004 01
Received from general tax, 1867	577 50
Received from overpayment from contingent fund on ex. warrant	350 00
Received from general tax, 1868	324 35
Received from fees of comptroller general's office	96 80
Received from fees of executive department	40 00
Received from tax on patent-medicine venders	7 00
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	1,631,596 48

DISBURSEMENTS.

Ex-Governor Conley in his letter of November 9, 1871, gives the following items:

"Disbursements, \$1,179,110 24; including payments on public debt,
10 K K

\$32,560 and \$117,000—\$149,560; and arms purchased for State, \$42,801 73." The cost of conducting the State government in 1858 was \$745,480 64; in 1859, \$874,465 92; in 1860, \$1,179,110 24; being an average per annum of \$933,018 93.

Expense of conducting the State government in year ending 1865, \$11,573,605 01, (chiefly in confederate money.) Expense for 1866, \$1,884,995; \$190,000 for indigent poor; \$134,000 Atlantic and Georgia Railroad; \$383,724 Western and Atlantic Railroad. Expenses for 1867, \$2,689,363 85, including for public debt \$1,290,263 84. The cost of conducting the State government in 1868 was \$702,103 33; in 1869, \$1,857,825 98; in 1870, \$1,444,816 73. Average per annum, \$1,334,915 34. The disbursements for 1871 were \$1,444,829 47.

Balance in the treasury January 1, 1872, \$186,767 01.

ITEMS OF DISBURSEMENT.

1871, paid on special appropriations, 1870.....	\$783,958 99
1871, paid on public debt.....	358,234 50
1871, paid on civil establishment.....	103,139 38
1871, paid on legislative pay-rolls.....	101,239 00
1871, paid on printing fund, 1871.....	20,000 50
1871, paid on special appropriations, 1871.....	19,766 24
1871, paid on contingent fund, 1871.....	18,684 65
1871, paid on contingent fund, 1870.....	15,142 21
1871, paid on contingent fund, 1872.....	9,915 47
1871, paid on educational fund.....	8,831 06
1871, paid on overpayment of taxes.....	2,729 22
1871, paid on printing fund, 1870.....	2,688 25
1871, paid on special appropriations, 1866.....	500 00
Total payments.....	1,444,829 47
Cash on hand January 1, 1872, to balance.....	186,767 01
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	1,631,596 48

Ex-Governor Conley says:

The cost of conducting the State government in 1858 was \$745,480 64; in 1859 it was \$874,465 92; in 1860, \$1,179,110 24—being an average per annum of \$933,018 93.

The cost of conducting the State government in 1868 was \$702,103 33; in 1869 it was \$1,857,825 98; in 1870, \$1,444,816 73—being an average per annum of \$1,334,915 34.

The increase in the expense of the government from 1860 to 1870 is attributable to various causes. First, to the increase of the public debt and the consequent increase of the interest payable annually thereon, amounting to nearly \$200,000; second, to the increase in the per diem pay and mileage of the members of the legislature, the mileage in 1860 being \$4 for every twenty miles and the per diem \$6.

In 1865 the mileage was increased to \$5 for every twenty miles and the per diem to \$9, which is continued to this time. This increase was made by a legislature which was entirely democratic.

TAXES.

The rate of general tax for State purposes is 40 cents on \$100, and produces annually about \$500,000. Special taxes increase the amount. The total taxes levied for 1870:

State.....	\$875,154
Counties.....	904,800
Towns, cities, &c.....	775,365
Total.....	2,555,319

The cost of conducting the State for 1870 was \$1,444,826 73. Average cost for 1868, 1869, and 1870, \$1,334,915 34. In 1871 there were expended on account of public schools \$200,000, raised by poll-tax. There were 425,000 children of school age, of whom 80,035 had schooling.

The disorders culminating in 1868, when violence prevailed over one third of the State, have affected the value of property.

The assessed value of land in 1867 was \$87,117,616; in 1868 it was \$79,727,584—loss, \$7,390,032; in 1869 it was \$84,577,166—gain, \$4,849,582; in 1870 it was \$95,600,674. Increase on assessed valuation from 1866 to 1870, \$32,948,323. Increase on assessed valuation from 1868 to 1870, \$61,812,684. The true census valuation in 1870 was \$268,169,143—gain on assessment of 1866, \$61,117,466. It will appear from the statement of the agricultural productions of the State that lands are greatly undervalued.

In 1870, according to the census, the value of agricultural production was \$80,390,228, while the assessed value of lands improved and wild in the same year was but \$95,600,674.

The following table shows the valuation of property for taxation for that year:

Aggregate value of land.....	\$95,600,674
City and town property.....	47,922,544
National bank shares.....	985,900
Money and solvent debts.....	26,646,995
Merchandise.....	12,884,118
Shipping.....	214,775
Stocks and bonds.....	5,482,765
Cotton manufactories.....	2,975,498
Iron-works, &c.....	658,026
Mining.....	33,140
Value of household and kitchen furniture.....	1,519,857
Plantation and mechanical tools.....	162,859
Value of all other property.....	30,933,568

Making a total value of all property of..... 226,119,529

The following tables show the assessment of land, so far as we have ascertained it, with the quantity, character, and aggregate and average valuation for 1860, and for each year since the war to 1870:

Year.	TOTAL LANDS.		
	Acres.	Value.	Average.
1860.....	33,345,289	\$161,764,955	\$4.25
1866.....	30,116,929	103,112,254	3.42
1867.....	30,816,025	87,117,616	2.83
1868.....	32,007,714	79,727,166	2.49
1869.....	32,552,399	84,577,584	2.60
1870.....	33,187,788	95,600,674	2.80
WILD LANDS.			
1860.....	6,199,336	2,338,691	0.37
1870.....	6,301,929	2,379,746	0.37
IMPROVED LANDS.			
1860.....	26,353,054	82,238,475	3.08
1870.....	27,147,603	93,135,855	3.43

The following table shows the assessment of town and city real estate for the same dates:

1860, town and city property.....	\$35,139,415
1866, town and city property.....	39,396,181
1867, town and city property.....	38,473,905
1868, town and city property.....	40,315,621
1869, town and city property.....	44,368,096
1870, town and city property.....	47,922,544

This exhibit shows what might be expected in Georgia with peace and order.

The following letter from the city of Savannah shows what has been done in a single city:

MAYORALTY OF SAVANNAH, *December 13, 1871.*

SIR: I return the following answers to the inquiries contained in your communication of the 23th ultimo:

1st. The city debt before the war?—Answer. \$1,372,840.

2d. The city debt after the war?—Answer. \$1,811,840.

3d. The city debt in 1868?—Answer. \$2,048,740.

4th. The city debt now?—Answer. 2,817,140.

The increase of the city debt since 1865 has been incurred from the following causes:

First. By the payment of interest on the municipal funded debt accruing and uncalled for during the war.

Secondly. By an issue of bonds to the amount of upward of \$200,000 for the purpose of cleaning out and improving the Savannah Harbor, which, though properly devolving on the National Government, has been borne by the city government.

Thirdly. For paving and for an extensive system of sewerage, and for other large public improvements.

4th. The war debt repudiated?—Answer. No war debt incurred by the city; therefore none repudiated.

6th. The appraised value of property before the war; just after; now?—Answer. Appraised value of real estate, 1860, \$10,247,841; appraised value of real estate, 1866, \$10,600,072; appraised value of real estate, 1871, \$15,579,100.

The resources of the city in public domain, personal and real estate, exclusive of taxable property, is appraised at \$4,048,000.

Very respectfully, your obedient servant,

JOHN SEVERN,
Mayor.

Hon. JOB E. SEVENSON,
Member of Congress, Washington, D. C.

We have received the following from Atlanta:

ATLANTA, GEORGIA, *February 10, 1872.*

DEAR SIR: Yours of 3d to hand. I cannot give you the information in full. In 1860 the town had about 10,000. No debt. In 1865 nearly destroyed, and about 20,000 inhabitants and no debt. It now has 30,000; debt, \$1,000,000. Taxable property is about \$12,000,000. We need a custom-house, United States court-room, and post-office. Please assist.

Yours, respectfully,

J. W. JAMES,
Mayor.

Hon. JOB E. STEVENSON.

The assessment of taxable property was in—

1866.....	\$207,051,787
1867.....	206,952,693
1868.....	178,187,316
1869.....	188,873,247
1870.....	226,119,519

From \$15,000,000 to \$30,000,000 of property is exempt from taxation and not included in these statements.

The Comptroller estimates the taxable value \$240,000,000; 27,000,000 acres of improved land was the average since the war; valued on an annual average at less than \$90,000,000, showing that lands are assessed greatly below their value.

The farming lands of Georgia would be a good investment at double the assessment of 1870. Allowing one half the product for labor would leave over \$40,000,000 for farm products alone, which would be 20 per cent. on \$200,000,000; and if annual production equal to that of 1870 could be secured it would justify the assessment of lands at four times their present valuation. Valuing lands entered for taxation at an average rate

of about \$12 per acre, an aggregate of land \$400,000,000 would give an aggregate valuation of all property over \$500,000,000.

The estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census.....

Estimated value of all products, 1871	\$218, 638, 801
	80, 000, 000
	<hr/>
Total.....	298, 639, 801
Estimated value of cotton for 1865-'66 to 1868-'69.....	160, 000, 000
	<hr/>
Total.....	458, 638, 801
	<hr/> <hr/>

THE ACCOUNT WITH HENRY CLEWS & CO., OF NEW YORK, FOR GEORGIA, FROM SEPTEMBER, 1870, TO OCTOBER, 1871.

OLD BOND ACCOUNT.

The State of Georgia rendered account of R. B. Bullock, governor, in account-current and interest, at — per cent., with Henry Clews & Co.

Dr.				CR.					
Date.		Amount.	Days.	Interest.	Date.		Amount.	Days.	Interest.
1870.					1870.				
Nov. 25	To 3,500 bonds and interest.....	\$3,740 00	68	\$49 44	Feb. 1	By balance of interest to			
25	To 1,250 bonds and interest.....	1,287 08	68	17 01		contra			\$549 74
30	To 1,000 bonds and interest.....	1,075 00	63	13 16		By balance.....	\$115,501 88		
Dec. 5	To 250 bonds and interest.....	257 83	58	2 89					
6	To commission and advertising.....	\$56 50							
6	To New York Herald.....	68 80							
6	To Newwood ark.....	350 00	477 80	57	5 28				
6	To expressage.....	2 50							
10	To 2,250 bonds and interest.....	2,321 24							
10	To 1,000 bonds and interest.....	1,031 33	4,126 31	53	42 51				
10	To 750 bonds and interest.....	773 74							
19	To expenses bonds to Europe.....	57 80	51	56					
13	To E. W. Sackett.....	227 50	50	2 20					
14	To Continental Bank Note Company.....	3,467 00	49	33 02					
15	To expressage.....	9 58	48	02					
17	To 250 bonds and interest.....	258 20	46	2 30					
19	To S. P. Denmore.....	53 50							
19	To Adams Express.....	25 00	78 50	44	66				
20	To expressage.....	1 25	5 85	43	04				
20	To Western Union Telegraph Company.....	4 60	516 83	41	4 00				
22	To 500 bonds and interest.....		68	40	52				
22	To Commercial and Financial Chronicle.....		3,748 75	41	29 87				
22	To 3,500 bonds and interest.....								
24	To 250 bonds and interest.....	258 50							
24	To bonds to Europe.....	59 40	318 65	69	2 40				
24	To expressage.....	75							
24	To New York Sun.....	300 00							
24	To Evening Express.....	180 00							
24	To Commercial Advertiser.....	216 00							
24	To Evening Post.....	110 25							
24	To Evening Mail.....	180 00	1,474 73	32	9 17				
24	To New York Herald.....	203 00							
24	To Evening Express.....	3 63							
24	To Commercial Advertiser.....	28 10							
24	To Evening Post.....	243 73							

1871.

Jan.

4	To 250 bonds and interest	258 88			
4	To 1,000 bonds and interest	1,080 38			
4	To 18,800 bonds and interest	10,285 52			
4	To 1,000 bonds and interest	1,080 66			
4	To New York Times	172 80			
4	To New York Times	4 20	22,946 19	28	24 93
4	To New York Standard	163 80			
4	To Wall street jobbers	20 00			
4	To Evening Post	183 60			
4	To foreign telegraph	547 85			
4	To Daily Star	148 50			
9	To 8,000 bonds and interest	8,650 66	10,515 83	23	7 1
9	To 1,750 bonds and interest	1,865 17			
10	To expressage	13 25			
10	To 4,500 bonds and interest	5,181 75	5,195 00	22	22 21
11	To 500 bonds and interest	660 83			
11	To 200 bonds and interest	259 16	931 99	21	3 79
11	To expressage	7 00			
12	To 1,250 bonds and interest	1,250 00			
12	To 11,000 bonds and interest	11,900 17	16,885 73	20	65 66
12	To 3,500 bonds and interest	3,628 91			
13	To 250 bonds and interest	259 25			
12	To 250 bonds and interest	259 25	519 75	19	1 91
13	To expressage	1 25			
14	To 1,000 bonds and interest		1,082 10	18	3 78
16	To Western Union Telegraph Company		8 22	16	02
17	To 750 bonds and interest		778 25	15	2 26
18	To Evening Mail	7 50			
18	To Journal of Commerce	22 50			
18	To 500 bonds and interest	518 91	3,402 06	14	9 25
18	To 250 bonds and interest	259 41			
18	To 2,500 bonds and interest	2,993 74			
19	To 2,000 bonds and interest	5,074 67	2,106 23	13	5 31
20	To bonds to Europe	31 56			
20	To 2,250 bonds and interest	2,425 11			
20	To 9,750 bonds and interest	11,122 06	12,547 17	12	29 27
21	To 250 bonds and interest	259 59			
21	To 258 bonds and interest	259 53	519 12	11	1 11
24	To bonds to Europe		22	8	03
25	To 8,000 bonds and interest		11,790 33	7	15 36
26	To Western Union Telegraph Company		6 35	6	01
26	To 3,250 bonds and interest		3,377 83	4	2 62
28	To expressage		5 50	7	
30	To 1 per cent. commission received on \$96,750		483 75		
Feb. 1	To balance of interest per contract		549 74		
1	To 1 per cent. commission on \$113,335 04		1,133 35		
			115,501 88	59	549 74

115,501 00

549 74

The account with Henry Clews & Co.—Continued.

Dr.			Cr.						
Date.		Amount.	Days.	Interest.	Date.		Amount.	Days.	Interest.
1871.					1871.				
Feb. 1	To balance			\$1,320 03	April 1	By balance of interest to contra			\$1,617 82
1	To expressage	\$2 50	59	49		By balance	\$153,883 30		
1	To bonds to Europe	41 36							
3	To 1,500 bonds and interest		57	17 28					
4	To Brooklyn Eagle		56	16					
6	To Commercial Advertiser		54	09					
7	To 500 bonds and interest	500 48							
7	To 6,000 bonds and interest	6,905 75	53	66 99					
8	To express	3 50							
8	To 4,250 bonds and interest	4,424 27	52	44 76					
9	To 2,000 bonds and interest	4,336 00							
9	To New York Tribune	19 50	51	23 45					
9	To Evening Post	10 80							
10	To expressage		50	06					
11	To 6,500 bonds and interest	6,510 83	49	62 22					
11	To New York World	21 00							
13	To expressage		47	14					
14	To Western Union Telegraph Company		46	02					
16	To express		44	01					
17	To express		43	09					
18	To 500 bonds	508 00	42	40 83					
18	To 4,500 bonds	4,500 00							
20	To expressage		40						
25	To New York Sun		35	16					
27	To 2,000 bonds	2,000 00							
27	To 1,000 bonds	1,000 00	33	18 84					
27	To New York Times	14 40							
March 1	To expressage		31	03					
3	To 1,000 bonds and interest	1,496 22	29	14 57					
3	To 1,000 bonds and interest	1,990 33							
4	To protest		28	01					
6	To expressage		26	03					
8	To expressage								
15	To 500 bonds		17	1 65					
24	To telegrams	262 08	8	41					
24	To notary	3 00							
April 1	To ½ per cent. commission received on \$28,750, Mar. 1								
1	To balance interest, per contract								
1	To 2½ per cent. commission on \$148,551 70								
		153,883 30		1,617 82			153,883 30		1,617 82

April	1	To balance	153,883 30	61	1,825 22
	19	To advertising in N. Y., Phila., and Boston papers	380 70	52	3 83
	20	To 200 bonds and interest	262 95	50	2 54
	22	To 2,500 bonds and interest	2,726 66	33	17 48
	23	To notary bonds to Europe	15 71	33	09
May	1	To notary bonds to Europe	2 22	7	01
	20	To 1,250 bonds and interest	1,322 70	12	3 08
	23	To fees for notary	25 34	7	03
	25	To expenses for 717 bonds to Europe at various times	1,792 59		
	29	To foreign telegrams	208 32		
	31	To 250 bonds and interest	264 91		
	31	To expressage	1 50		
June	1	To balance interest, per contract	1,853 49		
	1	To 2½ per cent. commission on \$160,886 81	4,022 19		
			166,762 49		1,853 49
June	1	To balance	166,762 49	61	1,977 96
	20	To notary's fees	26 15	42	21
	21	To C. Zinn & Co., error, (see contra, Sept. 8)	23 00	41	18
	22	To expenses 100 M bonds	250 00	40	1 93
	30	To expressage	2 50	32	01
July	1	To Evening Mail	49 50		
	1	To 500 bonds	500 00		
	3	To 22,250 bonds		29	195 46
	5	To 9,000 bonds		27	47 25
	6	To 19,500 bonds		26	98 58
	7	To 2,500 bonds	2,500 00		
	7	To Evening Mail	22 00		
	8	To 6,250 bonds and interest		24	29 23
	8	To express		24	08
	10	To 5,000 bonds	5,000 00		
	11	To 250 bonds	250 00		
	11	To 250 bonds		21	2 21
	11	To Libane	35 61		
	11	To express	7 93		
	12	To New York Standard	83 70		
	12	To 750 bonds	750 00		
	18	To Evening Post	70 20		
	18	do.	86 40		
	18	To New York Tribune	16 50	14	52
	18	do.	19 80		
	19	To Evening Express	45 00		
	19	do.	58 50		
	19	To New York Times	72 00		
	19	do.	45 00	13	1 18
	19	To Financial Record	100 00		
	19	To New York World	82 50		
	19	do.	67 50		
	20	To 3,000 bonds and interest	3,009 50		
	20	To New York Zeitung	20 00	12	7 06
	21	To 22,000 bonds	22,000 00	11	47 06

June	1	By balance of interest to contra			1,853 49
	1	By balance	166,762 49		
					1,853 49
Aug.	1	By balance of interest to contra			2,403 70
	1	By balance	287,057 25		

The account with Henry Clews & Co.—Continued.

Dr.

Cr.

Date.		Amount.	Days.	Interest.	Date.		Amount.	Days.	Interest.	
1871.					1871.					
July 22	To expressage.....	\$3 25								
22	do.....	6 12								
22	To 1,750 bonds.....	1,750 00	10	\$8 27						
22	To 1,250 bonds.....	1,250 00								
22	To 500 bonds.....	500 00								
22	To 250 bonds.....	250 00								
22	To 250 bonds.....	250 00								
24	To E. W. Erickson, advertising.....		8	2 08						
25	To New York Herald.....	44 00								
25	To J. P. Dinsmore.....	96 50	7	2 22						
25	To 1,500 bonds.....	1,500 00								
26	To 7,000 bonds.....	7,000 00	6	8 36						
26	To New York Sun.....	168 00								
27	To 500 bonds.....	500 00	5	48						
29	To pamphlets.....	43 00								
29	To New York Zeitung.....	500 00	3	2 20						
29	To 3,200 bonds.....	3,250 00								
31	To 250 bonds.....	250 00								
31	To Evening Mail.....	300 00	1	10						
Aug. 1	To 2 per cent. commission on \$279,072.....									
1	To balance interest per contra.....									
		287,057 25	.....	2,403 70			\$278,057 25	.....	\$2,403 70
Aug. 1	To balance.....		38	2,121 03	Sept. 8	By error June 21.....	23 00	.....	.....
1	To 500 bonds.....	5,000 00	38	37 25		By balance of interest to contra.....		.....	2,272 36
1	To stamps.....	43 50				By balance.....	322,137 78	.....	.....
3	To 500 bonds.....	500 00	36	3 50						
3	To advertising Kiernan.....	100 00	36	70						
5	To 250 bonds.....	250 00								
5	To 500 bonds.....	500 00	34	4 95						
7	To 1,300 bonds.....	1,360 86								
7	To 1,000 bonds.....	1,000 00	32	14 69						
7	To express.....	1 25								
8	To 9,500 bonds and interest.....		31	67 57						
11	To 2,250 bonds.....	2,250 00	28	12 24						
19	To 500 bonds.....	500 00	20	1 94						
21	To publishing Bullock's letter.....	300 00	16	93						
26	To 750 bonds.....	750 00	13	1 89						
28	To advertising Ratisbonne.....	352 50	11	75						
30	To notary.....	28 80	9	05						
	To E. W. Sackett.....	137 27	9	23						

Sept. 1	To $\frac{1}{2}$ per cent. commission received on \$261,750	1,308 75					
1	To lenc'h'd January, February, and March	627 50	681 25	7	92		
1	To expenses forwarding 933,000 bonds to Europe		2,332 50	7	3 17		
1	To cable telegrams		417 45	7	55		
8	To balance interest per contra		2,272 36				
8	To $1\frac{1}{2}$ per cent. commission on \$314,750 71		5,114 71				
			322,160 78		2,272 36	322,160 78	2,272 36

NEW ACCOUNT.

1870.					1870.			
Sept. 10	To draft	\$20,000 00	21	\$81 67	Sept. 29	By cash	\$6,000 00	2 23 38
12	To draft	20,000 00	19	73 86	Oct. 1	By balance of interest to contra.		238 73
15	To draft	20,000 00	16	62 22	1	By balance of account carried down.	64,772 11	
19	To draft	10,000 00	12	23 33				
Oct. 1	To balance of interest per contra	238 78						
1	To $\frac{1}{2}$ of $2\frac{1}{2}$ per cent. com. for 20 days, from September 12, the average date.	533 33						
		70,772 11		241 11			70,772 11	241 11
1	To balance	64,772 11	61	768 26	Dec. 1	By balance of interest to contra.		1,740 49
5	To draft	10,000 00	57	110 83		By balance to new account.	211,370 83	
6	To draft	10,000 00	56	108 89				
8	To draft	10,000 00	54	105 00				
15	To draft	10,000 00	47	91 32				
18	To draft	10,000 00	44	856 67				
19	To draft	10,000 00	43	8 36				
20	To draft	10,000 00	42	81 61				
21	To draft	10,000 00	41	79 72				
28	To draft	15,000 00	34	99 17				
Nov. 1	To draft	6,000 00	30	35 00				
7	To draft	15,000 00	24	70 00				
23	To draft	10,000 00	8	15 56				
29	To draft	15,000 00	2	5 83				
Dec. 1	To balance of interest per contra	1,740 49						
1	To $1\frac{1}{2}$ per cent. com. for 45 days from October 17, the average date.	3,858 22						
		211,370 82		1,749 49			211,370 83	1,749 49

	605,640 75	1,342 58		
Feb 15	By proceeds of 500 Georgia bonds at 74 per cent	437,500 00	45	3,828

The First National Bank

1877			
Dec.			
1	To balance of account rendered	605,001 75	50
4	To coupons A. & C. R. R. Co.	40 00	55
3	To note and fees	6,177 50	56
11	To note and fees	15,035 00	40
12	To note and fees	23,000 00	48

15	To Fourth National Bank	10,000 00	45	87 50			
27	To note	25,000 00	33	160 42			
27	To note and fees	8,281 53	26	57 97			
March 4	To draft	30,000 00	28	163 33	April 1	By balance of interest account to contra	
8	To note	26,776 85				By balance to new account.	4,199 38
8	To note	1,653 31				342,254 66	
22	To note and fees	12,007 70	10	23 34			
	Coverage date February 5	766,202 70					
April 1	To balance of interest per contra	4,196 28					
1	To 1-6 of 2½ on \$766,202 70 for 10 days, from February 5 the aggregate to February 15	3,192 51					
1	To 1½ per cent. commission on balance of \$328,702 70 from February 15 to date, 45 days	6,163 17					
		779,754 66		8,024 40			
April 1	To balance of account rendered	342,254 66	61	4,059 52	June 1	By balance of interest to contra	5,813 31
1	To \$5,000 gold, at \$1 10½	5,522 12	61	65 57	1	By balance to new account.	600,037 47
1	To \$5,232 50 at \$1 10½	5,781 91					
1	To 1 per cent. for paying	57 82	61	69 26			
6	To coupons Atlanta and Chattanooga Railroad Company	80 00	56	87			
8	To coupons Atlanta and Chattanooga Railroad Company	40 00	54	42			
7	To draft	20,000 00	55	213 89			
8	To draft	20,000 00	54	210 00			
10	To draft	20,000 00	52	202 22			
11	To draft	20,000 00	51	198 33			
12	To draft	20,000 00	50	194 44			
May 20	To \$1,000 gold, at \$1 11½	1,117 50	42	9 12			
1	To draft	20,000 00	31	120 56			
3	To draft	20,000 00	29	112 78			
4	To Fourth National Bank	5,000 00	28	27 22			
5	To draft	20,000 00	27	105 00			
8	To draft	20,000 00	24	93 33			
10	To draft	20,000 00	22	85 56			
	To Fourth National Bank	5,000 00	22	21 39			
June 1	To \$5,000 gold, at \$1 11½	5,568 75	22	23 83			
	To balance interest account	5,813 31					
	To 2½ per cent. commission for 54 days, from April 8, the average date, on \$570,428 26	12,834 65					
	To 2½ per cent. for accepting draft to amount of \$438,430 06	10,960 75					
		600,037 47		5,813 31			
1871. June 1	To balance of account rendered	600,037 47	61	7,117 11	1871. Aug. 1	By balance of interest to contra	7,236 53
July 1	To coupons, Atlanta and Chattanooga Railroad Company	6,960 00	31	41 95		By balance to new account.	647,537 24

The account with Henry Clews & Co.—Continued.

Dr.						Cr.					
Date.			Amount.	Days.	Interest.	Date.		Amount.	Days.	Interest.	
1870.						1871.					
Dec. 1	To balance of account renewed.....		\$211,370 83	62	\$2,548 20	Feb. 1	By balance of interest to contra.....			\$4,342 58	
1	To draft.....		15,000 00	62	180 83		By balance of account to new account.	\$605 640 75			
3	To draft.....		10,000 00	60	116 67						
20	To note and fees.....		8,283 31	43	69 25						
1871.											
Jan. 3	To note and fees.....		25,000 00	29	140 97						
1	To Fourth National Bank.....		100,000 00	29	563 89						
5	To Fourth National Bank.....		50,000 00	27	262 50						
6	To note and charges.....		6,236 03	26	31 52						
3	To note and charges.....	\$13,646 80									
.	To note and charges.....	5,460 38									
10	To coupons Atlanta and Chattanooga Railroad Company.....		19,106 46	29	107 73						
12	To note.....		400 00	22	1 71						
16	To coupons Atlanta and Chattanooga Railroad Company.....		25,000 00	19	92 36						
17	To note.....		6,560 00	16	20 41						
1	To Fourth National Bank.....		25,000 09	15	72 92						
21	To coupons Atlanta and Chattanooga Railroad Company.....		25,000 00	15	72 92						
26	To notes and interest.....		400 00	11	86						
26	To notes and interest.....	5,007 67									
26	To notes and interest.....	5,007 67									
26	To notes and interest.....	5,007 67									
26	To notes and interest.....	5,007 67	33,551 39	6	39 14						
26	To notes and interest.....	5,007 67									
26	To note and interest.....	5,007 67									
26	To note and interest.....	2,505 37									
28	To note.....		25,000 00	4	19 44						
31	To note and charges.....		6,503 97	1	1 26						
Feb. 1	To balance of interest per contra.....		4,342 58								
1	To 1½ per cent. continued for 38 days from December 25, average date.....		8,886 18								
			605,640 75		4,342 58			605,640 75		4,342 58	
1871.											
Feb. 1	To balance of account rendered.....		605,604 75	59	6,948 04	Feb 15	By proceeds of 500 Georgia bonds 87½ per cent.....	437,500 00	45	3,828	
2	To coupons A. & C. R. R. Co.....		40 00	58	45						
3	To note and fees.....		6,177 56	56	68 47						
11	To note and fees.....		15,625 00	49	148 88						
12	To note and fees.....		25,000 00	48	233 33						

15	To Fourth National Bank	10,000 00	45	87 50			
27	To note	25,000 00	33	160 42			
24	To note and fees	8,281 53	26	57 97			
March 4	To draft	30,000 00	28	163 33			
8	To note	26,776 85	24	132 67	April 1	By balance of interest account to contra	4,199 38
8	To note	1,653 31					
22	To note and fees	12,007 70	10	23 34		By balance to new account.	342,254 66
	Coverage date February 5	766,202 70					
April 1	To balance of interest per contra	4,196 28					
1	To 1-6 of 2½ on \$766,202 70 for 10 days, from February 5 the aggregate to February 15	3,192 51					
1	To 1½ per cent. commission on balance of \$328,702 70 from February 15 to date, 45 days	6,163 17					
		779,754 66		8,024 40			
April 1	To balance of account rendered	342,254 66	61	4,059 52	June 1	By balance of interest to contra	5,813 31
1	To \$5,000 gold, at \$1 10¼	5,528 12	61	65 57	1	By balance to new account	600,037 47
1	To \$5,232 50 at \$1 10¼	5,781 91	61	69 26			
1	To 1 per cent. for paying	57 82					
6	To coupons Atlanta and Chattanooga Railroad Company	80 00	56	87			
8	To coupons Atlanta and Chattanooga Railroad Company	40 00	54	42			
7	To draft	20,000 00	55	213 89			
8	To draft	20,000 00	54	210 00			
10	To draft	20,000 00	52	202 22			
11	To draft	20,000 00	51	198 33			
12	To draft	20,000 00	50	194 44			
20	To \$1,000 gold, at \$1 11¼	1,117 50	42	9 12			
May 1	To draft	20,000 00	31	120 56			
3	To draft	20,000 00	29	112 78			
4	To Fourth National Bank	5,000 00	23	27 22			
5	To draft	20,000 00	27	105 00			
8	To draft	20,000 00	24	93 33			
10	To draft	20,000 00	22	85 56			
	To Fourth National Bank	5,000 00	22	21 39			
June 1	To \$5,000 gold, at \$1 11¼	5,568 75	22	23 83			
	To balance interest account	5,813 31					
	To 2½ per cent. commission for 54 days, from April 8, the average date, on \$570,428 26	12,834 65					
	To 2½ per cent. for accepting draft to amount of \$438,430 06	10,960 75					
		600,037 47		5,813 31			
1871.							
June 1	To balance of account rendered	600,037 47	61	7,117 11	1871.	By balance of interest to contra	7,236 53
July 1	To coupons, Atlanta and Chattanooga Railroad Company	6,960 00	31	41 95	Aug. 1	By balance to new account.	647,537 24

The account with Henry Clews & Co.—Continued.

DR.						CR.				
Date.			Amount.	Days.	Interest.	Date.		Amount.	Days.	Interest.
1871.						1871.				
July 1	To \$5,000 gold, at \$1 13½		\$5,668 75	31	\$34 17					
	To \$1,295 gold, at \$1 13½	\$1,468 22								
	To 1 per cent. for paying	14 68	1,482 90	31	8 94					
3	To coupons Atlanta and Chattanooga Railroad Company		80 00	29	45 00					
5	To coupons Atlanta and Chattanooga Railroad Company		480 00	27	2 52					
8	To coupons Atlanta and Chattanooga Railroad Company		80 00	24	37					
12	To \$5,000 gold, at \$1 12½		5,637 50	20	21 92					
21	To New York Tribune	1,000 00								
	To New York Evening Express	320 00								
	To New York Evening Post	450 00								
	To New York Commercial Advertiser	300 00	4,257 00	11	9 10					
	To New York Journal of Commerce	500 00								
	To New York Standard	300 00								
	To New York Sun	500 00								
	To New York Times	500 00								
	To J. Hasson	387 00								
Aug. 1	To balance of interest per contract		7,236 53							
1	To 2½ per cent. commission for sixty days on \$624,683 62		15,617 09							
			647,537 24		7,236 53			\$647,537 24		\$7,236 53
Sept. 1	To balance of account rendered		647,537 24	38	4,784 57	1871.				
6	To \$2,000 gold \$1 13½		2,270 00	2	89 00	Sept. 8	By proceeds of 1,150 M State bonds, at 86½	994,750 00		
6	To Western Union Telegraph Company		18 58	2	01	8	By balance of interest to contra			4,786 61
8	To Frankfurt Zeitung		365 01	2	14 00					
8	To balance of account for redemption of bonds to date		322,137 78							
8	To balance interest account		4,785 61							
8	To 14 per cent. commission from August 1st to September 8th, on \$647,531 24		10,522 48							
8	To balance to new account		7,113 30							
			994,750 00		4,785 76			994,750 00		4,785 61
20	To Frankfort consulate		321 20	30	1 87	8	By balance of account E. O. E.	7,113 30	42	58 09
23	To German Germanian		565 00	27	2 97					

Oct. 30	To \$2,000 gold, @ 14 1/2	2,297 50	8 94	Oct. 20	By balance of interest to contra		122 55
2	To \$2,000 coupons, \$17 50 each, to \$35,000 gold, at \$14 1/2, commission 1/2	40,206 25	18 140 72		By balance of account	47,145 50	
2	To Western Union Telegraph Company	12 25	18 04				
7	To \$10,250 bonds rendered	10,250 00	13 25 91				
16	To \$250 bonds rendered	250 00	4 19				
20	To balance of interest account	122 55					
20	To 1/2 per cent. com. for 12 days on \$46,789	233 94					
		<u>54,258 80</u>	<u>180 64</u>			<u>54,258 80</u>	<u>180 64</u>
20	To balance E. O. E. due H. Clews & Co.	47,145 50					

FLORIDA.

SUMMARY.

Debt.

1860.

Debt.....	\$221,000
Contingent liabilities, railroad.....	1,000,000
Total.....	<u>1,221,000</u>

1865.

Debt and liabilities.....	\$1,370,617 00
Increased since 1860.....	149,617 00
Rebel debt, (estimated).....	500,000 00
Total.....	<u>1,870,617 00</u>
Total increase since 1860.....	<u>649,617 00</u>

1868.

Debt and contingent liabilities.....	\$1,523,856 95
Increase since 1865.....	153,239 95
Increase since 1860.....	<u>302,856 95</u>

1872.

Debts and old railroad liabilities.....	\$2,556,072 13
Increase since 1868.....	1,032,215 18
Contingent liabilities for railroad, (secured).....	4,000,000 00
Prospective contingent liabilities, (to be secured).....	<u>10,000,000 00</u>

ASSETS.

1860.

Balance in treasury.....	<u>\$100,000 00</u>
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1865.

None.

PROPERTY.

1860.

Assessed value.....	\$68,929,685 00
Slaves.....	21,610,750 00
Value less slaves.....	<u>47,318,935 00</u>

1865.

Assessed value.....	\$25,000,000 00
Loss since 1860.....	43,929,685 00
Loss less slaves.....	22,368,935 00
Total loss in property, (excluding slaves,) assets, and debts.....	<u>23,059,552 00</u>

1871.

Assessed value.....	\$34,673,753 00
Increase since 1865.....	9,673,753 00
Census valuation, (1870).....	44,163,655 00
Increase since 1865.....	<u>19,163,655 00</u>

Products.

Estimated value of agricultural products since the war—Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay—1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census	\$25, 548, 814 00
Estimated value of all products for 1871.....	9, 000, 000 00
Total	<u>34, 548 814 00</u>
Estimated value of cotton for 1865-'66 to 1868-'69.....	20, 000, 000 00
Total	<u>54, 548, 814 00</u>

1860.

In 1860 the recognized debt of Florida was \$221,000. Balance in treasury, \$100,000. There was, and still is, an unrecognized debt contracted by the Territory for the establishment of banks which has never been provided for or acknowledged. This affects the credit of the State. Of the recognized debt all but \$64,000 was contracted in the Indian wars, and the State claims that the United States should repay her expenses in that service.

The State had contingent liabilities for railroads amounting to several million dollars, but we have no statement of the items or estimate of the amount. The roads have since been sold, and the State is bound for a balance of interest on their account, estimated at \$1,000,000. Stating the contingent liabilities in 1860 at that amount, we have—

Debt in 1860	\$221, 000
Contingent liabilities.....	1, 000, 000
Total	<u>1, 221, 000</u>

The contingent liabilities were considered well secured. For several years before the war the annual receipts were about \$90,000, and the expenses about \$70,000. There was in 1860 a balance in the treasury of over \$100,000. The banks had a capital of \$300,000; specie, \$32,876, and circulation, \$183,640. There were 401 miles of railway, which cost \$8,628,000. There were school and seminary funds yielding about \$50,000 per annum, and the expenditures for education were about \$25,000. The number of white children of school age was over 20,000; expenditure, \$1 25 for each child. The assessed value of property in 1860 was—

Real estate	\$21, 722, 810
Personal estate	47, 206, 875
Total	<u>68, 929, 685</u>

Estimated value of slaves	\$21, 610, 750
Value, excluding slaves.....	47, 318, 935

State taxation in 1860 was.....	\$80, 933
County	74, 425
Town, city, &c.....	3, 753
Total	<u>159, 121</u>

1865.

The debt, excluding war debt.....	\$370, 617 00
Contingent liabilities.....	1, 000, 000 00
	<hr/>
Increase since 1860	149, 617 00
	<hr/> <hr/>

The debt contracted in rebellion is not stated. The secession convention began by issuing scrip—\$500,000; and we understand other issues were made from time to time, but we state the rebel debt at \$500,000. The value of railroads was so reduced that the State loses over \$1,000,000 on her guarantees made before the war. There were 416 miles of railroads in bad condition, some of which made weekly and some tri-weekly trips. The treasury was empty. Loss of balance, \$100,000. The assessed value of property in the State was \$25,000,000. Loss in value of property, \$43,929,685. Loss, excluding slaves, \$22,318,935. Total loss in assets, property, and increase of debt, excluding slaves, \$23,058,552.

1868.

The reconstructed State government was inaugurated in 1868. The rebel debt had been repudiated, and the recognized debt and liabilities were \$1,523,856 95. Increase since 1865, \$153,239 95; since 1860, \$302,856 95.

1872.

On the 1st day of January, 1872, the comptroller states the debt as follows:

Total principal and interest of bonded debt.....	\$848, 973 33
Bonds of 1868 and 1869.....	421, 000 00
Floating debt	286, 098 80
	<hr/>
	1, 556, 072 13
	<hr/> <hr/>

There are \$421,000 bonds included in above, pledged as collateral for a floating debt of \$115,322 16.

If this debt were added and the bonds deducted the debt would stand \$2,250,394 29; but including the hypothecated bonds, it is as above—\$2,556,072 13. Increase since 1868, \$1,032,215 18. In 1870 \$4,000,000 of bonds were issued in aid of the Jacksonville, Pensacola and Mobile Railroad Company. These bonds were issued under acts passed in 1870, which provide for aid to that railroad at the rate of \$16,000 per mile for the line from Jacksonville to the west line of the State, and for aid at the rate of \$14,000 per mile to a line of road to extend from Amelia Island, on the Atlantic, to Tampa Bay, in West Florida, a distance estimated at 190 miles—\$2,660,000; and other acts have been passed promising aid, \$10,000 per mile, to a line from Waldo to Tampa Bay—distance estimated at 55 miles—\$550,000; and \$14,000 per mile to the West Florida Railroad—distance estimated at 60 miles—\$840,000; and \$16,000 per mile to the Florida Railroad, from Waldo to Tampa Bay and Charlotte Harbor—distance estimated at 240 miles—\$3,840,000. It is estimated that if all these roads, including Jacksonville, Pensacola and Mobile Railroad, are made and the companies comply with the terms of the laws, so as to receive the full amount of bonds to which they will be entitled, the whole amount will be about \$14,000,000. The acts provide for liens on the roads to secure the State against loss, and the lines will be about 1,000 miles long and will cost the companies \$25,000,000.

The governor, in his last message, says:

SOUTH FLORIDA RAILWAY.

In November last the Florida Railroad Company disposed of its franchise to extend its road to Tampa and Charlotte Harbor to a new company, who have undertaken to construct the road to Ocala immediately, and from thence to Tampa early thereafter. I have received advices from the State engineer in Boston that 1,000 tons of iron are now being shipped, and will be in Fernandina, with spikes, chains, &c., sufficient for ten miles of the road, during the present month.

The company has advised me of their purpose to avail themselves of the benefit of the law granting State aid as fast as they proceed with the completion of the road, and we may reasonably hope that within the year this important thoroughfare will be opened to Tampa Bay.

It is charged that the governor issued the \$4,000,000 in bonds to the Jacksonville, Pensacola and Mobile Railroad Company improvidently, and when the company was not entitled to so large a sum. The law is not clear, being loosely drawn, apparently in the interest of the railroad company. The governor has not favored us with any explanation, but in his message for 1871 he says:

RAILROAD BONDS.

Under the constitutional provision authorizing the issue of State bonds in aid of the "public works of the State," the last legislature authorized the issue of 8 per cent. bonds to the Jacksonville, Pensacola and Mobile Railroad to the amount of \$16,000 per mile for the entire line from Jacksonville to the west line of the State, in exchange for the first-mortgage bonds of the railroad of the same amount. These bonds were to be delivered as fast as the road was completed and in running order.

Four millions of bonds were prepared and executed, and three millions of them conditionally delivered to the company, and it was expected the work would rapidly progress so as to reach Marianna by the 1st day of January, instant.

The breaking out of the foreign war is urged by the company as the reason for the suspension of the work, and in August I proposed to the company a recall of the bonds, to which, in December, it finally consented, and passed resolutions accordingly.

Matters are now being brought to a focus, and the parties holding the bonds are daily expected here, when I shall take occasion to communicate more fully, and until then I ask that no decisive measures be taken on the subject.

And in his last message, January 4, 1872, he says:

In 1870, under act of the legislature, \$4,000,000 of bonds were issued to the Jacksonville, Mobile and Pensacola Railroad Company in exchange for the same amount of bonds of the company, bearing the same date and rate of interest.

I have no report of the company in relation to their condition and purposes, but they have not complied with the law in the extension of their road to the Chattahoochee by 1st July, though I am unofficially informed that its completion to that point is now rapidly progressing, and will soon be consummated.

It appears that the bonds were intrusted by the company to one of the firms of swindlers who abound in New York, which, by fraud and villany, have diverted much of the proceeds from the work for which they were issued, and there remains, but \$1,200,000 for the purposes of extending the road beyond the river.

The last million of the four were delivered, and are held in trust to be disposed of when the amount of \$300,000, balance due the internal improvement fund, is paid. This sum is still unpaid, and remains a lien upon that portion of the road between Lake City and Quincy.

The losses of the company in no way involve loss to the State, as the securities held by the State can at any time be converted for sufficient to redeem the State bonds.

I am advised that the interest on the bonds has been paid by the company up to and including January, 1872, but the coupons have not been delivered at the treasury, and the coupons upon the railroad bonds held by the State therefor remain uncancelled.

Now the State holds an equal amount of first-mortgage bonds of \$16,000 a mile on a completed road which has sufficient business to pay its running expenses, the interest on the bonds, and enough to constitute a sinking fund sufficient to discharge the bonds when due. This being the fact, it is unjust to the people of the State to seek to convey a different impression abroad, and it can only be excused on the ground assumed by the writer above quoted from the Floridian, that their "only hope is in the utter financial bankruptcy of the State."

On the railroad policy of the State generally, old and new, he says:

RAILROAD POLICY.

In 1855 the State entered upon a plan for the construction of a system of railroads that was comprehensive and highly creditable to the intelligence and sagacity of its projectors, but which in its results has been ingeniously and almost imperceptibly expensive.

Few of the people understand that, besides the United States lands granted, these roads have cost the State over *three million of dollars*, and have *never paid one cent of tax* either on their lands, their property, or their income; yet, so far as can be ascertained, from the records and sources of information left by the old government, such is the fact.

The Central Road, (from Jacksonville to Lake City,) sixty miles, sold by the board, in 1868, for \$111,000, or nearly \$1,850 per mile, leaving an indefinite amount of unpaid interest for the State to meet.

The Pensacola and Georgia, and the Tallahassee Roads, forfeited and liable to be sold by the board, with \$1,424,300 bonds outstanding, upon which interest was accumulating against the State of \$99,700 per annum.

These roads were immediately sold by the present board for nearly the par value of the bonds and sufficient to discharge them and leave no incumbrance to the State, except for unpaid interest.

Thus we find that the railroads cost the State, through the internal-improvement fund and the counties—

Lands conveyed for interest, 1,000,000 acres, at \$1 25	\$1, 250, 000
Proceeds of lands sold since 1850 to 1868	750, 000
Accumulated interest and indebtedness now existing, probably	1, 000, 000
Amount of bonds given by counties	500, 000
	3, 500, 000

The legislature of 1869 changed the plan for the completion of the roads, and offered bonds to the amount of \$16,000 per mile in exchange for first-mortgage bonds of the roads. While, individually, I was opposed to further involving the State in connection with the roads, yet the almost unanimous voice of the legislature favoring State aid, as in most of the other States, I sanctioned the plan; and there would exist no valid objection had the issue been confined to the extension of the lines, instead of being issued on the road already built.

Under the new policy the State holds the roads as security for the payment of interest and principal, and will derive from \$20,000 to \$30,000 annual revenue from taxation of the lands and property, and income of the road.

Under the old it had to pay from \$100,000 to \$150,000 annual interest, after donating all the State lands within six miles on each side of the road, and both lands and road were exempt from taxation.

The advantage to the State in a financial point of view, therefore, is from \$150,000 to \$175,000 per annum, or sufficient to pay an annual interest on a public debt of \$2,500,000.

The increase of the direct debt is caused by annual deficiencies from excess of expenditures. This arises in part from non-payment of taxes. There are now due the State for unpaid taxes, \$604,672 45.

The governor claims, in his messages for 1869, 1870, and 1871, that extraordinary expenses have been caused by conspiracies in several counties, including Jackson, Columbia, and Hamilton, where lawless men have overawed the authorities and committed crimes with impunity. The cost of criminal prosecutions for 1870 was \$58,408 59. The governor, in his last message, says:

The organization of what were called "democratic clubs"—secret societies, designed to seize the Government by violence in the event of the assurance of the election of Seymour and Blair—which clubs became afterwards the Ku-Klux of infamous notoriety for blood and cruelty, compelled the purchase, in 1868, of 2,000 stands of arms, with equipments and ammunition, at a cost of \$28,000 in bonds.

These and other extraordinary expenditures amounted to more than \$300,000, viz:

The opening and maintenance of a State penitentiary, and administration of criminal law	\$150, 000
Repairs of State capitol	20, 000
Code and digest of laws	25, 000

Extra legislative expenses in attempts to corrupt men to impeach the governor and judge.....	\$30,000
Payment of scrip issued by constitutional convention.....	25,000
Engraving and printing bonds and scrip, and purchase of safe for comptroller's office.....	8,000
Purchase of arms and ammunition, and organization of militia.....	40,000
Organization and maintenance of emigration bureau.....	10,000
Total.....	308,000

These causes have increased expenses, while the same element has labored to depress the credit of the State. In the same message the governor says:

The objects and purposes of these opponents of just and equal laws and the successful administration is candidly admitted by one of the ablest and most candid of the legal representatives of the opposition, in the leading democratic paper at the seat of government. He says:

"No greater calamity could befall the State of Florida, while under the rule of its present carpet-bag, scallawag officials, than to be placed in good financial credit. *
 * Our only hope is in the State's utter financial bankruptcy; and Heaven grant that that may speedily come. On the other hand, establish for the State financial credit on Wall Street, so that Florida bonds can be sold by Reed & Co. as fast as issued, and you give these foul harpies a life-tenure of these offices. *
 The temporal salvation of the tax payers is in having scrip low, so that they can buy it to pay taxes with, and in having the State's financial credit low, so that Reed & Co. can't sell State bonds so as to raise money with which to perpetuate their hold on office." *Floridian*, August 1, 1871.

These causes have compelled the State to carry a floating debt at high interest, while her credit is depressed, and her warrants are a subject of speculation at heavy discount.

The population of Florida has increased since 1860 over thirty-three per cent.

The total taxation levied in 1870 was:

State.....	\$234,672
Counties.....	168,387
Cities and towns.....	79,009
Total.....	482,070
The valuation of property in 1871 was.....	\$34,673,753
Increase since 1865 of.....	9,673,753
Census valuation.....	44,163,655
Increase.....	19,163,655

In 1870 the State had lands unsold estimated at 10,718,437 acres, and the governor claimed that there were 5,900,000 acres more due the State under existing acts of Congress. It is said that since 1870 lands have been granted to railroads, but we have not the facts. There are 461 miles of railway, which cost \$15,245,000.

The agricultural products were valued in 1870 at \$8,909,746. Improved lands were valued for taxation at \$2 14 per acre. The value of the product exceeds the value of the land cultivated.

The receipts for the year 1870 were \$192,488 60. The expenses of the State government for 1870 were \$295,078 50, of which over \$70,000 was for courts and prosecutions; \$16,000 for the penitentiary; \$15,000 for repairing the State capitol, and \$17,000 for schools and seminaries; leaving \$177,000 for all other purposes.

The taxes assessed for 1871, by the State, \$219,052 85, of which \$159,653 49 was for State purposes, \$29,699 98 for schools, and the same sum for sinking-fund.

RATE OF TAXES.

There is required, under the operation of the existing revenue laws, to be levied on every \$100 value of property for State taxes proper, (by this is meant the actual expenses of carrying on the government).....		87 cents.
General sinking-fund and interest.....		30 "
Special sinking-fund.....		10 "
General school-fund.....		10 "
Making the rate.....		<u>\$1 37</u>

There was expended for schools in 1871, \$38,289 01, 12,032 children attending. Whole number of school-age, 66,045.

The expenses for 1871 were \$410,491 19; the receipts from all sources, \$275,005 59.

The following is the comptroller's statement for January, 1872:

RECEIPTS AND DISBURSEMENTS.

The receipts at the Treasury during the fiscal year ending December 31, 1871, amount to		\$275,005 59
For school-fund tax	\$15,742 63	
For sinking-fund tax	29,126 76	
For revenue, 1867	515 03	
For revenue, 1868	526 41	
For revenue, 1869	1,141 70	
For revenue, 1870	74,411 14	
For revenue, 1871	49,440 65	
For license tax	11,686 88	
For convention tax	632 46	
For common school fund, (from fines)	558 23	
For school fund, (from sale of lands)	7,288 41	
For seminary fund, (from sale of land)	8,752 88	
For penitentiary fund	2,724 29	
For commissions account	190 00	
For circuit court seals	7 00	
For interest on State debt, (school fund)	57,330 52	
For interest on State debt, (seminary fund)	11,182 44	
For special sinking-fund and internal tax	3,748 13	
		<u>275,005 59</u>
The warrants issued during the year amount to		410,491 19
Criminal prosecutions	\$4,423 17	
Jurors and witnesses	30,874 23	
Contingent expenses circuit court	904 02	
Contingent expenses supreme court	705 50	
Contingent expenses State	75 00	
Contingent expenses governor	11,000 00	
West Florida Seminary fund, interest	2,777 43	
East Florida Seminary fund, interest	3,407 50	
Maintenance of lunatics	3,101 65	
Post-mortem examinations	20 00	
Salaries, executive department	21,096 64	
Salaries, judicial department	37,294 09	
Salaries, military department	1,875 00	
Repairs of capitol	999 97	
Interest State debt, (school and seminary fund)	68,512 96	
Fund for clerk supreme court	375 00	
Printing	12,782 68	
Common schools	70,547 82	
Expenses of penitentiary	51,856 24	
Expenses collection of revenue	1,374 19	
Expenses bureau of immigration	3,880 00	
Expenses legislature, (extra session 1868)	10 00	
Expenses adjutant general's department	1,225 81	
Revenue refunded	44 17	
Expenses preparing digest laws of Florida	500 00	

Expenses printing digest laws of Florida	\$7,888 00	
Act for relief of Geo. W. Driggs.....	1,200 00	
Appropriation to A. L. Woodward	100 00	
Appropriation to L. W. Rowley	200 00	
Appropriation to J. W. Yearty	124 00	
Expenses of impeachment	1,830 12	
Expenses boards of registration and judges of election	45 00	
Expenses safe for comptroller's office	1,500 00	
Expenses of election	561 87	
Appropriation to Dennis & Barnes	590 25	
Expenses first session sixteenth legislature.....	62,256 78	
Expenses printing bonds	2,031 30	
Expenses printing supreme court report	2,500 00	
		<u>\$410,491 19</u>

The agricultural productions were valued and estimated, excluding cotton, sugar, and rice, for 1865 to 1869, and including all for 1870 and 1871, at \$34,548,814. Cotton from 1865 to 1869, \$20,000,000. Total, \$54,548,814. More than double the total assessed value of property in 1865.

DEBTS OF THE SEVERAL STATES.

Letter from the Secretary of the Treasury, transmitting the information required by the resolution of the House of Representatives of the 2d September last, in relation to the debts of the several States and Territories, so far as has been furnished to the Department June 25, 1842.

Statement of the debt of the Territory of Florida.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeemed Sept. 2, 1841.	Rate of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works, &c.
March 2, 1839	\$500,000	\$100,000	\$100,000	8 per cent. {	\$50,000, July 1, 1850..... 50,000, July 1, 1854.....	Defense of the frontiers of Florida against the Seminole Indians.	

Statement of the responsibilities of the Territory as indorsers of the bonds of the banks of the Territory of Florida.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeemed Sept. 2, 1841.	Rate of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works, &c.
February 12, 1833	\$3,000,000	\$3,000,000	\$3,000,000	6 per cent. {	\$250,000, January 1, 1850 250,000, January 1, 1858 750,000, January 1, 1862 750,000, January 1, 1864 500,000, January 1, 1866 500,000, January 1, 1868	Capital stock of the Union Bank of Florida.	
February 14, 1835	2,000,000	400,000	400,000	5 per cent. ...	August 8, 1865.....	Capital stock of the Southern Life Insurance and Trust Company.	
February 14, 1835	500,000	500,000	500,000	6 per cent. ...	After January 1, 1860....	Capital stock of the Bank of Pensacola, and to construct the Alabama, Florida and Georgia Railroad.	The construction of the rail road is suspended.

ALABAMA.

SUMMARY.

<i>Debt.</i>	
1860.	
Debt	\$5, 939, 654 87
1865.	
Old debt	\$6, 221, 186 45
Rebel debt	13, 094, 732 95
Total	19, 315, 919 40
Increase since 1860	13, 376, 264 53
Increase, exclusive of rebel debt	281, 531 58
1868.	
Debt	\$7, 904, 398 92
Rebel debt repudiated	
Increase since 1865	683, 212 47
Increase since 1860	1, 964, 744 05
Prospective liabilities for railroads, under general acts 1867, granting aid at the rate of \$12,000 per miles, (estimated)	17, 705, 000 00
Total debt and liabilities	25, 609, 398 92
Increase since 1860	19, 669, 744 05
1872.	
Debt, (estimated)	\$9, 306, 967 37
Increase since 1868	1, 402, 568 45
Prospective and contingent liabilities, (estimated)	29, 620, 000 00
Existing contingent liabilities September 30, 1871—railroad	15, 420, 000 00
Estimated prospective liabilities for roads commenced	14, 200, 000 00
ASSETS.	
1860.	
Balance in treasury	\$604, 657 04
Loans to and stock in railroad	
1865.	
Balance gone	
Railroad depreciated	
PROPERTY.	
1860.	
Assessed value	432, 198, 762 00
Slaves	152, 278, 000 00
Balance	279, 920, 762 00
1865.	
Assessed value	\$123, 946, 475 00
Loss since 1860	308, 252, 287 00
Loss, excluding slaves	155, 974, 287 00
Total loss of debt and assets, excluding slaves	169, 955, 208 57
1870.	
Assessed value	\$156, 770, 387 00
Gain since 1865	32, 823, 912 00
Census valuation	201, 855, 841 00
Gain since 1865	77, 909, 366 00
Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census	206, 310, 011 00
Estimated value all products 1871	66, 000, 000 00
Total	272, 310, 011 00
Estimated value cotton for 1865-'66 to 1868-'69	140, 000, 000 00
Total	412, 310, 011 00

1860.

The debt of Alabama in 1860 was \$5,939,654 81, composed as follows:

Bonded debt	\$3,445,000 00
Sixteenth-section fund.....	1,524,087 00
Valueless sixteenth-section fund.....	97,091 21
Due three per cent. fund under act approved February 18, 1860.....	204,389 86
Total	5,939,654 87

The bonded debt was what remained of the indebtedness contracted by the State in 1828 to 1837 in establishing and aiding banks. The amount of her liabilities on that account amounted, in 1841, to \$15,400,000, as appears by letter of the Secretary of the Treasury to the House of Representatives, Twenty-seventh Congress, second session, Ex. Doc. No. 254, the banks failed, and the State paid the interest and gradually reduced the principal until 1860, when it was \$3,445,000. The remainder of the debt, being \$1,825,568 07, consisted of trust-funds, principally derived from grants of the National Government in aid of education, the proceeds of which had been used by the State, whereby she had become responsible for the amount which she has assumed as debt in perpetuity, binding herself to pay interest for educational purposes. But this is done by taxation, and therefore the fund affords no real relief to the people. Exactly when this fund was lost we do not find. Mr. Joel Riggs, the comptroller of the State treasury in 1851, said: "Perhaps of all trust-funds none has been so greatly mismanaged as the school-fund of Alabama." These funds run through all the statements and form part of the present debt.

The State had made large loans to railroads, from which she was receiving interest and payments annually.

She owned \$662,000 in Virginia and North Carolina stocks. The balance in the treasury was \$604,657 05.

There was expended for common schools in 1860, \$272,211 94.

The State taxation was.....	\$530,107 00
County.....	309,474 00
Towns, cities, &c.....	11,590 00
Total.....	851,171 00

The average cost of conducting the State government for 1858, 1859, and 1860 was \$800,969.

The banks had \$4,901,000 capital and \$2,747,174 specie.

There were 743 miles of railway, which cost \$17,591,188.

The assessed value of property was:

Real estate.....	\$155,034,089 00
Personal estate.....	277,164,673 00
Total.....	432,198,762 00
Estimated value of slaves.....	\$152,278,000 00
Value, exclusive of slaves.....	279,920,762 00

1865.

In May, 1865, the old debt was.....	\$6,221,186 45
That contracted in rebellion.....	13,094,732 95
Total.....	19,315,919 40
Increase since 1860.....	\$13,376,264 53

The trust-funds and balance were gone; the banks broken; the railroads in bad condition. On the first appraisalment of property since the war the valuation was \$123,946,475. Loss from 1860, \$308,252,287.

Loss, excluding slaves, \$155,974,287; total loss in property, balance and debt, excluding slaves, \$169,955,208 57.

1868.

The reconstructed government was established in 1868. The rebel debt had been repudiated. The old debt was \$7,904,398 92. Increase since 1865, \$683,212 47; since 1860, \$1,964,744 05. The State had promised by act of the provisional legislature of 1867, aid to railroads to be built, at the rate of \$12,000 per mile. The prospective liabilities of the State under this act, at the rate of \$12,000 per mile, on roads which have since been built, and which may be built, so as to obtain aid, were about \$17,705,000.

Total debt and liabilities, \$25,609,398 92; increase of debt and liabilities since 1860, \$19,669,744 05.

1872.

At the close of the fiscal year 1871 the debt was \$8,484,010 78. It is estimated now, by increase from the Alabama and Chattanooga Railroad and other debts, at \$9,306,967 37. Increase since 1870, \$1,402,568 45. Estimated contingent and prospective liabilities, \$29,620,000. The contingent liabilities for railroads were increased by amendments to the general act of 1867 so as to make the aid \$16,000 instead of \$12,000 per mile, and by special acts granting aid to several roads amounting to \$6,000,000.

The increase of liabilities caused by increasing the aid under the general act from \$12,000 per mile to \$16,000 per mile, being \$4,000 per mile on all roads which have been or may be built under the general act, has added to existing contingent liabilities \$2,355,000, and to prospective liabilities \$3,550,000. Total increase of liabilities under the general act by increase of rate per mile, \$5,905,000. Increase by special acts, \$6,000,000. Total increase by legislation of 1868 and 1870, \$11,905,000.

The benefits of the general act are limited to roads which shall have had 20 miles constructed on the 1st day of November, 1871, and the law provides that the bonds shall not be sold for less than 90 per centum.

The bonds are to be indorsed as the road is completed in sections. On proof that the section has been built by the company from its own resources, other than those derived from the bonds, and not to be replaced from their proceeds, the company is bound to provide for the interest on the bonds, and at the end of five years from the first indorsement to set apart from the earnings of the road two per cent. on the bonds indorsed, to be invested in State securities, as a sinking-fund for the payment of the bonds at maturity.

The State reserves a first lien, with the right to take possession and sell the roads on default. Under these acts there had been bonds indorsed to September 30, 1871, to the amount of \$15,420,000, and we understand that roads have been commenced which, if completed, will be entitled to additional bonds, estimated at \$14,200,000. The contingent liabilities of the State for railroads on September 30, 1871, as per auditor's report, was as follows:

Contingent liabilities under acts approved in 1867 and 1870.

INDORSEMENT OF RAILROAD BONDS, &C., TO SEPTEMBER 30, 1871.			
Name of road.	Miles.	Amount.	
Alabama and Chattanooga.....	295	\$4,720,000 00	
Alabama and Chattanooga, reported excess issued.....		580,000 00	
East Alabama and Cincinnati.....	20	320,000 00	
Mobile and Alabama Grand Trunk.....	20	320,000 00	
Mobile and Montgomery.....		2,500,000 00	
Montgomery and Eufaula.....	60	960,000 00	
Selma and Gulf.....	30	480,000 00	
Selma, Marion and Memphis.....	45	720,000 00	
South and North.....	100	2,200,000 00	
Savannah and Memphis.....	20	320,000 00	
STATE BONDS FOR RAILROAD PURPOSES.			\$13,120,000 00
Alabama and Chattanooga.....		2,000,000 00	
Montgomery and Eufaula.....		300,000 00	
			2,300,000 00
Total contingent liabilities.....			15,420,000 00

The railroad acts were adopted by votes of men of both parties—that of 1867 by the provisional legislature, which was democratic, and those of 1868 and 1870 by the legislatures having republican majorities; but in no instance, to our knowledge, were party lines drawn on these questions. We have heard no complaint of the general policy; but the additional aid of \$2,000,000 granted, in 1870, to the Alabama and Chattanooga Railroad was opposed and is complained of as making the amount of the liability too great for the security, and charges of corruption were made against members of the legislature voting for it.

It is also alleged, and appears from official statements before us, that Ex-Governor Smith issued bonds to this company in excess of what it was entitled to receive at the time, amounting to \$580,000. The present governor has refused to recognize these bonds as binding on the State, and has taken measures to secure their return. We have not ascertained whether the amount issued is greater than what the road will be entitled to when completed, but it is charged that it is about \$80,000 in excess of the full sum to be granted.

This road having made default of interest the State has paid \$545,000, increasing the debt by that sum. This makes the entire debt of the road to the State, including excessive bonds which the governor declines to recognize, \$7,845,000, to which must be added interest accruing on \$7,300,000 bonds, including excess, or \$6,720,000, excluding them. The State has commenced proceeding to secure this debt by taking possession of the road.

On September 30, 1871, the line was 244 miles long, with 5 miles of sidings. The road was assessed for taxation, in 1871, as follows.

Valuation of railroads as fixed by the State Board of Equalization for the year 1871.

Railroads	Main track.		Side track.		Value of rolling stock.	Total value.
	Miles.	Value.	Miles.	Value.		
Alabama and Chattanooga.....	244.25	\$5,627,520	5.6	\$61,000	\$431,875	\$6,120,395

This assessment is probably below the true value, as the cost of railroads in Alabama, with equipments, is given by the railway monitor

for January 13, 1872, (The Commercial and Financial Chronicle,) as follows: Miles complete, 1,697; cost, with equipments, \$60,856,392; being an average cost per mile for roads and equipments of \$35,861, which would give for the main line, \$8,759,049, and including the side-track, \$8,959,870.

We find the following statement in Poor's Railway Manual for 1871:

ALABAMA AND CHATTANOOGA RAILROAD.

(Consolidation of the northeast and southwest Alabama and the Wells Valley railroad.)

Line of road.—Chattanooga, Tennessee, to Meridian, Mississippi, 296 miles; sidings and other tracks, 14.8 miles; gauge, five feet; rail, fifty-six pounds to yard.

Rolling stock.—Locomotive engines, 20; cars, passenger, 20; baggage, mail, and express, 5; and freight, (box, platform, &c.,) 400—total revenue cars, 425.

Financial statement.—(June 1, 1871.) Capital stock authorized, \$7,500,000; paid in, \$2,700,000; funded debt, first-mortgage 6 per cent. bonds, dated January 1, 1869, guaranteed by the State of Alabama to the extent of \$16,000 per mile of completed railroad and sidings, and payable in coin, interest January 1 and July 1, and principal January 1, 1899, \$5,220,000; and second-mortgage 8 per cent. bonds, dated January 1, 1869, (not guaranteed,) to the extent of \$9,000 per mile of road, and payable in currency, interest January 1 and July 1, and principal January 1, 1889, \$2,673,000; total funded debt, \$7,893,000. The floating debt is reported, at about \$2,500,000. The company, on the first day of January, 1871, made default on the interest on its bonds, as well as those guaranteed for it by the State of Alabama. This State has since paid this interest under an act of its legislature passed February, 1871. The guarantee of the State was in currency, and the interest was paid in the same; the company agreed to pay gold interest. Cost of road and equipment to date, \$10,500,000. The company have a land grant from the United States of six sections per mile of road for all that part lying within the State of Alabama, in all amounting to about 1,000,000 acres.

There may be some loss to the State, probably not greater than the difference between the debt, \$7,845,000, and assessment of the road for taxation, \$6,120,995, which is \$1,724,005. This would cover excessive bonds, \$580,000; excluding these it would be \$1,144,005. The highest sum the State can lose by this road cannot exceed the trust-funds misapplied before the war.

The loans and aid to other roads are secured by first liens on the roads, and if the State be liable actually and prospectively for \$21,975,000, the outside estimate, exclusive of the Alabama and Chattanooga Railroad, she will have liens on over 1,400 miles of railroads, which, with equipment, will have cost more than double the debt, while the productivity and prosperity of the State will have been greatly increased and the treasury directly benefited by the increased basis of taxation. Of course this result must depend on the faithful enforcement of the law, but there is no present reason to doubt that every safeguard will be rigidly applied, and if this be done we do not see how the State can lose. Certainly the investment of her credit in this way is more safe and expedient than was that made from 1828 to 1837, when the State became liable on account of bonds issued for subscriptions to banks in the sum of \$15,400,000, as shown by the letter of Hon. W. Forward. The Secretary of the Treasury of the United States transmitted to the House of Representatives, June 25, 1842, exhibiting the indebtedness of the States. That of Alabama for September 2, 1841. (See exhibit attached.)

These bonds were issued in aid and relief of banks which subsequently failed. The State met the interest as it accrued, and made payments on the principal until, in 1860, the amount had been reduced to \$3,445,000. This amount is still outstanding, and part of the present debt of the State. We have not ascertained what the loss of the State was by these transactions, but it appears that, after the banks were dis-

covered to be in a failing condition, measures were taken to suspend the transfer of State bonds, whereby several millions were saved.

We would not reflect upon the integrity or the prudence of the men of Alabama of that time. Doubtless the commercial emergency seemed to them to justify their action; and when disaster came they met it firmly, and maintained the credit of the State. But the "situation" after the war, in 1867, '68, and '70, (the need of internal improvements to develop the State and bring to market the productions of her soil,) presented an emergency even greater than that on which the former generation acted, and it must be admitted this generation has acted more wisely than that, in taking security generally ample for the liabilities incurred.

The following figures show the progress of railroads in Alabama: 1860, 743 miles; 1865, 805 miles; 1866, 839 miles; 1867, 851 miles; 1868, 953 miles; 1869, 1,081 miles; 1870, 1,396 miles; 1871-'2, 1,697 miles completed, with lines in construction, which, when finished, will make the whole number of miles 3,452. Cost of miles completed, with equipment, \$60,856,392. The length of lines projected may seem extravagant, but it must be remembered that Alabama occupies, among the Gulf States, a central position, which requires through lines to pass across her territory, somewhat as lines between the northwestern and northeastern States must pass across Ohio. Alabama is larger than Ohio, yet Ohio has built 3,859 miles of railway, and projects lines which will increase the length to 5,491. Iowa has over 3,000 miles, and projects 1,000 more. Michigan has 2,638, and proposes to make the length 4,177. Missouri has 2,864, and is constructing enough to make her lines 5,103. Indiana has 3,709, and is building lines which will increase her mileage to 5,542. Illinois has 6,304, and is making lines which will bring her total to 9,017 miles.

Receipts and disbursements for 1870.

RECEIPTS.

From general taxes on property, (net revenue)	\$975,000 00
From tax on licenses.....	120,000 00
From all other sources.....	15,000 00
Total.....	<u>1,110,000 00</u>

DISBURSEMENTS.

Total	\$1,023,766 25
Including—	
For interest on bonded debt, (one year).....	307,354 00
For expenses in payment of interest on bonded debt, sterling exchange, commissions, &c	40,000 00
For interest on trust-funds.....	222,122 05
For one-fifth of aggregate revenue received during fiscal year 1869.....	137,290 20
Total	<u>706,766 25</u>
Leaving for other purposes.....	<u>417,000 00</u>

Disbursements and receipts for 1871.

Balance in the treasury October 1, 1870	\$44,325 82
Total receipts during fiscal year 1871.....	1,378,168 85
Total	<u>1,422,494 67</u>

Total disbursements	\$1,640,116 99
Including—	
Interest on bonded debt	316,346 00
Interest on university fund	28,298 95
Agricultural college fund	50,400 00
Educational fund	681,988 22
Total	1,077,033 17
Leaving for other expenses	563,083 72

Estimates for 1872.

The auditor, in his report for 1871, estimates the receipts for 1872.

RECEIPTS.

From general taxes on property, (net revenue)	\$750,000 00
From tax on licenses	110,000 00
From tax on railroad companies	105,000 00
From all other sources	10,000 00
Total	975,000 00

Estimated expenditures	\$1,219,156 00
Including—	
Interest on educational and trust funds	223,000 00
One-fifth annual aggregate revenue of 1871, (for schools)	256,950 00
Interest on bonded debt, (one year)	321,106 00
Total	801,056 00
Balance of expenses for other purposes	418,100 00

The auditor, in his report for 1871, states the taxes in 1870, and we extract the following items:

On lands, 4,501,103 acres improved and 13,618,390 acres unimproved; total, 19,739,532, valued at \$81,109,102 03; tax, \$607,979 52. Town property valued at \$36,005,780 50; taxes, \$268,865 89. Cattle over six months old, 109,626; value, \$1,180,106; tax, \$8,851 36. Mules over six months old, 38,334; value, \$4,845,736; tax, \$36,042 68. Horses over six months old, 20,685; value, \$2,214,376; tax, \$16,599 83. Sheep and goats over six months old, 58,409; value, \$111,001; tax, \$832 50. Hogs over six months old, 92,858; value, \$277,735 50; tax, \$2,083 02. Wagons, carriages, and other vehicles, value, \$1,131,235; tax, \$8,480 81. Tools of all description, value, \$237,534 50; tax, \$1,769 96. Farming implements, value, \$235,600; tax, \$1,744 71. Household furniture, value, \$1,691,807; tax, \$12,731 98. Cotton presses and pickers, value, \$41,360; tax, \$310 30. Poll-tax: persons, 102,485; tax, \$153,727 50. Insurance, foreign companies, tax, \$11,869. Domestic companies, tax, \$5,716 74.

TAXES.

Assessed on real estate for 1870	\$876,845
Assessed on personal property 1870	448,398
Total	1,325,244

The taxes levied were:

By the State	\$1,477,014
By counties	1,122,971
By towns and cities	403,937
Total	3,003,922

The amount expended for common schools for 1871 was \$590,605 54. There were 387,057 children of school age taught.

Treasurers report, 1870.

DISBURSEMENTS FOR EDUCATIONAL PURPOSES.

For 1866-'67.....	\$51,827 43
For 1867-'68.....	123,814 07
For 1868-'69.....	159,130 23
For 1869-'70.....	294,724 80
Total amount.....	<u>647,402 52</u>
Disbursement in 1870-'71.....	<u>590,605 54</u>
Total.....	<u><u>1,238,008 06</u></u>

The average cost of conducting the State government for 1868, 1869, and 1870, was \$1,107,080.

There are, in 1872, 1,697 miles of railway, which cost \$60,856,392.

The assessed value of property in 1870 was \$156,770,387; increase since 1865, \$32,823,912. Census valuation, \$201,855,841; increase since 1865, \$77,909,366.

In 1870 the value of agricultural products was \$66,532,810.

Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products of 1870, as per census.....	\$206,310,011 00
Estimated value of all products for 1871.....	<u>66,000,000 00</u>
Total.....	272,310,011 00
Estimated value of cotton for 1865-'66 to 1868-'69.....	<u>140,000,000 00</u>
Total.....	<u><u>412,310,011 00</u></u>

DEBTS OF THE SEVERAL STATES.

Letter from the Secretary of the Treasury transmitting the information required by the resolution of the House of Representatives of the 2d September last, in relation to the debts of the several States and Territories, so far as has been furnished to the Department, June 25, 1842.

12 K K

Statement of the debt of the State of Alabama.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeem'd Sep. 2, 1841.	Rate of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works to the accomplishment of which the issue of stock was authorized.
1838.....	\$100,000	\$100,000	\$100,000	6 per cent.	1850.....	Subscription to stock of the Bank of the State of Alabama.	<p style="text-align: center;">EXTRACT.</p> <p>There are no public improvements for which loans of this character have been effected.</p> <p>I find it difficult to make out such a statement as perhaps may be desired, and adopt the inclosed table of a report made by the treasurer for this State in 1839, since which time there has been no increase of liability in the way of State bonds.</p> <p style="text-align: right;">S. G. FRIERSON, <i>State Treasurer.</i></p> <p style="text-align: right;">TUSCALOOSA, April 18, 1842.</p>
January 1, 1832 . . .	300,000	300,000	300,000	5 per cent.	1852.....	Same to branch bank at Montgomery.	
December 4, 1832 . . .	2,000,000	2,000,000	2,000,000	do	May 1, 1863	Same to branch bank at Mobile.	
November 16, 1832 . . .	1,000,000	1,000,000	1,000,000	do	May 1, 1863	Same to branch bank at Decatur.	
December 12, 1832 . . .	500,000	500,000	500,000	do	May 1, 1863	Same to branch bank at Montgomery.	
January 10, 1835 . . .	250,000	250,000	250,000	do	May 1, 1865	Same to branch bank at Huntsville.	
January 10, 1835 . . .	250,000	250,000	250,000	do	May 1, 1865	Same to branch bank at Huntsville.	
January 10, 1835 . . .	600,000	600,000	600,000	do	January 4, 1859	Bank of Mobile.	
January 10, 1835 . . .	500,000	500,000	500,000	do	December 1, 1865	Branch bank at Decatur.	
January 9, 1836 . . .	400,000	400,000	400,000	do	July 1, 1866	Bank, State of Alabama, at Tuscaloosa.	
January 9, 1836 . . .	1,000,000	1,000,000	1,000,000	do	July 1, 1866	Branch bank at Mobile.	
January 9, 1836 . . .	500,000	500,000	500,000	do	July 1, 1866	Branch bank at Montgomery.	
January 9, 1836 . . .	500,000	500,000	500,000	do	December 1, 1866	Branch bank at Huntsville.	
December 23, 1838 . . .	2,500,000	2,500,000	2,500,000	do	January 1, 1858	State Bank and branches.	
Total			10,400,000				

DEBTS OF THE SEVERAL STATES—Continued.

Liabilities of the State of Alabama, on account of the State bonds, issued for banking purposes, commonly designated as the short bonds.

Date of law authorizing loan:	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeemed, Sept. 3, 1891.	Rate of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works to the accomplishment of which the issue of stock was authorized.
June 30, 1837.....	\$1,000,000	\$1,000,000	\$1,000,000	6 per cent.	{ \$333,000 at 2 years.	} Bank State of Alabama, at Tuscaloosa. } Branch Bank at Mobile. } Branch Bank at Montgomery. } Branch Bank at Huntsville. } Branch Bank at Decatur.	It is not possible to ascertain, from the documents received, what portion or whether any part of these bonds have been paid. The date of the bonds or certificates when issued were left blank, and if no part thereof is yet reimbursed, the whole amount of the State debt, on account of stocks issued, would be \$15,400,000.
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 334,000 at 4 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 6 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 2 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 4 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 334,000 at 6 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 2 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 4 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 334,000 at 6 years.	
June 30, 1837.....	1,000,000	1,000,000	1,000,000	....do.....	{ 333,000 at 2 years.	
Total	5,000,000				

As no register has been kept in any department of the government of some of the bonds issued, the information in regard to such contained in the foregoing tables has been collected from such sources as, it is believed, can be relied on. I have, at any rate, no doubt of the correctness of the amount and dates of final payment exhibited.

WM. HARON, *State Treasurer.*

TREASURER'S OFFICE, December 31, 1839.

MISSISSIPPI.

SUMMARY.

Debt.

1860.

No debt.

1865.

Debt for ordinary purposes.....	\$919,767 63
Rebel debt, (estimated)	3,828,688 15
Total	<u>4,748,455 78</u>

1870.

Debt	\$1,177,339 46
Increase since 1865	257,571 83

Rebel debt repudiated.

1871.

Debt	\$2,284,216 40
School-fund, (included)	1,138,491 21
Balance outstanding.....	1,145,725 19
Increase since 1870	<u>1,106,876 94</u>

Assets.

1860.

Assets	\$2,000,000 00
Seminary fund	88,000 00
Total	<u>2,088,000 00</u>

1865.

None.

PROPERTY.

1860.

Assessed value	\$509,472,902 00
Slaves	218,315,500 00
Balance.....	<u>291,157,402 00</u>

1865.

Assessed value.....	\$134,131,128 00
Loss since 1860.....	375,341,774 00
Loss, less slaves.....	157,026,274 00
Total loss in debts and assets, excluding slaves.....	<u>163,862,729 78</u>

1870.

Assessed value	\$177,288,892 00
Gain since 1865.....	43,157,764 00
Census valuation.....	207,451,114 00
Gain since 1865.....	<u>73,319,986 00</u>

Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports; and of all farm products for 1870, as per census	\$180,831,417 00
Estimated value all products, 1871.....	73,000,000 00
Total	253,831,417 00
Estimated value cotton for 1865-'66 to 1868-'69.....	175,000,000 00
Total	428,831,417 00

1860.

In 1860, Mississippi having repudiated her old debt of \$7,000,000, contracted prior to 1840, for the establishment of banks, had no recognized debt. We append a statement of the old debt. She had assets valued at \$2,000,000. There was no State school-fund, but the counties had funds derived from lands granted by the United States. There was a seminary fund of \$38,000. There were 872 miles of railway, which cost \$24,100,109. The assessed value of property in the State was \$509,472,902. The estimated value of slaves, \$218,315,500. Value of property, excluding slaves, \$291,157,402.

Taxes levied:	
State	\$396,821
County	384,908
Town, city, &c.....	171,077
Total	954,806

The cost of conducting the State government for 1858 was \$416,843 66; for 1859, \$424,943 31; for 1860, \$517,491 94.

1865.

In 1865 the debt contracted for ordinary purposes was \$919,767 93. We have no official statement of the debt contracted in rebellion; but bonds were authorized amounting to \$5,000,000, to secure loans of cotton; and warrants were issued secured by the bonds. There were, in 1865, of these bonds unpaid, \$3,828,688 15. The rebel debt may have been greater, but we adopt this as the amount. Total debt, \$4,748,455 78. The assets and seminary funds were lost. The population had declined, 66,591. At the first assessment of property after the war the valuation was \$134,131,128.

Loss in value of property	\$375,341,774 00
Excluding slaves.....	156,926,274 00
In assets.....	2,088,000 00
By increase of debt.....	4,748,455 78
Total, excluding slaves.....	163,862,729 78

1870.

The reconstructed State government was inaugurated in 1870. \$1,471,617 18 of the rebel cotton warrants issued in aid of rebellion were redeemed prior to 1870, and the remainder, \$2,357,070 97, were unpaid and have been repudiated. The recognized debt was \$1,177,339 46. Expenses for 1868, \$438,113 74; for 1869, \$352,881 65; for 1870, \$942,662 42. The expenses for 1870 were largely increased by

repairs of the State capitol, lunatic asylum, and executive mansion, and the special executive contingent fund; amounting in the aggregate to \$401,914 18, leaving for ordinary purposes \$540,748 24. The receipts in 1870 were \$1,066,092 15, of which \$423,408 was from taxes due in 1868 and 1869, leaving \$642,684 15 collected for 1870. The taxes levied in 1870 were:

By the State	\$1, 118, 057
By counties	2, 299, 696
By towns and cities	127, 078
	<hr/>
Total	3, 544, 831
	<hr/>

Of the State tax, \$400,000 was for school purposes, and the greater part of county taxes was for building school-houses and for schools. The general State tax is one-half of one per cent. on all property. There is a poll-tax of \$2 on each adult person for school purposes, and a variety of special taxes are levied. The county taxes on property average about 1 per cent., but in many counties it has reached 2 per cent., and in several 3 per cent. on the State taxation; that is, $\frac{1}{2}$ to $1\frac{1}{2}$ per cent. on the valuation. Exceptional rates were caused by county debts and the necessity of erecting or repairing county buildings. On December 1, 1870, the debt was stated at \$1,791,971 30, of which \$1,138,493 21 was due the school-fund, \$100,000 was in bonds, and the remainder, \$553,480 09, in outstanding warrants and certificates. On the 1st day of December, 1871, the floating debt in warrants had increased to \$1,045,723 19. If the school-fund and bonded debt stood as on January 1, 1871, the total debt is \$2,284,216 40; balance outstanding, \$1,145,725 19. Increase since 1870, \$1,106,876 95. There are 985 miles of railway, which cost \$31,993,737. The property in the State was valued at \$177,288,892; increase since 1865 of \$43,157,764. Census, \$207,642,571; increase since 1865, \$73,319,986. The value of agricultural productions in 1870 was \$73,137,953. The number of free schools established in 1871 was 3,000; teachers employed, 3,300; pupils in attendance, 98,600; children of school-age, 304,762; amount expended, \$900,000. The agricultural productions, excluding cotton, sugar, and rice, for 1866 to 1869, and including all products for 1870 and 1871, were valued and estimated at \$253,831,417; cotton for 1865 to 1869 at \$175,000,000; total, \$428,831,417.

DEBTS OF THE SEVERAL STATES.

Letter from the Secretary of the Treasury transmitting the information required by the resolution of the House of Representatives of the 2d September last in relation to the debts of the several States and Territories, so far as has been furnished to the Department June 25, 1842.

Statement of the debt of the State of Mississippi.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeemed Sept. 3, 1841.	Rate of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works, to the accomplishment of which the issue of the stock was authorized.
Dec. 16, 1830..	\$500,000	\$500,000	\$500,000	6 per cent.	{ \$125,000, July 1, 1841 125,000, July 1, 1846 125,000, July 1, 1851 125,000, July 1, 1856 500,000, Mar. 1, 1861 500,000, Mar. 1, 1861 500,000, Mar. 1, 1861	For banking purposes only.	No public works authorized.
Feb. 5, 1833..	1,500,000	1,500,000	1,500,000	6 per cent.		For banking purposes only.	No public works authorized.*

* This debt of the State of \$2,000,000 was for a loan to that amount, obtained by the State under the charter and the amended charter of the Planters' Bank of the State of Mississippi, to procure stock for the State in that bank. By an act of the legislature of the State of Mississippi, approved February 15, 1839, the stock of the State in the Planters' Bank of the State, of \$2,000,000, was transferred to a private company, (the Mississippi Railroad Company,) incorporated to construct public works, and by the provisions of the transfer the State became a stockholder in said company to the amount of \$2,000,000. This company has constructed between twenty and twenty-five miles of railroad, which yields annually about \$21,000 of gross profit; between \$15,000 and \$16,000 of the profits are annually absorbed in repairs and other expenses. The company has suspended, and is considered insolvent, and wholly unable to extend the public works further, and has failed to pay the State debt, or any of the interest on the same, as it was bound to do by law, and it is apprehended a great portion of the debt will finally fall on the State.

Statement of the debt of individuals contracted by them in the name of the State of Mississippi contrary to an express prohibition contained in the constitution of the State, and which debt is sought to be imposed upon the State of Mississippi.

Date of the supposed act authorizing the loan.	Amount authorized by the supposed act.	Amount issued under the supposed act.	Amount outstanding and unredeemed Sept. 3, 1841.	Rate of interest per annum.	When reimbursable.	Object of the loan.	Present condition of the public works, to the accomplishment of which the issue of the stock was authorized.
Feb. 15, 1838..	\$5,000,000	\$5,000,000	\$5,000,000	5 per cent.	{ \$1,250,000, Feb. 5, 1850 3,750,000, Feb. 5, 1858	For the purpose of banking.	No public works authorized, except that the supposed act provides that the dividends arising from the stock should be applied to objects of internal improvement and purposes of education. No object of internal improvement or purpose of education has been effected. The bank is broken, and doubts exist whether it will redeem its circulation.

ARKANSAS.

SUMMARY.

<i>Debt.</i>	
1860.	
Debt	\$4, 036, 952 87
1865.	
Old debt	\$4, 527, 879 87
Rebel debt, estimated	2, 000, 000 09
Total	6, 527, 879 87
Increase since 1860	2, 490, 927 00
Increase of old debt	490, 927 00
1868.	
Old debt	\$4, 820, 630 87
Increase since 1865	292, 751 00
Increase since 1860	783, 678 00
1871.	
Debt, November 14	\$5, 361, 265 62
Increase since 1868	540, 624 75
Contingent liabilities, railroads and levees, secured	6, 512, 694 92
Prospective contingent liabilities, railroad and levees	7, 877, 306 00
Total contingent and prospective liabilities secured	14, 390, 000 92
1860.	
Assets :	
Balance in treasury in specie	\$331, 523 63
1865.	
None.	
1866.	
Property :	
Assessed value	\$180, 211, 330 00
Slaves	45, 075, 417 00
Value less slaves	135, 135, 913 00
1865.	
Assessed value	\$38, 723, 449 00
Loss since 1860	141, 487, 881 00
Loss less slaves	96, 412, 464 00
Loss less slaves and increase of debt	98, 903, 391 00
1870.	
Assessed value	\$94, 168, 843 00
Gain since 1865	55, 445, 394 00
Census valuation	156, 394, 691 00
Gain	117, 671, 242 00
Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census	\$125, 553, 937 00
Estimated value of all products, 1871	40, 000, 000 00
Total	165, 553, 937 00
Estimated value cotton for 1865-'66 to 1868-'69	120, 000, 000 00
	285, 553, 937 00

1860.

The debt of Arkansas in 1860 was \$4,036,952 87; \$3,092,622 50 were for banks, secured by 187,710 acres of lands valued at \$3,380,172 38. The balance in the treasury was \$331,523 63 in specie. There were 38 miles of railway which cost \$1,155,000. The assessed value of property was \$180,211,330. That of slaves \$45,075,417. Value of property, excluding slaves, \$135,135 913. The taxes levied were :

State	\$241,633
Counties	285,773
Towns, cities, &c.....	107,987
Total	<u>635,393</u>

The cost of the State government in 1860 was \$408,394 98.

1865.

In 1865 the old debt was \$4,527,879 87; that contracted in rebellion estimated at \$2,000,000; total, \$6,527,879 87. Increase since 1860, \$2,490,927 00.

The appraisal of property in 1865 was \$38,723,449. Loss since 1860, \$141,487,881. Loss since 1860, less slaves, \$96,412,464. Loss in property and increase of debt, \$98,903,391.

1868.

The reconstructed government was inaugurated in 1868; the debt was \$4,820,630 87.

1871.

In 1871, November 14, the debt was \$5,361,265 62. The State had incurred contingent liabilities for railroads and levees on bonds issued \$6,512,694 92 and prospective liabilities for bonds awarded to railroads, \$7,877,306. Total liabilities, contingent and prospective, \$14,390,000 92.

Liabilities for railroads and levees are limited to the amount now reached. The railroad bonds are secured by statutory provision for a tax to pay interest and form a sinking fund to pay the principal when due. They are granted at the rate of \$10,000 per mile to land-grant roads, and \$15,000 to others. The question of granting aid to railroads was submitted to the people in 1868, and was carried by a majority of 21,211. The levee bonds are to be paid from the proceeds of swamp lands, which are considered sufficient. On the 1st day of December, 1871, there had been 52 miles of levees built, at a cost of \$1,532,238 51, and works amounting to 60 miles more were in construction, which had cost \$183,973 41. Railroad companies had built levees under the law, which cost \$10,000,000, for which the State had granted them \$414,174 93 in levee bonds. The taxes levied in 1870 were :

By State	\$950,694
Counties	1,738,780
Towns, cities, &c.....	177,236
Total	<u>2,866,800</u>

We have the following statement from the auditor :

STATE OF ARKANSAS,
Auditor's Office, January 11, 1872.

The average rate of taxes levied for county and local purposes is two per cent. Amount of such taxes is \$1,832,803 34. The amount of such taxes collected cannot be given.

Rates for State purposes: Ordinary revenue, 5 mills; school tax, 2 mills; sinking-fund tax, 2½ mills and \$1 per capita tax for school purposes. The foregoing rates and amounts are for the year 1870. For 1871 no reports have been received from the several counties.

Very respectfully, &c.,

J. R. BERRY,
Auditor of State.

The auditor estimates as follows:

Estimated receipts of ordinary revenue and expenditures, under existing laws, for two years, from July 1, 1871, to June 30, 1873, and for balances due from the State, and auditor's warrants and treasurer's certificates outstanding, October 1, 1870.

RECEIPTS.

To be paid into the State treasury, from all sources, for general revenue, first year.....	\$450,000
To be paid into the State treasury, from all sources, for general revenue, second year.....	550,000
Total.....	<u>\$1,000,000</u>

EDUCATION.

The necessity for education was shown by the governor in his first message in 1868, in which he said :

From reliable statistics obtained from the lists of registered voters, made last fall, it is shown that 30 per cent. of the white and 50 per cent. of the entire voting population were unable to write their own names. Nothing but a due sense of my constitutional obligations, and an earnest desire to promote the educational interests of the State, induces me to make this shameful disclosure.

Number of children of school age, 1869.....	176,910
Number of children of school age, 1870.....	180,274
Increase.....	<u>3,364</u>
Number of children attending school in 1869.....	67,412
Number of children attending school in 1870.....	107,908
Number of school-houses built prior to 1869.....	632
Number of school-houses built during 1869 and 1870.....	657
Total.....	<u>1,289</u>
Number of persons subject to per capita tax, 1868.....	71,891
Number of persons subject to per capita tax, 1869.....	79,454
Increase.....	<u>7,563</u>
Amount of tax collected from this source in 1868.....	\$52,090
Amount of tax collected from this source in 1869.....	61,465
Increase.....	<u>9,365</u>
Apportionment of school tax in 1868.....	\$190,492 86
Apportionment of school tax in 1869.....	187,427 08
District tax in 1868.....	195,235 00
District tax in 1869.....	320,583 79
Increase.....	<u>215,348 79</u>

In 1871 there were children of school age, 182,874. Total cost, \$645,664 59.

Of the school population in 1869, 136,432 were white and 40,478 colored; of that of 1870, 141,590 were white and 38,684 colored. Of those attending school in 1869, 57,117 were white and 10,884 colored; in 1870, 88,583 white and 19,280 colored.

The assessed value of property in 1870 was \$94,168,843; gain since 1865, \$55,445,394; census valuation, \$156,394,691; gain since 1865, \$117,671,242. It is evident that the property is undervalued for taxation.

Arkansas is considered the best cotton State; the crop of 1868 was 298,000 bales, worth \$30,000,000. The agricultural productions of 1868, including cotton, were estimated at \$50,000,000; those of 1869 at \$50,000,000; those of 1870 were valued at \$40,051,943; those of 1871 were probably of not less than \$50,000,000. This is over \$190,000,000 in four years, double the assessed value of property in 1870, and nearly five times that of 1865.

The following statement shows the valuation of property at several periods:

STATE OF ARKANSAS,
Auditor's Office, December 8, 1871.

Respectfully returned. The value of taxable property in the State for each year since the war is as follows: 1865, \$38,723,449; 1866 and 1867, no report—estimated at \$48,000,000; 1868, \$68,699,716; 1869, \$69,320,426; 1870, \$94,873,661; 1871, no report in yet. In 1860, value of taxable property was \$120,475,236, which includes slaves—\$45,075,417.

Very respectfully, &c.,

J. R. BERRY,
Auditor of State.

The expenses of the State for two years ending July 1, 1870, were \$1,221,763; average, \$610,881 50. Extraordinary expenses have been incurred in suppressing conspiracy and violence.

Documents furnished by the governor show that an organization known as the Ku-Klux Klan existed in various parts of the State in 1868, and committed many acts of open violence, especially just before and at presidential election of that year. We have papers from fourteen counties, and these are said to be but samples of what are on file at the State capital. It appears that the organization was secret and sworn, political in its objects, and military in form, having its precinct, county, congressional district, and State organization and officers. It co-operated with the same order in other States, especially in Tennessee and Louisiana. Its means were intimidation, violence, outrage, and murder. The cost of suppressing this conspiracy and of preserving order was \$300,000. It is alleged that the debt has been unjustly increased by funding certain bonds which were held in England, known as the "Holford bonds," being 500 bonds for \$1,000 each, with interest from date, January 1, 1840. These bonds were part of those loaned by the State to the Real Estate Bank; the law prohibited their sale below par.

It appears that on September 7, 1840, the Real Estate Bank transferred them to the North American Trust and Banking Company, with indorsement in these words, "For value received," as collateral to secure a debt of \$121,336 59, which was appropriated by the Real Estate Bank. The trust company afterward, about 1857, transferred them to Holford & Co. of England, for \$350,000. The State had never paid any interest on the bonds nor acknowledged the debt. She held mortgages on real estate to secure it, not, however, considered sufficient to cover the bonds with interest. The question was whether these bonds should be funded at their face with interest, or whether bonds should be issued for the

amount paid upon them by Holford & Co., \$350,000, with interest from transfer to them, or for the amount paid by the North American Trust and Banking Company, \$121,336 59, with interest from date of transfer to them.

In the debate which has been furnished us, Hon. Joseph Brooks, who seems to have taken the leading part in favor of funding the bonds at their face, with interest from date, said :

The "hypothecated" bonds, as they are called, are bonds numbered from 1 to 500, inclusive, letter "C," and were negotiated or hypothecated by the Real Estate Bank of this State some years ago, in New York City, for a less amount than their face. The question is asked whether these bonds are included in this bill? I answer, they are. I may say this question was before the committee, and it has, doubtless, been before the mind of every financial man in the general assembly, as to what disposition should be made of these bonds. The law required that these bonds should not be negotiated for less than their face value; but they were negotiated contrary to the provisions of the law, and fell into the hands of a Mr. Holford, a British banker, to whom the American Trust Company bank owed nearly \$400,000. He received these bonds on that claim, amounting to, say, \$350,000.

Hon. Daniel I. Smith said :

A little more about these Holford bonds, and then I am done with them. They belong entirely to Englishmen, not to Americans at all. But the Holford heirs have an agent in Little Rock. I have talked with him, and he has told me what his instructions have been with relation to the Holford bonds. He told me more about it, too—a good many other things that I really would not tell. I would not tell everything he told me unless I was obliged to do it. He says that the Holfords have been willing to take fifty cents on the dollar in the new bonds, for they look upon their claim as a disputed debt. We propose to give them a hundred cents in the dollar, whether they want it or not!

We find no denial of this statement.

The supreme court of the State had held that if the Real Estate Bank had sold the bonds below par, it would have been in violation of law, and the transfer would have been void, and would consequently have passed no title; and, without assuming to determine this question, we are unable to reconcile the action of the legislature in funding these bonds at par with the rights of the State. It seems to us, upon the facts before us, the Holfords were entitled only to the amount paid by the Trust Company, with interest; and it would have been liberal to have given them the amount they paid with interest, but when the legislature allowed them the face of the bonds with interest, being nearly double what they had paid for them, such action seems to justify the charge of extravagance, and to provoke, if not justify, those of corruption, which are freely made against the leaders in that business and those who supported them. It is proper to add that the measure was not carried on a party vote.

There are reported 490 miles of railway in the State, which have cost \$16,122,000.*

The value of agricultural productions since the war, as returned and estimated, is, excluding cotton, sugar, and rice, for 1865 to 1869, and including all for 1870 and 1871, \$165,553,937. The estimated value of cotton for 1865 to 1869, \$120,000,000. Total, \$285,553,937.

LITTLE ROCK.

Those who complain of taxation refer to the city of Little Rock for illustration. We have no official statement of taxes levied, but understand heavy rates are laid for local purposes and that the city is being put upon a new basis. It is charged, and, though we have no

* See *Railway Monitor*, in *Financial and Commercial Chronicle*, January 13, 1872, p. 51.

proofs, we deem it probable that there has been some extravagance and, it may be, corruption in expending funds in public improvements, but it is admitted that the city never before was so prosperous. We annex the following statement of the valuation of property, which shows almost unprecedented increase:

Statement of the assessed value of real and personal property in the city of Little Rock for the several years stated.

Year.	Real.	Personal.	Slave.	Total.
1860.....	\$1,124,618	\$139,183	\$309,450	\$1,673,251
1865.....	1,354,960	33,325	.....	1,388,285
1866.....	1,422,875	35,293	.....	1,458,168
1867.....	1,862,525	155,500	.....	2,018,025
1868.....	3,096,102	1,515,829	.....	4,611,931
1869.....	3,099,302	1,551,079	.....	4,650,381
1870.....	3,788,546	1,535,297	.....	5,323,843
1871.....	3,703,971	1,721,543	.....	5,425,514

STATE OF ARKANSAS, *County of Pulaski* :

I, G. W. McDiarmid, county clerk within and for the county of Pulaski, do hereby certify that the above is a true and correct statement of the valuation of city property in the city of Little Rock, as assessed for the several years therein set forth.

Witness my hand and official seal, this 3d day of January, 1872.

[SEAL.]

G. W. MCDIARMID, *Clerk,*
By JOHN T. KERROTH, *Deputy Clerk.*

DEBTS OF THE SEVERAL STATES.

Letter from the Secretary of the Treasury, transmitting the information required by the resolution of the House of Representatives of the 2d September last, in relation to the debts of the several States and Territories, June 25, 1842, so far as has been furnished to the Department.

STATEMENT OF THE DEBT OF THE STATE OF ARKANSAS.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding and unredeemed September 2, 1841.	Rate of interest per annum.	When reimbursable.	Present condition of the public works to the accomplishment of which the issues of stock were authorized.
*Nov. 2, 1836	\$330,000	\$330,000	\$146,000	5 per cent.	Jan. 1, 1868	State Bank of Arkansas and branches.
*Dec. 18, 1837	1,000,000	1,000,000	1,000,000	6 per cent.	Jan. 1, 1868	
*Dec. 10, 1838	300,000	.....	.....	6 per cent.	Jan. 1, 1868	
†Oct. 26, 1836	} 1,530,000	1,530,000	1,530,000	6 per cent.	Oct. 26, 1861	Real Estate Bank of Arkansas and branches Western B'k, \$500,000 unsold.
†Dec. 19, 1837						
‡July 24, 1838	500,000	.....	.....	6 per cent.	.....

* For the purposes of banking; the profits, if any, to be applied by the legislature.

† For banking purposes. The bank is to pay a bonus to the State of \$50,000, subject to the disposition of the legislature; payable in 10 years.

LOUISIANA.

SUMMARY.

Debt.

	1860.	
Debt and liabilities		\$10,099,074 32
	1865.	
Old debt, (stated in 1866)		\$13,357,999 05
Increase		3,258,924 73
Rebel debt		13,562,500 00
Total debt and liabilities		26,920,499 05
Increase		16,821,424 73
	1868.	
Old debt, (ascertained)		\$14,347,051 02
Total, (estimated)		17,347,051 02
Increase since 1860		7,247,976 79
Increase since 1865		3,990,051 97
	1872.	
Debt and liabilities		\$29,619,473 91
Increase since 1868		12,272,421 89
Prospective liabilities, (June 1, 1871)		12,245,000 00
Total debt and contingent and prospective liabilities		41,864,437 91

ASSETS.

	1860.	
Trust funds and balances		\$2,866,815 31

PROPERTY.

	1860.	
Assessed value		\$435,787,265 00
Slaves		170,333,919 00
Value less slaves		265,453,346 00
	1865.	
Estimated value		\$200,000,000 00
Loss since 1860		235,787,265 00
Loss less slaves		65,453,346 00
	1870.	
Assessed value		\$251,296,017 02
Gain since 1865		51,296,017 02
Census valuation		323,125,666 00
Gain since 1865		123,125,666 00
Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay—1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census		\$107,056,463 00
Estimated value all products, 1871		52,000,000 00
Total		159,056,463 00
Estimated value cotton for 1865-'66 to 1868-'69		160,000,000 00
		319,056,463 00

1860.

In 1860 the debt proper and the liabilities of Louisiana were \$10,099,074 32. We have no separate statement of liabilities for 1860, but from the American Almanac for 1861 we find that in 1859 they were—

For property banks.....	\$5,398,533 33
The second municipality of New Orleans.....	198,240 00
Total liabilities.....	<u>5,596,773 33</u>

The indebtedness for banks was incurred from 1824 to 1839, and amounted in 1841 to \$22,200,000, the total debt and liabilities being then \$23,375,000. (The statement of the Secretary of the Treasury in his letter to the House of Representatives of the 25th day of June, 1842, a copy of which is attached to this report.) This indebtedness for banks was in bonds, and was secured by real estate. Of the bonds \$4,811,111 10 were still in the hands of the banks unsold; we are not advised that any loss has occurred from it. The part now remaining unpaid is stated, under the head of present contingent liabilities, at \$4,803,683 33. There had also been issued in 1859 State bonds, included in the debt, to the New Orleans and Nashville Railroad Company, \$483,000; the Mexican Gulf Railroad Company, \$100,000; to the New Orleans, Opelousas and Great Western, \$631,000; to the New Orleans, Jackson, and Great Northern, \$884,000; to the Vicksburgh, Shreveport and Texas, \$203,000; to the Baton Rouge, Grosse-Tête and Opelousas, \$61,000. In 1860, the United States surplus revenue and the school funds were about \$1,500,000; the balance in the treasury was \$1,148,314 81; the sinking fund, \$218,500 50; the banks had \$24,496,866 capital, \$12,115,431 specie, and \$19,777,812 circulation; there were 334 miles of railway, which cost \$12,020,204; the property in the State was assessed at \$435,787,265; the estimated value of slaves was \$170,333,919; value, excluding slaves, \$265,453,346.

The taxes levied in 1860 were:

State.....	\$2,486,932 00
Counties.....	440,138 00
Towns, cities, &c.....	2,033,710 00
Total.....	<u>4,960,780 00</u>

The taxes for general purposes were 29½ cents on the \$100; the receipts for 1859 were \$2,538,703 19; the disbursements, \$2,396,135 40; the receipts to December 31, 1860, \$2,378,793 44; expended for public schools in 1860, \$650,000.

1865.

The first statement of the debt after the war is for 1866; the old debt and liabilities were \$13,357,999 05; increase since 1860, \$3,358,924 73; the debt contracted in rebellion, \$13,562,500; total debt and liabilities, \$26,920,499 05; increase, \$16,821,424 73; the valuation of property was \$200,000,000; loss in value since 1860, \$235,787,265; loss, excluding slaves, \$65,453,346.

1868.

The reconstructed government was inaugurated in 1868; the rebel debt had been repudiated and the recognized debt and liabilities, so far as then ascertained, were \$14,347,051 02. But the governor in his message of January 1, 1872, in speaking of the increase of debt, says:

This increase consists in \$3,000,000 employed for the repair of levees, \$3,000,000 to take up the floating debt which had been incurred prior to the inauguration of the present government; \$2,500,000 subscribed for stock of the New Orleans, Mobile, and Texas Railroad Company, \$750,000 subsidy granted to the same company. The present administration is not properly chargeable with the \$3,000,000 for floating debt, because it was mostly, if not entirely, created before its incoming.

According to this statement, the bonded and floating debt and liabilities in 1868, at the inauguration of the reconstructed government, were

\$17,347,051 02. Increase since 1860, \$7,247,976 70. Increase since 1865, \$3,990,051 97. Part of the increase, from 1865 to 1868, was \$4,000,000 bonds, issued to repair the levees under the act of 1867.

An annual tax is provided to pay the interest and form a sinking fund to redeem the bonds when due.

1872.

We have no detailed statement of the debt and liabilities since the following, of June 10, 1871, by the State Auditor, which shows how they stood June 1, 1871.

Official statement of the debts and liabilities of the State of Louisiana on the 1st June, 1871

OUTSTANDING BONDS OF THE STATE.

650 bonds of \$1,000 each, issued to the New Orleans, Opelousas and Great Western Railroad Company, in payment of stock, (acts Nos. 176 and 231, of 1853)	\$650,000 00
884 bonds of \$1,000 each, issued to the New Orleans, Jackson and Great Northern Railroad Company, in payment for stock, (acts Nos. 177 and 231, of 1853)	884,000 00
298 bonds of \$1,000 each, issued to the Vicksburgh, Shreveport and Texas Railroad Company, in payment for stock, (acts Nos. 228 and 231, of 1853)	298,000 00
160 bonds of 1,000 each, issued to the Baton Rouge, Grosse Tête and Opelousas Railroad Company, in payment for stock, (act No. 231, of 1853)	160,000 00
1,500 bonds of \$500 each, issued for the relief of the State treasurer, (act No. 277, of 1853)	750,000 00
136 bonds of \$1,000 each, issued to the seminary fund, in payment of amount due to said fund on the 30th June, 1857, under act No. 182 of 1847	136,000 00
529 bonds of \$1,000 each, issued to the free school fund, in payment of amount due to said fund, June 30, 1857, act No. 182, of 1857	529,000 00
80 bonds of \$1,000 each, issued to the Charity Hospital for the purchase of ground, (act approved February 27, 1832)	80,000 00
46 bonds of \$1,000 each, issued to the Mexican Gulf Railroad Company, (act No. 83, of 1828)	\$46,000
Less 10 bonds of the same company, paid since last auditor's report	10,000
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457 bonds of \$1,000 each, issued to the New Orleans and Nashville Railroad Company, (act No. 111, of 1837)	\$457,000
Less 3 bonds of the same company, paid since last auditor's report	3,000
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	454,000 00
1,000 bonds of \$1,000 each, issued to defray expenses of building levees, (act No. 35, of 1865)	1,000,000 00
500 bonds of \$1,000 each, issued for purposes of the State penitentiary, under act No. 55, of 1869	500,000 00
80 bonds of \$1,000 each, issued to the Bœuff and Crocodile Navigation Company, under act No. 146, of 1869, approved March 5, 1869	80,000 00
435 bonds of \$1,000 each, } Issued in settlement of bonds and coupons	
977 bonds of \$500 each, } past due, under act No. 15, of 1866	997,300 00
738 bonds of \$100 each, }	
6,000 bonds of \$500 each, issued under act No. 32, of 1870, to provide for the payment of work done or to be done on the levees of the State.	3,000,000 00
134 bonds of \$1,000 each, issued for the relief of P. J. Kennedy, act No. 105, of 1870	134,000 00
3,000 bonds of \$1,000 each, issued to provide for the payment or funding of the floating debt of the State, by the issue and sale or exchange of State bonds, under act No. 69, of 1870	3,000,000 00
4,000 bonds of \$1,000 each, to defray the expenses of building levees, under act No. 115, of 1867	4,000,000 00

2,500 bonds of 1,000 each, issued to the New Orleans, Mobile and Texas Railroad Company, under the 5th clause of the 4th section of act No. 31, of 1870, which bonds were, on the 21st day of April, 1871, exchanged for stock of said company, under act No. 95 of 1871, approved April 20, 1871.....	\$2, 500, 000 00
Total outstanding bonds of the State.....	19, 188, 300 00

Of the above-enumerated bonds, the following are held in trust by the State, and belong to the funds specified as follows:

To the redemption fund	\$246, 000
To the seminary fund	137, 000
To the free-school fund	974, 000
Total.....	1, 357, 000

BONDS FOR WHICH THE STATE IS CONTINGENTLY LIABLE.

Liability of the State upon bonds loaned to the Citizens' and Consolidated Banks.

To the Citizens' Bank, due February 1, 1876	\$1, 265, 777 77
To the Citizens' Bank, due February 1, 1877	1, 264, 888 89
To the Citizens' Bank, due February 1, 1884	500, 000 00
To the Citizens' Bank, due February 1, 1886	1, 266, 666 67
To the Consolidated Bank	506, 350 00
	\$4, 803, 683 33
546 bonds of \$1,000 each, issued to the North Louisiana and Texas Railroad Company; being for ninety-one (91) miles of said road, at \$6,000 per mile, act 108 of 1868	546, 000 00
474 bonds of \$1,000 each, issued to the Mississippi and Mexican Gulf Ship-Canal Company, under act 116, of 1869	474, 000 00
750 bonds of the New Orleans, Mobile and Texas Railroad Company, guaranteed to the said company, being for the first six sections of ten (10) miles each, (60 miles,) at \$12,500 per mile, under act No. 26, of 1869..	750, 000 00
	1, 770, 000 00
Total bonded debt for which the State is contingently liable.....	6, 573, 683 33
Total bonded debt, (outstanding and contingent)	\$25, 761, 983 33

RECAPITULATION OF THE BONDED DEBT.

Outstanding bonds of the State	\$19, 188, 300 00
Bonds for which the State is contingently liable, and upon which the obligation to pay interest primarily devolves on the corporations to which the issues were made.....	6, 673, 683 33
Total amount of the bonded debt of the State to this date.....	25, 761, 983 33

MISCELLANEOUS DEBTS.

Due Citizens' Bank, for money borrowed to pay interest; payment of which is secured by a pledge of 250 bonds of \$1,000 each, issued February 6, 1871, under act 5, of 1866, amended by joint resolution No. 10 of extra session of 1870	\$125, 000 00
Total amount of warrants of all descriptions outstanding on the 31st May, (inclusive,) 1871	1, 735, 854 67
Total amount of certificates of indebtedness outstanding on the 31st day of May, (inclusive,) 1871.....	251, 925 77
Outstanding certificates of indebtedness, (commonly known as State notes,) issued under act No. 5, of 1866.....	33, 075 00
Balance due to vacant estates.....	14, 367 12

Due unknown owners, proceed sales of runaway slaves prior to 1860	\$3,781 60
Due purchasers of lands for redemption of same.....	15,159 77
Due the General Government under deposit act, (act No. 200, of 1857, of the United States).....	479,919 14
Amount due the free-school accumulating fund, the same having been borrowed from said fund, under act No. 45, of 1863	200,000 00
Amount due the public land fund, under act No. 49, of 1863	117,275 77
Amount of interest due the several townships, under act No. 182, of 1857, and act No. 48, of 1858, supplementary to the last-mentioned act.....	211,131 74
Total amount of miscellaneous debts	\$3,187,490 58
Total debt for which the State is absolutely and contingently liable	28,949,473 91

ACTS OF THE GENERAL ASSEMBLY GRANTING STATE AID TO VARIOUS CORPORATIONS, BONDS NOT YET ISSUED.

Remaining bonds of the State to be issued to the Mississippi and Mexican Gulf Ship-Canal Company, under act No. 116, of 1869; \$474,000 of said bonds having been issued to the said company and included in the contingent debt.....	\$126,000 00
Remaining bonds of the State to be issued to the North Louisiana and Texas Railroad Company, the entire length of said road being about 190 miles, at \$6,000 per mile, and 91 miles having been settled for, which is included in the contingent debt, (act No. 108, of 1868)....	594,000 00
Bonds of the New Orleans, Mobile and Texas Railroad Company, the payment of which the State guarantees under the 1st section of act No. 26, of 1869, the entire length of said road being 226 miles, at \$12,500 per mile. \$2,825,000	
Less the first six sections of 10 miles each, (60 miles,) for which bonds have been guaranteed and included in the contingent debt of the State.....	750,000
	2,075,000 00
Bonds of the State to be issued to the New Orleans, Mobile and Texas Railroad Company, in accordance with the provisions of the seventh (7th) section of act No. 31, of 1870.....	3,000,000 00
Bonds of the New Orleans, Baton Rouge and Vicksburgh Railroad Company, guaranteed by the State to an amount not exceeding \$12,500 per mile of said road and its branches, act No. 143, of 1869, (estimated number of miles, 500.) [The right of the company to this amount is disputed by the attorney general, who has given the opinion that it is only entitled to \$1,025,000]	6,250,000 00
Bonds of the State to be issued to establish the Charity Hospital at the city of Shreveport, under act 149, of 1869.....	100,000 00
Obligations to subscribe for 1,000 shares of the stock of the Mississippi Valley Navigation Company of South and West, as per act No. 84, of 1870.....	100,000 00
	12,245,000 00
Total amount of bonds or aid granted by acts of the general assembly, to various corporations, prior to 1871, and which bonds are not yet issued.....	12,245,000 00
Total bonded and miscellaneous debts of the State and bonds or aid granted by the general assembly, &c.....	\$41,194,473 91

RECAPITULATION.

Outstanding State bonds.....	\$19,188,300 00
Bonds for which the State is contingently liable.....	6,573,683 33
Miscellaneous debts.....	3,187,490 58
Bonds or aid granted by acts of general assembly prior to 1871.....	12,245,000 00
	41,194,473 91

I, James Graham, auditor of public accounts, State of Louisiana, do hereby certify that the foregoing is a complete and correct statement of the debt, present and eventual, of the State of Louisiana.

JAS. GRAHAM, *Auditor*.

NEW ORLEANS, June 10, 1871.

From this statement it appears that the direct debt on June 1, 1871, was :

Bonded.....	\$19, 188, 300 00
Miscellaneous.....	3, 187, 490 58
Total direct debt June 1, 1871.....	<u>22, 375, 790 58</u>

The governor, in his message of January 1, 1872, says the debt is now about.....

\$23, 045, 790 59

Add existing contingent liabilities, June 1, 1871.....

6, 573, 683 33

Total debt and existing contingent liabilities.....

29, 619, 473 91

Increase since 1868.....

12, 272, 421 89

Prospective contingent liabilities for aid by bonds to internal improvements, for which bonds are not yet issued, (June 1, 1871,) \$12,245,000; total debt bonded and miscellaneous and existing contingent liabilities, and prospective contingent liabilities, \$41,864,437 91. If we deduct from the existing contingent liabilities those for banks, which are well secured, the amount of existing debt proper and contingent liabilities, excluding those for banks, will be—

Debt proper.....	\$23, 045, 790 58
Contingent liabilities for railroads, &c.....	1, 770, 000 00
Total.....	<u>24, 815, 790 58</u>

Of the debt proper, the State holds in trust.....

\$1, 387, 000 00

Which leaves (a debt outstanding and to be provided for by the State).....

23, 458, 790 58

The governor, in his last message for 1872, says :

The bonded debt on which interest is being paid is \$19,858,300, the annual interest on which amounts to \$1,403,820. Of this debt, \$1,357,000 in State bonds have been purchased, and are held by certain trust funds in the treasury, which, if cancelled, would reduce our interest-paying debt to \$18,501,300, and the annual interest to \$1,322,400.

The condition of our State finances demands your most serious attention. The report of the State auditor will show a deficit for the past year of nearly two millions of dollars. This has been caused by the inefficiency of tax collectors and the enormous appropriations made at the last session of the general assembly in excess of the revenue. To meet this deficiency, two things are necessary : first, a reduction to the minimum of all the expenses of the government ; and, second, a vigorous and efficient collection of the revenue. This is practicable, and the best solution of the problem I have been able to advise.

The amount necessary to pay salaries of officers need not exceed \$320,000 ; that for mileage and per diem of members and the contingent expenses of the general assembly, need not exceed \$125,000 ; while all other expenses, payable from the general fund, including those necessary for support of the militia, of public institutions of a charitable character, such as institutions for the deaf, dumb, and blind, the insane asylum, and the charity hospital of New Orleans, and for rent of public buildings, &c., need not exceed \$420,650.

The interest on our State debt amounts to \$1,403,820 per annum. It requires \$400,000 to maintain our public-school system.

The four mills assessed for the general fund is believed to be sufficient to pay the salaries of officers and the current expenses of the machinery of government.

I desire to call your particular attention to the decision of the supreme court in the case of *The State ex rel. Salomon and Simpson vs. James Graham, State auditor*, in which the doctrine relative to appropriations is laid down in the following language :

“ But it is contended by the relators that the appropriation does not create a debt,

'because the money is presumed to be in the treasury.' This raises the very serious question, whether or not the legislature can make appropriations unless there be money to meet the warrants authorized thereby, either actually in the treasury or provided for by the revenue bill. The power of appropriation is the right to apply to public purposes money in the treasury. Article 104 of the constitution declares, 'No money shall be drawn from the treasury but in pursuance of specific appropriations made by law.' An appropriation is an authorization to the auditor to check upon the treasury for moneys then deposited. If, therefore, the revenues be inadequate to meet the interest of the public debt, and the current expenses of the necessary State agencies to preserve the Government, an appropriation (whereby the liabilities of the State are increased) for any other purpose than for the support and maintenance of the machinery of government, is a debt within the meaning of the constitutional amendment, which declares 'that, prior to the first day of January, 1890, the debt of the State shall not be increased so as to exceed twenty-five millions of dollars.'

From this it will be seen that the legislature has no power to make any appropriation for any purpose whatever, "unless there be money to meet the warrants authorized thereby, either actually in the treasury or provided for by the revenue bill." In other words, when an appropriation is made, its payment must also be provided for by the assessment of an additional tax, or the act will be obnoxious to the constitutional amendment limiting the State debt to \$25,000,000 prior to 1890.

Nor do I believe that, under this decision of the supreme court, the State auditor has authority to issue any warrant upon the general fund for other than the necessary current expenses of the government, until it is ascertained that the portion of the revenue which is set apart for the general fund will be in excess of the total amount required for such legitimate expenses of government.

The decision of the supreme court, mentioned in the foregoing extract, annuls certain appropriations made by the legislature of 1870-'71, by which the debt would otherwise have been largely increased. An amendment to the State constitution, adopted in 1870, provides that the debt shall not be increased beyond \$25,000,000 prior to 1890, except to meet interest on the public debt and current expenses of necessary State agencies to preserve the government.

The effort of the legislature seems to have been to avoid this amendment, by making appropriations in excess of the funds in the treasury and of current receipts, without providing means to pay them; but the decision of the court has defeated this plan.

If existing contingent liabilities be considered as debt, the constitutional limit was passed before it was fixed, and no new debt can be contracted beyond what is necessary for current expenses. If such liabilities be not included, the annual deficiencies for current expenses and interest will soon bring the debt proper, which was \$23,045,790 58 on January 1, 1872, and increasing at the rate of over \$1,000,000 a year by deficiencies, to the constitutional limit of \$25,000,000. We may therefore assume that no additional debt, save for current expenses, can be created under the constitution prior to 1890. It is not understood, however, that the amendment affects the prospective contingent liabilities of the State arising under acts passed prior to its adoption, and therefore these will stand, as stated by the auditor June 1, 1871, and may become actual contingent liabilities, if the companies comply with the terms of the laws.

Of the increase of the debt since 1868, the governor in his message of January 1, 1872, says:

This increase consists in three million dollars, employed for the repair of levees. Two and a half millions subscribed for stock of the New Orleans, Mobile and Texas Railroad Company and seven hundred and fifty thousand dollars subsidy granted to the same company. . . . And the wisdom of the several acts involving the increase is generally conceded and almost universally approved.

We have heard no complaint of the policy of the acts granting aid to and taking stock in the New Orleans, Mobile and Texas Railroad Company. The road will be of great advantage to the State, and the

stock may not be wholly lost to the treasury. We take the following statement of the condition of the road from Poor's Railroad Manual, 1871:

NEW ORLEANS, MOBILE AND TEXAS RAILROAD.

(Chartered in Alabama, November 24, 1866; in Mississippi, February 7, 1867; in Louisiana, August 19, 1869; and in Texas, January 19, 1869. An act of Congress approved March, 1868, empowers the company to build and maintain bridges over and across the navigable waters of the United States upon the line of their road; and declares said road and bridges a post-road.)

	Miles
Main line:	
Mobile, Alabama, to New Orleans, Louisiana	140
New Orleans, Louisiana, to Sabine River, (Texas line).....	227
Sabine River (Louisiana line) to Houston, Texas	108
	475
Branch line:	
Vermillionville, Louisiana, to Shreveport, Louisiana	195
	670
Total length of track as projected	
	865
In operation:	
Mobile, Alabama, to New Orleans, Louisiana.....	140
New Orleans, Louisiana, westward, (1st section)	85
	225
	103
Old road, (being reconstructed,) Sabine River to Houston	103
	103

The whole line between the present terminus to Houston is in rapid progress, and is expected to be opened for traffic within a period of two years. The division between New Orleans and Mobile is operated temporarily in connection with the Mobile and Ohio Railroad.

State and municipal aid has been liberally advanced for the prosecution of this enterprise, which is being carried on by an association of capitalists. The State of Louisiana, in aid of the part of the road within its boundaries, has made an absolute donation of \$3,000,000 in 8 per cent. bonds, subscribed to the company's stock to the extent of \$2,500,000 in like bonds, and indorses the company's second mortgage bonds to the extent of \$12,500 per mile of road. The city of New Orleans has granted to the company the perpetual use of depot grounds in said city, worth about \$1,000,000. And, by special laws, the States of Alabama and Mississippi have exempted the company from all taxes, of whatever kind or nature, in those States, except a tax of 3 per cent. on all dividends paid to stockholders.

FINANCIAL STATEMENT.

The parties who constructed the line from Mobile to New Orleans, and secured the line from the Sabine to Houston, furnished all the means necessary for the construction, equipment, and operations of those two divisions. The expenditure and valuation on the work already done amounts to \$10,740,000, distributed as follows:

Mobile and New Orleans division, 140 miles.....	\$5,000,000
Work done and paid for on New Orleans and Sabine division, 227 miles....	2,500,000
Texas division, (valuation,) 108 miles	3,240,000
	10,740,000

The resources of the company for the New Orleans and Sabine division (227 miles) are as follows:

Donation by the State of Louisiana.....	\$3,000,000
Capital stock, (\$2,500,000 subscribed by the State of Louisiana,) \$25,000 per mile	5,675,000
First mortgage, 8 per cent., currency, 7 per cent. sterling, \$12,500 per mile..	2,837,500
Second mortgage, 8 per cent., indorsed by the State of Louisiana, \$12,500 per mile	2,837,500
	14,350,000

The funded debt of the company for the road west of the Mississippi consists of two series of bonds, viz, first mortgage sinking fund (1 per cent. on and after July 1, 1876) bonds, secured on road and branches west of Mississippi River, in denominations of

\$1,000 or £200, dated May 1, 1871; interest, 8 per cent. currency, or 7 per cent. sterling, January 1 and July 1, and principal, January 1, 1915, payable in New York or London; at the rate of \$12,500 per mile on the line in Louisiana, from New Orleans to the Sabine River, (227 miles;) \$25,000 per mile on all branch lines in Louisiana west of the Mississippi River, (195 miles,) and \$25,000 on the main line in Texas, (108 miles;) estimated amount issued and to be issued, \$7,575,000. Second mortgage 8 per cent. currency bonds, dated May 1, 1871, secured by second lien on 227 miles of road and the indorsement of the State of Louisiana; interest payable in New York, January 1 and July 1, and principal, January 1, 1915, \$12,500 per mile, or a total of \$2,837,500.

Both bonds may be registered at option of holder.

The governor, in his message of January 1, 1872, says :

I am encouraged that your faith in the New Orleans, Mobile and Texas Railroad Company is about to be most liberally rewarded, and that we are to have speedily constructed a railroad from New Orleans to Houston, in Texas, and another to Shreveport, in our own State.

The wisdom of your legislation on the subject will be fully vindicated, and the aid at one time believed to be extravagant will be approved by our whole population.

As to prospective contingent liability to railroads, he says :

It is contingent in that its becoming actual debt is entirely dependent—first, upon the construction of certain railroads, for which the State has agreed to indorse second-mortgage bonds for \$12,500 per mile, the companies having the right to issue first-mortgage bonds for the same amount; and second, upon the foolish presumption that these roads, with all their franchises, rolling-stock, fixtures, trade, &c., will not be worth \$25,000 per mile, the aggregate of the first and second mortgage bonds.

In the first place, there is not the slightest probability that any of these roads, except the New Orleans, Mobile and Texas Railroad will be constructed; and, in the second place, if every one of them should be built, the State would be amply secured from ever having to pay the indorsement, for the reason that the roads chartered, if constructed, would be worth four times the amount guaranteed.

As to one of the railroads to which the State is bound contingently, we have the following letter from Mr. Morey, a Representative in Congress from Louisiana :

FORTY-SECOND CONGRESS UNITED STATES, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 26, 1872.

Hon. JOB E. STEVENSON, M. C. :

DEAR SIR : On the authority of the President of the company, as well as of other directors, I can state that the N. O. & B. R. N. R. Co. are before the Louisiana legislature asking that their act of incorporation of this company be so amended that by the consent of the company the State be released from the "contingent debt" of \$6,250,000 to be incurred by the indorsement of the second-mortgage bonds of said company. (See paragraph marked A, in accompanying list.)

Yours truly,

FRANK MOREY.

We have received from the executive department of Louisiana a pamphlet by Mr. O. D. Bragdon, private secretary to the governor, from which we make some extracts, not affecting the amount of debt, but illustrating the policy of the State and her condition, past and present. We do not quote this pamphlet as official, although it purports to have been compiled from the State records; but we assume it is sufficiently accurate for purposes of illustration. We make the following extract bearing on the railroad policy of the State before the war :

In 1837 the general assembly granted bonds of the State to the amount of \$500,000 to the New Orleans and Nashville Railroad Company. That such a railroad was projected has several times been reported, but all must acknowledge their inability to discover any other evidence of its having existed than that the State of Louisiana is not only paying \$30,000 annual interest on the bonds, but that she has the unpleasant prospect of paying the \$500,000 principal. Again, in March of the following year the Mexican Gulf Railroad Company was granted State bonds to the amount of \$100,000, the principal and interest of sixty-four of which bonds have already been paid, and our statement shows still outstanding, in favor of the company, the remaining \$36,000. The railroad, to aid in whose construction these bonds were granted, was built un-

doubtedly through the same territory as the New Orleans and Nashville Railroad, nor does a single rail or sleeper remain to mark the line of its projection.

The general assembly of 1853 authorized bonds of the State to be issued to railroad enterprises as follows:

To the New Orleans, Opelousas and Great Western Railroad Company	\$1,200,000
To the New Orleans, Jackson and Great Northern Railroad Company	1,600,000
To the Vicksburgh, Shreveport and Texas Railroad Company	800,000
To the Baton Rouge, Gross-Tête and Opelousas Railroad Company	160,000
Making a total of.....	<u>3,760,000</u>

In 1854 the legislature invited the city of New Orleans also to indulge in railroad grants. It authorized the city to grant its bonds in aid as follows:

To the New Orleans, Opelousas and Great Western Railroad Company	\$1,500,000
To the New Orleans, Jackson and Great Northern Railroad Company	2,000,000
To the Pontchartrain Railroad Company	1,500,000
Total	<u>5,000,000</u>

This amount, added to the \$500,000 that had been previously granted by the city to the New Orleans and Nashville Railroad Company, made a total indebtedness incurred by the city of New Orleans, for railroad purposes, of \$5,500,000.

We have thus an aggregate of \$9,860,000 of State and city bonds that were authorized to be issued to railroad enterprises. Of this amount were actually issued, on which interest has been and is being paid—

By the State:	
To the New Orleans and Nashville Railroad Company	\$500,000
To the Mexican Gulf Railroad Company	100,000
To the New Orleans, Opelousas and Great Western Railroad Company	650,000
To the New Orleans, Jackson and Great Northern Railroad Company	884,000
To the Vicksburgh, Shreveport and Texas Railroad Company	298,000
To the Baton Rouge, Gross-Tête and Opelousas Railroad Company	160,000
	<u>\$2,592,000</u>
By the city of New Orleans:	
To the New Orleans, Opelousas and Great Western Railroad Company	\$1,500,000
To the New Orleans, Jackson and Great Northern Railroad Company	2,000,000
To the New Orleans and Nashville Railroad Company	500,000
To the Pontchartrain Railroad Company	500,000
	<u>4,500,000</u>
Total	<u>7,092,000</u>

Now, what has been accomplished by this immense increase of State and city indebtedness? What number of miles of railroad constructed by these several companies can be counted in the State of Louisiana:

	Miles.
Built by the New Orleans and Nashville Railroad Company	None.
Built by the Mexican Gulf Railroad Company	None.
Built by the New Orleans, Opelousas and Great Western Railroad Company	80
Built by the New Orleans, Jackson and Great Northern Railroad Company	85
Built by the Vicksburgh, Shreveport and Texas Railroad Company	91
Built by the Baton Rouge, Gross-Tête and Opelousas Railroad Company	20
Built by the Pontchartrain Railroad Company	5
Total.....	<u>281</u>

At a cost to the State and city of \$7,092,000, or at the rate of \$25,238 43 per mile, and neither State nor city has a penny's worth of direct pecuniary interest in any one of the roads.

LEVEES.

We have heard no objection to the policy of repairing the levees, nor any denial of the necessity of expending the \$3,000,000 appropriated

for that purpose by the present government; but it is charged that the money was not faithfully applied to the work. We have no evidence on this point, though it is generally conceded that the levees are not in good condition, whether from neglect or from extraordinary floods and breaks or from inherent defects in the general plan, we have not the facts to determine.

The governor, in his message January 1, 1870, says :

On this most important subject I have much to say. Upon these works depend the prosperity of our State in her agricultural and railroad interests. Possibly New Orleans might exist upon the commerce passing between the great Northwest and the outer world, because of her position on the Mississippi River; but the wealth of the State is dependent upon the completeness and safety of our levee system, and it deserves and should have, as it has heretofore, your most earnest consideration. For the first time in the history of Louisiana, one comprehensive plan has been adopted, and let us hope it will be effective.

You will find a condensed and comprehensive view of the magnitude and importance of the levee system in the report of the board of engineers. You will see that Engineer Van Pelt estimates that over four millions of cubic yards are required to repair the levees from Red River to Fort Jackson. You will find that Generals Humphreys and Abbott estimate that over six millions of yards will be required to raise the levees to their old grade, and over thirty-five millions of cubic yards to the new grade. You will find that there has been built under the board of public works 6,380,000 cubic yards. You will find that over eight millions of cubic yards have been built in the parishes of Carroll, Madison, Tensas, Concordia, and Pointe Coupee since the war, and that over fourteen millions of cubic yards have been built in the State during this time. You will also find the cause of this vast increase in quantity over the estimates of former years.

We have not the report referred to, but find the following reference to it in the pamphlet of Mr. Bragdon :

The following extract from the report of the State engineer for the year 1870 presents an estimate of the contents of all the levees in the State in 1860; of the number of cubic yards of the same built by the respective boards during the ten following years; of the number of cubic yards required to complete the levees to their grade of 1870; and the percentage of wear and tear for ten years :

	Cubic yards.
From Arkansas line to Red River, 250 miles.....	15, 000, 000
From Red River to Fort Jackson, 290 miles.	15, 000, 000
From Baton Rouge to Fort Saint Philip, 200 miles	9, 000, 000
Total on the Mississippi	39, 000, 000
On the Lafourche, both sides for 70 miles	3, 500, 000
On the Atchafalaya	3, 500, 000
On the Red, Black, Ouachita, and others	5, 000, 000
Making a total for the State	51, 000, 000

Amount of work done since 1865 is as follows :

	Cubic yards.
By the Duralde board, cash contracts.....	4, 674, 414
By the Duralde board, time contracts.....	2, 495, 800
By the Oglesby board.....	362, 350
By the board of public works.....	4, 736, 265
Total	12, 268, 829
Still required to complete them to present grade.....	5, 111, 300
Wear and tear for ten years.....	17, 380, 129

The chief State engineer furnishes the following statement, giving the length of the levees of Louisiana as estimated up to the present time :

	Miles.	Cubic yards.
On the Mississippi, above Red River.....	250	15, 000, 000
On the Mississippi, below Red River.....	490	24, 000, 000

	Miles.	Cubic yards.
On the LaFourche.....	150	3,500,000
On the Atchafalaya.....	70	3,500,000
On the Red River.....	300	5,000,000
On the Black and Onachita.....	160	
On the Bayou De Glaize.....	30	
On the Bayou Courtableau.....	50	
Total	1,500	51,000,000

Taking the estimate of the number of cubic yards in the levees of the State at 51,000,000, and reckoning their cost at the average price of thirty-three and one-third cents per yard, we have the cost value of the levees at \$17,000,000.

The law provides for annual taxes to pay the interest on the levee bonds and form a sinking fund to meet the principal when due. If the money has been misspent, the loss will not fall directly upon the State treasury, but on the tax-payers.

Though the situation in Louisiana is admirable for trade, and her soil is well adapted to agriculture, yet she has great disadvantages.

Lying on the Lower Mississippi, and at its mouths, with a large part of her most fertile lands and the site of New Orleans exposed to overflow at every rise of the river, an extensive system of levees, well maintained, is vital to the agriculture of the State and the commerce of the city.

New Orleans must have railroad connections with the interior in order to draw produce from and send goods to regions away from water-lines; and even where rivers run, travel and transportation of lighter freights require quicker passage than can be secured on circuitous courses.

Water routes can be much improved and shortened, and new ones made almost everywhere.

Understanding these things, the people of the State have been long accustomed to extend aid to internal improvements—levees, canals, and railroads—and to commerce.

The extent to which the State has incurred liabilities for such purposes is illustrated by the following table, from the pamphlet of Mr. Bragdon, purporting to give the debt of Louisiana for a series of years.

[Extract.]

Public debt for the year 1840.....	\$23,309,246 43
Public debt for the year 1844.....	21,433,523 03
Public debt for the year 1845.....	18,940,046 76
Public debt for the year 1846.....	16,669,022 70
Public debt for the year 1847.....	15,287,013 87
Public debt for the year 1848.....	14,874,021 49
Public debt for the year 1850.....	11,593,699 12
Public debt for the year 1851.....	11,593,699 12
Public debt for the year 1852.....	11,766,407 44
Public debt for the year 1853.....	9,841,937 41
Public debt for the year 1854.....	12,459,349 93
Public debt for the year 1855.....	12,768,736 35
Public debt for the year 1856.....	10,703,142 05
Public debt for the year 1857.....	10,600,779 93
Public debt for the year 1858.....	10,701,641 75
Public debt for the year 1859.....	10,023,903 58
Public debt for the year 1860.....	10,099,074 32
Public debt for the year 1861.....	10,158,182 12
Public debt for the year 1864.....	12,000,000 00
Public debt for the year 1866.....	11,182,377 14
Public debt for the year 1867.....	13,357,999 05
Public debt for the year 1868.....	14,347,051 02
Public debt for the year 1870.....	23,427,952 29
Public debt for the year 1871.....	22,357,999 05

We add debt of 1872, \$23,045,790. From this the debt would seem to be still below that of 1840; but Mr. Bragdon has omitted to state a material fact as to the "debt for 1840," which is that it was chiefly contingent liability—created to establish banks, and secured by mortgage on real estate. (See exhibit hereto attached.)

We refer to this matter only to show that the State has heretofore incurred heavy liabilities, and has not suffered from them, but had been materially relieved from their burden and the danger of loss when the war began. We see no reason to doubt that, if she can have peace and honest government, she can bear her existing indebtedness even if all contingent and prospective liabilities become actual; and gradually relieve herself from debt and enter upon a new career of agricultural and commercial prosperity; and the first requisite is peace, for without peace a State can rarely have good government and never prosperity.

In our report on New Orleans we show the estimated value of commerce of that great city to have been in 1870 more than \$500,000,000, but we also show how sensitive the prosperity of the city is to every shock of violence, as indicated in the rise and fall of property. The same thing affects the whole State.

The following official table shows the valuation of property in the State for 1860, and since the war:

1860	\$435,000,000 00	1868	\$229,224,186 95
1861	469,250,000 00	1869	245,985,629 85
1865	200,000,000 00	1870	251,296,017 02
1866	225,000,000 00	1871	250,594,417 59
1867	242,806,581 00		

The marked decline in the value of property from 1867 to 1868 was caused by violence in the summer and autumn of 1868, which extended over about half the State, including the city of New Orleans. The decline from 1870 to 1871 was caused by agitations in New Orleans.

The decline in values in the city is \$1,434,622, while that in the State is only \$701,599 43, showing an increase in value outside of New Orleans of \$733,022 57.

EXTRAVAGANCE AND FRAUD.

Generally, legislation increasing the debt and incurring contingent and prospective liabilities for railroads and canals has not been by party vote; but such measures have been supported by members of both parties, often introduced by democrats, and sometimes passed under suspension of the rules by three-fourths votes. And the same practices have prevailed in legislation in favor of corporations not affecting the State directly, but granting monopolies and unjust advantages.

It is admitted that the legislature has been lavish in appropriating the money and the credit of the State, and there are charges of corruption in matters affecting corporations. On this subject we submit the following statement, published in the American Annual Encyclopædia of 1870. We inquired of the governor whether the account given of the interview was correct, and received an answer from him, by his secretary, indorsing it as substantially correct. We do not give it as proof of the allegations contained, but as indicating the condition of the community and government:

At the beginning of the session of the legislature, much dissatisfaction was apparent among the people on account of the various schemes for appropriating the public money, and many charges of corruption were made against that body. A call was issued, inviting "all citizens opposed to the financial schemes now pending before the legislature calculated to increase the burdens of the people, depreciate the bonds, and ruin the credit of the State, to create monopolies, eat out the substance of the people,

and cripple commerce," to assemble in mass-meeting, in New Orleans, on the 28th of January. At this meeting it was stated that the city debt was \$17,000,000 and the State debt \$28,000,000. Instead of efforts to reduce this amount, schemes were on foot in the legislature which, if carried out, would increase the State debt to \$54,000,000. Resolutions were adopted condemning the extravagant measures before the legislature, and a committee appointed to wait on Governor Warmoth and solicit his co-operation in arresting the alleged corrupt schemes of the legislature. In response to the address of the committee, Governor Warmoth made the following remarkable statements:

"GENTLEMEN: I am very glad to see you personally. I desire to say something, however, relative to that meeting whose delegation you are. I do so in justice to myself and to the government which I represent. It is a fact, which is palpable to all of you, that I have, as governor of this State, vetoed a great many bills, a very great many, making subsidies and grants to individuals and to companies. Those bills, in a few instances, have been passed over my veto by the legislature. For these acts, of course, I am personally not responsible; neither do I believe that the legislature, taken as a body, are responsible for them. It is true that, in a general sense, they are responsible for their acts, but it is unfortunately the case that there are a great many men in our legislature who are ignorant of the manipulations of lobbyists; men, many of whom have been only recently enfranchised. They, of course, have to be taken care of; nay, have to be nursed. They have to be taught and instructed; and I think, gentlemen, that, if you will give me the assurance of your support, if you will only give me the assistance which you ought to give from your standing in this community, we shall be able to restrain these people from running into the excesses complained of in the resolutions which I have already read.

"Let me make one complaint against you, gentlemen, as the representatives of those in whose behalf you appear. You charge the legislature with passing corruptly many bills looking to the personal aggrandizement of individuals and corporations. Let me suggest to you that those individuals and corporations are your very best people. For instance, this bank bill that is being lobbied through the legislature now. By the hardest kind of work we have been able to defeat that bill twice in the house, and now it is up again to be passed. Who are doing it? Your bank presidents. The best people of the city of New Orleans are crowding the lobbies of the legislature, continually whispering into these men's ears bribes to pass this measure. How are we to defend the State against the interposition of these people, who are potent in their influence in this community?

"Take another instance: the five million bond bill, passed through the legislature at its first session, providing for the issue of bonds, the principle and interest of which were to be paid in gold, to take up the city notes. That bill I vetoed. By whom was it lobbied through? By your Carondelet street-brokers, who crowded the halls of the legislature and thronged the avenues leading to the capitol, taking out member after member and suggesting bribes. That bill, as I said, I vetoed, and the very next day the house of representatives, possibly through the influences of which I have spoken, passed it over my head. The bill went to the senate. I walked into the senate chamber and saw nearly every prominent broker of the city engaged in lobbying that bill through the senate; and it was only by exposing the fact that one of their emissaries had come into this very chamber and laid upon the desk of my secretary an order for \$50,000 that I was able to defeat it. Mr. Conway, the mayor of your city, came here and offered me any consideration to induce me to sign this bill.

"Look again at this Nicolson-pavement bill, taking \$200,000 out of the State treasury for the benefit of a private company. A gentleman of your city offered me a bribe of \$50,000 and one-sixth of the net profits to sign that bill. I told him I could not sign the bill. Some of the most respectable men in the city are among the directors."

We deem it proper to add that leading bankers subsequently denied the charges against them, and other persons indicated by the governor, while admitting their attempts to bribe him, allege that he was interested against them, or that he was not satisfied with the prices offered.

We have no means of testing the truth of these charges. The select committee now in New Orleans may ascertain how much foundation they had, but society and government must be in bad condition when the chief executive and the legislature can be approached with bribes, and the governor can make and publish such charges against citizens and the legislature, and admit that he himself has been repeatedly approached with bribes.

BANKS, RAILROAD PRODUCTION, &C.

In 1871 the banks had a capital of \$3,000,000, and held bonds of the United States amounting to \$2,858,000. The amount expended for

public schools in 1871 was \$782,800. Number of children of school age, 264,270. Number taught, 91,500.

There were 522 miles of railway, which cost \$21,789,560, and the total mileage finished and in construction is 806. The progress of railroads in the State has been as follows: In 1860, 335 miles; 1865, 335; 1868, 335; 1869, 375; 1870, 479; 1871, 522. The assessed value of property in the State was, in 1871, \$250,594,417 59. Gain since 1865, \$50,945,417 59. Gain since 1868, \$22,370,230 64. The census valuation for 1870 was \$323,125,666. Gain since 1865, \$123,125,666. Gain since 1868, \$94,901,479 05. The valuation of property in 1870 was \$251,296,017 02.

The taxes levied in 1870 were:

State	\$2, 100, 999 00
Counties	4, 109, 999 00
Towns and cities.....	279, 030 00
Total.....	6, 490, 028 00

The county taxes include those levied in the city of New Orleans, which is included in the parish of Orleans.

These estimated (at 2 per cent.) would be \$2,796,964, which, deducted from the county or parish taxes, leaves \$1,313,035—the amount levied in parishes outside of New Orleans. The State taxes levied on the counties or parishes out of Orleans were about \$761,989. Taxes levied outside of Orleans, including other towns and cities, \$2,075,024. The valuation of property, excluding all towns and cities, was about \$90,000,000. This includes what may be termed agricultural property, and of course some property not employed in agriculture, but, for the purpose of illustration, the \$90,000,000 may be taken as the valuation of property employed in agriculture in 1870, including all lands cultivated and wild, live-stock, implements, provisions, capital, &c. The agricultural productions of 1870 were valued at \$51,707,524, being 57 per cent. of the value of the property producing them. From this it appears that the taxes on agricultural property were about one twenty-fifth part of the value of the products for one year.

If we allow one-half the products for labor, and deduct the tax from the remainder, we have \$24,540,727 as the net gain of the property holders. Such an income from property valued at \$90,000,000 shows either that the property is undervalued or that it is exceedingly profitable. We believe the assessment is low, and that such property is not appreciated; and this is due chiefly to the want of that degree of security and stability, without which capital will not venture, however tempted.

Since the war the agricultural productions have been as follows, excluding cotton, sugar, and rice: For 1866, 1867, 1868, 1869. Including cotton, rice, and sugar: For 1870, 1871, \$159,056,463.

The value of products of rice, and sugar, for 1866, 1867, 1868, and 1869, has not been ascertained. That of cotton for those years is estimated at \$160,000,000. Total, \$319,056,463.



DEBTS OF THE SEVERAL STATES.

Letter of the Secretary of the Treasury transmitting the information required by the resolution of the House of Representatives of the 2d September last in relation to the debts of the several States and Territories, so far as has been furnished to the Department, June 25, 1842.

Statement of the debt of the State of Louisiana.

Date of law authorizing loan.	Amount authorized by each act.	Amount issued under each act.	Amount outstanding Sept 2 1841.	Rates of interest per annum.	When reimbursable.	Object of each loan.	Present condition of the public works, to the accomplishment of which the issue of stock was authorized.
July 1, 1824.	\$2,400,000	\$2,400,000	\$1,200,000	5 per cent.	\$600,000, July 1, 1844.	In payment of stock of Bank of Louisiana.	Present condition of the public works, to the accomplishment of which the issue of stock was authorized.
1830.	2,000,000	2,000,000	2,000,000	5 per cent.	In 1843 and 1846.	In favor of consolidated association of planters of Louisiana.	Guaranteed by real estate.
1833.	7,000,000	7,000,000	7,000,000	5 per cent.	1,750,000, November 1, 1844 1,750,000, November 1, 1847 1,750,000, November 1, 1850 1,750,000, November 1, 1852	In favor of the Union Bank.	Guaranteed by real estate.
1837.	12,000,000	12,000,000	12,000,000	5 per cent.	2,400,000, February 1, 1850 2,400,000, February 1, 1853 2,400,000, February 7, 1877	In favor of the Citizens' Bank of Louisiana.	(Of these bonds only \$7,186,888 88 have been negotiated; the balance remains in the possession or subject to the order of the bank. They are guaranteed by real estate.
1839.	600,000	600,000	600,000	6 per cent.	2,400,000, February 1, 1886 April 1, 1867	In favor of Nashville Railroad Company.	All the above bonds are payable in England.
	500,000	500,000	500,000	5 per cent.	Not stated	In favor of the Clinton and Fort Hudson Railroad Company.	
	100,000	100,000	100,000	5 per cent.	Not stated	In favor of the Mexican Railroad Company.	
	10,000	10,000	10,000	6 per cent.	March 16, 1847	In favor of the heirs of Thos. Jefferson.	
	125,000	125,000	125,000	5 per cent.	March, 1872.	In favor of the Charity Hospital.	
	100,000	100,000	100,000	5 per cent.	1858.	In favor of the Charity Hospital.	
	50,000	50,000	50,000	5 per cent.	November, 1855.	In favor of the New Orleans Draining Company.	
	300,000	300,000	300,000	5 per cent.	Not stated	In favor of the Second Municipality of New Orleans.	Exchanged for bonds bearing 6 per cent and guaranteed by a sinking fund.
Total			22,985,000				

Statement of assessment and taxes.

1. Total assessed value of taxable property of the State of Louisiana for the year 1871:	
City	\$158,214,364 00
Parishes	92,380,053 50
	250,594,417 50
2. Total amount of taxes collected during the year 1871, \$4,605,475 02.	
3. Actual amount of State taxes for the year 1871 collectable this year, to wit:	
City	\$2,294,108 27
State	1,339,510 40
	3,633,618 67

NEW ORLEANS.

It would be difficult to understand the condition of the State of Louisiana without considering that of the city of New Orleans.

In 1870 the assessed value of property in the whole State was \$254,371,890, while the assessed value of property in New Orleans was \$138,973,945, leaving \$115,397,845 for the State, excluding New Orleans. The city was under democratic city government until April 4, 1870, when republican city officers were inaugurated.

The only abatement of civil authority was during the war, and until 1868, pending reconstruction, when the military commanders intervened to preserve order or to prevent disease. After reconstruction the State legislature provided for a metropolitan police for the city, and whatever increase of expenditures arose from this should be attributed to those who caused it. The reason assigned for this measure is that it was necessary to maintain order after the national forces were withdrawn.

We derive the following statement of debt, property, expenses, and taxation chiefly from the messages of the mayor and accompanying papers and exhibits.

The city debt was: In 1860, \$11,258,847 56; in 1865, \$13,389,247 68; in 1868, \$16,275,383 66; in 1870, April 4, \$18,387,313 86; in 1871, November 21, \$20,066,000, including the floating debt.

Increase from 1865 to 1870, \$4,997,066 18; increase from 1860 to 1870, \$7,128,466 30; increase from April 4, 1870, to November 21, 1871, \$1,678,686 14. Of the debt, \$400,000 is for levees, \$1,393,400 for water-works, \$3,622,000 for railroads, and a part is from consolidation of adjoining corporations.

The mayor estimates a deficiency for this current fiscal year, arising from ordinary expenses provided for in the budget, of \$1,146,250.

The receipts and expenditures of the city, from ordinary sources, from 1860 to 1869, are stated as follows:

Date.	Receipts.	Expenditures.
1860.....	\$2,245,396 97	\$2,177,754 60
1861.....	2,689,170 83	2,448,626 81
1862.....	3,585,377 40	3,051,983 61
1863.....	2,518,456 59	2,343,748 56
1864.....	2,441,842 03	2,440,662 32
1865.....	2,724,643 29	2,731,287 73
1866.....	3,494,470 85	3,442,484 39
1867.....	6,019,080 23	6,356,821 35
1868.....	6,309,376 13	6,458,849 48
1869.....	4,460,874 55	4,247,352 76
Total.....	35,488,057 87	35,699,571 61

Total expenses for 1865, 1866, 1867, 1868, and 1869, \$23,236,795 71; average per year, \$4,647,359 14. The expenses for 1871 were estimated at \$4,537,860. The largest item of expense is interest on the debt, \$1,373,628. The cost of police appears in the following table:

1865.....	\$421, 475 97
1866.....	494, 510 41
1867.....	561, 950 55
1868.....	523, 904 74
October 1, 1868, to October 1, 1869.....	930, 809 09
October 1, 1869, to October 1, 1870.....	725, 357 73
1871, (estimate).....	805, 000 00

The highest cost in any one year before the organization of the Metropolitan Police Board was \$561,950—for the year 1867. Under the metropolitan system the cost has been \$800,000 a year; annual increase about \$300,000.

The excess for the year from October, 1868, to October, 1869, when the police cost \$930,809 09, was caused by riots in the autumn of 1868, and subsequent precautions to prevent outbreaks.

TAXATION.

Taxation for general purposes is limited by the charter to one and three quarters of one per cent. And the total taxation for all purposes is limited to 2 per cent. We have no statement of the rates actually levied, but the mayor estimates that the full rate of 2 per cent. will not pay expenses, which were estimated equal to $2\frac{3}{4}$ per cent., and we presume the full 2 per cent. was levied. The amount of taxes levied in 1869, and collected during 1870, is stated at \$2,943,948 69.

The amount levied in 1870 and collected in 1871, up to December 31, \$2,374,830 94. The taxes from 1856 to 1869, were $1\frac{1}{2}$ cent. per annum. In 1855, about the same. In 1854, about $2\frac{1}{2}$. In 1853, $1\frac{3}{4}$, and in 1852, $2\frac{1}{2}$ per cent. So that though the present taxes of 2 per cent. are high, they are $\frac{1}{2}$ per cent. less than they were in 1852 and 1854.

PROPERTY.

Valuation of property was as follows:

In 1860.....	\$121, 030, 650	
Less slaves.....	6, 595, 550	
		\$114, 435, 100
In 1865.....		98, 788, 325
In 1867.....		139, 022, 129
In 1868.....		130, 873, 446
In 1869.....		127, 942, 781
In 1870.....		139, 848, 204
In 1871.....		138, 413, 582
Loss from 1860 to 1865, excluding slaves.....		15, 646, 775
Loss from 1860 to 1865, including slaves.....		22, 242, 325
Gain from 1865 to 1870.....		41, 059, 879
Loss from 1870 to 1871.....		1, 434, 622
Gain from 1865 to 1871.....		39, 625, 257
Gain from 1860 to 1871, excluding slaves.....		23, 978, 482
Gain from 1860 to 1871, including slaves.....		17, 382, 932

From 1867 to 1868 there was a decline of value from \$139,022,129 to \$130,873,446; loss \$8,148,683. This was caused by the bloody riots of 1868 in the city and various sections of the State. Values rose in 1869 to \$127,942,781, and in 1870 to \$139,848,204; gain from 1869, \$11,905,423; but in 1871, they had declined to \$138,413,580; loss since 1870, \$1,434,622. This decline is due to the political distractions and turbulence which have prevailed, and seem to threaten renewal of violence and bloodshed which have twice occurred in the city since the war.

The census valuation for 1870 was—

Orleans Parish	\$185,625,187 00
Jefferson	17,627,306 00
Total	\$203,352,493 00

Gain on all property of 1860, \$64,594,537 : gain since 1865, \$86,836,862.
 The following table shows the valuation for taxation and taxes laid and collected :

Assessed value of property and taxes collected in New Orleans, Louisiana.

TAXES COLLECTED.			
New Orleans Park	\$147,191 52	New Orleans Park	\$27,875 18
Real estate	245,980 98	Real estate	785,509 59
Personal property	150,432 80	Railroads	215,912 91
Railroad	195,326 54	Million loan	302,202 13
Million loan	612,115 04	Consolidated loan	614,684 40
Consolidated loan	634,954 86	Metropolitan police	428,646 73
Metropolitan police	887,946 75		
Total for 1869, collected in 1870..	2,943,948 69	Total for 1870, collected up to December 31, 1871	2,374,830 94

* Personal property included in real estate.

ASSESSED VALUE OF PROPERTY.			
1871.		1870.	
Real estate	\$114,637,722	Real estate	\$116,056,581
Personal property	23,775,860	Personal property	96,791,623
Total	138,413,582	Total	139,848,204

COMMERCE.

The following statement appears in the American Annual Cyclopædia for 1870:

The receipts of cotton at the port of New Orleans for the year ending September 1, 1870, were 1,203,000 bales, valued at \$120,000,000 against 841,216 bales for 1869, valued at \$98,826,055; the receipts of rice amounted to 57,956 barrels. The gross receipts of produce from the interior exceeded \$200,000,000 in value, while the receipts of manufactured articles from the North amounted to \$50,000,000. The exports to foreign ports for the fiscal year ending June 30, 1870, amounted to \$107,657,042, against \$75,883,790 for the previous year; the imports were valued at \$14,993,754, against \$11,775,553 for the previous year. The entire value of the commerce of the city for the year was upward of \$500,000,000; 4,406 vessels were entered and cleared at the custom-house, with an aggregate tonnage of 3,126,319 tons. The arrivals of steamboats for the year were 3,650, against 3,259 for the previous year, embracing about 3,000,000 tons of river trade. The exports coastwise amounted to almost \$60,000,000. A large number of sugar-refineries were in operation during the year, and the manufacture of cotton-seed oil, oil-cake, &c., was extensively pursued. Two extensive cotton-mills were also in successful operation in the city.

The value of exports—

In 1868	\$58,538,524
In 1869	75,131,704
In 1870	107,658,042
In 1871	93,953,081

The following statement shows the foreign trade for 1871:

Statement of value of commerce of the city of New Orleans during the calendar year 1871, ended December 31.

Imports	\$18,333,530
Exports	93,032,792
Re-exports	1,521,093

EDWARD YOUNG,
Chief of Bureau.

TEXAS.

DEBT.

	1860.	
No debt.	1865.	
Debt		\$328, 866
Rebel debt.....		8, 000, 000
Total		<u>8, 328, 866</u>
	1870.	
Debt		\$362, 866 17
(Rebel debt repudiated.)		
Increase of old debt since 1865		<u>34, 000 17</u>
	1871.	
Debt, (October 1).....		\$1, 454, 827 13
State holds in trust, (bonds).....		587, 008 21
Debt outstanding		917, 878 92
Increased since 1870.....		1, 092, 020 96
Increased since 1865.....		1, 126, 021 13
Prospective liabilities		<u>11, 500, 000 00</u>

ASSETS.

	1860.	
Assets and funds		<u>\$1, 616, 000</u>

1865.

None.

PROPERTY.

	1860.	
Assessed value.....		\$267, 792, 335
Slaves		63, 898, 100
Value less slaves.....		<u>203, 894, 235</u>

1865.

Assessed value, (1866).....		\$120, 793, 673
Loss since 1860.....		146, 983, 662
Loss less slaves		83, 100, 562
Total loss, including assets and debt.....		<u>93, 045, 428</u>

1871.

Assessed value.....		\$220, 000, 000
Gain since 1865		<u>99, 206, 327</u>

Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay, 1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census.....		\$127, 674, 293
Estimated value of all products, 1871.....		<u>50, 000, 000</u>

Total		177, 674, 293
Estimated value of cotton for 1865-'66 to 1868-'69		<u>70, 000, 000</u>

Total		<u>247, 674, 293</u>
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1860.

In 1860 Texas was free from debt, and had \$1,400,000 in productive property, \$350,000 of which was in United States bonds, and the

school fund had \$216,641 08, and 2,054,590 acres of land. The university and other public institutions were well endowed with lands. The State held about 100,000,000 acres of public lands. There were 307 miles of railway, which cost \$11,232,345. The property in the State was valued at \$267,792,335, including slaves estimated at \$63,898,100. Value, excluding slaves, \$203,894,235.

The State taxes in 1860 were	\$298, 859
County taxes	208, 053
Town, city, &c	26, 353
Total	<u>533, 265</u>

1865.

In 1865 the debt contracted for ordinary purposes was	\$328, 866
The debt contracted in rebellion was about	8, 000, 000
Total	<u>8, 328, 866</u>

The school fund and United States bonds and other assets were gone. Suits are pending to recover the United States bonds.

The valuation of property in 1866 was \$120,793,673. Loss in value of property, \$146,998,662. Loss, exclusive of slaves, since 1860, \$83,100,562. Total loss in value of property, exclusive of slaves, in assets and funds, and by increase of debt, \$93,045,428.

1870.

The reconstructed State government was inaugurated in 1870. The rebel debt had been repudiated, and the recognized debt was \$362,866 17. Taxation for the year 1870 was—

State	\$589, 363 00
County	311, 480 00
Towns and cities	227, 876 00
Total	<u>1, 128, 719 00</u>

Expenses from 1858 to 1870.

Statement of warrants drawn by the comptroller on the treasurer for the following years :

Appropriations for 1858	\$549, 994 53
Appropriations for 1859	157, 577 30
Appropriations for 1860	703, 714 87
Appropriations for 1861	251, 380 15
Appropriations from September 1, 1863, to June 8, 1865	1, 635, 233 81
Appropriations from October 13, 1865, to June 30, 1866	195, 851 79
Appropriations for 1868	352, 292 27
Appropriations for 1869	462, 063 53
Appropriations for 1870	590, 345 28

1871.

In 1871, October 1, the debt was \$1,454,887 13, including bonds issued for the defense of the frontier against Indians. The following is the treasurer's statement :

State indebtedness.

Outstanding warrants	\$451, 169 01
Frontier bonds sold	377, 000 00
5 per cent. State bonds	216, 641 00
6 per cent. State bonds	320, 367 13
Comptroller's certificates of indebtedness	89, 709 91
Total	<u>1, 454, 887 13</u>

The above statement is made up to October 1, 1871.

It would be proper to remark that the 5 per cent. and 6 per cent. bonds, \$537,008 21, are held by the State. Deducting these bonds leaves outstanding \$917,878 92.

Expenses have been increased by maintaining a State police force, the operations of which are summed up in a paper signed by the secretary of state, the adjutant general, and the superintendent of public schools, sent us by the governor and indorsed by him as true.

THE STATE POLICE LAW.

The law calling into existence a State constabulary force has come in for a share of your condemnation. It provides for the employment of 256 State police, officers and men, under the control of the adjutant general, who is ex-officio chief of police. They are invested with the same authority as other peace officers, and no more; their jurisdiction is coextensive with the limits of the State, and when in the pursuit of a criminal they are not compelled to wait the issuance of a process in every county, as under the old law, but they pass through; they are intended as auxiliaries to the sheriffs and constables, who are generally tied down to their respective localities; and the law also places all sheriffs and their deputies, as well as constables and city police, under the control of the State authorities, thus making them more efficient in arresting offenders. It is well known that formerly, and up to the time of the inauguration of the State police, many criminals were at large in every county of the State, evading or defying arrest; that sheriffs and local police were unable or unwilling to undertake the bringing to justice of these desperate men who, in some sections, existed in organized bands. The police are a selected body of resolute men, and at the command of a single vigorous head. The official record, as compiled by the military and civil officers for fourteen months prior to the inauguration of the present administration, (the record was not complete,) told a fearful tale of blood—928 men murdered, besides lesser crimes almost too numerous to be believed. Crime ran riot over the State, and most of the killing had been for political reasons and upon a helpless portion of our population. Life and property were everywhere insecure, and the first great task of the administration was to put down the bad men and protect the good citizen. The chief of police required the different clerks of courts and sheriffs to return to his office a list of criminals evading arrest, and an incomplete showing exhibited 702 murderers, 413 for assault with intent to kill; for robbery, burglary, and theft, 633; and for other crimes, 992; amounting, in all, to 2,790, with twenty-nine counties to hear from. This was work enough for the little band of police, but they set to work vigorously, and during the thirteen months since the police organization commenced there has been a grand clearing out of villains. The records of the office of chief of police show as arrested by the force 301 murderers; 418 for attempt to kill; 471 for assault and battery; 288 for theft of horses; 206 theft of cattle; 32 for killing cattle; 486 for theft; for miscellaneous offenses upward of 2,000; and a recovery of stolen property valued at over \$200,000. This was done by the said police force alone. Besides these criminals arrested, hundreds of bad men have fled our State for fear of certain arrest and consequent punishment, as our courts have proven more efficient than formerly; our penitentiary is too small to hold the convicted, there being twice as many confined therein as at any period previous to the inauguration of the present government, and the State is compelled to farm out its convicts.

The defense of the frontier against Indian depredations required extraordinary expense. To meet this, the State issued \$750,000 in bonds; \$460,000 were sold. This measure was called for by all parties, and is universally approved.

There have been heavy expenditures for common schools. The constitution requires the building of school-houses and the establishment of schools. The reconstructed government found the State without either schools or school-houses. It was estimated that the expenditures for this purpose in 1871 would be from one to two million dollars. The first public free school ever held in the State was opened September 4, 1871. The following extract from the paper already referred to shows the need of schools, and the progress made:

Before the rebellion the school fund was divided up between private schools, and even the poor whites were deprived of its benefits unless they were entered as paupers. Public free schools before the rebellion, or previous to the opening of the public schools September 1, of this year, were unknown.

Our constitution contains a number of stringent provisions in relation to the establishment of public schools, peremptorily ordering the legislature to provide them and to put upon the people such tax as might be necessary for that purpose. The closing section of the article in the constitution on that subject declares it to be "the imperative duty of the legislature is to see to it that all the children in the State within the scholastic age are without delay provided with ample means of education." The constitution also makes education compulsory, which we believe is a step beyond any other Southern State. The act of the United States Congress admitting the State to representation in Congress makes it one of the guarantees, "that the constitution of Texas shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State."

The legislature has, however, only been able to do half the work laid out by the constitution. We should have 5,000 teachers at work and 2,000 school-houses. If every cent is collected that is levied for school purposes, added to our revenue from the permanent school fund, it will not reach the necessities of half our children now out of school.

At the first session of the legislature after the admission of the State, the legislature passed a school law, leaving its enforcement to the county courts. It was a failure; the necessary taxes were not levied, and no schools were established.

At the last session of the legislature, \$504,500 was appropriated for school purposes and the establishment of the school bureau. Without a school-house or public school, and with 235,000 children, according to school census, of whom only some 25,000 were receiving education in private schools, you can readily see the justification for the levy of the district school tax of one per cent., which is set down in the estimate as yielding \$2,000,000, if all is collected. This amount would not build the school-houses necessary to accommodate this army of children growing up in ignorance, and the appropriation by the legislature and the district school tax, as much as it is complained of, is evidently entirely inadequate to meet the necessities of the State.

Already thousands of children are attending State schools. So bitter are a large class of the whites to public education, that they carry their hatred to the ostracism of northern teachers coming among us, and refuse them hospitality beneath their roofs, and in many localities it is yet impossible to secure a home for lady teachers.

In Texas, as in other States, the Ku-Klux are a living reality. In some localities it is known as the "Blue Lodge," and just before the election, within thirty miles of the capital, a band of disguised men rode through the settlements, took a school-teacher and an old negro from their homes, and whipped them almost to death, burned a church and a school-house, and threatened whole neighborhoods.

In his letter of November 1, 1871, the governor says:

We now have 1,000 schools open, and about 50,000 scholars in them. Before the end of the year we hope to double that number. The school fund is valued at \$2,575,000.

The governor says:

The present rate of taxation for support of the State government and the public school system looks to an income altogether of about \$3,000,000, of which sum more than two-thirds, or \$2,250,000, is to be expended in building or renting school-houses and maintaining public schools, and paying the employes. All other expenses are provided for by a tax of 37½ cents on the \$100, which is expected to yield \$750,000. Included in this are \$200,000 for State police.

The taxes levied in 1870 were:

State.....	\$589,363
County.....	311,480
Cities, towns, &c.....	227,879
Total.....	<u>1,128,722</u>

The following is a statement of the amount of taxes which were authorized by law in 1871, based upon the old valuation of property at \$200,000,000. The full amount of the school tax need not be levied unless it be necessary, and the discretion is with the district school boards:

Direct State tax, of which one-fourth is appropriated among the public schools.....	\$1,000,000 00
Poll-tax.....	150,000 00
Frontier defense tax.....	50,000 00

District school tax, if entire levy is collected.....	\$2,000,000 00
County taxes cannot be arrived at; may safely be set down at.....	400,000 00
Occupation taxes.....	150,000 00
Total.....	<u>3,750,000 00</u>

The amount actually levied was about \$3,000,000, on a valuation of \$200,000,000, 1½ per cent. These taxes appear heavy; yet, when compared with the value of agricultural products of the State for 1870, \$49,187,170, they do not seem out of proportion, and it appears that property is greatly undervalued.

And in this connection it should be noted that the increase in value of live stock and the amount sold from the State does not appear. Grazing being the principal business of the State, this item is important. Nor is the wool-clip included, and the profits from these sources may be estimated at \$10,000,000, showing total production for 1870, \$59,187,170. If we deduct from the total assessment for 1870 the estimate for property not agricultural, say \$40,000,000, we have \$160,000,000, agricultural, upon which the gain of \$59,187,170 is nearly forty-seven per cent.

RAILROADS.

The State has incurred prospective contingent liabilities for aid to the Southern Pacific and International Railroads, to an extent estimated at \$11,500,000, no bonds having been issued.

The governor says:

The legislature has also, by two acts, passed respectively August 5, 1870, and May 24, 1871, authorized the issue of bonds to the extent of \$10,000 to the mile, in aid of the railroads known as the International, and Southern Pacific and Trans-continental. The whole amount that may prospectively be issued under these acts cannot exceed \$11,500,000, but no portion of it has yet been issued, and it can only be issued proportionately on completed sections of the roads.

The State owns lands estimated at 83,433,316 acres, and the subsidies are promised to roads running through the lands. The constitution of the State forbids granting lands, but it is proposed to submit an amendment to the people allowing the State to substitute lands for bonds, which is provided for in the law, if authorized by the people. If this be done, it will relieve the State of subsidies to the amount of about \$5,000,000.

The following extract states the railroad matter more in detail, and how the laws were passed:

They have subsidized two railroads; the International Railroad to the extent of about \$5,000,000, in consideration that it is finished across our State, from Fulton to the Rio Grande, within four or five years, (this is in the shape of bonds, and if that road is completed it is thought to be a good investment; the increase in value of our cattle interest will alone exceed the amount of this subsidy;) and, at the last session, the Texas Pacific and Trans-Continental were subsidized together to the amount of \$6,000,000. An act was also passed submitting an amendment to the constitution, which will allow the substitution of land donations instead of State bonds to these roads, the lands being now tied up by constitutional provision. None of these bonds have been issued, and *can only be issued upon completed road*. It must further be noted, as regards these two railroad subsidies, that while the republicans in the legislature were divided for and against them, the democrats were nearly unanimous in their favor. Governor Davis vetoed the subsidy of six millions to the Southern Pacific and Trans-Continental, giving strong reasons therefor, but his veto was not sustained, because *thirty out of thirty-three* democratic representatives voted against the veto, the three democratic representatives from the Dallas district, whence your "thirty-two" date their letter, being among these opposers. Does not this charge show considerable impudence on the part of your correspondents?

In 1871 there were 797 miles of railway completed, which had cost \$25,090,000. The total made and in construction was 3,797.

In 1871 the assessed value of property was.....	\$220,000,000
Gain since 1865.....	<u>99,206,327</u>

The value of agricultural productions since the war, as returned and estimated, is as follows:

1866 to 1869, excluding cotton, rice, and sugar, and 1870 and 1871 for all products.....	\$177,674,293 00
Cotton for 1865 to 1870	<u>70,000,000 00</u>
Total	<u>247,674,293 00</u>

This does not include rice or sugar before 1870, nor increase of live-stock for any year. These items, for the six years since the war, must exceed \$30,000,000, which gives total production \$277,674,293.

GENERAL FINANCIAL VIEW AND CONCLUSIONS.

SUMMARY FOR ELEVEN STATES.

DEBTS.

1860.	
Debts and liabilities.....	\$102,516,777 88
1865.	
State debts and liabilities.....	<u>222,848,132 90</u>
Increase since 1860	<u>120,331,355 02</u>
Rebel State debts contracted in aid of rebellion.....	\$89,567,957 43
Debts and liabilities, not including rebel debts.....	133,280,174 47
Increase since 1860, not including rebel State debts.....	30,763,396 59
Debt of confederate States	2,345,297,823 00
Total confederate and State debts	2,568,145,955 90
Total increase since 1860.....	2,465,629,178 02
Loss of assets, trust funds, and balances in treasuries.....	<u>37,146,458 19</u>
Total loss by increase of debts and liabilities, and loss of assets, trust funds, &c.....	\$2,502,775,636 21
Add loss of property.....	<u>2,759,527,918 08</u>
Total loss.....	<u>5,262,303,554 29</u>
<i>At reconstruction.</i>	
Rebel State and confederate debts repudiated.....	\$156,436,253 49
Recognized debts and liabilities.....	17,705,000 00
Prospective railroad liabilities of Alabama, not included above, estimated	<u>17,705,000 00</u>
Total	<u>174,141,253 49</u>
Increase of debt and existing liabilities since 1865, excluding rebel debts of 1865.....	<u>\$23,156,079 02</u>
Increase of debts and existing liabilities since 1860.....	\$53,919,475 61
Add loss of assets, trust funds, and balances since 1860	<u>37,146,458 19</u>
Total loss by increase of debts and existing liabilities and loss of assets, trust funds, and balances since 1860	<u>91,065,933 80</u>

Increase of debt and existing and prospective liabilities since 1865...	\$40,861,079 02
Increase of debt and existing and prospective liabilities since 1860...	\$71,624,475 81
Add loss of assets, trust funds, and balances from 1860	37,146,458 19
Total loss by increase of debt and liabilities and loss of assets, trust funds, and balances	108,770,933 80

1871 and 1872, (last returns.)

Debts and liabilities	\$194,105,030 38
Increase of debts and existing liabilities since reconstruction	37,668,776 89
Contingent liabilities of Georgia, Alabama, Arkansas, and Florida, not included above, generally well secured	33,016,094 92

Total debt and existing contingent liabilities	\$227,121,125 30
Estimated prospective contingent liabilities, not included above, of Louisiana, partially secured, Georgia, Alabama, Arkansas, and Florida, secured, and Texas \$11,500,000 subsidy to railroads run- ning through State lands to which no railroad lands are granted...	78,738,906 00

Total debt and contingent and prospective liabilities..... 305,859,031 30

Increase of debt and all existing and contingent liabilities since re- construction	\$70,684,871 81
Increase of debt and all liabilities, contingent and prospective, since reconstruction	131,717,777 81

STATE ASSETS.

1860.	
Balance in treasuries, trust funds, &c	\$70,147,747 73
1865.	
Assets and trust funds, &c	33,001,289 54
Loss	37,146,458 19

PROPERTY.

1860.	
Assessed value	\$4,363,030,347 05
Slaves	1,634,105,341 00
Value less slaves	2,728,825,006 05
1865.	
Assessed value	\$1,603,402,429 00
Loss since 1860	2,759,527,918 05
Loss less slaves	1,125,522,577 05
Total loss in property, assets, and debt	2,917,005,731 26
Total loss, less slaves	1,272,900,390 26
1870.	
Assessed value	\$2,141,834,788 02
Increase since 1865	537,432,359 02
Census valuation of 1870	2,735,545,451 00
Increase since 1865	1,132,143,022 00
Gain since 1860, excluding slaves	6,720,244 95

AGRICULTURAL PRODUCTIONS.

Estimated value of agricultural products since the war: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay—1866, 1867, 1868, 1869, as per agricultural reports, and of all farm products for 1870, as per census, and estimated value of all products for 1871; and estimated value of cotton for 1865 to 1869 inclusive	\$3,931,781,643 57
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NOTE.—This estimate omits farm products, except cotton, for 1865; sugar and rice for 1865, 1866, 1867, 1868, and 1869, and vegetables, fruits, &c., and increase, sale, and slaughter of live stock for the whole period. These must have been worth several hundred million dollars.

GENERAL VIEW.

Thus it appears that when the late insurrectionary States entered the rebellion their debts and contingent liabilities were \$102,516,777 88. They held trust funds, assets and balances, \$70,147,747 73. These funds and assets were on deposit or in stocks of banks, railroads, and other internal improvements.

Their contingent liabilities were secured by mortgages on lands in stocks, banks, and interests in liens or on turnpikes, railroads and canals. The banks had capital, over \$61,000,000; coin, over \$18,000,000; circulation, over \$51,000,000. There were 8,944 miles of railway, which cost \$237,376,097. The assessed value of property was \$4,363,030,347 05. Estimated or assessed value of slaves, \$1,634,105,341; value of property excluding slaves, \$2,728,825,006 05.

1865.

When these States surrendered, their debts and liabilities, excluding rebel State debts, had been increased to \$133,280,175 47; ascertained debts contracted in aid of rebellion, were \$89,567,957 43. Total existing debts and liabilities, \$222,848,132 90; increase since 1860, \$120,331,355 02; increase of valid debt since 1860, \$30,763,396 59. The assets and trust funds were reduced \$37,146,458 19. Loss since 1860, by loss of assets, &c., and increase of debt, \$157,477,813 21. The value of their stocks and securities, liens, &c., for contingent liabilities were greatly reduced. Banks were broken and overwhelmed with debt, and their circulation lost to the people or the States. Personal property had been scattered, consumed, or destroyed, and even real estate was damaged by neglect of buildings, fences, fields, levees, and drains, so that the assessed value of property was reduced to \$1,603,402,429. Loss since 1860, \$2,759,527,918 05; excluding slaves, \$1,125,522,577 05. Total loss in property, funds, assets, and increase of debt, \$2,917,005,731 26; excluding slaves, \$1,272,900,390 26.

CONFEDERATE DEBT.

The debt contracted by the States in confederacy was variously estimated, and we have not the data to fix the amount exactly. Probably the confusion which followed the fall of Petersburg prevented a final statement. The amount was stated for October 1, 1864, at \$1,687,310,329. The war continued six months after that date, and expenses were estimated at the rate of \$1,427,448,778. The receipts from taxes had become nominal, and the debt at the end is estimated at \$2,345,297,823, as the following letter shows :

WAR DEPARTMENT,
Washington City, February 7, 1872.

SIR: In reply to your inquiry of the 2d instant, I have the honor to state that the debt of the so-called Confederate States government, April 1, 1864, was \$1,029,322,773, and October 1, 1864, \$1,687,310,298, as appears from reports of the rebel secretary of the treasury. Estimating the increase of the debt at the same rate, as shown by comparison of these amounts, it would have stood \$2,345,297,823 on the 1st April, 1865.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

Hon. J. E. STEVENSON, *M. C.*

Total ascertained loss by the rebellion in property, assets, and debts, State and confederate, \$5,262,303,554 26.

COMMERCIAL DEBTS.

There were debts due the merchants of the North from those of the South, for goods purchased and consumed and money loaned, estimated when the war began at \$300,000,000, (American Annual Encyclopedia, 1861, page 313.) Add interest to 1866 and the sum would be \$408,000,000. Total State debt and liabilities existing, and prospective and confederate debt and commercial debt, \$2,976,145,955 90.

Here was a burden which must have crushed the people of the South and reduced them to general bankruptcy. It was \$202,909,782 21 greater than the national debt at its maximum; \$247,320,949 85 more than the assessed value of all property in the States in 1860, less slaves; and \$1,372,743,326 90 more than the assessed value of all property in the eleven States in 1865. They had neither money nor credit, nor sufficient means of subsistence. If the Government had left the people of the South to their own devices they must have fallen into anarchy and ruin. But before the war ended the Government had begun to feed and clothe, shelter and care for the destitute of both colors, and millions were distributed in supplies; in 1865 a bureau was organized for this purpose, and expended in relief, education, and aid to people of both colors and all conditions \$13,230,277 40. Millions more were donated by charitable associations and citizens of the North.

Some conception of the want and the relief given may be formed from Governor Patton's address to the people of Alabama, July 10, 1868. He says:

THE DESTITUTE.

We all know of the great destitution in our State which followed the close of the war. The crop of 1865, from well-known causes, was lamentably short, and this naturally prolonged the destitution through the year 1866. There was so much suffering that it became a matter of absolute necessity to adopt some plan of relief. It is but simple justice to say that in our extreme destitution we found most timely relief at the hands of the General Government. In the course of the years 1866 and 1867 supplies were furnished from that source to the value of more than a million of dollars. In addition to this relief, large and generous donations in money and provisions were made by individuals and charitable associations. These donations were placed at the disposal of the governor, and distributed according to his best discretion.

Inasmuch as relief to large numbers of our people was a matter of absolute necessity, to prevent wide-spread suffering, we cannot but feel grateful for the bountiful assistance extended from the sources mentioned. Relief having come in this way, we were saved the necessity of drawing upon the State treasury or employing the State's credit for that purpose. Such a resort would have been a heavy burden in the embarrassed condition of our State and people. We have now happily reached a point at which there is little, if any, need for any further systematic distribution of supplies.

The Government sold thousands of farm animals in the South at low rates, which went into agriculture; and large quantities of clothing and supplies were distributed at nominal prices.

The railroads of the South were worn out by the war. In 1863 they were described as "on the point of giving out;" the rate of speed was reduced to a maximum of ten miles an hour; the wood-work was rotted, the rails worn, the machinery worn out; neither the companies nor the confederacy nor the States could repair them. The Government, as our armies advanced, captured the lines, repaired the tracks, rebuilt the bridges, and restored and renewed the rolling-stock. When the war closed we might have held all these lines, but they were turned over to the stockholders, and the rolling-stock sold to them at low rates, on long time. Thus the Government advanced to southern railroads \$7,295,488 83, and on the 1st of July, 1871, \$4,724,350 53 remained unpaid.

The Government relieved the southern people of the burdens of confederate and State war debts, of a sum greater than the present national debt. The merchants of the North compounded with their southern

creditors, abating more than half their dues and extending time for payment of the remainder. A bankrupt act was passed, enabling those hopelessly involved to begin business anew. Sound institutions took the place of the old broken banks, and national currency replaced confederate notes. Capital flowed from the North to the South, refilling the channels of trade. It is estimated that since the war the South has absorbed national currency at the rate of \$20,000,000 per annum; northern people settled in the South to engage in agriculture, commerce, and works of internal improvement, and give activity and energy to business and value to property.

The Government and the northern people treated the people of the South as citizens, and fellow-citizens, neighbors, and friends in misfortune. The only drawback on this policy was the movement toward

CONFISCATION.

There has been much exaggeration of the action of the Government in confiscating rebel property. The proposition to seize the lands of leading rebels and divide them among the landless poor had at one time some support, and there is no doubt that in 1865 a general impression existed at the South that such a policy might be adopted. This arose from the order of General Sherman relative to the lands of the "Sea Islands" and the coast within tide-water, and from the statements of rebel leaders and newspapers, as the war drew to a close, that it was the purpose of the United States Government to divide lands and goods among the negroes. These statements were made to stimulate the flagging spirit of the people. The negroes heard and were inclined to believe them, by their sense of justice, which suggested that as their labor had produced the greater part of the property, they should have a portion. Hence the idea was wide-spread and common among them that each head of a family would have "forty acres and a mule."

When the policy of the Government became settled, and the whites saw that their property was not taken, but many estates which had been abandoned by their owners and seized by the Government were returned in better condition than they would have been had they been left wild and uncultivated, the subject became a jest, and the freedmen were joked out of their fancy, and this the more readily after sharpers had swindled some of them by selling tokens—"pre-emption rights"—for their homesteads, in the form of tricolored stakes, to stake them off with. Ex-General Wade Hampton, in his testimony, says:

Answer. Yes, sir; we thought we had been the subjects of the most tremendous confiscation that had ever taken place in the world.

Question. That is, in the value of slave property?

Answer. Not only that, but all property.

Question. Was there any other property confiscated?

Answer. General Sherman carried away in silver enough to have paid the debt of South Carolina, or in horses, or any other article you choose to name.

Question. What was the debt of South Carolina?

Answer. In the neighborhood of between three and four millions of dollars.

Question. Do you think that much plate was carried out of the State?

Answer. I do not know.

Question. How wide a belt did Sherman traverse?

Answer. All the way from Savannah River diagonally to the upper portion of the State.

Question. Where did he strike the State?

Answer. Opposite Savannah.

Question. Where did he leave it?

Answer. I think in Lancaster district.

Question. How wide a region did his army cover?

Answer. It covered a space, I should say at a guess—from here to Savannah I should suppose was one hundred and twenty to one hundred and fifty miles—

Question. I do not ask for the length but the width of that region ?

Answer. Fifty or sixty miles, I suppose—that is, in some places. Of course at times the columns would move in separate columns, and at other times were concentrated; but the utmost space and width was in the neighborhood of fifty miles. Take this very point; they destroyed the railroad thirty miles below here and went in the neighborhood of Newbury, which was forty-five miles above.

Question. Your information is that the United States Army extended more than fifty miles ?

Answer. Yes, sir.

Question. You think that in that territory was found and carried away silver plate enough to pay two millions ?

Answer. I do not know. They took all they could lay their hands on.

Question. Judge Van Trump asked you whether you had ever known, in your reading in history, that there was any people more proud and high-toned or high-spirited than the people of South Carolina ?

Answer. No, sir; he asked me whether I had ever known a people as proud and high-toned who had submitted as quietly, &c.

Question. I mean then to ask the question in another form—whether you have known a people as proud and high-toned as the white people of South Carolina ?

Answer. I do not know. I think they have great pride of country and race, and very justly so. I think they have given to the Union as many men that the country might be proud of as any other State has ever done.

Question. I only judge by the immense amount of silver.

Answer. I do not know as to the silver. I could not judge of it in that way now, for all that was here is gone.

Question. To come back to my question; it never occurred to your mind that in leaving the white people, or the rebel element, as we call them, in possession of the lands and property, the Government was indulgent and kind ?

Answer. Did it leave us in possession of lands and property ? Was not that order of General Sherman's enforced by which all that country down there was given to the negroes ?

Question. Some of the islands off the coast ?

Answer. Yes, sir; and land some distance up from the coast—the very finest portions of South Carolina.

Question. How many acres did they cover ?

Answer. I do not know; but it was the richest and most productive part of the State.

Question. Do you know how many white people lived there ?

Answer. I have not the slightest idea.

By Mr. VAN TRUMP :

Question. White people owned it ?

Answer. Yes, sir; every bit of it.

By Mr. STEVENSON :

Question. You have no idea how much territory it covered ?

Answer. No, sir; except that my recollection is that the order gave fifty or sixty miles from the coast.

Question. It permitted it to come in that far ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Were not all those lands abandoned property during the occupancy ?

Answer. No, sir; the title was not abandoned. The people went away during the war.

Question. They were abandoned by the planters and occupied by the negroes during the war—the lands to which Sherman's order applied ?

Answer. I do not know. I know many persons came away that were obliged to do so. They were under the fire of the fleet, and, of course, had to leave; but there is a very grave mistake that you gentlemen in the North make in taking it for granted that every white man in the South was a rebel, and every negro loyal. I only want to state one little instance in my own knowledge. After General Sherman passed through here, when the negroes were practically free, General Hagood, who lives in Barwell, and was then serving with the army in Virginia, came to one of his plantations through which General Sherman's troops had passed. The confederate government had then authorized the enlistment of negro troops, and General Hagood called for enlistments on his plantation, and every man who was capable of bearing arms, on that plantation, enlisted to go and serve in the confederate army. They wanted to make the condition that they should serve under him. He said, "I cannot make that condition, because I am not authorized to do so; but I will try to secure it." Yet every one of them, now,

I will venture to say, are members of the Loyal League, and regarded as the most loyal citizens of the South.

By Mr. VAN TRUMP:

Question. If, of the negroes of the South, only those who fought as loyal persons in the Federal Army were enfranchised, there would not be many thousand votes in South Carolina?

Answer. No, sir; I think very few went from this State; very few black troops; some may have gone from the coast, but they went chiefly from Mississippi.

Passing the absurd exaggeration as to silver, and the gross blunder about the State debt, which was more than twice or even three times the sum stated, we exhibit the following tables, showing the amount of lands seized, and what had been returned in 1865 and in 1868. (See reports of Secretary of War.)

Tabular statement of property in the possession of and restored by the Bureau of Refugees, Freedmen, &c.

STATES.	AMOUNT OF PROPERTY NOW IN POSSESSION OF BUREAU OF REFUGEES, FREEDMEN, ETC.				AMOUNT OF PROPERTY RETURNED.		
	Number of acres of land.				No. of pieces of town property.	No. of acres of land.	No. of pieces of town property.
	Cultivated.	Uncultivated.	Unclassified.	Aggregate.			
Georgia and South Carolina ..	9,364	50,799	37,483	435,000	398	.....	384
Kentucky and Tennessee*....	10,177	29,072	25,880	65,129	414	.....	.....
Missouri and Arkansas*.....	18,736	.....	.....	18,736	72	.....	.....
Alabama*.....	.....	.....	2,116	2,116	13	.....	.....
Virginia.....	2,625	49,110	23,918	75,653	34	26,730	310
North Carolina.....	4,868	9,207	22,267	36,342	112	50,029	287
Mississippi and Louisiana ..	50,751	4	8,525	59,280	52	11,411	60
Louisiana.....	62,528	.....	.....	62,528	501	.....	136
Maryland and Virginia.....	2,282	5,027	6,497	13,806	.....	.....	.....
Florida.....	.....	.....	.....	.....	.....	.....	.....
Texas.....	.....	.....	.....	.....	.....	.....	.....
Total.....	161,331	143,219	464,040	768,590	1,596	88,170	1,177

* No report of property returned.

† No report received.

‡ No land in possession.

Schedule of property in possession and property restored since last annual report.—(From report of Secretary of War, vol. 3, part 1, p. 1017, to third session Fortieth Congress, October 24, 1868.)

States.	No. of acres in possession.	No. of pieces of town property in possession.	No. of acres restored.	No. of pieces of town property restored.
Virginia*.....	9,336	42	3,208	36
North Carolina.....	2,540	.....	2,401	1
South Carolina.....	74,669	15	11,025	2
Georgia.....	650	.....	39,632	17
Tennessee.....	21,582	99	6,404	59
Kentucky.....	.....	.....	.....	.....
Alabama.....	.....	2	.....	5
Mississippi.....	.....	.....	.....	.....
Louisiana.....	3,040	321	650	4
Arkansas.....	27,717	23	12,070	10
Texas.....	.....	.....	710	2
Florida.....	100	273	.....	.....
Total.....	139,634	775	76,100	137

* Maryland and Delaware, District of Columbia, Virginia, &c., included in Virginia.

The following letter shows that no rebel lands, save "Arlington," are now held by the Government:

WAR DEPARTMENT,
WASHINGTON CITY, February 12, 1872.

SIR: Referring to your note on the subject, I beg to inform you that the Commissioner of the Freedmen's Bureau reports that no abandoned lands remain under the control of his Bureau, except a part of the Arlington estate, in Alexandria County, Virginia, which is reported to contain about nine hundred acres.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

Hon. J. E. STEVENSON, M. C.

Other methods of confiscation were abandoned. The policy was carried furthest in New Orleans, and it was said, in 1865, that the net proceeds there had not exceeded \$50,000.

1866-'67.

From the surrender to 1868 there was gradual improvement, though the partial failure of two crops retarded the recovery. The people had been reduced by war to extreme poverty, and all they made seemed to come and disappear as rain upon a land parched by long-protracted drought, when every shower is drunken up and the earth asks more.

Prosperity was checked in many localities, and in a degree over the whole South, by the rise and prevalence of violence and lawlessness, and the uncertainty and confusion arising from the political condition of the States and the country.

AT RECONSTRUCTION.

At the reconstruction of these States, the rebel debt having been repudiated, the recognized debts and contingent liabilities were.....	\$156,436,253	49
Increase since 1860	53,919,475	61
The prospective liabilities were	17,705,000	00
Total debt and liabilities.....	174,141,253	49
Decrease on total debt of 1865	48,706,879	00
Decrease, excluding prospective liabilities.....	66,411,879	41
Total increase from 1860.....	71,624,475	61
Decrease since 1865, including rebel State and Confederate debt	2,394,004,701	41
Decrease, including one-half commercial debt.....	2,598,004,701	41

1871-'72.

The aggregate of debts and fixed liabilities at last statement for each State, was.....	\$194,105,030	38
Increase since reconstruction	37,668,776	89
Other existing contingent liabilities deemed secure.....	33,016,094	92
Total debt and existing liabilities.....	227,121,125	30
Prospective contingent liabilities.....	78,738,906	00
Total debt and existing and prospective liabilities.....	305,859,031	30
Increase of all debts and liabilities, contingent and prospective, contingent, however secured, since reconstruction.....	131,717,877	81
Increase since 1865.....	83,010,898	40

The new contingent liabilities are generally well secured, and provision is made for security of prospective contingent liabilities.

The assets of the States have increased in value.

The National banks in these States have capital.....	\$17,468,835
United States bonds.....	15,994,300
Circulation.....	15,413,910
They have 12,576 miles of railway, which have cost.....	369,278,000
Increase since 1865 in miles, 4,002, and increased investment.....	172,473,583

The mileage and value have been largely increased within the year past, and are increasing more rapidly than ever before.

The following tables show the growth of railroads in the country and in the South :

No. 1. *

States.	1860.		1865.	1868.	1871.		Increase over 1860.		Total miles.‡
	Miles.	Cost.	Miles.	Miles.	Miles.	Cost.	Miles.	Cost.	
Virginia.....	1,771	\$64,958,807	‡1,401	1,464	1,478	\$52,532,914	77	\$1,165,707	2,167
N. Carolina...	889	16,709,793	984	1,097	1,260	33,509,378	371	16,799,585	1,741
S. Carolina...	988	22,385,287	1,007	1,076	1,209	34,801,786	221	12,416,499	1,594
Georgia.....	1,434	29,057,742	1,420	1,575	2,137	53,475,532	733	24,417,790	3,087
Florida.....	401	8,628,000	416	437	461	15,245,000	60	6,617,000	764
Alabama.....	743	17,591,188	805	953	1,697	60,856,392	954	43,265,204	3,452
Mississippi...	872	24,100,009	898	898	985	31,993,737	113	7,893,728	1,900
Louisiana.....	334	12,020,204	335	335	522	21,789,560	188	9,769,356	806
Texas.....	306	11,232,345	465	513	797	25,090,000	491	13,857,655	3,797
Arkansas.....	38	1,155,000	38	86	490	16,122,060	452	14,967,000	1,810
Tennessee....	1,198	29,537,722	1,296	1,436	1,520	50,841,781	322	21,304,059	2,057
Total.....	8,944	237,376,097	9,065	9,870	12,576	396,278,080	4,002	172,473,583	23,175
W. Virginia..	.....	13,571,600	.....	.....	.....	.....	.....	.....	.....
		223,804,497							

* See Hunt's Year Book, 1871, and the Railway Monitor; in The Commercial and Financial Chronicle of January 13, 1872, p. 51.

† Deduct West Virginia, \$13,571,600. ‡ West Virginia taken off, 370. Cost, \$51,337,207. § Complete and in course of construction.

No. 2.—*Railroad extension in the several States, (in miles.)*

[Hunt's Year Book, 1871.]

States.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.	1870.
North East'n States.	2,073	2,508	2,800	2,973	3,153	3,250	3,469	3,577	3,599	3,616	3,652	3,660	3,697	3,751	3,733	3,793	3,834	3,868	3,938	4,019	4,300	4,516
1. Maine	168	245	293	323	334	360	415	429	451	468	472	472	471	505	505	505	521	521	521	500	680	810
2. New Hampshire	386	467	537	568	644	644	657	657	657	661	661	661	661	661	661	661	667	667	667	667	702	735
3. Vermont	214	290	413	471	506	512	529	529	529	546	554	562	562	587	587	587	587	587	587	605	652	652
4. Massachusetts	948	935	1,038	1,047	1,105	1,144	1,264	1,264	1,264	1,264	1,264	1,264	1,264	1,285	1,285	1,285	1,297	1,331	1,401	1,425	1,479	1,479
5. Rhode Island	68	68	68	68	68	94	108	108	108	108	108	108	108	108	125	125	125	125	125	125	125	141
6. Connecticut	289	402	451	496	496	496	496	590	590	590	601	601	601	630	630	630	637	637	637	687	687	729
North East'n States.	2,073	2,508	2,800	2,973	3,153	3,250	3,469	3,577	3,599	3,616	3,652	3,660	3,697	3,751	3,733	3,793	3,834	3,868	3,938	4,019	4,300	4,516
7. New York	1,180	1,361	1,623	2,031	2,387	2,534	2,583	2,629	2,661	2,661	2,679	2,682	2,700	2,728	2,792	2,821	3,002	3,178	3,245	3,320	3,652	3,892
8. New Jersey	206	206	303	318	347	375	466	465	507	516	536	560	567	633	633	864	864	879	942	973	1,011	1,092
9. Pennsylvania	1,136	1,240	1,297	1,372	1,404	1,537	1,800	1,925	2,081	2,340	2,442	2,508	2,82	3,006	3,171	3,360	3,728	4,091	4,311	4,398	4,898	5,056
10. Delaware	39	39	39	39	39	44	56	79	115	127	137	137	137	127	127	137	134	147	165	165	210	210
11. Maryland and Dist. of Columbia.	250	259	274	327	327	327	327	327	352	352	377	386	386	408	408	446	446	484	527	535	568	656
12. West Virginia.	97	97	159	241	241	241	241	241	352	352	352	352	361	361	361	361	365	365	365	365	387	387
Middle States.	2,901	3,202	3,795	4,328	4,745	5,058	5,473	5,686	6,068	6,348	6,413	6,706	6,963	7,263	7,165	7,941	8,539	9,144	9,555	9,765	10,752	11,323
13. Ohio	319	575	588	756	1,200	1,317	1,486	1,807	1,805	2,651	2,812	2,946	2,947	3,101	3,311	3,311	3,331	3,372	3,398	3,398	3,448	3,638
14. Michigan	270	342	379	431	431	444	474	501	602	642	737	779	810	853	898	898	941	1,039	1,103	1,109	1,325	1,739
15. Indiana	86	228	558	756	1,200	1,317	1,406	1,807	1,805	1,995	2,014	2,163	2,175	2,175	2,175	2,105	2,127	2,217	2,206	2,600	2,853	3,278
16. Illinois	52	111	271	412	759	788	887	2,225	2,502	2,730	3,781	2,700	2,917	2,998	3,098	3,156	3,157	3,191	3,224	3,440	4,031	5,423
17. Wisconsin	20	50	71	71	71	97	157	276	630	647	836	905	833	961	961	1,010	1,036	1,036	1,245	1,245	1,512	1,512
18. Minnesota	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
19. Iowa	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
20. Kansas	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
21. Nebraska	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
22. Missouri	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
23. Colorado	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Western States.	737	1,276	1,846	2,436	3,708	4,011	4,567	7,034	8,186	9,595	10,427	11,064	11,390	11,657	12,221	12,497	12,847	13,621	15,226	16,889	19,765	24,543
24. Virginia	363	384	520	632	752	839	912	951	1,127	1,168	1,301	1,379	1,379	1,379	1,379	1,379	1,401	1,442	1,464	1,464	1,483	1,483
25. North Carolina	154	283	351	450	572	582	604	733	849	907	907	937	937	937	937	937	937	937	937	937	937	937
26. South Carolina	609	378	589	652	769	845	759	845	905	905	905	905	905	905	905	905	905	905	905	905	905	905
27. Georgia	609	643	795	910	962	983	1,020	1,163	1,243	1,297	1,271	1,430	1,430	1,430	1,430	1,430	1,430	1,430	1,430	1,430	1,430	1,430
28. Florida	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21	21
29. Alabama	133	183	214	304	304	304	304	304	304	304	304	304	304	304	304	304	304	304	304	304	304	304
30. Mississippi	60	75	75	96	96	222	274	413	453	604	608	862	862	862	862	862	862	862	862	862	862	862

RAILROADS IN THE UNITED STATES.*

The following tabulation shows the distribution of mileage and cost of railroads and equipments to the several geographical sections, States, and Territories of the Union in construction and completed:

Sections, States, and Territories.	Length in miles.		Cost of road and equipment.
	Total.	Complete.	
Maine.....	923.86	872.86	\$31,561,691
New Hampshire.....	1,021.75	797.32	26,750,817
Vermont.....	881.31	711.31	38,493,213
Massachusetts.....	1,810.96	1,641.96	90,822,022
Rhode Island.....	139.46	139.46	6,526,693
Connecticut.....	986.48	821.74	39,477,800
Total.....	5,763.82	4,984.65	233,622,236
New York.....	6,196.28	4,252.93	262,435,839
New Jersey.....	1,354.61	1,049.31	101,322,908
Pennsylvania.....	6,682.80	5,520.92	336,656,887
Delaware.....	227.69	207.69	6,280,771
Maryland, (including District of Columbia).....	1,203.53	813.18	43,548,806
West Virginia.....	725.34	477.91	32,816,238
Total.....	16,390.25	12,321.94	783,061,509
Virginia.....	2,167.49	1,478.29	52,552,914
North Carolina.....	1,740.88	1,260.50	33,509,378
South Carolina.....	1,594.69	1,209.69	34,801,786
Georgia.....	3,087.89	2,157.39	53,475,352
Florida.....	764.20	461.20	15,245,000
Total.....	9,355.15	6,557.07	189,584,430
Alabama.....	3,452.60	1,697.60	60,856,392
Mississippi.....	1,900.90	984.90	31,993,737
Louisiana.....	806.50	522.50	21,789,560
Texas.....	3,797.50	797.00	25,090,000
Arkansas.....	1,810.00	490.50	16,122,000
Tennessee.....	2,057.84	1,520.84	50,841,781
Kentucky.....	2,021.42	1,018.18	39,043,964
Total.....	15,846.76	7,031.52	245,737,434
Ohio.....	5,491.85	3,859.52	196,649,930
Michigan.....	4,177.88	2,638.38	109,668,803
Indiana.....	5,542.60	3,709.10	164,407,549
Illinois.....	9,017.74	6,304.44	275,661,279
Wisconsin.....	3,513.70	1,652.70	67,263,207
Total.....	27,743.77	18,164.14	813,650,768
Minnesota.....	3,443.50	1,553.00	62,614,255
Dakota Territory.....	930.00	61.00	2,800,000
Montana and Idaho Territories.....	700.00		
Iowa.....	4,201.77	3,162.27	128,315,291
Nebraska.....	1,801.50	906.00	49,580,000
Wyoming Territory.....	498.00	498.00	47,000,000
Missouri.....	5,103.50	2,864.50	136,100,513
Kansas.....	3,271.40	1,703.40	66,310,000
Colorado Territory.....	616.00	442.00	17,250,000
Indian Territory.....	1,400.00	148.00	5,500,000
Total.....	21,965.67	11,338.17	515,470,059
California.....	2,685.30	1,111.30	76,902,000
Nevada.....	1,467.00	567.00	51,500,000
Utah.....	336.00	312.00	30,400,000
Oregon.....	2,770.50	199.00	7,900,000
Washington.....	655.00	50.00	2,620,000
Total.....	7,922.80	2,239.30	169,322,000

* See Railway Monitor in The Commercial and Financial Chronicle, January 13, 1872, p. 51.

GENERAL RECAPITULATION.

Sections.	Length in miles.		Cost of road and equipment.
	Total.	Complete.	
Northeastern States.....	5,763.82	4,984.65	\$233,632,236
Middle States.....	16,390.25	12,321.94	783,061,509
Southeastern States.....	9,355.15	6,567.07	189,584,430
Gulf and Southwestern States.....	15,846.76	7,031.52	245,737,434
Interior, east.....	27,743.77	18,164.14	813,650,768
Interior, west.....	21,965.67	11,338.17	515,470,059
Pacific slope.....	7,972.80	2,239.20	169,322,000
Grand total.....	104,988.22	62,646.79	2,950,458,436

In the following exhibit is given a statement of the increase of mileage and cost in the year 1871:

Sections.	Length in miles.		Cost of road and equipment.
	Total.	Complete.	
Northeastern States.....	293.42	478.56	\$33,974,146
Middle States.....	1,311.52	1,021.32	102,471,533
Southeastern States.....	1,168.60	411.37	14,964,848
Gulf and Southwestern States.....	3,147.47	830.27	28,388,748
Interior, east.....	3,129.69	2,616.79	111,950,739
Interior, west.....	2,303.00	2,726.79	101,684,895
Pacific slope.....	1,663.70	226.20	13,598,000
Total increase.....	11,017.40	8,188.30	376,932,327

No previous annual period has been so active in construction, or so successful in bringing into use long lines of track, as the year 1871. At the commencement of that year there were in the whole Union 54,435.49 miles of track, and at the close 62,646.79 miles, showing an increase in the year of 8,211.30 miles. This length is exclusive of city passenger railroads, and also of a second track, sidings, &c. As great a mileage was built in 1871 as existed in all the Union in 1851.

The progress of railroad construction in the United States since 1827, in which year the Granite Railroad at Quincy, Massachusetts, was inaugurated, to the present time is shown in the following table:

Year.	Miles open.	Yearly increase.	Year.	Miles open.	Yearly increase.
1827.....	3	.....	1850.....	7,475	1,125
1828.....	3	.....	1851.....	8,589	1,114
1829.....	28	25	1852.....	11,027	2,438
1830.....	41	13	1853.....	13,497	2,470
1831.....	54	13	1854.....	15,672	2,175
1832.....	131	77	1855.....	17,398	1,726
1833.....	576	445	1856.....	19,251	1,853
1834.....	762	186	1857.....	22,625	3,374
1835.....	913	156	1858.....	25,090	2,465
1836.....	1,102	184	1859.....	26,755	1,665
1837.....	1,431	329	1860.....	28,771	2,016
1838.....	1,843	412	1861.....	30,593	1,822
1839.....	2,220	477	1862.....	31,769	1,176
1840.....	2,707	577	1863.....	32,471	702
1841.....	3,319	522	1864.....	33,860	1,389
1842.....	3,877	558	1865.....	34,442	582
1843.....	4,174	297	1866.....	35,351	909
1844.....	4,311	137	1867.....	36,896	1,545
1845.....	4,522	211	1868.....	38,822	1,926
1846.....	4,870	348	1869.....	42,272	3,450
1847.....	5,336	466	1870.....	48,860	6,588
1848.....	5,682	346	1871.....	54,535	5,675
1849.....	6,350	668	1872.....	62,647	7,212

The slight increase in the South during the war was mainly from construction for war purposes. Since the war the increase in the country has been rapid, and the South has not kept up in proportion either to population or territory.

INCREASE OF PROPERTY. .

At the last valuation furnished for each State—

The aggregate assessed value of property was	\$2,141,834,788 02
Increase since the war.....	537,432,359 02
The true value by the census of 1870, was.....	2,735,545,451 00
Increase since the war.....	1,132,143,022 00
Increase on assessed value of property in 1860, less slaves.....	6,720,244 95

Being an increase over 60 per cent. in five years—equal to a gain of more than 12 per cent. per annum on all the property in these States, exclusive of annual receipts. This latter sum of \$1,132,143,022, increase by the census, may be taken as the true increase, or even less, because the census valuation of 1870 was made on the basis of currency much less inflated than that of 1865-'66, when the first assessments after the war were made, on the basis of the currency then. From August, 1865, to 1866, the premium on gold ranged between 48 $\frac{3}{4}$ and 40 $\frac{1}{4}$ cents on the dollar. In June, 1870, when the census was taken, the premium on gold was only 14 $\frac{3}{4}$ to 10 $\frac{7}{8}$, a decline of about 32 per cent., or nearly one-third of the dollar. It is certainly encouraging to find the census valuation \$6,720,244 95 greater than the assessment of 1860, excluding slaves.

The census valuation is at the market price, and the condition of the South since the war, especially in agricultural regions remote from cities and railroads, keeps the market price of lands low, so that the annual agricultural products of some States are worth more than half the valuation of all improved and wild lands listed for taxation, leaving to the land owner, after giving half the product for labor, 25 per cent. for the use of his lands a year. The value of agricultural products of these States since the war is more than three times the assessed valuation of the lands producing them. It cannot be doubted that the "market value" of southern lands is far below their intrinsic value. They yield, as managed now, more than 10 per cent. per annum on double their census value, and nothing is wanting but peace and order to bring the price up in proportion to their products.

The following tables, from the Census Bureau, show the true value of property in 1870, and the value of agricultural products:

Table showing the true valuation of real and personal property in the late insurrectionary States, as returned to the Census Office for June 1, 1870.

States.	True valuation.	States.	True valuation.
Alabama.....	\$201, 855, 841	South Carolina.....	\$207, 642, 571
Arkansas.....	156, 394, 691	Tennessee.....	497, 341, 851
Florida.....	44, 163, 655	Texas.....	159, 052, 542
Georgia.....	268, 169, 143	Virginia.....	409, 588, 133
Louisiana.....	323, 125, 666		
Mississippi.....	207, 451, 114	Total.....	2, 735, 545, 451
North Carolina.....	260, 757, 244		

Gross value of all farm products.

States.	1870.	States.	1870.
Alabama	\$66,532,810	South Carolina	\$41,909,402
Arkansas	40,051,943	Tennessee	86,472,947
Florida	8,909,746	Texas	49,187,170
Georgia	80,390,228	Virginia	51,774,801
Louisiana	51,707,524		
Mississippi	73,137,953	Total	607,940,464
North Carolina	57,845,940		

Table showing the true valuation of real and personal property of the several States, as returned to the Census Office, for June 1, 1870.

States.	True valuation.	States.	True valuation.
Alabama	\$201,855,841	Nebraska	\$69,205,534
Arkansas	156,394,691	Nevada	31,134,012
California	638,767,017	New Hampshire	252,624,112
Connecticut	774,533,589	New Jersey	940,976,064
Delaware	97,180,833	New York	5,516,572,564
Florida	44,163,655	North Carolina	260,757,244
Georgia	268,169,143	Ohio	2,235,430,300
Illinois	2,121,680,579	Oregon	51,558,932
Indiana	1,268,180,543	Pennsylvania	3,808,340,112
Iowa	717,644,750	Rhode Island	322,674,147
Kansas	188,693,712	South Carolina	207,642,571
Kentucky	601,998,468	Tennessee	497,341,851
Louisiana	323,125,666	Texas	159,052,542
Maine	340,234,525	Vermont	141,498,357
Maryland	643,748,976	Virginia	409,588,133
Massachusetts	2,307,004,477	West Virginia	190,661,491
Michigan	716,308,118	Wisconsin	702,307,329
Minnesota	228,909,190		
Mississippi	207,451,114	Total of States	28,928,233,079
Missouri	1,284,922,897		

TERRITORIES.

Arizona	\$3,440,791	New Mexico	\$31,349,793
Colorado	20,243,303	Utah	16,159,905
Dakota	5,599,752	Washington	13,563,164
District of Columbia	126,873,618	Wyoming	7,016,748
Idaho	6,552,681		
Montana	15,184,522	Total of Territories	245,983,367

CENSUS OFFICE, January 29, 1872.

OTHER STATES.

Table showing the value of agricultural products in certain States for the year ending June 1, 1870, as returned to the Census Office.

State.	Value of agricultural products.	State.	Value of agricultural products.
California	\$49,856,024	New Hampshire	\$22,473,547
Connecticut	26,482,150	New Jersey	42,725,198
Delaware	8,171,667	New York	253,526,153
Illinois	210,860,585	Ohio	198,256,907
Indiana	122,914,304	Oregon	7,122,790
Iowa	114,386,441	Pennsylvania	183,946,027
Kansas	27,630,651	Rhode Island	4,761,163
Kentucky	87,477,374	Vermont	34,647,027
Maine	33,470,044	West Virginia	23,379,622
Maryland	35,343,927	Wisconsin	78,027,032
Massachusetts	32,192,378		
Michigan	81,508,623	Total	1,825,906,316
Minnesota	33,446,400	Add eleven late insurrectionary States.....	607,940,464
Missouri	103,035,759		
Nebraska	8,604,742		
Nevada	1,659,713		
			2,433,846,780

CENSUS OFFICE, January 29, 1872.

The late insurrectionary States produce about one-fourth the total value, while the value of property in them, by the census, is \$2,735,545,451.

The value of property in all the States is \$28,928,333,079; more than ten times that of the eleven Southern States, producing one-fourth total agricultural values.

The estimated value of agricultural products since the war is \$3,931,781,643 57, being more than double the assessed value of all property on first assessment after the war—over 220 per cent. on that valuation, and over 300 per cent. of the valuation of farming and wild lands at the last assessment.

TAXES.

The total taxes levied in the eleven States for 1870 was:

State	\$12,813,615
County	14,295,630
Town and city	5,115,294
Total	32,227,539

(The county tax, includes taxes of New Orleans, over three million dollars, which belong properly to city taxes.) We do not know how much of this was collected.

The poll-tax and other special taxes are not separately stated, but if we consider the whole amount as property tax and all as collected, it would be an average rate of 15.7 mills on the dollar of assessed valuation of property, and less than $1\frac{17}{100}$ mills on the dollar of the true value of property as returned by the census of 1870. While this rate may appear high to old property-holders of the South, who have been accustomed to aristocratic governments, conducted by property-holders in their own interests, and expending little for general purposes, such as schools,

roads, streets, public buildings, gas, water, and all those conveniences to which other civilized communities devote such large proportions of the fruits of taxation, and in which they find their advantage in the welfare and comfort, prosperity and happiness of the people, and the increased productiveness and value of property. It is not high, in comparison with taxes levied in other States. Let us compare it with that of some Northern States. As we have seen the total of taxes levied in eleven late insurrectionary States for 1870, \$32,227,539. The assessed value of property was \$2,026,440,971. Total taxation, 15 mills on \$1. In the State of New York taxes were levied in 1870 amounting to \$48,550,308. Assessed value of property, \$1,967,001,185, per cent. 2.4 $\frac{6}{10}$ on \$1. In Ohio the taxes levied in 1870, \$23,526,548, on assessed property \$1,167,731,697; rate 2.01 per cent.

Illinois.—Taxation, \$21,825,008; property, \$482,899,575; per cent., 4.5. (This assessment is far below the true value by the census.)

Indiana.—Taxation, \$10,791,121; assessment, \$663,455,044; per cent., 1.6 $\frac{2}{10}$.

Iowa.—Taxation, \$9,055,614; assessment, \$302,515,418; per cent., 2.9 $\frac{0}{10}$.

Massachusetts.—Taxes, \$24,922,900; assessment, \$1,591,983,112; per cent., 1.5 $\frac{9}{10}$.

Michigan.—Taxes, \$5,412,957; assessment, \$272,242,917; per cent., 1.9.

Pennsylvania.—Taxes, \$24,531,397; assessment, \$1,313,236,042; per cent., 1.8 $\frac{8}{10}$.

Missouri.—Taxes, \$13,908,498; assessment, \$556,129,969; per cent., 2.5.

It will be seen that all these States exceed, and some double, those of the South in per cent. of taxation. The average rate is 2.1 $\frac{6}{10}$.

TAXATION.

States.	Total.	State.	County.	Town, city, &c.
Illinois	\$21,825,008	\$3,620,681	\$5,242,137	\$12,962,190
Indiana	10,791,121	2,943,078	4,654,466	3,193,577
Iowa	9,055,614	832,918	3,052,931	5,169,765
Massachusetts	24,922,900	7,408,962	653,500	16,860,438
Michigan	5,412,957	396,352	1,565,163	3,451,442
New York	48,550,308	8,720,156	15,102,761	24,727,391
Ohio	23,536,548	4,727,318	6,501,941	12,297,389
Pennsylvania	24,531,397	5,800,172	4,263,898	14,467,327
Total	167,615,853	34,449,837	27,036,798	93,129,519
Per cent. taxation on valuation in 7 Northern States				02.15
Eleven Southern States				01.57

The total taxes levied in all States, excluding the late insurrectionary States, was in 1870, \$244,675,677. The assessment of property was \$11,997,587,525. Average per cent., 2.03. We present above a statement of some of the leading States mentioned, and in census table attached to this report all the States not late insurrectionary are included. In eleven Southern States, with eleven State governments, legislatures, departments, courts, &c., &c., representing 9,483,520 people, the total State taxation levied in 1870 was \$12,813,615—being an aver-

age of \$1,173,965 per State, and of \$1 35 to the inhabitant. For the same year, (1870,) the State tax in New York was \$8,720,156—\$2 *per capita*; in Ohio, \$5,800,172; in Massachusetts \$7,408,962—\$5 08.2 *per capita*. The county taxation in the eleven Southern States was, in 1870, (excluding taxes of New Orleans included in census of counties,) \$11,000,000 for over eight hundred counties. Total taxation in eleven Southern States, *per capita*, \$3 39.8; in New York, *per capita*, \$11 70.6.

The assessment of property in all the States is low. Competent authorities say it is not over forty per cent. of the true value in some Northern States, but in the South the difference between the assessed and the real value must be greater.

The real estate of the South never was rated at its true value. Before the war it was an incident to slave property, and since the war it has not found its true level because quiet, security, and confidence have not been restored.

The inadequate valuation of southern property appears when we consider that upon an assessment of agricultural property not exceeding \$1,200,000,000, the agricultural productions for 1870 were valued at \$607,940,464, over 50 per cent. of the valuation of property.

The increase of taxation since 1860—when taxes were nominal—is generally accounted for by the increased expenses incident to free government, in which nearly four millions more people participate; by the change of policy giving increased attention to public interests and improvement of towns and cities, in streets, water, gas, &c., and by the establishment and maintenance of common schools. Thousands of school-houses have been built, 869,567 children having been brought under instruction at an annual expense of more than \$5,000,000. The following table shows the condition of education in the South at the last return, and all will agree that, though much has been done, more remains to be done before the children of these States are properly schooled.

Statement of the school population, public school enrollment, and public school expenditure, in the late insurrectionary States, compiled from the most recent information in the possession of the United States Bureau of Education. (January 12, 1872.)

State.	For the years—	School population.		Number enrolled in the public schools.	Expenditure on account of the public schools.	Remarks.
		Between ages of—	Number.			
Alabama.....	1871	5 to 21	387,057	.....	\$500,605 54	This amount was the school income.
Arkansas.....	1871	5 to 21	182,474	107,908	645,664 59	
Florida.....	1871	4 to 21	66,045	12,032	38,289 01	
Georgia.....	1871	5 to 21	425,000	80,035	200,000 00	State poll-tax only.
Louisiana.....	1871	6 to 21	246,290	91,500	782,800 00	
Mississippi.....	1871	5 to 21	304,762	98,600	900,000 00	
North Carolina.....	1870	6 to 21	346,507	49,333	302,045 50	
South Carolina.....	1871	6 to 16	206,210	66,056	150,000 00	
Tennessee.....	1868-9	6 to 20	410,000	185,845	733,795 74	Expenditures for two years.*
Texas.....	1871	6 to 18	235,000	50,000	1,000,000 00	Expenditure estimated.†
Virginia.....	1871	5 to 21	411,104	128,288	333,188 08	
Total.....			3,220,449	869,567	5,716,388 46	

* School system of Tennessee, under which above result was obtained, was abolished, and the county system established; under this, only 23 out of the 94 counties have any public schools.

† School law of Texas passed April 24, 1871; schools in process of organization; first public free schools opened September 4, 1871, only four months ago.

Some of the southern white people complain of taxes for schools, and especially of expenditures for colored schools. They forget that the freedmen pay a large proportion of the taxes, in poll-tax; and they overlook the more important consideration that though the freedman as yet owns but little property, yet he by his labor creates property, and that more rapidly than any other agricultural laborers in the country. Compare the expenses for schools in the South with those in the North. These eleven States, with 9,483,520, and 3,220,449 children of school age, expend \$5,716,338 46, (much of it in building new houses,) while Ohio raised from taxation for school purposes, in 1870, \$8,495,145; New York, \$8,385,330; Pennsylvania, \$6,648,711; Missouri, \$3,007,766; Illinois, \$5,857,499; Massachusetts, \$3,317,991; and all States save the eleven Southern States raised in 1870 by taxation for school purpose alone \$55,431,961, being \$23,000,000 more than was levied in the eleven Southern States for all purposes, and probably double the full amount collected in them.

Heavy expenses have been incurred in suppressing violence and disorder, amounting to several million dollars.

EXTRAVAGANCE AND CORRUPTION.

That there have been extravagance and frauds is admitted. Neither party is responsible for them, but individual members of both, and non-partisans, who care only for their *own gains*, regardless of the interests of their party.

PRODUCTION.

There has been a steady increase in all the States, and where quiet and order have prevailed the increase has been marked, in some places unprecedented, except in the new States of the Northwest.

The following tables show the estimated value of agricultural productions since the war: The first table is prepared from the agricultural reports for 1866, 1867, 1868, 1869, and the census returns for 1870-1871 estimated equal to 1870. The second table is prepared from Hunt's Year Book for 1871. The calculation of the value of cotton is made at current rates in New Orleans for each season.

We believe these estimates fall far short of the true sums. They omit sugar and rice for four years. They omit many small crops of considerable value for the whole time—such as fruits, vegetables, &c. They omit the wool-clip, and they omit the increase of live stock and value of those slaughtered or sold, which in Texas alone would be near \$50,000,000. They omit the value of all products except cotton for 1865, which at the prices then ruling must have been worth several hundred million dollars; and yet, with all these omissions, we have an aggregate agricultural production since the war valued at \$3,931,781,643 57.

Value of farm products, viz: Indian corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay for the years from 1866 to 1870, inclusive, and of all other farm products for 1870.

State.	1866.	1867.	1868.	1869.	1870.	Total
Virginia	\$55,266,845	\$50,511,920	\$45,944,040	\$42,432,510	\$51,774,801	\$245,930,116
North Carolina	45,551,450	38,332,716	37,339,097	33,138,770	57,845,940	212,207,973
South Carolina	14,110,902	13,578,690	13,829,120	15,685,510	41,909,402	99,113,624
Georgia	30,097,204	36,375,600	32,076,739	39,699,039	80,390,228	218,638,801
Florida	3,213,808	3,873,031	4,541,300	5,010,930	8,909,746	25,548,814
Alabama	36,732,461	32,837,750	31,334,720	38,872,260	66,532,810	206,310,011
Mississippi	20,630,676	23,168,730	28,374,708	35,519,350	73,137,953	180,831,417
Louisiana	9,879,879	11,919,110	14,289,200	19,260,750	51,707,524	107,056,463
Texas	23,295,823	18,371,800	15,816,700	21,002,740	49,187,170	127,674,293
Arkansas	15,643,084	19,405,840	23,748,646	26,704,425	40,051,942	125,553,937
Tennessee	60,109,781	52,024,800	50,341,112	55,198,300	86,472,947	304,146,940
Total	314,531,913	300,399,986	297,635,443	332,524,584	607,920,463	1,853,012,389
Add total estimate for 1871						607,920,463
Total						2,460,932,852

Cotton crops of the United States, &c.

	1865-'66.	1866-'67.	1867-'68.	1868-'69.	1869-'70.
	<i>Bales.</i>	<i>Bales.</i>	<i>Bales.</i>	<i>Bales.</i>	<i>Bales.</i>
Receipts from Georgia	258,798	255,965	495,959	357,253	488,204
Receipts from South Carolina	112,462	162,247	240,431	199,072	246,500
Receipts from North Carolina	64,653	38,623	38,643	35,908	59,612
Receipts from Virginia	39,093	127,867	166,587	140,971	202,898
Receipts from Florida	149,432	57,791	38,593	13,392	22,874
Receipts from Alabama	429,102	239,516	366,193	230,621	306,061
Receipts from Louisiana	711,629	702,131	584,240	794,265	1,142,097
Receipts from Texas	175,065	185,922	114,666	147,817	216,284
Received at New York, Boston, Baltimore, &c.	218,753	195,712	194,970	181,189	196,591
Total receipts at ports	2,158,987	1,965,774	2,240,282	2,100,428	2,911,121
Overland direct to Unmanufacturers	130,000	140,000	271,711	253,611	153,825
sed South, not received at ports	70,000	75,000	82,000	85,000	90,000,000
Total crop of United States	2,358,987	2,180,774	2,593,993	2,439,039	3,154,946
	<i>Pounds.</i>	<i>Pounds.</i>	<i>Pounds.</i>	<i>Pounds.</i>	<i>Pounds.</i>
Average net weight per bale	441	444	445	444	444
Total net weight of crop	1,040,313,267	963,263,656	1,154,326,885	1,082,933,316	1,400,796,024
Calculations, at current rates, in New Orleans	\$356,307,293 94	\$267,787,496 36	\$259,723,549 12	\$278,885,328 87	\$308,175,123 28

Total cotton

 Add first table

Total

\$1,470,848,791 57
2,460,932,852 00
3,931,781,643 57

CONCLUSIONS.

From all the facts before us, we conclude that the lawlessness, intimidation, and violence which have prevailed and yet prevail in the late insurrectionary States, have not arisen out of or been caused by the financial condition of those States, but are the effects of a conspiracy, formed before reconstruction, which ignores economic interests and con-

siderations, and strikes its victims in their persons and property, as may seem expedient; that the effect of this conspiracy and its operations has not been to improve the financial condition of the States in which it has operated; but that, on the contrary, it has inflicted almost incalculable injury upon those States by compelling increased expenses, while diminishing their resources and depressing their credit; by preventing immigration to and compelling migration from them; by keeping capital from flowing in and sending out part of what was there; by preventing the cultivation and improvement of lands, and lowering their value; by retarding internal improvement and the development of natural resources; by harassing property-holders and outraging industrious freedmen, the most productive laborers, and by killing able-bodied men, colored and white. We deem it safe to say that if the tide of capital and immigration which set southward at the close of the war had not been checked, but allowed to flow on to its full, the aggregate population of these eleven States would have been five hundred thousand more, and the aggregate value of property five hundred million dollars greater. The organizers and managers of the conspiracy, known as the Ku-Klux Klan, or Invisible Empire of the South, which has produced these effects, must have anticipated them before they occurred, and understood them while they were transpiring.

These leaders are men of high intelligence, and they must have intended the results they have produced. Their purpose must have been to close the South against northern men and capital; to hold the freedmen helpless and dependent; to govern the States and finally the country, and thus recover what they valued more than all else—property in slaves and political power.

TABLES.

The following tables show the increase of live stock in these States for three years, from February, 1867, to February, 1871, as per agricultural reports:

February, 1867.

States.	Number of horses.	Number of mules.	Number of sheep.	Number of cows.	Number of other cattle.	Number of hogs.
Virginia	172,547	28,710	700,666	260,698	282,424	1,055,945
North Carolina	99,436	32,560	339,258	203,555	292,921	1,160,816
South Carolina	43,808	32,372	216,704	148,144	166,657	299,392
Georgia	71,924	63,065	346,017	245,033	338,378	1,596,536
Florida	7,680	7,216	6,031	81,958	174,161	94,568
Alabama	82,591	81,754	276,507	176,271	233,663	819,236
Mississippi	69,355	71,316	253,895	160,580	240,860	717,884
Louisiana	36,208	57,926	87,908	74,930	152,120	218,276
Texas	269,680	66,183	940,195	653,410	2,458,065	1,312,556
Arkansas	89,502	42,487	113,782	100,103	132,694	480,864
Tennessee	254,111	69,489	261,427	183,535	198,830	1,317,310
Total	1,196,842	553,178	3,542,390	2,298,217	4,670,773	9,073,373

February, 1871.

States.	Number of horses.	Number of mules.	Number of sheep.	Number of cows.	Number of other cattle.	Number of hogs.
Virginia	178,500	29,400	394,800	229,500	397,800	757,500
North Carolina	126,700	44,400	315,200	203,400	298,400	841,500
South Carolina	53,800	42,300	156,700	147,500	174,400	317,200
Georgia	112,800	88,300	269,500	252,500	409,500	1,428,900
Florida	16,200	9,900	30,800	73,500	412,000	180,000
Alabama	103,600	98,700	200,200	177,200	324,900	900,000
Mississippi	82,600	96,300	200,000	182,000	333,500	850,000
Louisiana	70,800	75,500	90,000	90,000	172,600	300,000
Texas	615,700	82,900	1,137,300	596,500	3,220,000	1,200,000
Arkansas	138,100	67,900	135,600	132,600	221,900	863,000
Tennessee	280,000	94,600	400,000	233,600	338,100	1,520,000
Total	1,778,800	730,200	3,329,500	2,318,300	6,303,100	9,158,100

Value of live stock in the South for the year 1870.

Horses	\$125,494,609
Mules	80,157,898
Oxen, &c	64,490,393
Milch cows	48,575,764
Sheep	5,760,014
Hogs	38,216,397
	<hr/>
	262,695,076
	<hr/>

Banks.

States.	1860.			1871.		
	Capital.	Coin.	Circulation.	Capital.	Bonds.	Circulation.
Virginia	\$9,824,545	\$2,928,174	\$10,256,997	\$3,870,000	\$3,711,500	\$3,481,880
North Carolina.....	3,789,250	1,645,028	4,249,883	1,560,000	1,515,100	1,385,300
South Carolina.....	13,213,031	2,218,228	11,771,270	1,895,460	1,380,000	1,245,340
Florida.....						
Alabama.....	1,800,580	1,998,820	3,568,285	916,275	842,150	884,100
Louisiana.....	12,370,390	5,716,001	5,059,229	3,500,000	2,858,000	2,813,020
Georgia.....	13,482,198	2,112,446	9,898,827	2,384,400	2,156,400	2,041,300
Mississippi.....						66,000
Texas.....				625,000	625,000	642,300
Arkansas.....				200,000	200,000	192,500
Tennessee.....	6,881,568	1,456,778	6,814,376	2,817,300	2,706,150	2,656,170
Total.....	61,361,562	18,075,475	51,618,867	17,468,435	15,994,300	15,413,910

Taxation.

States.	1860.				1870.				Increase over 1860.
	State.	County.	Town, city, &c.	Total.	State.	County.	Town, city, &c.	Total.	
Alabama.....	\$530,107	\$309,474	\$11,590	\$851,171	\$1,477,014	\$1,122,071	\$403,937	\$3,003,922	\$2,152,751
Arkansas.....	241,633	285,773	107,987	635,393	950,894	1,738,760	177,236	2,866,890	2,231,497
Florida.....	80,938	74,425	3,758	159,121	234,072	168,389	79,009	482,070	322,949
Georgia.....	381,687	283,365	132,833	797,885	875,154	904,800	775,365	2,555,319	1,757,434
Louisiana.....	2,486,932	440,138	2,033,710	4,960,780	2,100,999	4,109,999	279,030	6,490,028	1,529,248
Mississippi.....	398,821	384,908	171,077	954,806	1,118,057	2,299,696	127,078	3,544,831	2,590,025
N. Carolina.....	543,643	255,417	245,672	1,044,732	1,160,413	923,604	228,351	2,312,368	1,267,636
S. Carolina.....	518,799	55,506	706,081	1,280,386	1,316,943	575,005	870,833	2,762,781	1,482,395
Tennessee.....	455,192	330,034	317,567	1,102,793	514,364	1,302,836	1,022,482	2,839,682	1,736,889
Texas.....	298,859	208,053	26,353	533,265	589,363	311,480	227,879	1,128,722	595,457
Virginia*.....	2,228,875	488,091	995,723	3,712,689	2,475,742	841,090	924,094	4,240,926	528,237
Total.....	8,165,486	3,115,184	4,752,351	16,033,021	12,813,615	14,298,630	5,115,294	32,227,539	16,194,518

* Take off West Virginia.

† Increase over old Virginia.

Statement showing the assessed valuation, &c., of certain specified States.

States.	ASSESSED VALUATION.		STATE DEBT, 1870.*		TAXATION.				COLORED POPULATION.				
	1870.	1860.†	Funded.	Floating.	State.		County.		Town, city, &c.		Total.	Free.	Slaves.
					1870.	1860.	1870.	1860.	1870.	1860.			
Alabama.....	\$156,770,387	\$482,108,702	\$5,382,800	\$3,095,218	\$330,107	\$1,122,971	\$309,474	\$403,937	\$11,590	475,510	2,690	425,080	
Arkansas.....	94,168,843	180,211,330	3,050,000	406,556	541,633	1,738,760	255,773	171,236	107,957	122,169	144	111,115	
Florida.....	32,480,843	68,928,685	1,012,372	276,325	80,938	163,389	74,425	79,009	3,758	91,689	932	61,745	
Georgia.....	227,219,519	618,222,387	6,544,500	None.	381,087	694,800	283,365	775,365	132,833	545,142	3,500	402,198	
Louisiana.....	254,371,899	435,787,265	17,721,300	7,300,434	2,486,932	4,109,999	440,138	279,030	2,033,710	364,219	18,647	331,726	
Mississippi.....	177,288,892	509,472,912	1,796,290	None.	398,821	2,299,696	384,908	127,078	171,077	444,501	773	436,631	
North Carolina.....	130,378,622	292,297,602	29,900,045	None.	1,165,413	543,678	255,417	228,351	245,672	391,650	30,463	331,659	
South Carolina.....	183,913,317	480,319,128	7,665,909	None.	518,799	575,005	55,506	870,833	706,081	415,814	9,914	402,406	
Tennessee.....	254,673,792	382,405,200	38,539,802	None.	455,192	1,392,836	330,034	1,022,482	317,567	322,331	7,303	275,719	
Texas.....	149,794,929	297,792,335	35,453,741	95,336	589,363	1,311,480	298,053	927,870	26,353	253,475	355	182,566	
Virginia (†).....	365,439,917	637,021,336	39,926,555	7,464,284	2,228,875	841,090	488,091	924,094	995,723	512,841	55,269	472,404	
Total.....	2,026,440,971	4,333,757,942	151,993,254	18,641,153	8,165,486	14,298,630	3,115,184	5,115,294	4,752,351	3,939,032	512,987	3,502,739	
CITIES.													
Charleston.....	.....	.....	5,157,508	None rep'd.	.....	.....	.....	.....	.....	.....	.....	.....
New Orleans.....	.....	.....	8,500,000	18,000,000	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	.....	.....	13,657,508	18,000,000	.....	.....	.....	.....	.....	.....	.....	.....

* Public indebtedness first returned in 1870. † Including value of slaves. ‡ Returns for 1870 exclude West Virginia. § Total slaves and free colored, 3,632,736.

Statement showing the valuation of real and personal estate for certain specified States, eighth and ninth censuses.

States.	VALUATION, 1870.			VALUATION, 1880.			True as returned by individual owners.			
	Assessed.			Assessed.			True as returned by United States marshals.			
	Total.	Real estate.	Personal estate.	Total.	Real estate.	Personal estate.	Total.	Real estate.	Personal estate.	
Total.....	\$2,023,760,546	\$1,456,247,737	\$567,461,800	\$2,737,288,746	\$1,854,913,483	\$882,478,844	\$549,923,292	\$6,743,024,909	\$2,631,569,301	\$4,111,455,608
Alabama.....	155,523,505	117,222,043	38,320,532	201,855,841	155,034,089	577,164,673	495,237,078	792,374,199	235,548,533	556,725,646
Arkansas.....	94,528,843	63,192,304	31,426,539	156,394,691	63,274,740	116,956,500	219,256,473	263,007,824	115,761,431	147,246,393
Florida.....	32,480,843	20,197,691	12,283,152	44,163,655	21,722,810	47,206,875	73,101,500	82,592,641	24,506,966	57,685,675
Georgia.....	227,219,519	143,948,216	83,271,303	208,109,207	179,801,441	438,430,946	643,893,237	626,326,086	210,008,682	476,227,403
Louisiana.....	253,371,800	191,343,376	62,028,514	323,125,666	280,704,988	155,082,277	692,118,568	630,994,570	333,798,709	977,195,861
Mississippi.....	177,278,800	118,278,460	59,000,430	209,197,345	157,836,737	351,636,175	607,324,911	754,900,768	247,150,284	507,750,484
North Carolina.....	136,378,622	83,322,012	47,056,610	207,642,571	116,366,573	175,931,029	358,739,399	550,322,748	179,920,134	370,402,614
South Carolina.....	183,913,337	119,494,675	64,418,662	297,907,351	189,772,684	359,546,444	548,138,754	697,818,988	155,043,632	422,774,636
Texas.....	253,728,161	223,035,375	30,746,786	497,341,831	219,991,180	162,504,020	493,903,892	838,452,354	393,216,292	445,236,092
Tennessee.....	149,722,929	97,186,568	52,546,361	159,052,542	112,476,013	155,316,322	365,200,614	453,156,753	191,166,391	261,984,432
Virginia*.....	365,439,917	279,116,017	86,323,900	409,588,133	417,052,228	229,069,108	793,249,681	1,083,184,678	494,896,327	588,288,351

* In 1860 Virginia includes West Virginia.

REPORT ON THE CONDITION OF

Wealth, debt, and taxation for certain specified States, ninth and eighth censuses of the United States.

STATES.	AGGREGATE POPULATION.		VALUATION.					
	1860.		1870.			1880.		
	1870.	1860.	Total.	Real estate.	Personal estate.	Total.	Real estate.	Personal estate.
Total.....	28,625,867	22,357,100	\$11,997,587,525	\$8,348,389,725	\$3,649,197,800	\$7,680,325,523	\$5,075,814,197	\$2,604,511,386
California.....	500,247	379,994	269,644,068	176,527,160	93,116,908	139,654,647	66,906,631	73,748,036
Connecticut.....	537,454	460,147	425,433,297	504,110,509	221,322,728	341,226,976	191,478,842	149,778,134
Delaware.....	135,015	112,216	64,787,223	48,744,783	16,042,440	39,707,223	26,273,803	13,493,430
Illinois.....	2,539,891	1,711,951	482,899,575	348,433,906	134,465,669	380,297,372	287,219,940	101,987,432
Indiana.....	1,680,637	1,350,428	663,455,044	469,120,974	203,334,070	411,042,434	291,829,992	119,212,432
Iowa.....	1,991,792	674,913	302,515,418	226,610,638	75,904,780	295,166,983	149,433,423	55,733,500
Kansas.....	1,364,389	107,906	92,125,861	65,499,365	26,626,496	292,518,292	16,088,422	6,429,630
Kentucky.....	1,321,011	1,155,684	409,544,294	311,479,094	98,064,000	528,212,693	277,925,054	250,287,672
Maine.....	626,915	628,279	204,253,780	134,580,157	69,673,623	154,380,388	86,717,716	67,062,679
Maryland.....	780,894	687,049	423,834,918	286,910,332	136,924,856	297,135,238	65,341,438	521,793,800
Massachusetts.....	1,437,351	1,231,066	1,591,983,112	901,037,841	690,945,271	777,137,816	475,413,165	301,744,651
Michigan.....	1,184,050	749,113	272,242,917	224,663,077	47,579,250	163,533,005	123,605,084	39,927,921
Minnesota.....	439,706	172,623	84,135,332	62,079,587	22,055,745	32,018,773	6,727,002	6,727,002
Missouri.....	1,721,295	1,192,012	556,129,969	418,537,535	137,602,434	296,935,831	153,450,577	113,452,274
Nebraska.....	122,993	28,841	54,584,616	38,365,999	16,218,617	7,436,949	5,732,145	1,694,804
Nevada.....	42,401	6,857	25,740,973	14,594,722	11,146,951	123,810,059	50,638,346	64,171,743
New Hampshire.....	318,300	326,073	149,065,290	83,231,288	63,834,092	206,682,492	151,161,942	143,590,550
New Jersey.....	906,098	672,035	634,868,971	448,839,127	176,036,844	306,682,492	1,069,658,080	380,806,558
New York.....	4,382,759	3,880,735	1,967,001,185	1,532,720,907	434,980,278	1,300,464,638	687,518,121	272,348,980
Ohio.....	2,665,260	2,230,511	1,107,731,697	707,846,836	459,834,861	959,867,101	6,970,692	72,745,313
Oregon.....	90,923	59,465	31,798,510	17,674,296	14,124,308	18,953,015	6,970,692	158,069,355
Pennsylvania.....	3,521,791	2,907,915	1,313,226,042	1,071,660,934	941,555,108	719,193,325	561,193,890	41,386,101
Rhode Island.....	217,359	174,915	104,278,854	132,876,584	111,402,273	125,104,305	81,775,904	41,386,101
Vermont.....	400,531	317,693	102,548,598	85,993,104	31,552,428	54,738,619	66,639,973	19,118,646
West Virginia.....	442,174	270,688	140,538,273	98,924,774	44,613,499	185,945,469	146,238,700	37,706,723
Wisconsin.....	1,034,670	775,881	333,200,538	252,322,107	80,887,731	377,000,000	146,238,700	37,706,723

Health, debt, and taxation for certain specified States, ninth and eighth censuses of the United States—Continued.

STATES.	PUBLIC DEBT, NOT NATIONAL.						1870.	
	Total.	STATES.		All other.	COUNTY.		All other.	TOWN, CITY, ETC.
		For which bonds have been issued.	All other.		For which bonds have been issued.	All other.		
Total.....	\$615,803,737	\$177,341,731	\$4,930,995	\$149,324,999	\$35,471,050	\$214,882,484	\$44,002,478	
California.....	18,059,052	3,311,500	117,527	9,808,404	4,009,307	815,764	26,580	
Connecticut.....	17,058,906	7,375,900			6,103	6,837,417	2,909,486	
Delaware.....	7,526,125				23,500	384,250	2,000	
Illinois.....	42,191,869	4,890,937		10,720,192	2,088,730	23,734,835	758,175	
Indiana.....	7,818,710	4,167,507		2,630,926	506,343	3,942,067	181,667	
Iowa.....	8,043,133	1,341,498		2,570,729	1,433,200	1,941,966	1,853,740	
Kansas.....	6,442,982	1,341,975	951,331	3,547,800		824,075	1,988,000	
Kentucky.....	18,453,484	3,076,480	816,000	6,363,864		7,361,737	595,623	
Maine.....	16,624,624	8,067,900		2,405,305		6,108,344	2,174,227	
Maryland.....	90,022,577	13,317,475		1,305,395		14,097,856	5,467	
Massachusetts.....	66,211,538	27,138,164	1,142,717	1,000,150		14,097,856	13,694,384	
Michigan.....	6,732,921	2,355,098		30,600		26,530,150	376,700	
Minnesota.....	4,788,797	17,806,000		1,943,383		1,648,497	130,706	
Missouri.....	46,001,865	17,806,000		16,263,419		15,725,100	1,442,733	
Nebraska.....	7,089,864	36,300		1,363,350		70,400	2,000	
Nevada.....	1,950,093	500,000	211,000	410,496		324,776	28,000	
New Hampshire.....	11,133,373	2,732,300	142,894	372,700		2,364,114	5,236,350	
New Jersey.....	22,854,304	3,996,200	65,669	6,222,921		11,710,102	1,312,627	
New York.....	139,805,234	32,409,144		39,253,185		66,363,637	10,355,669	
Ohio.....	22,241,958	9,732,078		3,893,000		3,272,367		
Oregon.....	218,466	106,353		51,386		500	5,500	
Pennsylvania.....	89,007,131	31,111,662		48,742,038		7,882,377	859,232	
Rhode Island.....	5,838,642	2,913,500		8,042		2,571,965	433,177	
Vermont.....	3,594,700	1,002,500		251,733		1,114,094	26,062	
West Virginia(a).....	561,767			960,600		2,300,247		
Wisconsin.....	5,903,532	68,200	2,183,857			116,528	274,100	

(a) State debt of West Virginia included in debt of Virginia.

WEALTH, DEBT, AND TAXATION FOR CERTAIN SPECIFIED STATES, NINTH AND EIGHTH CENSUSES OF THE UNITED STATES—Continued.

TAXATION, NOT NATIONAL.

STATES.

1870.

1860.

	1870.			1860.					
	Total.	State.	County.	Town, city, &c.	Total.	State.	County.	Town, city, &c.	All others.
Total.....	\$244,675,677	\$63,777,057	\$62,547,174	\$128,351,416	\$77,781,400	\$16,303,651	\$16,041,715	\$21,395,429	\$23,520,840
California.....	7,817,115	2,540,353	5,068,041	208,691	2,981,122	757,101	956,650	824,433	432,938
Connecticut.....	6,064,843	1,870,024	120,113	4,169,706	1,015,037	120,124	1,829	620,710	272,374
Delaware (a).....	418,092	83,666	180,994	144,432	205,891		56,105	34,325	90,192
Florida.....	21,825,008	3,620,681	5,242,137	12,962,190	6,121,766	2,360,092	1,262,220	841,547	1,657,820
Illinois.....	10,791,121	2,943,078	4,654,466	3,193,577	3,701,352	1,019,576	1,183,684	18,750	1,499,542
Indiana.....	9,055,614	832,918	3,622,431	5,169,765	2,378,400	383,375	918,315	159,691	1,496,019
Iowa.....	2,673,992	800,608	1,160,138	704,246	195,837	27,589	127,767	11,385	30,116
Kentucky.....	5,730,118	2,254,413	1,307,833	2,167,872	2,148,241	1,060,027	427,690	413,364	247,160
Maine.....	6,348,645	1,320,305	315,109	653,141	2,227,213	233,795	233,795	528,768	1,880,514
Maryland (b).....	6,632,842	1,781,222	1,542,918	3,300,372	2,158,805	873,136	1,641,065	528,768	1,191,829
Massachusetts.....	24,922,870	7,408,922	6,531,169	16,860,438	7,436,578	309,196	3,009,196	4,801,575	1,684,152
Michigan.....	5,412,857	1,177,653	1,565,163	3,651,442	1,766,694	193,292	455,368	250,584	862,530
Minnesota.....	2,648,372	511,126	1,070,944	1,050,302	1,606,027	184,205	961,888	38,930	172,394
Missouri.....	13,802,496	2,778,697	4,402,227	6,727,574	4,107,653	1,621,524	1,293,108	974,420	152,101
Nebraska.....	1,027,227	302,505	753,022	11,500	91,863	13,082	37,448	6,770	29,563
Nevada.....	2,820,308	298,411	498,092	282,835	1,291,806	98,126	191,715	309,848	572,117
New Hampshire.....	3,555,793	955,136	318,606	2,282,001	1,457,806	1,964	467,832	505,651	542,659
New Jersey.....	7,416,724	373,046	2,397,248	4,646,350	1,457,532	1,964	1,763,659	6,832,334	4,487,195
New York.....	48,550,308	8,720,116	13,102,701	24,727,391	15,303,422	2,280,154	1,970,570	1,629,207	3,101,369
Ohio.....	23,526,548	4,727,318	6,501,941	12,297,289	9,611,621	2,839,575	1,970,570	1,629,207	40,088
Oregon.....	2,650,956	177,653	362,753	40,570	109,056	43,397	115,371	1,354,848	4,257,706
Pennsylvania.....	24,521,397	5,800,172	4,263,898	14,467,327	8,729,736	1,396,227	1,729,635	1,114,173	30,425
Rhode Island (c).....	2,176,152	429,253	46,329	1,650,899	686,133	17,129	15,066	345,189	360,534
Vermont.....	2,135,919	1,177,553	555,855	918,097	908,859	187,291	15,066	621,533	641,733
West Virginia.....	1,722,158	724,722	1,707,005	3,005,688	2,330,011	313,712	753,033		
Wisconsin.....	5,387,970	874,677	1,707,005	3,005,688	2,330,011	313,712	753,033		

NOTE.—Under the head of taxation for 1860 the results as given in the column "all other" are derived from adding together "school," "poor," "road," and "miscellaneous" taxes, which classes were separately published in volume of miscellaneous statistics, census of 1860.

(a) In 1860 returns for taxation incomplete.

(b) In the table of annual taxes United States, 1860, errors have been discovered as follows: Kansas, the total of the several classes of taxes is found to be 1,000 more than total as published; Maryland, the total of the several classes of taxes is found to be 100 more than total as published; Rhode Island, the total of the several classes of taxes is found to be 45,406 less than total as published. The figures as given in this table are the same as given in published volume, 1860, therefore the taxation columns do not balance.

Statistics of public schools in the non-insurrectionary States for the year ended June 1, 1870.

States and Territories.	Number.	Average number of teachers.		Average number of pupils.		Income for the year ended June 1, 1870.		
		Males.	Females.	Males.	Females.	From endowment.	From taxation and public funds.	From other sources, including tuition.
STATES.								
California.....	1,342	767	1,116	39,772	35,755	\$357	\$1,519,348	\$108,023
Connecticut.....	1,635	452	1,905	45,556	42,893	409	1,216,789	209,648
Delaware.....	326	107	281	7,694	9,141	.....	130,429	7,300
Illinois.....	11,050	8,791	11,306	343,445	343,178	.....	5,857,499	1,952,016
Indiana.....	8,722	6,402	4,640	228,203	217,895	.....	2,002,052	61,547
Iowa.....	7,322	3,381	5,485	100,308	105,615	3,100	3,241,752	500
Kansas.....	1,063	829	1,035	29,632	28,398	.....	645,532	15,103
Kentucky.....	4,727	3,468	1,833	111,802	106,438	24,885	604,905	520,661
Maine.....	4,565	261	4,364	73,393	79,372	4,116	809,941	29,378
Maryland.....	1,487	933	1,217	42,927	40,299	4,507	1,039,135	102,415
Massachusetts.....	5,165	763	5,407	122,588	130,833	27,315	3,317,991	.....
Michigan.....	5,409	2,793	6,179	123,915	130,789	.....	2,018,172	144,417
Minnesota.....	2,424	919	1,839	53,171	50,237	.....	870,476	24,723
Missouri.....	5,996	4,414	2,948	163,581	156,732	5,300	3,007,766	79,667
Nebraska.....	781	436	377	9,227	7,825	.....	181,435	725
Nevada.....	38	9	47	1,065	791	.....	81,273	.....
New Hampshire.....	2,464	510	2,600	30,275	29,133	1,643	391,691	9,676
New Jersey.....	1,531	956	2,060	39,763	40,342	.....	1,492,608	69,965
New York.....	11,678	5,710	18,019	302,373	416,808	13,122	8,385,330	513,572
Ohio.....	11,458	9,306	12,437	389,022	348,671	10,000	3,495,145	23,010
Oregon.....	589	429	274	15,531	14,291	3,000	93,274	41,374
Pennsylvania.....	14,087	7,255	9,763	392,057	350,575	.....	6,648,711	203,935
Rhode Island.....	487	265	610	12,736	14,514	1,085	348,656	5,841
Vermont.....	2,830	1,171	3,451	25,872	26,195	1,366	504,006	11,330
West Virginia.....	2,371	1,997	690	53,587	47,906	1,800	575,324	22,687
Wisconsin.....	4,859	2,383	5,286	172,950	164,058	350	1,962,741	246,293
Total.....	115,006	66,707	105,223	2,930,445	2,819,294	102,355	55,431,961	4,401,997
TERRITORIES.								
Arizona.....	.....	.....	.....	.....	.....	.....	.....	.....
Colorado.....	124	81	75	2,552	1,965	.....	73,025	2,000
Dakota.....	34	22	26	679	544	.....	8,364	320
Dist. of Columbia.....	216	15	203	5,510	5,672	3,000	431,929	5,000
Idaho.....	25	23	10	602	606	.....	16,178	3,760
Montana.....	43	33	13	965	579	.....	30,434	2,491
New Mexico.....	5	5	.....	84	104	.....	.....	1,000
Utah.....	.....	.....	.....	.....	.....	.....	.....	.....
Washington.....	154	75	83	2,456	2,304	.....	30,326	3,420
Wyoming.....	4	2	2	100	75	.....	2,576	.....

VALUE OF PROPERTY IN COUNTIES CONTAINING CITIES AND TOWNS.

Statement showing the assessed value of real and personal property in certain counties in some of the late insurrectionary States, in 1860 and 1870, with true value for 1870, according to the Ninth Census, June 1, 1870.

States and counties.	Assessed value of real estate.		Assessed value of personal estate.		True valuation of real and personal estate, 1870.*
	1860.	1870.	1860.	1870.	
ALABAMA.					
Calhoun †	\$3,190,110	\$1,407,530	\$6,662,561	\$294,728	\$2,672,655
Dallas	15,754,332	7,011,966	33,911,309	2,767,611	12,722,277
Limestone	4,125,013	2,195,921	9,175,097	497,135	3,351,651
Madison	9,899,177	6,658,949	21,323,708	1,311,726	8,000,000
Mobile	16,863,030	17,576,934	24,667,845	6,166,785	30,510,869
Montgomery ‡	19,649,995	8,839,940	32,294,000	4,094,941	16,614,637
Total six counties	69,481,657	43,691,240	128,034,520	15,132,926	73,879,089
ARKANSAS.					
Crawford	1,425,906	980,930	2,331,652	538,758	2,431,501
Phillips	8,760,722	4,097,375	9,508,465	881,101	9,600,000
Pulaski	7,671,667	7,160,967	5,800,799	2,742,357	15,967,659
Sebastian	1,933,189	2,010,011	2,037,479	894,538	4,501,632
Total four counties	19,791,424	14,249,283	19,678,395	5,056,754	32,500,192
FLORIDA.					
Duval	937,265	2,612,245	1,901,990	761,404	4,531,586
Leon	3,222,194	2,051,237	7,587,581	945,623	7,000,000
Nassau	839,603	642,636	1,770,708	264,997	1,163,704
Saint John's	631,826	590,735	1,285,470	154,470	732,598
Total four counties	5,630,888	5,896,853	12,545,749	2,126,494	13,447,888
GEORGIA.					
Baldwin	3,834,074	969,153	8,388,435	515,099	1,484,232
Bartow §	3,141,046	2,401,464	5,903,030	923,282	3,804,988
Bibb	8,520,166	5,142,144	16,507,523	2,697,195	9,222,508
Chatham	12,011,775	14,272,103	19,953,644	8,477,219	25,257,940
Cobb	3,161,604	1,745,074	5,193,713	1,040,330	2,785,404
Floyd	3,680,345	3,252,270	6,399,497	1,506,827	5,945,246
Fulton	11,126,720	10,064,126	19,746,685	3,704,841	15,039,400
Muscogee	5,392,118	4,054,265	9,926,071	3,558,479	7,612,735
Richmond	8,933,660	7,261,254	17,987,459	6,814,361	19,473,131
Total nine counties	49,801,508	49,161,853	91,234,057	29,237,724	90,625,604
LOUISIANA.					
Concordia	6,160,686	2,535,895	703,420	404,836	3,990,974
East Baton Rouge	4,163,650	2,333,745	9,686,803	339,683	3,697,904
Iberville	17,749,860	3,643,543	1,537,438	306,415	5,366,624
Jefferson	7,028,150	9,770,920	5,037,700	3,449,560	17,627,306
Orleans	62,681,212	110,710,945	42,494,330	36,007,943	185,625,187
Total five counties	97,783,558	128,995,048	59,459,691	40,598,437	216,137,965

* True valuation of real and personal estate for 1860 not given.

† Parts of Cleburne and Etowah Counties taken from Calhoun between 1860 and 1870.

‡ Parts of Bullock and Elmore Counties taken from Montgomery between 1860 and 1870.

§ Cass County in 1860.

¶ Without Atlanta.

Assessed and true value of slaves in 1860.

States.	Number of slaves.	Assessed value at \$350 each.	True value by census, 1860, \$500.
Alabama	435, 080	\$152, 278, 000	\$217, 540, 000
Arkansas	111, 115	38, 890, 250	55, 567, 500
Florida	61, 745	21, 610, 750	30, 872, 500
Georgia	462, 192	161, 769, 300	231, 099, 000
Louisiana	331, 726	116, 104, 100	165, 863, 000
Mississippi	436, 631	152, 820, 850	218, 315, 500
North Carolina	331, 059	115, 870, 650	165, 529, 500
South Carolina	402, 406	140, 842, 100	201, 203, 000
Tennessee	275, 719	96, 501, 650	137, 559, 500
Texas	182, 566	63, 898, 100	91, 283, 000
Virginia	472, 494	165, 372, 900	236, 247, 000
	3, 502, 739	1, 225, 958, 650	1, 751, 369, 500

The following table shows the population of the several States and of the Union at the several periods.

It appears that the gain since 1860 was almost entirely in the States adhering to the Union. Indeed, during the war the insurrectionary States lost population and have hardly regained it since.

REPORT ON THE CONDITION OF

Population by States—1790–1870.

States.	1870.	1840.	1850.	1840.	1850.	1860.	1870.	1880.	1890.	1900.	1910.	1920.	1930.	1940.	1950.	1960.	1970.
Total of the United States	38,555,983	31,443,321	23,191,876	17,069,453	12,866,030	9,633,822	7,239,881	5,309,483	3,929,214								
Total of the States	38,113,253	31,183,744	23,067,262	17,019,641	12,820,868	9,600,873	7,215,858	5,264,300	3,929,214								
Alabama.....	996,992	964,201	771,023	590,756	309,756	197,927	127,905	106,927	82,548								
Arkansas.....	484,471	435,450	260,897	97,574	30,388	14,255											
California.....	560,247	379,984	92,397	25	25	25											
Connecticut.....	537,454	460,147	370,792	300,978	297,675	14	275,148	9	251,062	8	227,946						
Delaware.....	125,015	112,216	91,532	78,085	76,742	22	72,749	19	64,573	16	59,096						
Florida.....	187,748	140,424	87,445	54,477	34,730												
Georgia.....	1,194,109	1,057,286	906,185	691,392	516,823	11	340,985	11	252,433	12	162,686	13	82,548				
Illinois.....	2,589,891	1,711,951	851,470	476,183	157,445	24	55,102	23	12,982								
Indiana.....	1,680,637	1,350,428	988,416	685,866	343,031	18	147,178	21	24,520	20	5,641						
Iowa.....	1,191,792	674,913	192,214	43,112													
Kansas.....	364,309	107,206															
Kentucky.....	1,321,011	1,155,634	992,405	779,928	647,917	6	564,135	7	406,511	9	220,955	14	73,677				
Louisiana.....	736,915	708,092	517,762	352,411	215,739	17	152,923	12	76,556								
Maine.....	628,915	628,279	583,169	501,703	399,455	12	298,269	14	228,705	14	151,719	11	96,540				
Maryland.....	780,894	687,049	583,034	470,019	447,040	11	407,350	8	341,548	6	319,728						
Massachusetts.....	1,457,351	1,231,066	994,514	737,699	610,408	7	523,159	5	432,845	4	378,787						
Michigan.....	1,184,059	749,113	397,654	212,207	96	31,639	27	8,765	24	4,762							
Minnesota.....	439,706	172,023	66,077														
Mississippi.....	827,922	791,305	606,526	375,651	196,021	21	75,448	20	40,352	19	8,850						
Missouri.....	1,721,295	1,192,012	682,044	383,702	21	140,455	23	66,537	22	20,845							
Montana.....	122,993	28,841															
Nevada.....	48,401	6,857															
New Hampshire.....	318,900	326,073	317,076	292	292	292	292	292	292	292	292	292	292	292	292	292	292
New Jersey.....	906,066	672,635	469,555	373,306	320,228	13	277,436	12	245,562	10	151,719	11	96,540				
New York.....	3,292,759	3,060,735	3,097,339	2,428,921	1,918,608	1	1,372,111	2	959,049	3	580,051	5	340,120				
North Carolina.....	1,071,361	892,622	703,039	553,419	437,987	4	338,850	4	255,500	4	178,103	3	303,751				
Ohio.....	2,665,260	2,239,511	1,840,399	1,519,467	1,348,903	5	857,903	5	561,235	13	260,760	18	45,365				
Oregon.....	90,922	52,465	32														
Pennsylvania.....	3,521,791	2,906,215	2,311,786	1,724,053	1,348,233	3	1,047,507	3	810,091	9	602,365	9	424,373				
Rhode Island.....	317,353	291,630	267,845	241,845	220,923	20	83,015	17	76,931	16	60,192	15	68,825				
South Carolina.....	703,606	703,708	668,507	594,398	581,185	8	492,711	6	415,115	6	345,501	7	249,073				
Tennessee.....	1,258,900	1,109,901	1,008,717	820,210	681,904	9	562,741	10	461,727	13	105,602	17	35,691				
Texas.....	618,579	604,915	512,599	401,046	380,652	16	325,066	15	217,895	13	154,465	12	85,495				
Vermont.....	300,330	313,098	314,190	301,046	291	291	291	291	291	291	291	291	291	291	291	291	291
Virginia.....	1,923,651	1,442,014	1,023,651	775,881	606,591	23	443,601	23	1,063,116	15	974,600	13	880,200	1	747,610		
West Virginia.....	443,014	1,580,318	1,443,601	1,329,797	1,211,403	2	1,063,116	2	1,063,116	2	1,063,116	2	1,063,116	2	1,063,116	2	1,063,116
Wisconsin.....	1,054,670	775,881	366,391	30,945	30,945	29	30,945	29	30,945	29	30,945	29	30,945	29	30,945	29	30,945

NOTE.—The narrow column under each census year shows the order of the States when arranged according to magnitude of population in the aggregate.

ELECTION LAWS OF THE LATE INSURRECTIONARY STATES.

We have examined the election laws of the late insurrectionary States, and communications, documents, and testimony relating to their operation, in order to ascertain what changes have been made since the war, and how far they have contributed to lawlessness and violence. Important changes are common to all the States.

We give them in general terms, omitting minor matters, such as qualifications of residence, sanity, &c., and disqualifications for crimes other than those committed in rebellion.

1. Before the war only white males of twenty-one years and over were voters.

Now all male citizens of twenty-one years and over, having the qualifications of residence, sanity, &c., have the right of suffrage. The only exception to this rule is in Arkansas, and the governor of that State recommends the removal.

2. Before the war voting was *viva voce*; now it is by ballot.

3. Before the war there was no registry of voters; now all electors are required to register before voting.

4. Before the war the returning officers and those issuing commissions were bound by the arithmetical results of the polls, and required to give the commission or certificate of election to the person having the highest number of votes. Now there are boards of canvassers, who, in several of the States, are required not only to count the returns, but to pass upon questions of violence and fraud, and to exclude returns from precincts where they find the elections to have been controlled by such means.

5. Before the war the basis of representation was, property or property and slaves; or slaves, by enumerating three-fifths or all. Now it is all *inhabitants*.

6. Before the war white male citizens only, and, in some of the States, property-holders only were eligible to office. Now all male citizens having general qualification, save those under disabilities by the Constitution of the United States or disfranchised in Arkansas, are eligible.

These changes were made against the will of the old ruling class. The most important—that securing impartial suffrage without regard to race, color, or previous condition—was proposed by the national Government, and accepted by the States as a condition of their re-admission to the Union. The other changes were consequent upon and deemed requisite to protect impartial suffrage, though some of them may have been carried further than was necessary.

Complaints have been made by people, who have not become reconciled to the results of the war, against all these changes. They complain of equal suffrage because it elevates the freedmen, their former slaves, to equality with themselves, and enables a few of the poorer classes of white citizens, and citizens from the North, to combine with the enfranchised freedmen electors, and thus form a majority over the greater number of old white citizens of the State; and thus the control of the State is taken from the class who have been accustomed to rule, and given to those whom they ruled over. This complaint goes to the foundation of reconstruction and of republican government. It is that the minority, differing in opinion from the majority, are not permitted, on questions affecting the majority, to govern according to their own will. Such an

objection may seem strange to those used to the rule of majorities; but we should not be surprised to hear it from those who have been accustomed to govern by minority.

It was not expected that the old ruling class would be soon reconciled to the loss of power they had so long enjoyed, nor to the transfer of that power to classes whom they hate as enemies and despise as slaves. This complaint seems, to those who make it, strengthened by the fact that they hold nearly all the property in the State, and are the majority of citizens of intelligence and of experience in public affairs. They do not appear to consider that the abandonment and loss of their rights by rebellion should have shaken their prestige, or diminished their weight; nor do they admit that their influence as property holders should be affected by the fact that their titles were lost by treason and restored by the Government.

Mr. Wade Hampton, ex-lieutenant general in the rebel army, in his testimony before the sub-committee in South Carolina, says:

By Mr. STEVENSON:

Question. Is it not true that, at the time this appeal was made to the Senate of the United States, the bulk of the property—almost the entire property of the State—was in the hands of the old white citizens of the State, who were then democrats?

Answer. Yes, altogether, with the exception of a few free persons of color who had a good deal of property. You are aware that a large number of them were large property owners.

Question. In Charleston?

Answer. Yes, sir; and all over the State. Some were very large owners of slaves.

Question. Then the inconvenience of which you were complaining was that there was a class of people—freedmen—without property, who were in the majority in the State, and were ruling over you?

Answer. Yes, sir; and, as one of those addresses makes it, not only freedmen without property, but vagrant whites without character, who came and took possession of the government. Almost all the influential men—indeed, the class that represented certainly all the intelligence and all the capital of the State—was virtually excluded.

Question. The majority without property were ruling the minority who had nearly all the property?

Answer. That was the state of things.

Question. Did it never occur to yourself, and to gentlemen of your class in this State, that the fact that they held all the property in the State at that time was due to the generosity and indulgence of the Government?

Answer. Not at all. It never struck us in that way in the slightest degree, because the Government had not decided that we were fit subjects for punishment. We never dreaded any investigation; on the contrary, we were extremely solicitous that the Government should press the issue; press the trial of Mr. Davis, and determine whether we were traitors or not.

Question. Whether the rebellion involved treason?

Answer. Yes, sir.

Hon. Matthew Calbraith Butler, ex-confederate general, and democratic candidate for lieutenant governor in 1870, testifies:

By Mr. STEVENSON:

Question. What is your business now, general?

Answer. I am an insurance agent—the common refuge.

Question. You are not plauting?

Answer. Yes, sir, I am plauting.

Question. You have some landed estate still?

Answer. Yes, sir.

Question. How much?

Answer. One thousand six hundred and forty-two acres in one tract, and five hundred in another, and fifty in another, and my residence in Edgefield.

Question. You seem to think the Government would have been more kind to you if it had expatriated you. Do you really mean to be so understood?

Answer. I do not know as to my individual instance. I think if they had put up a guillotine, and chopped off some heads, and expatriated others, the rest would have got off better. I think the course pursued has been the refinement of cruelty.

Question. You mean you have suffered mentally, not physically?

Answer. Yes, which is far worse.

Question. None of your property was confiscated?

Answer. Yes, by my creditors.

Question. But not by the Government?

Answer. No, but by my creditors. I have not yet paid for all of it.

Question. You are now a voter in this State for State officers?

Answer. Yes, sir.

Question. And national officers?

Answer. I do not know that I have voted; but I have the right. My disabilities have been removed.

Question. Your disabilities do not prevent your voting?

Answer. No, sir.

Question. You are entitled to hold office also?

Answer. Yes, sir.

Question. You are, therefore, a full-fledged citizen?

Answer. Yes, sir, a legal citizen of the United States.

Question. Still, you think it would have been better to have been expatriated?

Answer. Yes. I do not think it is fair to specify my particular instance, because I may have got along better than other men. I may have that facility in adapting myself to the new order of things that many have not; but I believe if there had been an expatriation to some extent, and executions upon the guillotine or scaffold, it would have been mildness compared to the way that many of us in the South have been treated.

Question. You think the people of the South would have preferred that?

Answer. Yes, sir; and many expected it.

Question. It was according to the old precedent to banish and confiscate?

Answer. Yes, sir.

Question. After the Revolution, I believe this State did confiscate some two hundred and forty estates of tories?

Answer. Yes, sir.

Question. And banish some?

Answer. Yes, sir; but there were no rebels. We were all rebels at that time.

Question. The people treated them as rebels against themselves?

Answer. Yes, sir. I think the course pursued, more particularly by the State government, has resulted in the death of numbers of our very best people.

Question. How?

Answer. I think the course pursued in elevating a race, whose character is recognized at the North as well as at the South, over them; the practical confiscation of their property by excessive taxation; the loss of property; the permanent exclusion from all voice in the affairs of the government they have here; the disappointment in the results of the war; the utter destruction of all their hopes; and the unrelenting course followed, so far as disabilities were concerned, have been the causes of the death of many men, some advanced in years.

Question. Of broken heart?

Answer. Yes, sir; disappointment.

Question. I do not speak lightly, but ask the question, for I believe that men do die of broken hearts.

Answer. I don't know of people dying by a broken heart, but getting low-spirited. I know of many instances where men have died from incarceration by Sickle's orders, and now he gets credit for having administered government with mildness. I know of the cases of twenty-two of the best people in Edgefield who suffered for no cause, like that case which Mr. Thurman offered in the Senate, in considering the Ku-Klux act. Two of these twenty-two men died from the effects of that imprisonment. I think if he had put up a scaffold and hung that many, it would have been mildness compared to his actual course.

By Mr. VAN TRUMP:

Question. I see an unusual number of lunatics reported as in your State asylum. Has insanity increased?

Answer. I am not prepared to answer that question; my attention has not been directed to it.

By Mr. STEVENSON:

Question. Is it not true that the great mass of property-holders, land-holders, were engaged in the rebellion, either personally or by their aid and sympathy?

Answer. Yes, sir; I think it is almost universal. I know of scarcely an instance in this State, unless it be Mr. Pottigru, and he was not a land-holder.

Question. How many men are there in South Carolina who are under disabilities?

Answer. I have never estimated it. There are quite a number.

Question. You have no idea?

Answer. No, sir; by thinking for a time I might tell.

Question. How many are there in your own county?

Answer. I do not know. I know a man came down the other day, who I did not dream was under disabilities, but I found that he was; he had been a sheriff. There must be, I should say, at the least estimate, forty or fifty.

Question. In your county?

Answer. Yes, sir. General Bonham was one, General Dunnivant another, and others.

However extravagant such sentiment may seem to those who love the National Government and consider themselves fortunate in living under it, the fact is well known that many prominent southern men after their defeat abandoned or sacrificed their property and voluntarily expatriated themselves and their families, taking refuge in foreign lands. The majority of these mistaken citizens, if not all, have returned, some indebted to the Government for homeward passage. Thus, while other nations banish men for rebellion, the United States brings the self-banished home. All other substantial complaints grow out of this. The ballot is complained of because it puts the illiterate and the poor man on an equality at the polls with the cultivated, wealthy, and powerful, who might otherwise intimidate or influence him to vote against his judgment. The registry is complained of because it fixes the right of every elector before the election and precludes contest at the polls, in which the poor and the humble might not be able to withstand their more intelligent and powerful neighbors.

The powers vested in the registrar, and those conferred upon the board of canvassers and other officers who certify elections and issue commissions, are complained of as arbitrary, and so far as these powers enable such officers to reject qualified voters applying for registration, or to reverse the rightful results of lawful elections, the complaints appear well founded; but it should be remembered that these laws were made for extraordinary emergencies. Registrars were to make their lists among a people many of whom were hostile to the State government, and some of whom, if disqualified, would make any statement necessary to circumvent the law.

Returning-officers were to hold elections in many precincts where the physical force, and the superior intelligence and experience in politics, were in the hands of men who were ready for any exploit which would carry a majority, whether by fraud or violence. It was to meet such cases as these that extraordinary powers were given. Whether the emergency justified the precautions will appear by reference to the results in the last election of electors for President and Vice-President of the United States.

We have not, in all cases, official returns; but, for illustration, we state the results as given in the "Tribune Almanac," and other records believed to be authentic.

In the elections held in the spring of 1868 for the adoption of the new constitution and the election of State officers, and in the fall of the same year for presidential electors, the republican vote in Georgia, Louisiana, Tennessee, and South Carolina was as follows:

State.	Spring.	Fall.	Loes.
Georgia	For Bullock 83, 147	For Grant 57, 134	26, 013
Louisiana	For Warmoth 64, 901	For Grant 33, 283	31, 639
Tennessee	For Brownlow .. 74, 484	For Grant 56, 756	17, 729
South Carolina	74, 738	For Grant 62, 301	10, 437
Total.....	295, 290	209, 474	85, 836

Had the presidential election been close, the votes of these States might have elected a President and Vice-President pledged to the declaration that the reconstruction laws of Congress were unconstitutional, revolutionary, and void, and to the policy of overthrowing the reconstructed State governments.

In North Carolina, in 1868, Holden carried the State by 18,641; in the fall, Grant's majority was only 12,136; loss, from spring, of 6,505. In 1870, the democrats carried the State by 4,088; loss from State election of 1868, 23,729.

In Texas, in 1869, the lowest republican majority for State officers was 11,579. In 1871, on the vote for congressmen, including rejected votes, was 24,279; loss, 35,858.

In Tennessee, in the spring, the majority for Brownlow over Etheridge was 51,936; in the fall the majority for Grant and Colfax was 30,446; change, 21,490.

In South Carolina, in the spring, the majority for the new constitution was 43,470; in the fall the majority for Grant and Colfax was 17,064; change, 26,406.

In Georgia the majority in the spring for Bullock was 7,047; in the fall the majority for Seymour and Blair over Grant and Colfax was 45,688; a change of 52,135 votes.

In Louisiana, in the spring, the majority for Warmoth over all others was 23,265; in the fall the majority for Seymour and Blair over Grant and Colfax was 56,962; a change of 70,227 votes. Total change in four States from the spring of 1868 to the presidential election of that year, 230,445 votes, representing more than a million and a half of people.

The following table shows how the change was made in Georgia:

GEORGIA.

Table showing registered colored voters and republican vote for governor and President in 26 counties.

Counties.	Registry.	Spring of 1868.	Fall of 1868.
	Total colo'd.	Vote for governor.	Vote for Grant.
Appling	94	59	.....
Baker	1,053	255	33
Brooks	876	640	153
Bullock	238	42	.....
Chattahoochee	569	277	3
Clinch	202	220	75
Columbia	1,854	1,222	1
Coffee	93	107	.....
Dooly	798	467	32
Early	799	355	.....
Elbert	845	221	34
Hancock	1,545	1,394	85
Jasper	988	789	5
Jones	1,073	718	.....
Lincoln	590	406	.....
Montgomery	158	34	.....
Miller	185	187	.....
Randolph	1,193	687	1
Schley	501	389	69
Scriven	893	683	147
Stewart	1,583	1,752	63
Sumter	1,971	1,249	234
Tatnall	146	78	10
Warren	1,219	1,124	188
Washington	1,437	1,075	134
Wilkes	1,362	979	86
Total	22,524	15,409	1,323

The most notable results of the year are exhibited by the following table, showing the registered vote, white and colored; the vote for governor in the spring of 1868, that for President in the fall of 1868, and that for State officers in 1870 in Louisiana:

LOUISIANA.

County or parish.	REGISTRY.		GOVERNOR.		PRESIDENT.		AUDITOR.	
	1867.		1868.		1868.		1870.	
	White.	Black.	Warmoth, (rep.)	Taliferro, (dem.)	Grant.	Seymour.	Graham, (rep.)	Jume!, (dem.)
1. Bienville	550	955	628	506	1	1,385	93	754
2. Bossier	472	1,968	727	620	1	1,634	732	633
3. Caddo	777	2,987	1,242	947	1	2,895	1,319	1,213
4. Calcasieu	491	200	73	274	2	782	3	424
5. Caldwell	302	437	72	437	22	503	340	370
6. Claiborne	1,363	1,682	719	832	2	2,952	523	1,407
7. De Soto	620	1,700	649	1,053	0	1,260	1,032	713
8. Franklin	410	606	5	146	0	1,213	226	381
9. Jackson	750	659	490	320	0	1,398	301	686
10. La Fayette	820	766	743	228	0	1,422	145	754
11. Morehouse	419	1,318	547	482	1	1,525	516	493
12. Orleans	14,890	15,020	13,973	14,210	1,178	24,668	23,038	14,010
13. Sabine	459	321	196	259	2	934	432	347
14. Saint Bernard	270	679	524	276	1	473	377	264
15. Saint Landry	2,031	3,102	2,514	1,736	0	4,787	304	2,141
16. Saint Martin's	1,173	1,618	1,057	1,545	28	1,456	525	474
17. Union	985	664	287	406	1	1,416	351	688
18. Vermillion	595	246	133	176	0	958	127	555
19. Washington	519	363	145	367	0	656	81	399
Total	26,156	35,291	24,724	24,820	1,253	52,315	30,465	26,906

Here was a change, from spring to fall of 1868, in nineteen parishes, of 50,966 votes; and then in 1870, the next election, they change back. Whoever wishes to consider the causes which have produced this political phenomenon will find them fully set forth in the testimony taken by the committee of the House of Representatives investigating the matter in Louisiana in 1869. On pages 161 and 162, vol. 2, of the testimony, the following tables appear, showing the number of outrages committed on republicans in that State between the spring election and the presidential election of 1868, principally within a few weeks of the Presidential election:

RECAPITULATION.

Parishes.	Supplemental report.			Supplemental.	Original report.			Original.	Total both reports.			Both reports
	Number killed positively sworn to.	Number wounded by gunshot.	Number otherwise maltreated.		Aggregate.	Number killed.	Number wounded by gunshot.		Number otherwise maltreated.	Aggregate.	Number killed.		Number wounded by gunshot.	Number maltreated.	Aggregate.
Ascension			2	2							2	2
Assumption					1			1	1			1
Avoyelles					2	4	5	11	2	4	5	19
Bienville	1	2		3	1		3	4	2		2	6
Bossier*	162	1	6	169	5		3	167	1		2	177
Caddo	42		4	46	1	1	4	6	43	1	2	52
Caldwell												
Calcasieu					3			3	3			3
Carroll					3		2	5	3			5
Catahoula	20		6	26	11		1	12	31			38
Claiborne					7	1	7	15	7	1	7	15
Concordia					1			1				1
De Soto †	2	1	4	7	1		6	7	2	2	10	14
East Baton Rouge †			4	4	1		2	3	1		6	7
East Feliciana §			5	5		1	5	6		1	10	11
Franklin ¶					57	4	6	67	57	4	6	67
Jackson					1	2	7	10	1	2	7	10
Jefferson	5	9	33	47	4	8	10	22	9	17	43	69
Livingston							2	2			2	2
La Fayette and Vermillion					4	2	6	12	4	2	6	12
Lafourche							1	3	2		1	3
Morehouse			1	1	14	3	5	22	14	3	6	23
Madison							1	1	1			1
Natchitoches and Sabine					3	4	8	15	3	4	8	15
Orleans	63	11	87	161	2		10	12	65	11	97	173
Ouachita	4	2	3	9			2	4	6	2	5	13
Point Coupée					3		1	4	3		1	4
Plaquemines			1	1		4	1	5		4	2	6
Rapids			7	7	14	5	17	36	14	5	24	43
St. Bernard	68	1	4	73				68	1	4	73	73
St. Helena	4	3	26	33	3			3	7	3	26	36
St. Landry ¶	200	4	8	212	23	4	16	43	223	8	24	255
St. Martin**	2		4	6	2	3	1	6	4	3	5	12
St. Mary	2		3	5		1	1	2	2	1	4	7
St. Tammany			2	2		2	3	2	2		2	4
St. Charles							2	1			1	1
St. John the Baptist					1		3	1	1			1
St. James and Ascension					3			6	3		3	6
Terrebonne					16	1		19	16	1	2	19
Tensas	1			1	9		1	12	10		3	13
Union			1	1							1	1
Vermillion	2		1	3					2		1	3
West Baton Rouge and Iberville							1	1			1	1
West Feliciana					4		2	6	4		2	6
Washington ††			7	7							7	7
Winn	2		3	5					2		3	5
Total	580	34	222	836	204	51	143	398	784	85	365	1,234

* It is estimated that many more persons were killed in the Bossier negro hunt than the estimate given in the supplemental report.

† Number of republicans illegally deprived of their right to vote, November 3, 1868, 2,000.

‡ Number of republicans illegally deprived of their right to vote, November 3, 1868, 277. Number prevented from registering, though entitled to do so, 445.

§ Number of republicans illegally excluded from registering, 121. Number of republican voters fraudulently thrown out, 30. Number of republican voters illegally excluded from voting, 1,150.

¶ No evidence has been received from this parish for our last report. The character of the parish and the result of the election would seem to indicate that violence and intimidation have not decreased in the parish since our last report.

‡ This number is taken from the estimate of the democratic press. Under the state of lawlessness and intimidation existing, it has been impossible to procure full evidence from this parish; the probabilities are that the larger estimates are nearest the truth.

** Illegal democratic votes cast at the November election, 100. Republican voters illegally excluded from voting, 250.

†† Number of republican voters prevented from voting by intimidation and violence, 250.

RECAPITULATION OF GENERAL HATCH'S REPORT.

Parishes.	Number killed.	Number wounded by gunshot.	Number mal-treated.	Aggregate.
Caddo and Bossier	206	3	8	217
Caldwell			5	5
Catahoula	1	1	9	11
Claiborne	8	4	13	25
De Soto	4	1		6
East Baton Rouge		1		1
East Feliciana			14	14
Jefferson	2			2
La Fayette	1			1
La Fayette and Vermillion	9	1	1	11
Madison	1			1
Natchitoches, Sabine, and Winn	2	3	9	14
Onachita and Jackson	3	1	4	8
Orleans	11			11
Orleans, Jefferson, and Plaquemines	2	13	11	26
Point Coupée and West Feliciana	1			1
Rapides			1	1
St. Bernard and Plaquemines	14	14	56	84
St. Landry	3			3
St. Landry and Calcasieu	22	5	3	30
St. Martin's	1		1	2
St. Mary's	2	2	5	9
Tensas and Concordia	3			3
Union and Morehouse	1	1	1	3
Total	297	50	142	489

FINAL SUMMARY.

Reports of committee :

Killed	784
Wounded by gunshot	85
Maltreated	365
Total	1,234

Report of Brevet Major General Hatch, assistant commissioner of the Freedmen's Bureau :

Killed ..	297
Wounded by gunshot	50
Maltreated	142
Total	489

Appendix :

Killed, wounded, and maltreated	164
Grand total	1,887

It is not denied, however, that these powers have been abused. There is evidence tending to prove that in several of the States gross frauds have been committed in refusing registration, and in miscounting ballots; and certifying officers have arbitrarily reversed results—practices as often affecting republicans as democrats, because they are the weapons by which factions of parties fight each other, and in which members of the opposing party join the weaker faction. But of these matters the Houses have each taken cognizance, and we deem it proper not to assume to pass upon the facts. In some States the law permits returning officers to hold the ballot-boxes several days before returning the result. This opens a door for fraud, and governors of States have recommended the repeal of such provisions. In several

States the law, after providing for registration, forbids the challenging of a registered voter at the polls. At first view this would seem extraordinary, but explanations are made which show that voting has been interrupted and prevented, and the public peace disturbed by frequent and persistent challenging of all voters differing from the challengers. Crowds of armed men, surrounding the polls and enforcing such a plan, might prevent a fair election, under color of a legal right to challenge for cause.

ARKANSAS.

The only exception to the rule of impartial suffrage is in Arkansas, where the State constitution contains these provisions.

We give the provisions :

ARTICLE VIII.

SEC. 3. The following classes shall not be permitted to register, or vote, or hold office, viz :

1. Those who during rebellion took the oath of allegiance, or gave bonds for loyalty and good behavior to the United States Government, and afterward gave aid, comfort, or countenance to those engaged in armed hostility to the Government of the United States, either by becoming a soldier in the rebel army, or by entering the lines of said army, or adhering in any way to the cause of rebellion, or by accompanying any armed force belonging to the rebel army, or by furnishing supplies of any kind to the same.

2. Those who are disqualified as electors, or from holding office in the State or States from which they came.

3. Those persons who, during the late rebellion, violated the rules of civilized warfare.

4. Those who may be disqualified by the proposed amendment to the Constitution of the United States known as Article XIV, and those who have been disqualified from registering to vote for delegates to the convention to frame a constitution for the State of Arkansas, under the act of Congress entitled "An act to provide for the more efficient government of the rebel States," passed March 2, 1867, and the acts supplementary thereto.

5. *Provided*, That all persons included in the 1st, 2d, 3d, and 4th subdivisions of this section, who have openly advocated, or who have voted for the reconstruction proposed by Congress, and accept the equality of all men before the law, shall be deemed qualified electors under this constitution.

SEC. 4. The general assembly shall have the power, by a two-thirds vote of each house, approved by the governor, to remove the disabilities included in the 1st, 2d, 3d, and 4th subdivisions of section three of this article, when it appears that such person applying for relief from such disabilities has in good faith returned to his allegiance to the Government of the United States: *Provided*, The general assembly shall have no power to remove the disabilities of any person embraced in the aforesaid subdivisions, who, after the adoption of this constitution by this convention, persists in opposing the acts of Congress and reconstruction thereunder.

SEC. 5. All persons, before registering or voting, must take and subscribe the following oath: "I, ———, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States and the constitution and laws of the State of Arkansas; that I am not excluded from registering or voting by any of the clauses in the 1st, 2d, 3d, or 4th subdivisions of Article VIII of the constitution of the State of Arkansas; that I will never countenance or aid in the secession of this State from the United States; that I accept the civil and political equality of all men, and agree not to attempt to deprive any person or persons, on account of race, color, or previous condition, of any political or civil right, privilege, or immunity enjoyed by any other class of men; and, furthermore, that I will not in any way injure, or countenance in others any attempt to injure, any person or persons on account of past or present support of the Government of the United States, the laws of the United States, or the principle of the political and civil equality of all men, or for affiliation with any political party:" *Provided*, That if any person shall knowingly and falsely take any oath in this constitution prescribed, so person so offending, and being thereof duly convicted, shall be subject to the pains, penalties, and disabilities which by law are provided for the punishment of the crime of willful and corrupt perjury.

Section 2, Article VIII, is as follows :

SEC. 2. Every male person born in the United States, and every male person who has been naturalized or has legally declared his intention to become a citizen of the United

States, who is twenty-one years old or upward, and who shall have resided in the State six months next preceding the election, and who at the time is an actual resident of the county in which he offers to vote, except as hereinafter provided, shall be deemed an elector: *Provided*, No soldier, or sailor, or marine, in the military or naval service of the United States, shall acquire a residence by reason of being stationed on duty in this State.

The principal disqualifications are:

1st. Having taken the oath of allegiance or given bond of loyalty, and afterward broken oath or bond.

2d. Having violated the rules of civilized warfare.

All persons are saved from these who advocated and voted for reconstruction and accepted equality before the law, and those disqualified may have their disabilities removed by the legislature, unless they "persisted in opposing the acts of Congress and reconstruction thereunder." We have no statement of the number of persons now subject to these constitutional provisions; it is variously estimated at from 7,000 to 10,000; but complaints are made that registrars abuse their power to exclude persons who are not disqualified, and there is evidence tending to show that this has been done, but to what extent we cannot learn.

The number of male inhabitants of twenty-one years and over, in 1870, was 102,359; the number of registered voters, 71,885; number not registered, 30,474. It does not follow that all not registered were disqualified by the disfranchising clauses. Many may not have resided in the State long enough, or in the county; and many may not have desired to register, though qualified. That many neglected to register, appears probable from the fact that of the 71,885 registered, only 53,800 voted. Such indifference to voting could hardly have existed without indifference to registration; but supposing all non-registered to be disqualified, we have the extent of disfranchisement for rebellion or any offense connected with it in the whole country fixed at 30,474.

That the disfranchisement of this number of persons in Arkansas does not give the State over to the control of the colored voters or northern men, or both combined, appears by the fact that while the white population is 484,471, the colored is only 122,169, the whites being nearly four to one, and having a large majority of the registered vote.

We append the following table, showing the population, registration, and vote in 1870:

ARKANSAS.

The legislative districts—their representation—the franchise—Governor Clayton's election to the Senate, &c.

DISTRICTS.	Male citizens over 21 years of age, 1870.	Reg. vote, 1870.	Vote cast, 1870.	Disfranchised, according to registered vote.	Disfranchised, according to vote cast.	POPULATION.			Senators.	Representatives.
						White.	Colored.	Total.		
FIRST DISTRICT.										
Jackson	1,053	1,063	879	573	774	5,656	1,612	7,268	...	...
Craighead	865	445	257	420	608	4,324	253	4,577	...	...
Poinsett	338	250	199	88	139	1,494	225	1,710	...	...
Cross	813	686	547	127	266	2,626	1,289	3,915	...	...
Mississippi	905	534	378	371	527	2,662	974	3,653	...	...
Total	4,574	2,998	2,260	1,069	2,314	16,762	4,353	21,103	1	4

The legislative districts—their representatives, &c.—Continued.

DISTRICTS.	Male citizens over 21 years of age.	Reg. vote, 1870.	Vote cast, 1870.	Disfranchised according to registered vote.	Disfranchised according to vote cast.	POPULATION.			Senators.	Representatives.
						White.	Colored.	Total.		
SECOND DISTRICT.										
Lawrence.....	1,325	528	397	797	928	5,735	246	5,981		
Randolph.....	1,458	693	324	763	1,074	7,109	377	7,486		
Greene.....	1,424	587	377	837	1,047	7,417	156	7,573		
Sharp.....	1,098	496	431	602	667	5,286	114	5,400		
Total.....	5,305	2,306	1,589	2,999	3,716	25,547	873	26,420	1	3
THIRD DISTRICT.										
Madison.....	1,437	826	512	611	925	8,081	150	8,231		
Marion.....	748	234	177	514	571	3,960	19	3,979		
Carroll.....	1,056	496	316	566	746	5,743	37	5,780		
Fulton.....	874	404	310	470	564	4,758	85	4,843		
Izard.....	1,299	456	123	813	1,175	6,624	182	6,806		
Boone.....	1,321	322	312	999	1,009	6,958	74	7,032		
Total.....	6,735	2,768	1,750	3,973	4,991	36,124	547	36,671	1	4
FOURTH DISTRICT.										
Independence.....	2,916	1,847	1,458	1,069	1,458	13,658	908	14,566		
Van Buren.....	887	401	246	486	641	4,958	119	5,107		
Total.....	3,803	2,248	1,704	1,555	2,099	18,646	1,027	19,673	1	3
FIFTH DISTRICT.										
Searcy.....	848	547	414	301	434	5,584	30	5,614		
Pope.....	1,678	858	689	828	979	7,811	575	8,386		
Conway.....	1,614	1,076	750	538	664	7,462	630	8,112		
Total.....	4,140	2,481	1,853	1,667	2,277	20,877	1,235	22,012	1	3
SIXTH DISTRICT.										
Newton.....	735	414	242	323	493	4,365	9	4,374		
Johnson.....	1,730	1,383	859	347	871	8,539	613	9,152		
Yell.....	1,656	1,092	921	564	835	7,281	767	8,048		
Total.....	4,121	2,889	2,022	1,234	2,199	20,185	1,389	21,574	1	3
SEVENTH DISTRICT.										
Washington.....	4,764	1,371	1,016	3,393	3,748	16,590	674	17,266		
Benton.....	2,569	1,373	854	1,196	1,715	13,640	182	13,821		
Total.....	7,333	2,744	1,870	4,589	5,463	30,230	856	31,087	1	4
EIGHTH DISTRICT.										
Crawford.....	1,586	1,200	828	386	758	7,961	988	8,957		
Franklin.....	1,784	1,072	754	712	1,030	8,976	651	9,127		
Sebastian.....	2,705	1,907	1,378	798	1,327	11,545	1,354	12,940		
Total.....	6,075	4,179	2,960	1,896	3,115	28,482	2,993	31,524	1	4
NINTH DISTRICT.										
Crittenden.....	1,155	1,104	1,104	55	51	1,253	2,575	3,831		
St. Francis.....	1,607	1,182	1,010	425	597	4,268	2,446	6,714		
Woodruff.....	1,686	1,158	874	523	812	4,205	2,686	6,891		
Total.....	4,448	3,444	2,988	1,008	1,400	9,726	7,717	17,436	1	4
TENTH DISTRICT.										
Pulaski.....	8,422	5,461	1,876	2,961	6,546	18,348	13,708	32,066		
White.....	2,109	1,665	1,288	444	821	9,146	1,200	10,347		
Total.....	10,531	7,126	3,164	3,405	7,367	27,494	14,908	42,413	2	6
ELEVENTH DISTRICT.										
Phillips.....	3,993	3,574	1,066	419	2,927	4,874	10,501	15,372		
Monroe.....	1,574	1,383	1,109	186	465	5,135	3,200	8,336		
Total.....	5,567	4,957	2,175	605	3,392	10,006	13,701	23,708	2	6

* Official returns from the county clerk show an error here. The true vote in Pulaski County in 1870 was 4,428.

The legislative districts—their representatives, &c.—Continued.

DISTRICTS.	Male citizens over 21 years of age, 1870.	Reg. vote, 1870.	Vote cast, 1870.	Disfranchised, according to regist'd vote.	Disfranchised, according to vote cast.	POPULATION.			Senators. Representatives.
						White.	Colored.	Total.	
TWELFTH DISTRICT.									
Prairie	1,355	1,128	1,070	927	285	3,793	1,811	5,604	1
Arkansas	1,900	1,609	1,457	249	443	3,982	4,212	8,286	1
Total	3,255	2,797	2,527	476	728	7,775	6,023	13,800	1 4
THIRTEENTH DISTRICT.									
Scott	1,490	905	545	585	945	7,362	121	7,483	1
Polk	660	470	323	130	277	3,323	45	3,376	1
Montgomery	538	446	332	92	206	2,864	120	2,984	1
Hot Spring	1,389	1,027	693	362	696	5,236	650	5,887	1
Total	4,017	2,848	1,893	1,169	2,124	18,775	936	19,720	1 3
FOURTEENTH DISTRICT.									
Hempstead	2,687	2,968	2,604	.....	83	7,439	6,329	13,768	1 3
FIFTEENTH DISTRICT.									
Lafayette	1,605	1,960	1,849	111	355	3,981	5,158	9,139	1
Little River	624	696	726	.....	72	1,358	1,878	3,226	1
Total	2,656	2,575	2,229	111	427	5,339	7,036	12,375	1 3
SIXTEENTH DISTRICT.									
Union	1,426	1,303	2,012	586	709	5,675	4,896	10,571	1
Calhoun	720	627	765	45	138	2,753	1,100	3,853	1
Total	2,777	2,146	1,930	631	847	8,428	5,996	14,424	1 2
SEVENTEENTH DISTRICT.									
Clark	2,372	2,092	2,128	280	244	8,461	3,492	11,953	1
Pike	667	547	419	120	248	3,367	421	3,788	1
Sevier	861	615	642	246	219	3,523	968	4,492	1
Total	3,900	3,254	3,189	746	711	15,351	4,881	20,233	1 4
EIGHTEENTH DISTRICT.									
Columbia	2,013	1,681	1,332	332	691	7,679	3,718	11,397	1 3
NINETEENTH DISTRICT.									
Onachita	2,635	1,934	1,812	701	623	7,512	5,458	12,975	1 2
TWENTIETH DISTRICT.									
Jefferson	3,834	3,736	3,058	98	776	5,556	10,167	15,733	1
Bradley	1,782	1,173	917	609	865	6,117	2,529	8,646	1
Total	5,616	4,909	3,975	707	1,641	11,673	12,696	24,379	2 6
TWENTY-THIRD DISTRICT.									
Dallas	1,095	969	812	186	223	3,956	1,751	5,707	1
Saline	1,002	429	340	573	662	3,726	185	3,911	1
Berry	583	277	229	583	305	2,395	290	2,685	1
Total	2,680	1,615	1,381	1,342	1,250	10,077	2,226	12,303	1
TWENTY-SECOND DISTRICT.									
Ashley	1,618	1,423	1,168	195	450	4,278	3,764	8,042	1
Chicot	1,578	2,482	2,561	.....	.....	1,816	5,393	7,214	1
Drew	1,845	1,759	1,554	86	291	6,106	3,854	9,960	1
Deaha	1,744	1,118	960	628	784	2,185	3,934	6,125	1
Total	6,785	6,782	6,243	907	1,525	14,385	16,954	31,341	2 6
Grand total	102,359	71,885	53,800	30,474	48,559	362,115	122,169	484,471	26 82

* See note on p. 255.

The registration law provides:

SEC. 8. In the books furnished to the board of registration in each county there shall be printed the oath prescribed in section five, under the head of "franchise" of the constitution, followed by space sufficient for each voter to subscribe his name thereto, which shall be written in full, and rewritten by the registrar, so as the name shall not

be misunderstood; and no person's name shall be registered as a qualified voter unless he appear before the registrar and take and subscribe said oath provided for under the eighth article and section five of the constitution.

SEC. 9. Each registrar shall have power to examine, under oath, any person applying for registration, as to his qualifications as a voter; and he shall, before entering the name of any person on the registry of qualified voters, diligently inquire and ascertain that he has not done any of the acts specified in the constitution as causes of disqualification; and if, from their own knowledge or evidence brought before them, they shall be satisfied that any person seeking registration is disqualified under any provisions of the constitution, they shall not enter his name on the list of qualified voters, though he may have taken and subscribed before them the oath aforesaid. Each or all of the registrars shall have power to administer oaths to all persons appearing before them for registration or as witnesses. The registrars shall issue a certificate to every person who is found to be a qualified elector, showing that said elector is entitled to vote until his certificate is revoked by the board of review.

SEC. 10. The registrar shall enter in the register of qualified voters the name of every person who shall satisfy him that, though not entitled to such registration at the time he applies therefor, he will become so on or before the date of the next ensuing election.

SEC. 11. That no person shall be registered who, during the late rebellion, took the oath of allegiance to the United States, or gave bond of loyalty or for good behavior, unless he shall show, by satisfactory evidence, that he has ever kept this said oath or bond inviolate, or that he has openly advocated or voted for the reconstruction measures of Congress, or voted for the constitution at the civil polls at the constitutional election of 1868.

SEC. 12. During the six secular days next preceding the tenth day before each general election, the president and registrars of the board of registration shall meet at the court-house of each county as a board of review, and each officer of registration shall have a vote, and a majority of said registrars may decide any question, and shall constitute a quorum to do business. The said board of review shall pass upon the claims of all persons who have been unable to appear before the registrars of their respective precincts, districts, or wards, upon claims of persons who consider that injustice has been done them by the registrar refusing to record them as qualified voters and also any objections made to persons registered as voters. If such board of review shall be satisfied that any person applying to be placed on the list of voters could not have appeared before the registrar in his precinct, district, or ward, without great inconvenience, they shall so place his name, if entitled to be registered as a voter, on the list of the election precinct, district, or ward in which he resides. If the board shall be fully satisfied, from testimony brought before them, that any person has been rejected by the registrar wrongfully and without sufficient cause, they shall place the name of such person on the list of voters of the election precinct, district, or ward in which he resides, and issue him a certificate of the fact; or, if it satisfactorily appears to the board from their own knowledge, or testimony brought before them, that any person has been placed on the list of any election precinct, district, or ward of said county who has been guilty of any of the acts named in the constitution as disqualifying a person to be a voter, they shall strike from the list of voters the name of such person. Any person feeling aggrieved upon the decision of the board, can, upon application, have the testimony applying to the case and the decision thereon certified to the supreme court of the State upon the same terms and conditions as appeals from the circuit court.

This law seems to vest large discretion in the registrars and thereby open the door to abuse. The voter is at the mercy of the board and without remedy save by the disqualifications.

The governor in his message for 1871, said:

5. To so much of Article VIII as imposes political disabilities upon a portion of that class of our citizens who participated in the late rebellion. I hope no one will understand that I am disposed to doubt the wisdom of the constitutional convention, in their action respecting the elective franchise. Upon the contrary, I regard it as having been absolutely demanded by the exigencies of the times, and necessary to the establishment and maintenance of the State government, founded upon the equality of men, and in harmony with the General Government, against which the people of the State had lately exercised all of their powers of resistance.

In a healthy condition of the body politic, when all its members act in harmony, to apply disfranchisement for political purposes, would be in violation of the principles of pure republicanism. It was only the unhealthy condition which characterized it at the time that our constitution was framed, which justified such otherwise harsh and extreme measures. The surgeon will not hesitate to apply the caustic to the most sensitive wound, if its unsound condition demands it; but to continue the application

after the necessity ceases to exist, will defeat the original intention and only tend to keep up an irritating and festering sore.

I have always regarded disfranchisement as temporary in its nature, and have anxiously looked forward to the day when a sounder and healthier condition would justify its removal. More than one year ago I took occasion to publicly express myself upon this question. I then foreshadowed the course that I should pursue, provided the then peaceful and healthy condition of affairs in the State should continue, and give evidences of permanency. The time which has intervened has only strengthened the convictions I then expressed, and I am now most happy to say that the present encouraging condition of affairs throughout the State, in my opinion, fully warrants me in carrying out the pledge I then made. I therefore invoke your careful and dispassionate consideration of this important question, and earnestly recommend that you take the necessary steps by proposing an amendment to the constitution, whereby the people may finally determine whether or not these disfranchising measures shall continue as they are, or cease to exist.

Should you adopt this course, I earnestly hope and believe that you will take the initial step that will ultimately lead to permanent political tranquility and the restoration of those relations of comity and good feeling that should characterize citizens of the same commonwealth.

I would also call your attention to the provisions of the constitution by which the disabilities may be removed from many individuals by a two-third vote of the general assembly, and I recommend that your honorable body take such action in all meritorious cases that may be brought before you.

THE REGISTRATION LAW

This law has been in operation since the 15th of July, 1868, and two general elections have been conducted under it. On account of the disfranchising measures, which it is intended to enforce, it has necessarily been unpopular with that class of the community which have been opposed to these measures. The duties of registrar have been consequently in most instances unpleasant, and the position a thankless one. For these reasons I have, in some cases, found it difficult to obtain suitable persons to conduct the registration. In most instances, however, I believe the registrars have tried to do their duty faithfully and honestly. For myself, I have no hesitation in saying that, although the duties that have devolved upon me under this law have been unpleasant, and such as frequently to subject me to unjust censure, and oftentimes from men of my own political faith, I have never shrank from their performance, and am conscious of having done my duty to the best of my ability. As a matter of economy, I would suggest that the county assessors in each county, while making their assessments, could be required to perform the additional duties of registration. This will not only be a measure of economy, but one of convenience.

EFFECTS.

Having stated these general changes, it remains to consider how far they have contributed to violence.

We deem it obvious that these changes must have excited deep and bitter opposition among the old ruling class. It is not in human nature to be content with loss of power. But when the love of power has been long indulged, not only by the exercise of political authority but by absolute mastery over men, and then slaves are suddenly and forcibly rescued from their masters and elevated to equality with them, so that, being in majority, or combining to form one, they become the lawful rulers of the State, we must expect that such reversal of the position of classes will excite intense animosities, which only time and experience can allay. So far as the disorders in the States have arisen from causes connected with State affairs, they spring from opposition to the liberation and enfranchisement of the slaves.

It is not within our province to consider the merits of the policy of impartial suffrage now imbedded in the national Constitution, but we may remark that the history of reconstruction shows that if the white people of the South had been willing to allow the freedmen equal rights before the law, without suffrage, the franchise might not have been extended to them; and whether, if reconstruction had been concluded without impartial suffrage, the condition of the Union would have been better than it is, or whether we should have had an Union at all, may be conjectured but cannot be known.

If we may judge them by their persistent opposition to equal rights before the law—other than suffrage—it seems probable that the same leaders who oppose impartial suffrage would have opposed the exercise of every other right by freedmen. Indeed, none of the common rights of citizens are yet fully conceded to freedmen by that class in any State; and where they have the power these rights are denied by State laws enforced in violation of acts of Congress, and of the Constitution of the United States, as in Kentucky, where the right to testify in courts is still abridged. We therefore deem it highly probable that if equal suffrage had been abandoned its opponents would have contested other rights, and would not have paused until, by State law or national power, they had returned the freedman to what they deem his “normal condition” of subjection to the white man, if not to absolute slavery. Perhaps the best example of the plan of reconstruction which would have been followed by the southern leaders is that of their model State.

SOUTH CAROLINA.

The convention elected under the proclamation of President Johnson assembled in Columbia, South Carolina, September 13, 1865, and adopted a new constitution for the State. Article IV of that constitution provides that no person shall vote unless—

He shall be a free white man who has attained the age of twenty-one years, and is not a pauper. He shall, for two years next preceding the day of election, have been a citizen of this State. He shall have resided in this State at least two years next preceding the day of election.

Under this only white men, not paupers, could vote; and only such white men as had been citizens of the State and had actually resided in the State for two years before the election next preceding the election. The first election under this constitution was held on the third Wednesday in October, 1866. Therefore, no man voted at that first election for State officers and legislators except white men not paupers, who were citizens and actual residents of the State in October, 1864, and had so continued until the election. A pauper by the common law was one who had not five pounds sterling.

Section 5, article I, provides that—

The house of representatives shall consist of one hundred and twenty-four members, to be apportioned among the several election districts of the State, according to the number of white inhabitants contained in each, and the amount of all taxes raised by the general assembly—paid in each—deducting taxes paid in property in other districts.

This apportionment was to be made on the enumeration of 1859 until another should have been made in 1869, saving, however, until after the new apportionment, the old “parish” system, which gave great advantages to the coast region over the other parts of the State; taxes were to be levied only on property.

Section 11, Article I, provides that—

The senate was to be composed of one member from each old election district, and two from Charleston. The districts were so arranged as to give greater representation to the coast region than their numbers of white people would have entitled them to.

These two sections (basing representation partly on white population, but chiefly on property) gave control of the legislature to the coast region; and the property basis, the parish system and arrangements of districts, practically secured to the white men of the low country the right to vote for the freedmen of that region—as before the war they had voted on account of their slaves—both for State and National officers.

had voted on account of their slaves—both for State and National officers.

Section 13, Article I, provides that—

No person shall be eligible to or take or retain a seat in the house of representatives unless he is a free white man who hath attained the age of twenty-one years, and hath been a citizen and resident of this State for three years next preceding the day of election.

Under this section no person was eligible at the first election who was not a citizen and resident in October, 1863, and from then until the day of election.

Section 14, Article I, provides that—

No person shall be eligible to or take or retain a seat in the senate unless he is a free white man who hath attained the age of thirty years, and hath been a citizen and resident of this State five years next preceding the election.

Under this section no person could be elected senator in 1865 unless he had been a citizen and resident of the State in October, 1861, and from then until the election.

Section 3, Article II, provides that—

No person shall be eligible to the office of governor unless he hath attained the age of thirty years, and hath been a citizen and resident of this State for the ten years next preceding the day of election.

Under this section no man could be elected governor in October, 1865, unless he had been a citizen and resident in October, 1855, and until the election.

Article VIII provides that—

All laws of this State in force at the adoption of this constitution, and not repugnant hereto, shall so continue until altered or repealed by the general assembly.

Section 11, Article IX, provides that—

The slaves in South Carolina having been emancipated by the action of the United States authorities, neither slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall ever be re-established in this State.

Under these two sections all laws passed prior to the constitution, save such as applied to slaves, remained in full force, and the convention by ordinance so provided. This left the code relative to "free negroes" and paupers in full force. Subsequently the law prohibiting colored seamen from landing in the State was repealed, but in other respects the freedmen were committed to the old system. Other States adopted constitutions with the same general features, and all proceeded to enforce them by legislation, civil and criminal, discriminating against freedmen. Could a plan have been better calculated to secure and perpetuate power in the hands of men who ruled the State before the war and led her into rebellion, or to make the freedmen dependent upon their old masters for all the rights of men and citizens, as they already were for means of support?

FREE PERSONS OF COLOR.

Under this constitution all provisions of the old "negro code" applicable to free persons of color were continued in force, though a majority of the people were colored, and then free. Let us consider under what kind of laws they must have lived. It would be difficult to determine precisely what laws were in force in 1860, for it was said by Mr. Justice Burke in 1789:

The laws of this country, on which depend the lives and property of the people, now lie concealed from their eyes, mingled in confused chaos under a stupendous pile of old and new law rubbish, past all probability of being known, only to law professors.

And by Judge Brevard in 1814 :

The evils are multiplied, and more inveterate by the accumulation of new laws and the lapse of time.

The laws were not collected until 1836 to 1841, and there has been no general revision or collection since, so that only skillful and experienced lawyers familiar with the statutes could have discovered the rights or limited the disabilities of colored persons.

But from this confusion some things stand out clearly enough, and show that before the law of South Carolina a free person of color was only a little lower than a slave. No such person could enter the State either from a foreign land or from any other part of the Union. A native of the State leaving it was forbidden to return. Those who remained were heavily taxed ; as late as 1820 the tax was \$50 per annum.

They were forbidden to carry or have arms.

They were forbidden to assemble, either with each other or with white people, for mental instruction, unless their doors were left open and free to all comers and goers.

They were forbidden to teach each other to read and write on penalty of scourging ; and it was forbidden even for white persons to employ any free person of color as a clerk, salesman, or tradesman.

The following statute provided for punishing one who should presume to assault a white man :

Act of 1722, Section XIX.—(See South Carolina Statutes at Large, Vol. VII, p. 377.

And be it further enacted by the authority aforesaid, That if any negro or slave whatsoever shall strike any white person, such negro or other slave, for his or her first offense, by information given upon oath to any two justices of the peace, shall be severely whipped and have his or her right ear cut off ; and for the second offense of that kind, if he or she hath been convicted of the first, it shall be left to the two justices and three freeholders to inflict any punishment according to their discretion, death excepted. And in case any negro or slave shall so assault and beat any white person, by which the said white person is bruised, wounded, maimed or disabled, in such case the said slave shall be punished with death : Provided always, That such striking, conflict, or maimed be not by command of, or in lawful defense of, their master, mistress, manager, or owner of their families, or of their goods.

This was applicable even to cases of the highest provocation and self-defense. The substance if not the letter of this act continued in force.

ALABAMA.

As we have the Alabama constitution of 1865, let us examine it also. The convention of 1865 assembled on September 12th. The constitution vested the right of suffrage in all white male citizens of the United States twenty-one years of age who had resided in the State one year before the election.

The first election was held November 1, 1865, so that to vote at the first election a man must have been a resident of the State November 1, 1864.

Representatives must be "white men, twenty-one years old, residents of the State two years and of the county one year." So that to be chosen at the first election they must have been residents of the State November 1, 1863, and of the county November 1, 1864 ; senators, "white men, twenty-seven years old, residents of the State two years and of the county one year." They also must have been residents November 1, 1863. The governor must "be thirty years old, a native of the United States, and resident of the State four years," so that he must have resided in the State since November 1, 1861.

How carefully did this convention provide for the retention of power in the hands of the old white rebel element! In the declaration of rights they proclaim—

That no man, and no set of men, are entitled to exclusive separate emoluments or privileges but in consideration of public services.

And thereupon they confer exclusive privileges on the white men of Alabama, whose only "public services" were as rebels. They declare:

That all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit.

And thereupon they proceed to vest all power and authority in a class representing little over half the people, disfranchising, disabling, and subjecting hundreds of thousands of citizens, and leaving them under unequal and unjust laws, which made them serfs and drove them from the State. They made the following singular provision:

BILL OF RIGHTS.

SECTION 9. That no person shall, for any indictable offense, be proceeded against criminally by information; except in cases arising in the land and naval forces, or in the militia when in actual service, or, by leave of the court, for oppression or misdemeanor in office: *Provided*, That in cases of petit larceny, assault and battery, affray, unlawful assemblies, vagrancy, and other misdemeanors, the general assembly may by law dispense with a grand jury, and authorize such prosecutions before justices of the peace, or such other inferior courts as may be by law established; and the proceedings in such cases shall be regulated by law.

The word "vagrancy" was a trap for freedmen, as their legislation afterward showed, and in Article IV they provided:

SECTION 36. It shall be the duty of the general assembly, at its next session, and from time to time thereafter, to enact such laws as will protect the freedmen of this State in the full enjoyment of all their rights of person and property, and guard them and the State against any evils that may arise from their sudden emancipation.

Having possession of the State and mastery by law over the freedmen, they, as a parting salute, on the 30th of September, 1865, adopted the following:

A RESOLUTION requesting the President of the United States to remove the United States forces from this State, except the garrison of the coast.

Whereas the people of the State of Alabama have taken and subscribed the oath of amnesty, as prescribed in the President's proclamation of May 29th, 1865, and have given other and unmistakable evidence of loyalty; and this convention having complied with the conditions and requirements necessary to restore the said State to its constitutional relations to the Federal Government: Therefore,

Be it resolved by the people of the State of Alabama in convention assembled, That his excellency, Andrew Johnson, President of the United States, be respectfully requested to direct the removal from this State of all United States forces, except the garrison of the coast.

Be it further resolved, That the president of this convention be instructed to transmit a copy of this resolution to his excellency the President of the United States.

Adopted 30th September, 1865.

How much foundation there was for the premise on which their request was based will appear hereafter.

PRACTICE AS TO RIGHTS OF COLORED PERSONS.

Having seen the spirit of the constitutions and laws passed by the old rulers of the South in 1865-66, let us look at the record of the treatment of the freedmen by the whites.

Senate Ex. Doc. No. 27, Thirty-ninth Congress, first session, contains a description of the general condition of the South in 1865, from officers

of the Army serving under General O. O. Howard; their accounts come from all parts simultaneously, and show the same general condition and sentiment, and similar manifestations in act, differing only in degree. It appears from these reports that the whites were bitterly opposed to the liberty of the freedmen, and only conceded their rights upon compulsion. The opposition arose from a desire to hold on to them as property, or at least control them as serfs, and from prejudice against every advance toward equal rights. This feeling was almost universal, and was exhibited by acts of violence and outrage.

We open the book and take the States as they come :

KENTUCKY, (pp. 9, 10, 11, 12.)

BUREAU REFUGEES, FREEDMEN AND ABANDONED LANDS
STATES OF KENTUCKY AND TENNESSEE,
Assistant Commissioner's Office, Nashville, Tennessee, February 14, 1866.

GENERAL: Kentucky.—I regret that I am unable to report the Bureau affairs progressing as smoothly in Kentucky as in Tennessee.

The freedmen of the State are very generally disposed to enter into labor contracts for wages, or a share of the crop, and most of them prefer remaining in their own State to emigration elsewhere. On the part of a large majority of the whites, I believe there is an honest desire to adjust on a fair basis the new relations arising from the abolition of slavery, but the Bureau is not a popular institution with them. They regard its presence among them as unauthorized, denounce its officials as usurpers and despot, and clamor for its immediate removal from the State.

In obedience to orders immediately upon the ratification of the constitutional amendment forever abolishing and prohibiting slavery, I extended over the more than 200,000 freedmen of Kentucky the supervision of this Bureau, and appointed agents in a few counties only. Superintendents were selected from the citizens, and appointed upon the recommendation of the best men I could consult. The Kentucky legislature has, by numerous resolutions, called upon Government to remove the Bureau from the State; propositions to forever disqualify any citizen from holding an office in the State who might act as an agent of this Bureau were introduced and discussed. The official State paper (Louisville Democrat) has declared that by the ratification of the constitutional amendment the slavery question has become more unsettled than ever, and many of its readers believing its doctrines, practice accordingly, and still hold freedmen *as slaves*. These influences in opposition to freedom have rendered it difficult to conduct the Bureau affairs in Kentucky with that harmony and efficiency which have elsewhere produced good results.

More than twenty-five thousand colored men of Kentucky have been soldiers in the Army of the Union. Many of them were enlisted against the wishes of their masters, and now, after having faithfully served their country, and been honorably mustered out of its service, and return to their old homes, they are not met with joyous welcome, and grateful words for their devotion to the Union, but in many instances are *scourged, beaten, shot at*, and driven from their homes and families. Their arms are taken from them by the civil authorities, and confiscated for the benefit of the commonwealth. The Union soldier is *fined* for bearing arms. Thus the right of the people to keep and bear arms as provided in the Constitution is *infringed*, and the Government for whose protection and preservation these soldiers have fought is denounced as meddlesome and despotic when through its agents it undertakes to protect its citizens in a *constitutional right*. Kentuckians who followed the fortunes of John Morgan, and did all in their power to destroy the nation, go loaded down with pistols and knives, and are selected as candidates for high positions of honor and trust in the State. The loyal soldier is arrested and punished for bringing into the State the arms he has borne in battle for his country.

That you may have a bird's-eye view of the protection afforded the freedmen of Kentucky by the civil law and authorities, I have the honor to invite your attention to the following extracts from communications received from our correspondents in that State.

C. P. Oyler, of Covington, writes as follows :

"Jordan Finney and family (freedmen) lived in Walton, Kentucky; they owned a comfortable home. Two of the daughters were wives of colored soldiers, and lived with him. Returned rebel soldiers hereinafter named combined to drive this family from the State. They attacked the house three times, abused the women and children, destroyed all their clothing, bedding, and furniture to the value of \$500, and finally drove them from their homes. The names of the perpetrators, so far as known,

are Allen Arnold, John Arnold, Franklin Yowell, Woodford Fry, L. Snow, and Robert Edwards; all live in Walton, Kentucky. An attempt was made to bring these parties to justice, but it failed, as *colored testimony could not be received*. This same man Finney has a daughter held as a slave by Mr. Widen Sheet, of Boone County, whom he values at \$1,000. Sixteen armed men resisted Mr. Finney and an expressman whom they went for the girl, and beat them cruelly with clubs and stones."

"An old colored man named Baxter was shot and killed by James Roberts, for refusing to let Roberts in his house. The civil authorities will neither arrest nor punish said Roberts, as there is no testimony except of colored persons." (Reported by Thomas Rice, Richmond, Kentucky.)

"Lindsley Taylor, of Richmond, stabbed a negro on the 30th of January, for no cause save that the negro did not wish said Lindsley to search his house. The civil authorities tried Taylor and acquitted him." (Reported by Thomas Rice, superintendent.)

L. L. Pinkerton, superintendent of Fayette county, at Lexington, reports that. "in his and the opinion of all whom he has consulted, the freedmen cannot receive their just rights without a considerable military force."

C. P. Oyler, Covington, writes: "The civil officers, after the late action of the Kentucky legislature in regard to the Freedmen's Bureau, refused to co-operate with me, and manifest a disposition to drive the Bureau out of the State. It will be impossible to secure to freedmen their just rights without the aid of a military force. Colored people are driven from their homes and their houses burned."

William Goodloe writes: "The counties of Boyle, Lincoln, and Mercer are infested with guerrilla bands. Outrages are mostly committed upon colored persons. The evidence of colored persons is not taken in court. I am powerless to accomplish anything without soldiers."

"Peter Branford, a returned colored soldier, in Mercer County, was shot by James Poore, a white man, without cause or provocation."

Judge Samuel A. Spencer, of Green County, writes: "A great many colored men are beaten, their lives threatened, and they refused the privilege of returning home *because they have been in the Army*. I cannot accept the agency on account of the action of the Kentucky legislature."

E. P. Ashcraft, of Meade County, writes: "Richard, William, Jesse, and John Shacklett, and Martin Taylor, returned rebel soldiers, have on different occasions attacked negroes with fire-arms, and say they intend no d—d niggers shall live on this side of the Ohio." "The civil authorities are powerless."

R. W. Thing, of Warren County, writes: "An old negro was killed by gun-shot while attempting to run from a white boy eighteen years of age, to escape a whipping."

"A freedman was attacked in his cabin and shot. He and his wife ran to the woods, with bullets flying thick and fast around them from five or six revolvers, the woman escaping with her life by tearing off her *chemise* while running, thereby presenting a darker-colored mark."

"A woman was stabbed by a white woman in the neck, the knife penetrating the windpipe, for giving water to a Union soldier in a tumbler."

"A woman and her son were horribly cut and mauled with the lash, and then hung by the neck until so nearly dead that water had to be thrown in their faces to revive them, to make them acknowledge that they had set a house on fire."

"A woman received a severe cut in the head from a club in the hands of a man, who drove her from her home because her husband had joined the Army."

There are several cases of robbery of colored persons by returned rebels in uniform, in Russellville, Kentucky. The town marshal takes all arms from returned colored soldiers, and is very prompt in shooting the blacks whenever an opportunity occurs."

"I have a case in hand to-day, where a white man knocked down an old man eighty years of age, because he asked for and urged the necessity of his pay for cutting eight cords of wood."

"There has been a large number of cases of women and children being driven from home on account of their husbands enlisting."

"It is dangerous for colored people to go into Logan, Todd, Barren, and the north part of Warren Counties, after their children."

"A freedman's wife left her former master, and came to live with him, (her husband.) She was followed and shot at."

"A furloughed soldier of the Twelfth United States Colored Artillery was murdered at Auburn, Kentucky, while sitting on his bed. The civil authorities do nothing in the case."

"An old freedman in Allen County was shot and killed, because he would not allow himself to be whipped by a young man."

"Major Lawrence, of the Seventeenth Kentucky Cavalry, reports that a negro was shot in one of the streets of Russellville last night. No cause whatever for it. Several negroes came to me to know what they should do, saying they had been robbed by a

party of men wearing the Confederate States uniform. The judges and justices of the peace, in almost every instance, are rebels of very strong prejudices, who will not even take notice of the most *hideous outrages*, and if a case is turned over to them they will not administer justice. The action of the courts in Southern Kentucky indicates that the day is *far distant* when a negro can secure justice at the hands of civil law."

"In Grant County a band of outlaws, styling themselves 'moderators,' made an attack upon the colored citizens for the purpose of driving them from the State. They went late in the night to their homes, took them from their beds, stripped and whipped them until they were unable to walk."

Colonel William P. Thomasson, of St. Louisville, Kentucky, writes that "outrages and wrongs upon freedmen are numerous, especially upon returned colored soldiers. A few nights since a colored soldier just mustered out, with his money in his pocket and a new suit of clothes on his back, was waiting for the cars at Deposit Station, a few miles from Louisville; four or five young rowdies of the place set upon him to rob him. He was a light-colored man, and one of the robbers said to his fellows: 'He is a *white man*; let him alone.' A dispute arose as to his color, and he was taken into a grocery, a lamp was lit, and the question of his color settled. He was then robbed of his money, arms, and clothing, was stripped to the shirt, and told to run. He did run, and was shot at while escaping, and the shot took effect in his hand."

I am in daily receipt of similar reports from our superintendents, judges, sheriffs, and military officers. Some of the writers dare not be known as giving this information, fearing assassination as the consequence.

For narrating at a freedmen's commission anniversary meeting in Cincinnati, on the 18th ultimo, what I had myself seen of brutalities in the "Blue Grass," I have been denounced in the Kentucky legislature as a liar and slanderer. A committee has been appointed to investigate the matter. I have furnished them the names of witnesses, and requested that their powers be enlarged, and they authorized to investigate the condition of the freedmen throughout the State; but I have good reason for believing that the committee will simply make a report that General Fisk is a great liar, and should be removed from office, &c. It is well to remember that a more select number of vindictive, pro-slavery, rebellious legislators cannot be found than a majority of the Kentucky legislature. The President of the United States was denounced in the senate as a worse traitor than Jefferson Davis, and that, too, before the Bureau tempest had reached them.

The entire opposition is political, a warfare waged against *loyalty, freedom, and justice*.

I have endeavored to administer the affairs of the Bureau in Kentucky precisely as in Tennessee; have studied to be conciliatory in every particular, and not to interfere in the least with the civil affairs of the State, except my duties and orders imperatively demanded it. As yet, the legislature have enacted no laws securing impartial liberty and right, and I very much fear they will not at this session. The late letter of Major General Palmer, on Kentucky affairs, is truthful and candid. I wish her good people would heed his counsel, and her lawmakers follow his wise suggestions.

There are many old, infirm, and sick, and orphans in Kentucky, who have been thrown upon the Government for support. Rations were issued to this class in December at a cost of \$4,993 56—eightfold the cost of sustaining the same class of persons in Tennessee the same month. In the latter State the people have much more generously treated the unfortunate freedmen, especially the families of fallen soldiers, than have the Kentuckians; hence the cause of the increased expense to the Government of providing for the destitute freedmen. Every effort is being made to secure homes for the widows and orphans in other States. A large number have been kindly received and provided for in Ohio and Indiana. The "Western Freedmen's Aid Commission" have rendered me valuable service in locating this class in comfortable permanent homes.

In making this extended report of Kentucky affairs I wish nothing to "extenuate or ought set down in malice." It is best that you understand the case fully. I rejoice that there are so many persons in the State who treat the freedmen justly and generously. Outlaws in different sections of the State, encouraged by the pro-slavery press, which daily denounces the Government and its officials, make brutal attacks and raids upon the freedmen, who are defenseless, for the civil law-officers disarm the colored man and hand him over to armed marauders. In neither Tennessee, Georgia, Alabama, Mississippi, nor Arkansas, where I have had an opportunity of observation, does there such a fiendish spirit prevail as in some portions of Kentucky. I trust that ere long the better portion of the people will rise in their indignation, and demand that justice be done to all the citizens of the State.

It has fallen to my lot to officially stand by the death-bed of slavery in the United States. Kentucky's throes are but the expiring agonies of the great barbarism.

I trust the Government will insist upon strict justice for every man, woman, and child who through the Red Sea of civil strife has marched from slavery to freedom.

I will try to do my whole duty, regardless of denunciations, jeers, and threats of assassination. I will give cheerful heed to your admonitions and counsels.

While I remain in this position I desire the power to protect the poor, the weak, and the ignorant, who confidently look to this Bureau for the protection which the State, made rich by their unrequited toil, yet fails to afford them.

Very respectfully, your obedient servant,

CLINTON B. FISK,

Brevet Major General, and Assistant Commissioner

Major General HOWARD,

Commissioner, &c., Washington, D. C.

SOUTH CAROLINA, (pp: 21 and 22.)

Anderson District.—Here, in July last, a planter proposed to his hands that they should sign a contract to work for him during their life-time. They refusing, the planter drove them away without food or compensation for labor done. Four of them, three men and one woman, went toward Columbia, but before reaching there they were overtaken by two white men, mounted and armed, whom the planter had sent in pursuit; asking the freedmen where they were going, and being told, they seized them, and taking them to the adjacent woods, tied two of the men by their hands and feet to trees, leaving the third man to hold their horses. The whites then each fired a shot at each of their two victims, killing them instantly. The third escaped by running to and jumping into a creek near by, the whites firing at but not hitting him. They then stripped the woman naked, gave her fifty lashes on the bare back, and compelled her to walk back to the plantation. She was then put at the plow by day and confined by night for a week without anything to eat. At this time an officer happened at the place, to whom the woman told her situation. The officer took her and her children to the place where her husband and the other man had been killed, found remnants of the bodies and buried them, then sent the woman and her children to Charleston. On her arrival she gave birth to a dead infant, her sickness preventing her from telling her story until this time. The planter paid the two murderers for their services with twenty yards of cloth, three bushels of rice, two bushels of salt, and a Government wagon. The case has been referred to the department commander with the request that the murderers be brought to justice.

Charleston District.—A freedman reports that his employer beat him violently, and then, being irritated against the freedman because the court decreed \$75 damages for the assault, refused to give him any portion of the crop. The owner was in the rebel army, and returned to the place some months after the working of the crop had been commenced by the freedmen. In another part of the district a young woman, big with child, was, without any provocation thereto, tied up by the thumbs, and while in that position was brutally kicked by the overseer, the family of the woman being then all ordered off the place. From another part of the district a planter took his old hands into North Carolina, and after working them nearly all the year, sent them with little or no compensation to make their way to their old home as best they might. On another place two of the hands (a man and woman) were stripped naked and brutally whipped; and another who left on that account was deprived of a horse (his personal property) and refused any share of the crop. In another part a planter had one hundred people on his place who have made for him a good crop, of which he refuses to give them any part, even for their immediate use and support.

Besides those cases specified in the report, where freedmen have been driven away by their employers without pay for labor done, a report has been received from one of the agents on the coast, giving a list of seven planters who have thus defrauded their employes out of pay to the amount of over \$1,700.

ARKANSAS, (p. 27.)

Mr. Gantt, in his report just received, says: "I am pressing the point vigorously upon our people that *bodily coercion* fell as an incident of slavery. Many of our best farmers confess that I am right; others growl and wish to be allowed to *enforce* their contracts, the simple English of which is to 'whip the nigger,' and that I tell them they can't do.

"I see by the act of Congress organizing the Bureau that its existence is limited to one year after the war. If it should not be extended there is no hope for the freedmen of Arkansas, Texas, and that portion of the South remote from railroads and telegraphs. They will be starved, murdered, or forced into a condition more horrible than the worst stages of slavery. Our people's wrath over defeat would be poured upon the heads of the helpless ones once their slaves. I say this sorrowfully of our people, yet I know it is but too true—their prejudices give way slowly."

MISSISSIPPI, (p. 45.)

The condition of the white people is not so encouraging. I cannot explain the seeming contradiction, yet the feeling against "Yankees" and the General Government

is stronger than ever before. It was impossible for me to expose my uniform to view any where, on the cars or on the streets, without hearing such remarks as "That's a damned Yankee;" "What does he want here?" "He had better not stay long," &c., &c. They are not disposed to treat any person representing the Government, who is unsupported by a military force, with any respect or even common decency. Of course it is the lowest class of the community who talk in this way, and swagger around in such a style; yet it is a bad state of society in which such an element is so much on the surface as to seem to rule the whole. White men are murdered by this class and no notice taken of it; robbing and plundering are of nightly occurrence in most of the towns in the State; yet the citizens and the authorities seem powerless to arrest it. There is a lack of efficiency in the State government everywhere; it is not vigorous, and does not secure the lives and property of the citizens.

(See p. 33.)

That upon a certain lot in Shongalo there stood an old dwelling-house, containing four or five rooms; also two smaller buildings, the property belonging to a Mr. Binford, who had at different times rented the whole to colored families for dwellings; and at the time of the fire there were nine or ten different families occupying the buildings, and paying rent from time to time. Mr. Binford had never desired them to quit his premises, or expressed dissatisfaction with them as tenants. On the evening of November 25th the colored people were having a party, and about 11 o'clock, while they were enjoying themselves very pleasantly, a company of about twenty white men came up suddenly, set fire to all the buildings, and surrounding them, began to discharge fire-arms; also refusing to let the people come out at the doors; a few escaped through the doors, the rest through the windows, taking such things as they were able to carry. The whites drove the colored people away, and went round picking up bundles and other articles of property, throwing them all into the fire; they caught the poultry and threw them into the fire; they also shot a hog in the pen. One man, a stranger in the place, stopping in the neighborhood that night, hearing of the party, had gone to it, and when about to make his escape, spoke to a woman near him, saying, "Come on; follow me; there is no danger out here;" when some one replied to him, saying, "D—n you, I'll show you whether there is danger or not;" then several shots were fired at him; he fell, and his body was lifted up and thrown into the fire, and was burned so, that when the inquest was held the jury was unable to distinguish either the race or sex, and called in a surgeon to decide. The colored people say they were afraid to tell all they knew about the matter before the magistrate for fear of being killed.

An old abandoned meeting-house, a half mile north of this place, in which colored families were living, was burned on the night of November 27; other houses occupied by colored people have also been burned. Think these outrages were premeditated and generally acquiesced in.

FLORENDA, (pages 48 and 49.)

The people at large show a spirit of dislike or hatred to the freedmen that is hard to account for.

The great majority of the members of the legislature, now in session, are opposed to the equal or semi-equal rights of the freedmen.

The legislature refused to have the United States flag raised over the State-house.

(Page 128.)

Near Tallahassee I met an intelligent freedman, who, in answer to my questions, disclosed the fact that he had received for the labor of the past year, 15 bushels of corn, 100 pounds of pork, and a small measure of peas. He had, as in former times, with the help of his family, cultivated a small garden of his own; but the products of this had been taken from him.

ALABAMA, (p. 65.)

It seems, in certain neighborhoods a company of men, on the night before Christmas, under alleged orders from the colonel of the county militia, went from place to place, broke open negro houses, and searched their trunks, boxes, &c., under pretense of taking away fire-arms, fearing, as they said, an insurrection. Strange to say, that these so-called militiamen took the darkest nights for their purpose; often demanded money of the negroes, and took not only fire-arms, but whatever their fancy or avarice desired. In two instances negroes were taken as guides from one plantation to another, and when the party reached the woods the guides were most cruelly beaten.

I really believe the true object of these nightly raids was not the fear of an insurrec-

tion, but to intimidate and compel the blacks to enter into contract. For this same purpose I found men who drove the freedmen from their houses on Christmas day, because they would not contract, thinking they would prefer to remain on any terms than to be driven out, with their wives and little children, into the storm to seek new homes. Some planters attempted to make it as difficult as possible for freedmen to change their homes, by declaring that a negro should not hire again within ten miles of his former home.

General Wager Swayne says, (p. 66 :)

OFFICE ASSISTANT COMMISSIONER,
BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,
Montgomery, Alabama, December 26, 1865.

GENERAL: My usual weekly report was not forwarded last week in consequence of my feeling it necessary to go to Mobile immediately upon the adjournment of the legislature. I however telegraphed you a summary of the action of that body, and requested Colonel Cadle to send you copies of the bills with an apology for myself. I returned from Mobile on Saturday, having been four days *en route* in consequence of attempting to come up the river in a boat which met with an accident. I send you inclosed two slips from the Mobile Register and Advertiser, containing letters to that paper, which give the best account I have seen of the legislative action last week. It is proper, however, to observe that I have studiously avoided interfering with that body, and have not been in either house except on occasion of the inauguration. On Friday the governor sent for me. I found in the executive office Governor Patton, Governor Parsons, the president of the Senate, and other gentlemen. They submitted to me three bills, the approval of which was under consideration: 1st. The apprentice bill, which I could only pronounce the revival of slavery, so far as concerned persons under age. 2d. The contract bill, which I was obliged to pronounce the revival of slavery for all others, except as to sale of persons. 3d. A bill to revive those parts of the slave code which refer to free negroes. I simply opened the statute-book and pointed out provisions which required all free negroes to leave the State within thirty days, and others of the same or worse tenor. I moreover advised them that the fact that 10,000 copies of all these bills had been ordered "for immediate distribution," showed that the status of the courts here was not understood, and that I had been obliged to issue my circular No. 3, which has been sent you.

Thereupon, Mr. Crenshaw, the president of the senate, drew the bill which was presented, to abolish the distinction of color in the administration of the laws. It was a time of profound feeling, but I am assured that the bill will pass next month. Meanwhile I hope and trust Congress will save them the trouble. From first to last I have asserted, with deepening conviction, that on this condition, and this only, is it just, or wise, or safe, to allow civil justice to have exclusive power among this people, and from this condition, while I have the power, I will not swerve an inch. But there will be a continual fight about it until they see the line of strict equality laid down by Congress.

I wrote you some time since that I was not satisfied with the working of the courts here, and that the difficulty arose not so much from a denial of justice as from failure to use its ordinary means. *Several cases of outrages have come to my knowledge, perpetrated by men in disguise, and in the night.*

This shows that outrages in disguise had commenced in 1865.

TEXAS, (pp. 78, 79-83.)

I can also report that instances of shooting, cruel abuse, and violent assaults upon freedmen are perceptibly on the decline, though still not unfrequent, especially in the least accessible portions of the State; for the wrongs increase just in proportion to their distance from the United States authorities.

No instance of this kind, coming to the attention of this Bureau, is permitted to pass without trial and punishment. These cases almost defy any attempt to record them, and are reckoned by hundreds, ranging from downright murder, savage beatings, merciless whippings, hunting men with trained bloodhounds, through all the lesser degrees of cruelty and crime.

The entire crop raised in Texas—cotton, corn, sugar, and wheat—was gathered and saved by the 1st of December. Most assuredly no white man in Texas had anything to do with gathering the crops, except perhaps to look on and give orders. Who did the work? The freedmen, I am well convinced, had something to do with it; and yet there is a fierce murmur of complaint against them everywhere that they are lazy and insolent, and that there is no hope for a better condition of affairs unless they can be permitted to resort to the overseer, whip, and hounds.

Two-thirds of the freedmen in the section of country which I traveled over have never received one cent of wages since they were declared free. A few of them were promised something at the end of the year, but instances of prompt payment of wages are very rare.

I saw freedmen east of the Trinity River who did not know that they were free until I told them. There had been vague rumors circulated among them that they were to be free on Christmas day, and that on New Year's there was to be a grand division of all the property, and that one-half was to be given to the black people.

The report circulated so extensively among the freedmen with regard to the division of the property on or about the holidays, and which was believed by many of them, was taught them by the citizens during the war.

Public speakers in different portions of the State declared and insisted that the only object the Yankees had in continuing the war was to free the negroes, and that if the southern people were beaten, all the lands and property would be taken from them and given to the blacks, and that the poor whites and rich people alike would be enslaved. It is not strange that the freedmen hearing this matter talked of publicly for four years by men of influence and standing should finally believe there was some truth in it. Nearly all the freedmen I met preferred to wait till after New Year's before making contracts for the year 1866.

In the vicinity of Mounts Jordan and Jasper, on the Neches River, and San Augustine, and in all that section of country situated and being between the Neches and Sabine Rivers, and as far north as Henderson, I was credibly informed, and firmly believe, that the freedmen are still held in a state of slavery, and are being treated with the most intense cruelty by their former masters; and I am well satisfied that the freedmen will be kept in ignorance of their true status, and will be forced to work without wages in these isolated districts until troops can be sent to occupy, for a time at least, this portion of the State, and until a few wholesome lessons have been administered the natives.

GEORGIA, (p. 97.)

In almost every case, as heretofore reported, the withdrawal of troops has been followed by outrages on the freed people; their school-houses have been burned, their teachers driven off or threatened with death, and the freed people by fraud, and even by violence, made to enter into unjust and fraudulent contracts. The responsible and educated classes are ashamed of these outrages, and loudly and justly claim that they should not all be judged by the people who are mean and cruel enough to practice these wrongs; but the convictions of the former never take form in action—seldom in a manly, open protest. It requires the most careful nursing and culture to keep alive even a show of justice toward the freed people.

Nearly all the females and young men, and all the blacklegs and rowdies, are open and defiant in their expression of hate for Yankees and negroes. The simple truth is, that the only public opinion which makes itself felt is as bitter and malignant as ever.

These are the facts, and any theory or policy which disregards or ignores them is of little account, no matter by whom advocated or sustained. Unless we keep a firm, just, kind hand upon these people, all our past labor will be thrown away.

A large number of troops is not required; but the State is one of the largest, and unless small garrisons are kept at many points, most unfortunate results will certainly follow; labor will be insecure and untrustworthy, and industrial operations will be sadly interfered with. Some of the unpleasant consequences to be anticipated are already exhibiting themselves; as, for instance, the recent attack on the garrison at Brunswick.

LOUISIANA, (p. 112.)

Much opposition has been encountered from those who do not believe in the elevation of the negro—the more, perhaps, as, by the labor order of General Banks, to obtain his services they were *obliged* to help pay for his education. A multitude of facts might be given.

VIRGINIA, (pp. 152 and 157.)

A military officer, especially if he had anything to do with the negro, was found to be peculiarly abhorrent in sections of the surrounding country. Indeed, rebels had not altogether laid down their arms. Here and there a desperado or two still stealthily continued the struggle, shooting a Union man, or officer, or soldier; or, not daring to do that, the unarmed and defenseless negro, especially if he dared, in anything, to claim his proper liberty. On this line the old spirit of slavery remained. Oaths, amnesties, special pardons, the dower of peace, the demands of self-interest, with some were not enough; a negro still was the proper object of their warfare.

At Alexandria, Captain Hambrick's provost court for freedmen, established at your request by Major General Augur, has been eminently serviceable in securing justice.

A strong disposition has been shown on the part of the local judges and city magistrates to consider as still binding the old judicial rules in reference to negro testimony and suits.

Efforts to punish by whipping were revived, but were checked by the prompt order of General Augur.

MARYLAND, (pp. 157, 158.)

Lieutenant S. N. Clark, my efficient acting assistant adjutant general, made repeated examinations in Maryland, in answer to complaints, taking affidavits, and gathering trustworthy testimony. These reveal an antagonism between capital and labor hardly to be expected in a State where emancipation came by the voice of the people, and where the greatest present complaint is scarcity of labor. A lingering feeling of disloyalty to the Government led many otherwise respectable people to countenance the misdeeds of those prompted to personal abuse of the negro, by their ignorant prejudices, and his powerlessness to secure legal redress. Cases of personal assault were numerous; the punishment of any assailant, if white, by the law, was unknown.

The same statute which debars the negro the right to testify where his person is imperiled, applies also where his rights of property are invaded. He can by no means compel the good faith of his white employer.

The law in Maryland by which, as interpreted, colored children may be apprenticed without the consent of their parents, and the abuse of it, bad as it is, operate to remove all those who would escape the forced separation of families, which formed so sad a feature of slavery.

Even written contracts to labor, including the names of each member of a family, have proved insufficient to protect from apprenticeship those whose age alone brought them within the scope of the law; and it has often happened that the children taken were the main-stay of aged parents, whose best years had been spent in unrequited toil for their masters.

The fruits of these abuses have been not alone discouragement and hardship for the laborer, but uncultivated fields, short crops, and consequent pecuniary loss to the employer.

NORTH CAROLINA, (p. 161, 1863.)

Some were tied up and whipped without trial, some were driven from their homes without pay for their labor, without clothing or means of support, others were forbidden to leave on pain of death, and a few were shot, or otherwise murdered.

A number of cases follow, including one in Gates County, where a wealthy man held twenty-three persons, his former slaves on his farm, and drove them by a colored overseer, by the lash, as in slavery, punishing all resistance with great cruelty. The report says, after this and other cases of outrage and wrong:

A hundred pages of similar reports might be copied, showing, on the one side, that many freedmen need the presence of some authority to enforce upon them their new duties; and on the other, that so far from being true that "there is no county in which a freedman can be imposed upon," [speech of Judge Reed in constitutional convention,] there is no county in which he is not oftener wronged; and these wrongs increase just in proportion to their distance from United States authorities.

Thus we see, from Maryland to Mexico, the same general spirit of spite against the freedman, and determination to keep him down and use his labor without compensation. Had this been allowed it must have led to a renewal of the substance if not the form and name of slavery. Indeed, it was but an effort to cling on to the body of that institution though dead in law.

Had the nation permitted the enforcement of this plan of government, we should have said to his former master, "take back your slave and do with him as you will, only call him not a slave, but call him a freedman, pauper, apprentice, or what else you please, and treat him accordingly. Touch him in property, liberty, and life—bind him by any system of laws you deem best for yourself, but do not call them slaves."

We would not be understood as doubting the wisdom of the righteous

policy of impartial suffrage. In all the States, save one or perhaps two, its benefits are so plain that they begin to be acknowledged by all. In Virginia its advantages are confessed by the governor—who says in his last message, December 6, 1871:

We have now had the benefit of nearly two years' experience under the new order of things, resulting from the almost unanimous action of the people in 1869. We were the first voluntarily to inaugurate the experiment of universal suffrage, and equality before the law. Perhaps nowhere else could that experiment have been so successfully tested—certainly nowhere else has it been so faithfully and so impartially tried. Radically opposed to preconceived and well considered opinions—fraught, as thoughtful men well knew, with the gravest possibilities—nevertheless, our experience has demonstrated that under favorable circumstances it may be rendered not only not antagonistic, but rather conducive to good and stable republican government.

Certain it is, that since the restoration of civil government in our State, we have enjoyed a degree of peace and good order, of obedience to law and respect for authority, equalled by few and excelled by none of our sister States. While it is true that this is due in a very large measure to the law-abiding character and high moral sentiment of our people, it cannot be denied that, to a certain extent, it is due to the fact that every citizen of the State, no matter what his race, or present, or previous condition is, or may have been, has been fully protected in all the rights and immunities of citizenship.

Progress and prosperity, the natural and, in this country, almost inevitable sequence of peace and good order, also obtain.

Our report upon the financial condition of the States shows unexampled prosperity, especially in States and cities where order has prevailed.

It is the general testimony of old citizens of the South that, notwithstanding the conspiracy known as the Ku-Klux Klan, there is more general order and peace in the South than before the war; while this may surprise those familiar with the recent disorders, and unfamiliar with southern society before the war, we deem the statement not extravagant, for the conspiracy appears to us an attempt to exercise in localities, in despite of law, that tyranny and lawlessness which was, before the war, open and unrestrained, and more general, if not so cruel. We should remember how common it was to scourge colored men, and how perilous for northern citizens or southern emancipationists to be found in the Gulf States. How freely the revolver and the knife were used in the encounter or the duel.

It is admitted that in Mississippi, Arkansas, and Texas the general condition of society is better than ever before.

Our report on finance shows what advances have been made in internal improvements and in education. There have been thousands of school-houses built, and there are more than three-quarters of a million children at school in these States, being double the number before the war; and education is not confined to the children of freedmen; there are more white than colored children at school.

LOUISIANA.

There are but two States where impartial suffrage seems yet on trial, Louisiana and South Carolina. But in Louisiana the present troubles do not arise from the exercise of suffrage by freedmen; all classes in that State profess and seem to be satisfied with equal rights. The struggle is between politicians, chiefly white men, for possession of the State government. The factions are both republican, both contain white and colored men, both are sustained by democrats, and the majority of democrats seem to sympathize with the faction containing the majority of freedmen.

The white people of Louisiana are not ruled by the colored people,

because the white people are in a practical if not an actual majority. There are no citizens disfranchised. In 1870 the white population was 362,065, and the colored 364,210—majority of colored inhabitants, 2,145.

If voters were in proportion to population the colored majority of voters was not above four hundred. The increase by immigration is chiefly white, and the decrease by emigration, colored; and it is probable the white voters are now a majority, but if the colored voters be a majority of four hundred, the boasted superiority of intelligent property-holding white men must be vain if, on questions of common interest, they cannot control enough colored electors to preserve the commonwealth.

SOUTH CAROLINA.

In South Carolina, however, the case is different. There the colored element has a large majority. By the census of 1870 it appears there were 289,667 white to 415,814 colored; colored electors, 126,147. No citizens are disfranchised, and the majority of colored electors should be in proportion to the population—about 30,000. In this State the institution of slavery was most fully developed; here it was not a domestic institution as in some other States, but it was, from its introduction by the colonists, a speculation in the labor and life of the slave—an arithmetical calculation of the greatest value to be obtained from his labor in the shortest time and at the least cost. Beginning on this basis it grew more selfish as more profitable until the theory was promulgated that the Creator had made the black man for the white man's use, and that African slavery was a "Divine institution."

The first operative grant emanated from Charles the Second, and passed the dominion over to a party of his favorites, who were styled the "Lords Proprietors." The spirit of the proprietors may be seen in Davidson's History of South Carolina, a school-book written by a southern man for southern use, (on page 24:)

These eight noblemen were called the lords proprietors of the colony they founded in America. They pretended to wish to convert the Indians into Christians; but their real object was no doubt to make money. They obtained their charter in 1663—seven years before they made the actual settlement. They did not mean to come to settle in America themselves; but they got people to come over and settle the country, who were to pay them money for the lands.

They were a company of non-resident speculators, who ruled the colony as their property.

In 1672 Sir John Yeamans was sent over from the Barbadoes to govern the colony. Mr. Davidson says:

The new governor had been a planter in Barbadoes, and brought with him to Carolina a number of slaves, for the purpose of cultivating an extensive farm which he got upon the Ashley River. These were the first negro slaves ever in Carolina.

Then commenced the speculation in slavery, which ended only with the late rebellion. Mr. Davidson says:

Governor Yeamans was very unpopular with the Carolinians, because he treated them harshly; taxed them heavily; sent away, in his trading-ships, the provisions that were needed in the colony, because prices were higher in the West Indies; and pursued the business of trade, often to the detriment of his own people, trying in every possible way to make a fortune for himself.

Mr. Davidson tells us, that in the winter of 1686, James Colleton, who had been appointed, commissioned, and sent by the lords proprietors to be governor of the Carolina province, "arrived."

Governor Colleton took the part of the lords proprietors against the people; and there was a great wrangling between the people and the governor, in various ways, for several years. Governor Colleton was very harsh and disagreeable to the people; and was in favor of making them pay heavy taxes and not letting them take much

part in making their laws. At one time, when the people had become very obstinate, he declared martial law all over the colony, although there was no fear of any invasion. He did this to worry the people into doing what he wanted them to do. He tried to prevent their trading with the Indians also. At last, in 1690, the people banished their governor.

While this wrangling between Governor Colleton and the people was going on, one Seth Sothel came from North Carolina to this colony, and claimed to be above Governor Colleton, because he was a lord proprietor, having bought the share of the Earl of Clarendon. In this he was partly right; and as the people wanted somebody else than they had, they took his part and banished Colleton, and Sothel acted as governor for a while. But he abused his power so much worse than even Colleton had done, that the people were very soon glad to get rid of him. His main aim, like a great many others in those days, was to make money for himself. For this purpose he seized ships trading with the port of Charles Town, pretending that they were pirates; and would liberate them only after their owners had paid him immense sums of money. He would also let off criminals convicted of crimes by the courts, if they would pay him money.

SLAVERY IN SOUTH CAROLINA.

Slavery began as a custom by enslaving Indian captives. The first negro slaves were brought from the Barbadoes by Sir John Yeamans, who became governor in 1672. They increased very rapidly, so that in 1708 the colony consisted of 9,580 persons. Of these, 4,080 were white, 120 of these being servants; 1,400 Indians, all slaves; and 4,100 negroes, also slaves, a majority of slaves. And in 1737 there were 50,000 inhabitants, 37,500 being negro slaves, and the number continued to increase while slavery lasted. Before 1708 the laws had taken cognizance of slavery by restraining the masters from indulging their slaves in the liberty of going about, and afterward general regulations were adopted. The character of the institution may be best judged by reading some sections of the statutes enacted from time to time, "for the better ordering and governing of negroes and slaves." They are found collected in the Statutes at Large, Vol. VII, page 341 to 474 inclusive. They extend in time from 1690 to 1835; other statutes, since adopted, were in the same vein. It was repeatedly enacted under the proprietary government that—

Whereas the plantations, estates, &c., cannot be well and sufficiently managed and brought into use without the labor of negroes and other slaves, &c.

Therefore all negroes, mulattoes, meztintins, or Indians, which at any time heretofore have been sold and now are held and taken to be or hereafter shall be bought and sold for slaves, are hereby declared slaves, and they and their children are hereby made and declared slaves to all intents and purposes, excepting such as are set free by law for merit.

Any one claiming freedom must prove the right, the burden being against the claim.

In 1740 it was said, in a preamble, "Slavery has been introduced and allowed, and the people commonly called negroes, Indians, mulattoes, and mestizoes have been deemed absolute slaves and the subjects of property in the hands of particular persons;" and thereupon the statute proceeds to declare all such persons held and sold as such to be deemed slaves, excepting such as can show themselves free.

Under these acts, passed from time to time, all captures were confirmed. The children followed the condition of the mother though the father were free, whomsoever he might be. The laws were very strict, restraining the slave on the plantation, forbidding him on severe penalties to leave it without a "ticket," regulating the master in giving tickets, and punishing him for indulging the slave in the liberty of going about or working for wages. It was natural to seek escape from such bondage, and, as the country was new, flight was possible. To meet this, the fol-

lowing provisions were made A. D. 1712, and continued in substance and renewed from time to time. (See Vol. VIII, p. 357, sec. XV.)

And be it further enacted by the authority aforesaid, That in case any negro or slave shall run from his master or mistress, with intent to go off from this province, in order to deprive his master or mistress of his service, such negro or slave, being declared guilty of the same by two justices and three freeholders, as aforesaid, shall suffer the pains of death; and in case any negro or slave shall be guilty of enticing or persuading any other negro or slave to run from his master or mistress' service, in order to go off from this province, and being convicted of the same before two justices and three freeholders, he shall be severely whipped, not exceeding forty lashes, and shall also be branded in the forehead with a hot iron, that the mark thereof may remain. But if any negro or other slave shall so tempt and practice with any negro, or negroes, or other slave or slaves, and him or them so tempted, actually convey away, or send off from this province, or be taken in the very act of taking or carrying him or them away, in order to carry him or them off and from this province, such negro or slave, so tempting and persuading the other negro or slave, as aforesaid, being found guilty of the fact by two justices and three freeholders, as before directed in this act, shall suffer the pains of death; and the negro or negroes, or other slave or slaves, so consenting to the persuasion and enticement of the other negro, and shall go off from this province, or be taken in the very act of running from his or their master or mistress, in order to go from this province, and being adjudged guilty of the same by two justices and three freeholders, as aforesaid, they, the said two justices and three freeholders, shall give sentence of death, or other punishment, as they shall think fitting, against the criminal or criminals, and by their warrant cause execution to be done accordingly.

Id., p. 359, sec. XIX :

And be it further enacted by the authority aforesaid, That every slave above sixteen years of age that shall run away from his master, mistress, or overseer, and shall so continue for the space of twenty days at one time, shall, by his master, mistress, overseer, or head of the family's procurement, for the first offense be publicly and severely whipped, not exceeding forty lashes. And in case such negro or slave shall run away a second time, and shall so continue for the space of twenty days, he or she so offending shall be branded with the letter R on the right cheek. And in case such negro or slave shall run away the third time, and shall so continue for the space of thirty days, he or she so offending, for the third offense, shall be severely whipped, not exceeding forty lashes, and shall have one of his ears cut off. And in case such male negro or slave shall run away the fourth time, and shall so continue for the space of thirty days, he so offending, for the fourth offense, by order of procurement of the master, mistress, overseer, or head of the family, shall be gelt. And if a female slave shall run away the fourth time, then she shall, by order of her master, mistress, or overseer, be severely whipped, and be branded on the left cheek with the letter R, and her left ear cut off. And in case any negro or slave shall run away the fifth time, and shall so continue by the space of thirty days at one time, such slave shall be tried before two justices of the peace and freeholders, as before directed by this act in case of murder, and being by them declared guilty of the offense, it shall be lawful for them to order the cord of one of the slave's legs to be cut off above the heel, or else to pronounce sentence of death upon the slave, at the discretion of the said justices; and any judgment given after the first offense shall be sufficient conviction to bring the offenders within the penalty for the second offense; and after the second, within the penalty of the third, and so for the inflicting the rest of the punishments.

(Id., p. 380, sec. XXVIII.)

And be it further enacted by the authority aforesaid, That in case any negro or other slave shall harbor, conceal, entertain, and give victuals to any runaway slave, knowing him or her to be such, upon complaint made thereof to any justice of the peace, such negro or slave, by order of the justice, shall be severely whipped—not exceeding forty lashes.

In 1835 it was enacted, (p. 380, sec. XV :)

That whereas divers evil-disposed persons have heretofore attempted to allure and steal away slaves with the specious pretenses, and promising them freedom in another country, "any person so offending should suffer death as a felon."

If a negro or a slave struck a white person, his right ear was to be cut off; for the second offense, any penalty save death. If the white person was injured, the penalty was death, provided the striking were not on behalf of the master, or his family or property.

In 1822 it was provided that—

Whereas negroes and other slaves, under pretense of hunger, do frequently break open corn-houses and rice-houses, and steal from thence corn and rice, "therefore, for the first offense they should be punished by branding on the right cheek and whipping—not exceeding thirty-nine lashes—and for the second by branding on the left cheek and whipping, and for the third offense death."

It was the duty of all officers of militia and patrolmen to pursue run-aways, and they were rewarded for taking them alive or dead and, if wounded in the attempt, they were pensioned from the public treasury. Officers were rewarded for inflicting punishment, and punished for neglecting or refusing to do so. Persons refusing to testify against slaves were punished. Masters neglecting or refusing to prosecute their slaves were themselves punished, and their slaves given to informers. Thus the laws were more cruel than their masters, but after a time the operation of these laws hardened the masters, and they became more cruel than the laws; and in 1822 it was provided that whereas there is sometimes reason to suspect that slaves do run away for want of sufficient allowance of provisions, therefore the master suspected should be required to answer at the next session of the peace; but no provision is made for feeding the slave pending litigation.

When slaves were executed, or died under punishment, the value was paid the master from the public treasury, but so frequent were the executions, that these payments became a very heavy burden, and transportation was substituted, and the slaves were sold away; but soon the slaves found that a privilege, and the law was repealed, and provision made that the county where the offense was committed should pay for the slave executed. Slaves were tried by summary proceeding before one justice and two freeholders.

The spirit of the government and people is displayed by Judge Brevard, in his review of the legislation. He makes some remarkable statements. He says of the proprietary government, even of the constitution which Locke was employed to frame:

The stamp of the proprietors is evident on the face of the instrument in the aristocratical form of government, and the complexity and extravagance of its details. The genius of Shaftsbury rather than that of Locke is displayed in the composition.

He speaks of the discontent of the people, and says that, in part of the colony, "discord and distraction reigned without control." He speaks of continued exactions and troubles.

The imposts raised to pay expense of the government in 1725 were 22,226 pounds sterling—more than twelve hundred thousand dollars then; equal to five millions now. In 1734 the amount was but 41,511 pounds, but in 1750 it was 150,000 pounds, equal to nine hundred thousand dollars. Judge Brevard tells us of cruelties, oppressions, and disorders, and violent measures taken by "Regulators," and of efforts by the Government to suppress them, and says:

The instruments employed by the Government to subdue the spirit of rebellion and enforce the existing system were men of little or no character or respectability, the obsequious control of men in power, who abused their authority, and fattened on the general distress.

Amid the tumult of civil strife the laws were silent, and their place was not always supplied by those of humanity.

The government was founded on slavery as its "corner-stone;" property in slaves was a qualification to hold office. The power was in the hands of the slaveholders, and they used it to prevent the division of lands, and retain control, not only of the government, but of society. A man had honor and authority in the State in proportion to the roll of his slaves and the breadth of his domain.

By the census returns for 1860, it appears that there were then in the eleven States only 648,559 improved farms, and they contained 59,716,090 acres, while there were about 160,000,000 acres unimproved, a great part of which was owned by the planters, and left uncultivated for fresh land when their improved lands were exhausted. In South Carolina the number of farms was 33,171, containing improved lands, 4,072,551 acres; average per farm, 1,378 acres; while 11,623,859 acres lay uncultivated, chiefly attached to the plantations.

To show how lands and slaves were aggregated, we refer to the testimony of Hon. James Chestnut, ex-United States Senator from South Carolina, and Hon. Wade Hampton, ex-lieutenant general in the confederate army, before the sub-committee, in South Carolina:

Mr. Chestnut says:

By Mr. STEVENSON:

Question. Do you know, as a general fact, how the real estate is held in this State; in what quantities?

Answer. Do you mean under what tenure?

Question. No, sir; but whether in large or small tracts?

Answer. Generally in large tracts. There are some small tracts. I cut up one farm and made nineteen for small purchasers, some to negroes and some to whites.

Question. What do you mean by large tracts?

Answer. Ranging from three thousand acres to six thousand acres. I sold ten thousand acres in one month.

Question. Are these lands generally held by those who held them before the war—these large tracts?

Answer. Yes, sir. I may say they generally are. There have been a great many instances of compulsory sale, and some by the State, that have been bought and divided up.

Question. What part did the land-owners take generally as a class?

Answer. They were in the war.

Question. On the southern side?

Answer. Assuredly; certainly.

Question. You took part?

Answer. Yes, sir. I was in the war from the firing of the first gun until the moment of the surrender.

Question. How much landed estate have you?

Answer. Now?

Question. Yes, sir.

Answer. I do not think I have a solitary acre.

Question. You have sold it all?

Answer. All of my own. I am representing, though, a very large interest in my father's estate. I am holding my father's estate for others.

Question. To what amount?

Answer. Well, sir, I should say to the extent of five thousand acres—about that. A good many of my colored fellow-citizens have bought tracts under me—some of my neighbors known to me.

By Mr. VAN TRUMP:

Question. You were better than this land commission?

Answer. Yes, sir; I took the trouble to get it up. I had my lands resurveyed and marked, and spent weeks in the woods; had the lands neatly platted, and I found purchasers to a considerable extent.

Mr. Hampton says:

By Mr. STEVENSON:

Question. Was any of your property confiscated, general?

Answer. None, except my negroes and the burning of my house and all that was in it.

Question. I ask as to confiscation according to law?

Answer. No, sir; I do not know that there has been any confiscation according to law.

Question. There has been none by legal proceedings in your case?

Answer. No, sir; none at all.

Question. What landed estates have you?

Answer. I have none at all now, sir.

Question. What had you at the close of the war ?

Answer. I had about twelve thousand acres and nine hundred negroes at the close of the war. Of course I did not have the negroes, because they had been freed. I had upward of nine hundred at the beginning of the war.

Such a government in such hands was the rule of the minority. The government of South Carolina was not a republic; it was an aristocracy based on property, chiefly in slaves, with the advantages of stability and economy, but the disadvantages of tyranny, elevating and enriching a few, while condemning the masses to poverty and ignorance.

Poor white men, small property-owners, mechanics and tradesmen, and even professional men and merchants, to a less extent, were dependent on the good will of the planters. That this government was cheap has been shown in our financial report.

The chief receipts came from banks and business.

That it was honest cannot be denied, if indeed a government can be honest which oppresses the masses for the benefit of the few. Those who administered it were dealing with their own interests. It was a close corporation; they taxed themselves for their own uses, and expended the resources of the State for their own ends. But what has this aristocracy, founded on slavery, cost the people of South Carolina and her lordly rulers at last? Has it been the cheapest or the best in the end? Governments are not for a day or a century; they are intended to endure, and should grow better with time. Under this government, the favored few grew rich, proud, and arrogant, while the masses became poor, ignorant, and servile. Such a community was the nest in which to hatch State-rights into secession, and in time the monster was brought forth. The leaders having supreme power at home, could not bear to lose control of the National Government. They rebelled, and drew the masses with them.

The common people tell us they did not want to fight, but were obliged to follow their leaders. The same ruling classes in other States having produced a similar condition of society, though none so bad, were for secession; the people held back until South Carolina precipitated war. Then the leaders in other States urged the people not to abandon a "sister State," and State after State was hurled into the conflict, the people knowing not how. Plain men all over the South tell us they did not desire disunion nor war, but were compelled to follow their "great leaders," and go "with their States" and with "the South." It was the system of government which prevailed in these States, but most perfectly in South Carolina, based on slavery, with authority in the hands of a few, which caused the war, with all its losses of blood and treasure. The State of South Carolina entered that war in 1860 with 291,800 white people, and at the end of a decade she had 289,667. If peace had continued, she would have had over 320,000. When she seceded, the property in the State was assessed at over \$400,000,000; when she surrendered, it was reduced to less than \$100,000,000. Could any form of government have been more costly? But the loss to herself was light compared to that she inflicted on the South and the country.

The seceding States began the war with over five billions of property. They came out with less than two, when, if peace had continued, they should have had over seven billions. Hon. Gabriel Cannon, of Spartanburgh County, South Carolina, ex-State senator, ex-lieutenant governor, and member of the legislature at secession, testifies as follows:

By Mr. STEVENSON:

Question. You have instituted a comparison between the expenses of this State prior to the war and since, and have shown that there was a remarkably cheap State government here?

Answer. Yes, sir.

Question. Is it true that the State government before the war was in the hands principally of men of property?

Answer. No man could be a member of either house unless he was a property-holder.

By Mr. VAN TRUMP:

Question. To what extent?

Answer. One hundred and fifty pounds, if a member of the house. It came down from old times.

By Mr. STEVENSON:

Question. In real estate?

Answer. There was a provision that if a man owned a certain number of negroes he was eligible.

Question. He must have real estate or a certain number of negroes?

Answer. Yes, sir; and a senator must have double that amount; that is my recollection—double the amount for the senate that was required for the house; but every free white man twenty-one years of age, except paupers, &c., could vote.

Question. For persons who were eligible?

Answer. Yes, sir; paupers were not.

Question. The State of South Carolina has the distinction of having led off in secession?

Answer. I believe it was the first one.

Question. Were you in the legislature?

Answer. I was in the senate.

Question. You have some knowledge of the fact?

Answer. Yes, sir.

Question. Have you ever made an estimate of what the war for secession cost the State of South Carolina?

Answer. No, sir; I do not know that I have. I have seen rough estimates. I do not know that I have made any myself.

Question. What were they?

Answer. For instance, in the loss of slave property. The property of South Carolina, before the war, I think, was variously estimated at from four hundred and fifty to five hundred millions of dollars. The slave property and the banks, the moneyed interest, and everything of the kind, were all swept away, as you are aware.

Question. About what amount?

Answer. I think since the war—and perhaps that will come very near to covering the question asked a while ago—that the property of the State is now estimated at a little less than \$200,000,000.

By Mr. VAN TRUMP:

Question. Is it \$184,000,000?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Then it cost the State from two hundred and fifty to three hundred millions of dollars, according to that?

Answer. There would be that difference.

Question. Do you know what was expended by the State during the war?

Answer. The war debt I could tell if I had the documents.

Question. But do you know what was expended; something was appropriated and expended, was it not?

Answer. Yes, sir; and bonds were issued, which are repudiated.

Question. Do you know how much was expended?

Answer. No, sir.

Question. You never made any calculation of that?

Answer. No, sir.

Question. Do you know what the war cost the country, or what it cost the whole South?

Answer. No, sir, it would be very hard to tell, I presume. I have seen statements of the public debt, but I presume you know much better than I do about that. I cannot answer the question. I think it is very doubtful whether any living man knows.

Question. Do you not think that that little aristocratic, cheap government you had resulted rather expensively in the end?

Answer. Certainly the war has been a very expensive thing.

The war being over the National Government first attempted to reconstruct the States without slavery through the white citizens. It was vain. The disease was too deep. The white leaders were incapable of

doing justice to their former slaves. The masses of white people were more helpless in the hands of their old leaders than before the war. Those leaders met in convention and revised and remodeled constitutions and enacted laws which disfranchised and disqualified more than three and one-half millions of citizens, and under pretense of regulating their labor bound them to involuntary servitude in the name of apprenticeship—a form of slavery which would have had many of the evils of the old system without its compensations. Not one of these millions of American citizens was to have any voice in the Government they contributed to support and defend; not one could hold the lowest office or vote for any officer, even in localities where they were a majority of the people. This attempt to perpetuate the rule of the minority was without excuse. It cannot be justified as conferring suffrage on intelligence, because it permitted white men to vote, however illiterate, and there were in those States, in 1860, 559,444 illiterate white adults, and doubtless more in 1866; and it excluded all colored men, however intelligent, and there were in those States in 1860 over 50,000 colored adults who could read and write, and many more in 1866. In South Carolina and Georgia, in October, 1865, there were 9,500 children at school, with bitter opposition to the schools and cruelty to freedmen.

EDUCATION.

The following table shows the condition of education among the freedmen in 1865 :

Educational statistics October 31, 1865.

Departments.	Number of schools.	Number of teachers.	Number of pupils.	Remarks.
District of Columbia.....	41	91	4,884	These are aside from the regular colored schools of the district supported by the colored citizens.
Virginia, (mainly S. E. Va.)..	90	195	11,500	Some opposition.
North Carolina.....	63	85	5,624	A few are self-supporting.
South Carolina and Georgia..	114	174	9,500	Bitter opposition, not only to the schools, but to the Bureau, and cruelty to the freedmen.
Alabama.....	2	15	917	Opposition, with violence to the schools.
Louisiana.....	141	265	10,000	Less opposition than in most of the South.
Texas.....	.....	.....	.....	Schools organizing.
Mississippi.....	34	46	2,048	Strong opposition.
Kentucky and Tennessee....	75	264	14,768	Violent opposition in some parts of Kentucky and Middle and Western Tennessee; a number of school-houses burned.
Arkansas.....	.....	.....	.....	Schools organizing; some opposition.
Total.....	560	1,155	68,241	

But this does not give the full extent. There were many schools and educational associations organized and managed by colored people, and the Army had been a school for freedmen, thousands of whom had learned to read and write while in the service; and General Alvord, inspector of schools, said, in his report of January 1, 1866, (see Senate Ex. Doc. No. 27, Thirty-ninth Congress, first session, p. 116 :)

The superintendent of South Carolina assured me that there was not a place of any size in the whole of that State but where there was an attempt at such a school. I have much testimony from others well informed, both oral and written, that the same is true of other States. There can scarcely be a doubt, and I venture the estimate that at least five hundred schools of this description are already in operation throughout the South. If, therefore, all these be added, and including soldiers and *individuals* at

study, we shall have at least *one hundred and twenty-five thousand as the entire educational census of this lately emancipated people*. This is a wonderful state of things. We have just emerged from a terrific war; peace is not yet declared. There is scarcely the beginning of reorganized society at the South, and yet here is a people long imbruted by slavery, and the most despised of any on earth, whose chains are no sooner broken than they spring to their feet and start up an exceeding great army, *clothing themselves with intelligence*. What other people on earth have even shown, while in their ignorance, such a passion for education?

It is also seen that the children of the poor whites of the South are very ready to receive instruction, and that already considerable has been done for them.

The conclusions forced upon us from the above facts are:

1. *The experiment of educating the freedmen proves to be successful*, and the ignorant whites may be greatly benefited.

Were the old leaders who were forming State constitutions ignorant of this great movement? No; but they feared its effects. Having prevented the slave and the free negroes from coming to the light of knowledge by penal statutes, and having seen many learning to read and write in spite of their prohibitions, sometimes at the risk of life and limb, for in some States persistence in learning to read and write has cost the slave his thumb, while in others he has pursued knowledge even unto death; and seeing this great movement of thousands of freedmen, women, and children alarmed them, and shocked their prejudices, they feared it would destroy the value of negro labor. From Georgia it was reported, in 1865, that most of the white residents of this section took ground against schools for the education of the freed people, not only as labor lost, but some held that it was injurious to all working classes to be taught from books.

From Louisiana, New Orleans, we have the following incident, (see Senate Ex. Doc. No. 1, Thirty-ninth Congress, first session, p. 112:)

It is the testimony of the superintendent that if the military power should be withdrawn, and the State once more resume all her functions, our schools would cease to exist, and the whole moral and political influence of the people of Louisiana be brought to bear against them. The constitution of 1864 makes it incumbent on the legislature to provide for the education of colored children, but that constitution is not yet regarded as the law of the land, and the dominant party demands that it be set aside as not expressing the will of the people. A member of the legislature, in session while I was at New Orleans, was passing one of the schools with me, having, at the time, its recess, the grounds about the building being filled with children. He stopped and looked intently, then earnestly inquired, "Is this a school?" "Yes," I replied. "What! of niggers?" "These are colored children, evidently," I answered, "Well! well!" said he and raising his hands, "I have seen many an absurdity in my lifetime, but *this is the climax of absurdities!*" I was sure he did not speak for effect, but as he felt. He darted from me like an arrow, and turned the next corner to take his seat with legislators similarly prejudiced.

In many places the education of the freedman was forcibly resisted, even to burning school-houses and killing teachers.

General Alvord says, on page 117:

3. *The white population of the South feels the power of these schools*. Assent, if not the favor, of the better men is being gradually obtained. The major part are indignant, indeed, that negroes should have learning. All sorts of evil is predicted as the consequence. But a portion of this enmity is provoked by the rivalry which their own children must now struggle with.

The "poor whites" are excited by hearing negroes read while they are ignorant; and it is my belief that they will now receive schools, if furnished them, as never before.

The educated class are not slow to perceive that their schools must be re-opened, or fall behind, humiliated, and that new schools must now be organized on a *more popular* plan than heretofore. Poverty, and perhaps pride, with the want of teachers, as the public feeling now is, are the present difficulties in carrying out these convictions.

The attempt, in the face of these facts, to disqualify, disfranchise, disable, and pauperize four million citizens was such a deliberate disregard of human rights as would scarcely have been proposed by an absolute conqueror administering an empire, but here it was made by

conquered rebels, who, by the clemency of a victorious Government, were afforded an opportunity to propose such forms of reconstruction as they preferred.

VIRTUE.

It could not stand as a discrimination in favor of virtue, for vicious white men were admitted and the best colored men excluded.

PROPERTY HOLDERS.

It could not be justified as confiding the government to property-holders, for it admitted all white men, a majority of whom were poor, and excluded all colored men, many of whom held property, and nearly all of whom had capacity to acquire it.

The Government was compelled to reconstruct the States on impartial suffrage or hold them by the sword. The principle of equal rights was accepted. The circumstances were most adverse in South Carolina; there the policy involved the necessity of intrusting the State government to a people, the great majority of whom were but recently set free from the most abject slavery, and without education or knowledge of affairs. The intelligent white leaders were bitterly opposed to the plan, and at deadly enmity with all who favored it, and have resorted to every means to defeat it. At first they refused to participate in public affairs, even rejecting the offers of colored people to elect them to office. When they found the State government going on without them, they conspired against it, and brought violence, scourging, and assassination into the contest. They have even degraded themselves by corrupting and bribing colored men, their former slaves, not only for gain, but in order to bring the State government into contempt, rot its foundations, and overthrow it, that they may come into power. Under all these trials the State suffers, but it has the life of liberty. It is a government by the majority, and the majority is such as the minority have made it. Southern white men, formerly slaveholders, have taught their former slaves to rob the State; newcomers and old hands have joined in the pillage. Violence has driven the colored majority into a compact mass, determined to sustain the "friends of freedom and equal rights" against what they call the "Ku-Klux party," without inquiring into the integrity of the men they follow; and thus corruption shares authority with ignorance, while imbecility leaves innocence a prey to violence. The State credit is prostrate, the treasury empty, the debt increased and increasing, somewhat from necessity, but more from extravagance, misgovernment, and fraud, and still the State struggles on like some bewildered traveler followed by wolves and overshadowed by vultures, growing stronger and gaining ground at every step. Wherever there is peace there is prosperity, and generally where colored people are in a large majority there is peace. Education is advancing, morality prevails, content increases, and the masses of the people are gaining in property, intelligence, and independence. The property in the State has risen rapidly in value. The agricultural productions, chiefly fruit of freedmen's free labor, have, since the war, exceeded the valuation of all property in the State.

May we not expect that, when peace shall have been fully restored, reform will follow, and South Carolina, as other States, will have a free government well administered? If the white people of South Carolina desire this, the remedy is in their own hands. They have only to abandon such political issues as antagonize the rights and interests of the freedmen and threaten the stability of reconstruction. It is not enmity

to the whites, but the instinct of self-preservation, which keeps the freedmen together; and if political results did not affect their rights, liberties, and lives, they might be more easily led on other questions by old and prominent citizens, and honest men enough would be found of both colors to secure reform.

Notwithstanding the prevalent corruption, there are some true men of both parties, and in public life, who have the public confidence, and whose reputations have never been dimmed by the breath of suspicion. Such men only bide their time, and will be ready to join, and, if need be, to lead the movement for reform when existing corrupt combinations shall have been broken up.

COLORED VOTERS.

There is an erroneous impression that the colored people outnumber the whites in these States generally. In Louisiana, as we have shown, the majority is nominal, being only 2,145 of inhabitants in 1870. The majority in Mississippi was but 61,305 inhabitants.

The following table shows that the whites are in the majority in all the States but three, Mississippi, Louisiana, and South Carolina:

Table of population by color.

State.	White	Colored.	Majority.	
			White.	Colored.
Alabama.....	521,384	475,510	45,874	.....
Arkansas.....	362,115	122,169	239,946	.....
Florida.....	96,057	91,639	4,368	.....
Georgia.....	638,926	545,142	93,784	.....
Louisiana.....	362,065	364,210	.....	2,145
Mississippi.....	382,696	444,201	.....	61,305
North Carolina.....	678,470	391,650	286,820	.....
South Carolina.....	289,667	415,814	.....	126,147
Tennessee.....	936,119	322,331	613,788	.....
Texas.....	564,700	253,475	311,225	.....
Virginia.....	712,069	512,841	199,228	.....
Total.....	5,544,488	3,939,032	1,795,053	189,585
Total white majority.....			1,605,456	.....

In all the other States the white people are largely in majority. The only disfranchisement is in Arkansas, and there the whites have a large majority of registered voters. These facts show that apprehensions of evils to come from misrule by the colored voters of the South are unfounded.

BASIS OF REPRESENTATION.

Before the war the basis of representation was, in some States, property or taxes; in others it was what was called federal population, which included with the number of white people three-fifths of the slaves, and in other States, while only the white men voted, representation was apportioned upon the entire population. All these plans gave great advantages to those sections of States where slaves were numerous, as, whether they were valued or counted, they gave preponderance to the regions where they were held. Now the basis of representation is the number of all the people. The unequal representation was one of the levers used by the slaveholding sections of States to control the State governments against the sentiments of the majority of white people and to precipitate the States into disunion. Now all classes of all the people are equally represented.

ELIGIBILITY.

Before the war eligibility to office was limited in all the States to white men, and in some States to freeholders or property-holders. In South Carolina, for members of the house of representatives, the constitution provided, in Article I :

6. No person shall be eligible to a seat in the house of representatives unless he is a free white man of the age of twenty-one years, and hath been a citizen and resident in this State three years previous to his election. If a *resident* in the election district, he shall not be eligible to a seat in the house of representatives unless he be legally seized and possessed, in his own right, of a settled freehold estate of five hundred acres of land, and ten negroes; or of a real estate of the value of one hundred and fifty pounds sterling, clear of debt. If a *non-resident*, he shall be legally seized and possessed of a settled freehold estate therein of the value of five hundred pounds sterling, clear of debt.

And for senators, in section 8 :

8. No person shall be eligible to a seat in the senate unless he is a free white man, of the age of thirty years, and hath been a citizen and resident in this State *five years* previous to his election. If a *resident* in the election district, he shall not be eligible unless he be legally seized and possessed, in his own right, of a settled freehold estate of the value of three hundred pounds sterling, clear of debt. If a *non-resident* in the election district, he shall not be eligible unless he be legally seized and possessed, in his own right, of a settled freehold estate, in the said district, of the value of one thousand pounds sterling, clear of debt.

And for governor, in Article II, section—

2. No person shall be eligible to the office of governor unless he hath attained the age of thirty years, and hath resided within this State and been a citizen thereof ten years, and unless he be seized and possessed of a settled estate within the same, in his own right, of the value of fifteen hundred pounds sterling, clear of debt.

Voter :

4. Every free white man of the age of twenty-one years, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of land, or a town lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district in which he offers to give his vote six months before the said election, and hath paid a tax the preceding year of three shillings sterling toward the support of this government, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property or is so resident.

Amendment :

A BILL to alter the fourth section of the first article of the constitution of the State of South Carolina.

Be it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That the fourth section of the first article of the constitution of this State be altered and amended to read as follows : Every free white man, of the age of twenty-one years, *paupers*, and non-commissioned officers and private soldiers of the Army of the United States excepted, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of land, or a town lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district in which he offers to give his vote six months before the said election, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property or is so resident.

North Carolina.

The constitution provided—

Member of house :

6. That each member of the house of commons shall have usually resided in the county in which he is chosen for one year immediately preceding his election, and for six months shall have possessed, and continue to possess, in the county which he represents, not less than one hundred acres of land in fee, or for the term of his own life.

Senator :

5. That each member of the senate shall have usually resided in the county in which he is chosen for one year immediately preceding his election, and for the same time shall have possessed, and continue to possess, in the county which he represents, not less than three hundred acres of land in fee.

Governor :

SEC. 15. No person under thirty years of age, and who has not been a resident of this State above five years, and having in the State a freehold in lands and tenement above the value of one thousand pounds, shall be eligible as governor.

Voter :

7. That all freemen of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of any election, and possessed of a freehold, within the same county, of fifty acres of land, for six months next before and at the day of election, shall be entitled to vote for a member of the senate.

8. That all freemen of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for members of the house of commons, for the county in which he resides.

9. That all persons possessed of a freehold in any town in this State having a right of representation, and also all freemen who have been inhabitants of any such town twelve months next before and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such town in the house of commons.

Amendment—1836 :

SECTION 3.

§ 1. Each member of the senate shall have usually resided in the district for which he is chosen for one year immediately preceding his election, and for the same time shall have possessed and continue to possess in the district which he represents not less than three hundred acres of land in fee.

2. All freemen of the age of twenty-one years, (except as is hereinafter declared,) who have been inhabitants of any one district within the State twelve months immediately preceding the day of any election, and possessed of a freehold within the same district of fifty acres of land, for six months next before and at the day of election, shall be entitled to vote for a member of the senate.

3. No free negro, free mulatto, or free person of mixed blood, descended from negro ancestors to the fourth generation inclusive, (though one ancestor of each generation may have been a white person,) shall vote for members of the senate or house of commons.

Georgia constitution.

Representative :

ARTICLE 1.

SEC. 9. No person shall be a representative who shall not have attained to the age of twenty-one years, and have been seven years a citizen of the United States, three years an inhabitant of this State, and have usually resided in the county in which he shall be chosen one year immediately preceding his election, (unless he shall have been absent on public business of this State or of the United States,) and shall be possessed in his own right of a settled freehold estate of the value of two hundred and fifty dollars, or of taxable property to the amount of five hundred dollars within the county for one year preceding his election; and whose estate shall, on a reasonable estimation, be competent to the discharge of his just debts over and above that sum.

Senator :

ARTICLE 1.

SEC. 4. No person shall be a senator who shall not have attained to the age of twenty-five years, and have been nine years a citizen of the United States, and three years an inhabitant of this State, and shall have usually resided within the county for which he shall be returned at least one year immediately preceding his election, (except persons who may have been absent on public business of this State or of the

United States,) and is and shall have been possessed, in his own right, of a settled freehold estate of the value of five hundred dollars, or of taxable property to the amount of one thousand dollars within the county, or for one year preceding his election, and whose estate shall, on a reasonable estimation, be fully competent to the discharge of his just debts over and above that sum.

Governor:

ARTICLE 2.

SEC. 3. No person shall be eligible to the office of governor who shall not have been a citizen of the United States twelve years, and an inhabitant of this State six years, and who hath not attained to the age of thirty years, and who does not possess five hundred acres of land, in his own right, within this State, and other property to the amount of four thousand dollars, and whose estate shall not, on a reasonable estimation, be competent to the discharge of his debts over and above that sum.

Voter:

ARTICLE 4.

SEC. 1. The electors of members of the general assembly shall be citizens and inhabitants of this State, and shall have attained the age of twenty-one years, and have paid all taxes which may have been required of them, and which they may have had an opportunity of paying, agreeably to law for the year preceding the election, and shall have resided six months within the county.

Under this provision a poll-tax might be used to keep out voters.

Now, in these and other Southern States, all electors are eligible who have the requirements of age and residence, save such as are disabled by the Constitution of the United States. (In Arkansas such as are disfranchised by the State constitution are ineligible to office.)

DISABILITIES.

In conclusion, we deem it proper to touch a question which is involved in the subject of eligibility—that of “disabilities” under the der the Constitution of the United States. As we have seen, that instrument only, save in Arkansas, disables citizens.

The disabilities imposed prevent the people of the South, if they choose, from electing to office persons subject to “disability.” This narrows the choice, and sometimes causes the election of inferior officers; but a more important consideration is, that prominent men, who, by experience in affairs and general good conduct, save in rebellion, in which they erred in common with the mass of their fellow-citizens, are singled out for banishment from office and honor. It may be a light punishment for their crime to put them under ban, but it must tend to alienate them and their friends, and make them opponents if not enemies of the Government. Prudence dictates that when we make an enemy we should disarm him; but we have left these men, whom we pronounce unworthy to hold office, in possession of lands and goods, with our firmest friends landless and poor, in their power—and we have armed them with the ballot, by which they can elect and control officers; we permit them to command, but will not allow them to serve. This is inconsistent with the first principle of our Government, that the citizen is sovereign and the officer subordinate. The natural effect is to make political martyrs of men under disability, and increase their authority over their old followers; and whenever a prominent man is found under disabilities, his influence can be felt and seen, blighting the growth of loyalty and order, and yet, whatever goes wrong in his neighborhood, he has only to turn his back and say, “I am under disabilities; the Government does not regard me as a trustworthy citizen; I am not responsible for public affairs.” We do not accept this apology as an excuse for such conduct; every man is bound to use his

influence for good, yet it is human nature to retaliate, and this form is the least active and safest for them, and therefore the most common. Not as a measure of justice, nor yet in mercy, but for the public good in the interest of peace and order, we would suggest the general removal of disabilities, so that citizens shall share equally in the government, and be held legally and morally responsible for the duties of citizenship. Had some of the most guilty been punished for treason, as the laws provide, and other leaders banished, and overgrown estates confiscated and divided into homesteads for the masses, and a list of prominent names stricken from the roll of citizenship, so that they could not be called to the ballot-box, such a policy would have been approved by precedent, and might have resulted in good. But we remitted all substantial penalties, left them their lives and property, and remade them citizens. They command, but need not obey.

It was supposed that, if the people were prevented from electing their old leaders to office, the leadership would be lost, but we find it strengthened by sympathy and protected from jealousy. In America, office-holders do not lead; they follow the people. Here they do not, as in other lands, rule; they serve. Among our most powerful citizens are those who have intelligence and experience and enjoy the public confidence without holding or seeking office. To such citizens the people look for disinterested counsel. They control that public sentiment which makes and unmakes officials, and governs the country. They are the real rulers of America. Their organs are the press, the platform, the pulpit, the college, the school; they control business and society. In America government is not, as in other lands, a monopoly of human affairs; it is but a subordinate part, the use of which is to minister to the general good. Here, more than anywhere else, the post of honor is the private station. To this position men under disabilities are assigned. They are placed among non-office-holding non-office-seeking citizens—the post which many of our best citizens voluntarily take, and which no allurements of honor, no promptings of duty, can induce them to surrender. Occupying this position, the old leaders have more influence over the southern people than they would have if not under disabilities. They advise without responsibility. If, in the event, their advice appears erroneous, they can say, "We could not execute; if we had been free to act as to advise, the result might have been different," and thus their credit for wisdom is saved the test of experiment; and their followers after every defeat return for fresh counsels. Barred from seeking office, they are independent of public opinion; indifferent to the value of that unit of power—a vote; relieved of the necessity which binds political aspirants to consult the people, study their opinions, wishes, and feelings, and render due respect to every citizen. Thus these men become more and more the leaders of a class which agrees and sympathizes with them, upon which their influence is, with few exceptions, injurious not only to the South, but to the whole country.

The ex-president of the late southern confederacy still lives; he is an American citizen, a qualified elector for all officers, municipal, county, State, and national, elected by the people among whom he resides; he enjoys every privilege and immunity of an "American citizen," except that of holding office. We would not be understood as suggesting any further leniency to him, but use his case as the strongest in favor of disabilities to consider the effect of their removal. To be out of office, must be a great grievance to him; he is popular in the circle in which he moves, though that circle grows smaller every day; he is regarded as their "president;" he makes his "progress" through the South, receiving ovations, and, as is

natural, he and his admirers imagine the only obstacle to his return to public life is the "bar sinister" of the Constitution. If that were removed, this man would be placed on a level with others; his followers would propose him for office. Should he decline nomination, the people, knowing him of old as a chronic office-seeker, would consider his retirement a confession of unworthiness or an exhibition of ill-temper; such a step would be an abandonment of leadership, followed by rapid decline of popularity. Should he accept candidacy, he would be compelled to popularize his opinions, and conform them to the common sense and average views of the people. The desire for success, keen in such men, as the spirit of the racer on the course, would constrain him, or his friends, to court the votes of the humblest electors, even the freedmen. If nominated and defeated, his prestige would be broken, and repeated failures would lay him aside as useless. If elected, his first act would be to take the oath of allegiance to the United States of America, under the Constitution as it is. Then he would be on trial, as every public officer is, with a jealous people watchful of his errors, and every act and word recorded against him and his constituency. Should he attempt any injury to his country, he would weaken his party and his class, and strengthen loyalty and law; should he do his duty as a citizen in office, he would give an example to his followers of submission to the Constitution and the laws, which, thus far, he has failed to set; should his conduct be indifferent, the people would become indifferent to him.

Let us take another example: The vice-president of the late southern confederacy is a citizen of the United States and of the State of Georgia, with full privileges and immunities, including the right to vote, but under disabilities which prevent him holding office. He seems more bitter in his opposition to the national Government than he was during the rebellion, and yet so lenient are our institutions that this man is permitted, without let or hinderance, or any control, to edit and publish a leading political journal, in which he gives expression to his opinions, and through which he wields great and wide-spread influence. Were his disabilities removed and he chosen to office, even as a Senator or Representative in Congress, would his power be greater or more injurious than it is? Were his disabilities removed, and he not elected to any office, would his journal be more influential? It would cease to be the organ to the disabled, and thereby lose much of its weight.

It may be said that we should perpetuate disabilities to preserve the memory of the rebellion stamped with condemnation. This were better done by naming men to be disabled; but have we not a more enduring memorial of the rebellion of Slavery, and the victory of Liberty in the emancipation and enfranchisement of a race?

JOB E. STEVENSON.
JOHN POOL.

Mr. BLAIR submitted the following as the views of the minority :

MINORITY REPORT

The majority of the Committee on Alleged Outrages in the Southern States having resolved to make their report to the two Houses of Congress before the testimony taken by the sub-committees sent to those States has been printed, and having sent their report to the Public Printer without giving the undersigned opportunity properly to ascertain its contents, or the conclusions of the majority, it becomes necessary that the undersigned, members of the committee, should submit their views of the testimony which has been taken, and of all the matters committed to their charge.

The evidence taken in Georgia and Florida and in Alabama and Mississippi, cover many of the transactions touched in the testimony previously taken, and no one can form any just opinion of those transactions without reading all the testimony as well that which was taken by the sub-committees visiting the States named, as that which was taken before the committee in Washington, and yet the majority of the committee have chosen to make their report without waiting to have the whole testimony printed, and we are compelled to believe that they have come to their conclusions upon partial, imperfect, and prejudiced statements, furnished by witnesses examined in Washington, who were refuted, and, in many instances, shown to be utterly unworthy of belief, by the testimony of their neighbors who subsequently testified before the sub-committees.

As these witnesses testified as to the most important matters which have been laid to the charge of the white people of the South, it is possible that their testimony may be paraded by the majority of the committee, and relied upon as throwing upon them the responsibility of the disorders which have unhappily afflicted these States. It will be necessary, therefore, to expose these men, so that no one can be deceived who desires to know the truth, and to show also the character of this proceeding by which whole communities are sought to be calumniated and defamed for political objects. The atrocious measures by which millions of white people have been put at the mercy of the semi-barbarous negroes of the South, and the vilest of the white people, both from the North and South, who have been constituted the leaders of this black horde, are now sought to be justified and defended by defaming the people upon whom this unspeakable outrage had been committed.

Before presenting the facts on which their conclusions are based, they deem it best to refer briefly to the action of the committee, as explanatory of many of the facts they propose to rely on.

The joint resolution under which the committee was appointed reads thus :

Resolved by the Senate of the United States, (the House of Representatives concurring,) That a joint committee, consisting of seven Senators and fourteen Representatives, be appointed, whose duty it shall be to inquire into the condition of the late insurrectionary States, so far as regards the execution of the laws and the safety of the lives and property of the citizens of the United States, with leave to report at any time during the next or any subsequent session of Congress, the result of their investigation to either or both Houses of Congress, with such recommendations as they may deem expedient; that said committee be authorized to employ clerks and stenographers, to

sit during the recess, to send for persons and papers, to administer oaths and take testimony, and to visit, at their discretion, through sub-committees, any portions of said States during the recess of Congress; and the expenses of said committee shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of said committee.

Passed the House of Representatives March 20, 1871.

Attest:

EDWARD MCPHERSON,
Clerk

Passed Senate April 7, 1871.

Attest:



GEORGE C. GORHAM,
Secretary

The committee met in Washington, on the 17th day of May, and on the 19th the following resolution was adopted, as shown by the journal of the committee:

Resolved, That, for the present, a sub-committee of eight members be appointed, to proceed at once with the investigation, and to continue the same so long as they deem expedient, with authority to take testimony wherever they consider it advisable, by a sub-committee of their own number, and to report all testimony by them obtained to the full committee, at a meeting to be held on the 20th day of September next, or at such earlier time as the sub-committee shall notify the joint select committee to meet.

Resolved, That the chairman of the joint select committee be authorized to appoint said sub-committee, of which the chairmen of the Senate and House committees shall be members, and that said two chairmen be authorized to fill any vacancy in said sub-committee.

On the question, "Will the committee agree to the amendment?" a motion was made by Mr. Blair to amend the amendment by adding at the end of the first resolution the following: "At which time sub-committees shall visit such localities in the South as the committee first-named shall report to be in a disturbed condition, and such other localities as the joint committee may deem necessary; which was agreed to.

And the amendment, as amended, was agreed to.

And the resolution, as amended, was agreed to.

On the same day Mr. Bayard submitted the following resolution:

Resolved, That in the examination of witnesses by this committee, or any sub-committee, the investigation shall be governed by the legal rules of evidence in courts of justice of the United States.

Mr. Van Trump submitted the following resolution:

Resolved, That in making the investigation proposed, and in taking the testimony in that behalf, mere rumors and what is known in the courts as hearsay testimony shall be excluded.

Mr. Bayard submitted the following resolution:

Resolved, That the testimony of witnesses before the committee, or any sub-committee thereof, shall relate to facts existing at the time of the examination, or which shall have occurred subsequent to the passage of the law entitled "An act to enforce the fourteenth amendment, approved April 20, 1871."

The resolutions of Messrs. Bayard and Van Trump were rejected or indefinitely postponed by the majority, and in the "so-called" investigation which followed, all sorts of rumors which had reached the ears of the persons called, were received, though in many instances they related to matters which had occurred two, three, or even six years since, and the same rumors are often repeated, varying so as to be hardly recognizable as the same, according to the intelligence, good or bad memory, or the bias, one way or the other, of the relator. This accounts for the thousands of pages of printed testimony—if such it can be called—now laid before Congress and the country, and renders anything like a connected review of it in a report of reasonable length an absolute impossibility.

The very unwieldiness of the mass of printed matter, however, gives the majority the opportunity to select such fragments as suit their pur-

poses, and assert them to be facts, knowing, as they do, that no member of Congress, even, can possibly investigate the matter and ascertain the truth for himself; the very pile of volumes would deter the most indefatigable from making the attempt. It is because of that fact, that we consider the history of the action of the committee so important; we regard it an UNQUALIFIED admission on the part of the majority, that there are no disorders, no outrages on the part of the people, whatever there may have been on the part of the radical rulers in the States of Virginia, Tennessee, Arkansas, Texas, and Louisiana, and a QUALIFIED admission to the same effect as to the States of Georgia, Alabama, Mississippi, and Florida, as well as to portions of North and South Carolina.

The sub-committee of eight met on the 1st day of June last, and, as the journal shows, examined a number of intelligent witnesses on both sides as to the condition of the States of Georgia, Alabama, North Carolina, South Carolina, and Mississippi, until the 26th of June. On that day the following resolution was adopted :

Resolved, That a sub-committee of three be appointed to proceed at once to the troubled regions of the States of South Carolina, North Carolina, and Alabama, to investigate the condition of affairs in such regions, and report to this sub-committee; which was agreed to.

The question recurring on the motion of Mr. Poland, to amend the resolution by striking out "Alabama," it was agreed to.

By which it will be seen that up to that time, at least, nothing had been developed which made it necessary, in the opinion even of the majority for a sub-committee, to visit any other portions of the Southern States, except the "troubled regions" of North and South Carolina.

It will be remembered that, after the appointment of the sub-committee of eight, on the 19th of May, the whole committee adjourned, to meet September 20. On the 21st of September, Senator Blair moved that a sub-committee be sent to the States of Texas, Louisiana, and Arkansas, and it was rejected by a strict party vote; every Democrat voting for it, and every republican against it.

Again on the same day :

Mr. Blair submitted the following resolution :

Resolved, That a sub-committee of five members be appointed to visit the States of Louisiana, Arkansas, Texas, and Virginia, and make report—Virginia having been inserted at the instance of Mr. Stevenson.

On the question, "Will the committee agree to the resolution?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Rice, Van Trump, Voorhees, and Waddell—8.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Scofield, Stevenson, and Scott, (chairman)—11.

So the question was determined in the negative.

Mr. Bayard submitted the following resolution :

Whereas it is notorious that during the present summer there has been military interference with the citizens of Louisiana at the city of New Orleans: Therefore,

Resolved, That the sub-committee which has been appointed to examine into the affairs of the States of Mississippi, Alabama, and Tennessee make inquiry and report upon the alleged interference by the military at New Orleans, visiting New Orleans for that purpose.

On the question, "Will the committee agree to the resolution?" the yeas and nays were required, and were as follows;

YEAS: Messrs. Bayard, Beck, Blair, Cox, Van Trump, Voorhees, and Waddell—7.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—12.

So the question was determined in the negative.

Although Tennessee was for some reason embraced among the States assigned to one of the sub-committees, no evidence was attempted to be taken showing any lawlessness there. It follows, therefore, that five at least of the eleven Southern States, to wit: Virginia, Tennessee, Ar-

kansas, Louisiana, and Texas, are free from even the suspicion of lawlessness *on the part of their people*, whatever may be the fact as to their rulers. The republican members of the committee have so decided, by their combined and repeated votes, and by their refusal to hear testimony to prove the facts, when urged again and again to do so by the members of the minority. That being so, the charge so often repeated is disproved, that there are unlawful combinations of disguised men organized in all the late insurrectionary States, either to resist law, control elections, intimidate negroes, or for any purpose whatever, because in five out of the eleven States even the radical members of the committee admit no such organization exists, and that law and order prevail throughout all of them.

These five States embrace greatly more than half the territory and nearly half the population of the eleven Southern States, having, as the census shows, 4,513,648 inhabitants; and it is hard to conceive how, if political or other combinations existed for any general purpose, they should be left out, while the other six States, or any part of them, were in combination for any such general objects.

While we do not intend to deny that bodies of disguised men have, in several of the States of the South, been guilty of the most flagrant crimes, crimes which we neither seek to palliate nor excuse, for the commission of which the wrongdoers should, when ascertained and duly convicted, suffer speedy and condign punishment, we deny that these men have any general organization, or any political significance, or that their conduct is indorsed by any respectable number of the white people in any State; on the contrary, the men and the bands by which such outrages are perpetrated are almost universally regarded by the intelligent people of the several States as the worst enemies of the South, as they furnish the men now in power at Washington the only excuse left to maintain war upon them, and to continue the system of robbery and oppression which they have inaugurated—a system which is destructive not only of their peace and prosperity, but is intended to blacken and malign their character as men before the country and the world. We will show, by testimony incontrovertible, that in no one of the six States of North and South Carolina, Georgia, Alabama, Mississippi, and Florida, has there, at any time, existed combinations of lawless men in one-tenth part of any one of said States.

These six States have, in the aggregate, a population of 4,973,738, and the total number of their counties exceeds 420. We do not fear successful contradiction when we say that there never was a disguised band in one-tenth part of them, or in over 40 of these 420 counties, simply in a county here and there, or at most in one or two counties together in several of these States have such bands committed depredations; and we will show to all men not blinded by prejudice or passion, that the Ku-Klux bill, and the proceedings thereunder are the grossest outrage, the foulest calumny, ever perpetrated or circulated upon or against a helpless people by their rulers—who ought, for that reason if for no other, to be their friends instead of being their relentless enemies and calumniators.

To make our report clear and intelligible to the mass of the American people, on whose innate honesty and sense of justice we rely—for we fear no facts will have any effect on the partizan majority in Congress, who have already shown by the passage of the Ku-Klux bill against their will and judgment that they dare not disobey the orders of their imperious, not to say imperial President, it will be necessary to state

briefly the legislation of Congress and the acts of the Executive relative to the States of the South for the last five years. When that is done, their present condition and the political opinions and feelings of that people will be readily understood; and much that, without a recollection of these things, would appear strange to a western or northern man living in a well ordered community, with all his rights properly protected by officers duly elected, and equally interested with himself in the maintenance of law and order, and in the just and equal protection of the lives, liberty, and property of all men of all political parties, will be readily comprehended.

It is shown that, when the war ended, the people of the South, relying on the promises made by the Federal generals while their commands were in the field, on the negotiations preceding the surrender, on the proclamation of the President, and the utterances of both the press and the public men of the North, as well as upon the terms actually agreed on between Generals Grant and Sherman, and Generals Lee and Johnston, at the time of the capitulation of the armies of the latter, were induced to believe, and did believe, that when resistance to Federal authority ceased, and the supremacy of the Constitution of the United States was recognized in the seceded States, and especially after the ordinances of secession were repealed and an amendment to the Constitution abolishing slavery everywhere was ratified by their legislatures, that a full and complete restoration of the Southern States, and the people thereof, to their former position of coequal States in the Union would at once take place; and after the exhaustion of such a terrible war, they hailed the return of peace upon such terms not only with satisfaction, but with delight. They acknowledged defeat, accepted the situation, went to work earnestly to build up their waste places, retrieve their lost fortunes, and were determined honestly and earnestly to support, defend, and maintain the Union and the Constitution. Large numbers of the southern people in the seceded States had never felt any hostility to the General Government, and had only followed the fortunes of their States and people during the war, when they were impotent to resist, and when it was folly to oppose the action of those in authority.

It was not to be expected that such a mass of men as composed the confederate army, and were connected with its administration, could at once return to the ordinary avocations of civil life without confusion or disturbance. The men who composed the Federal Army, when the war closed, found, on their return to their homes, a healthy, prosperous, peaceful, and well-organized society, into which they were not only received and welcomed, but were properly made the recipients of whatever it was in the power of the people to bestow; while the Government of the United States with a lavish hand provided, through the medium of pay, pensions, and bounties, for their wants and sufferings. It was not so in the South.

There society was greatly disorganized; the strain upon the people to supply the armies in the field had exhausted their resources; the regions which had been the scene of active military operations were laid waste; starvation stared the people in the face; labor was absolutely demoralized; the negro population, which, as slaves, had furnished the great bulk of their labor, being liberated; in their poverty, ignorance, and incapacity to appreciate the effect of their altered condition, were slow to realize the necessity for constant and continued labor on their part, so that the confederate soldier, and all others who had, during the years of war, devoted themselves to that cause, found, on the return of peace, nothing but poverty and ruin in all their land,

and themselves absolutely beggars among a people who had nothing to give.

Under such circumstances it was, as before stated, impossible to restore harmony in civil government without some confusion; yet, so earnestly did that people struggle to return to their allegiance, and thus entitle themselves to the protection which had been promised to them, that, from the day of the surrender of their armies, no hostile arm has ever been raised against the authority of the United States.

Before even breathing-time was allowed them, a set of harpies, most of whom had shirked the dangers of the battle-field, camp-followers, horse-holders, "cow-boys," plunderers from both sides during all the years of strife, rushed down singly and in squads on that people, thus prostrate and defenseless, and for their own private gain seized and carried off whatever could be found worth seizing in that country. All remonstrance or resistance was stifled and crushed out by the cry of disloyalty and treason they raised against the southern people, and by the pretense that the plunderers were persecuted because of their loyalty and devotion to the Union, and especially to the republican party and its continued supremacy.

An investigation was instituted, and, among others, the present President, then General of the Army, went to portions of the South to examine for himself. We know of no better way to set forth the true state of facts existing in those States than to quote from his report and testimony.

General Grant said :

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, D. C., December 18, 1866.

To his Excellency ANDREW JOHNSON,
President of the United States :

SIR: In reply to your note of the 16th instant, requesting a report from me giving such information as I may be possessed of, coming within the scope of the inquiries made by the Senate of the United States in their resolution of the 12th instant, I have the honor to submit the following :

With your approval, and also that of the honorable Secretary of War, I left Washington City on the 27th of last month for the purpose of making a tour of inspection through some of the Southern States, or States lately in rebellion, and to see what changes were necessary to be made in the disposition of the military forces of the country; how these forces could be reduced and expenses curtailed, &c., &c., and to learn, as far as possible, the feelings and intentions of the citizens of those States toward the General Government.

Both in traveling and while stopping I saw much and conversed freely with the citizens of those States, as well as with officers of the Army who have been stationed among them.

The following are the conclusions come to by me :

I am satisfied that the mass of the thinking men of the South accept the present situation of affairs in good faith. The questions which have heretofore divided the sentiment of the people of the two sections—slavery and State-rights, or the right of a State to secede from the Union—they regard as having been settled forever by the highest tribunal—arms—that man can resort to.

I was pleased to learn from the leading men whom I met that they not only accepted the decision arrived at as final, but, now the smoke of battle has cleared away, and time has been given for reflection, that this decision has been a fortunate one for the whole country, they receiving like benefits from it with those who opposed them in the field and in council.

The presence of black troops, lately slaves, demoralizes labor, both by their advice and by furnishing in their camps a resort for the freedmen for long distances around. White troops generally excite no opposition, and therefore a small number of them can maintain order in a given district. Colored troops must be kept in bodies sufficient to defend themselves. It is not the thinking men who would use violence toward any class of troops sent among them by the General Government, but the

ignorant in some places might; and the late slave seems to be imbued with the idea that the property of his late master should by right belong to him, or at least should have no protection from the colored soldier. There is danger of collisions being brought on by such causes.

My observations lead me to the conclusion that the citizens of the Southern States are anxious to return to self-government within the Union as soon as possible; that while reconstructing they want and require protection from the Government; that they are in earnest in wishing to do what they think is required by the Government, not humiliating to them as citizens; and that if such a course were pointed out they would pursue it in good faith. It is to be regretted that there cannot be a greater commingling at this time between the citizens of the two sections, and particularly of those intrusted with the law-making power.

* * *
U. S. GRANT,
Lieutenant General.

On the 18th day of July, 1867, when General Grant was examined before a committee of Congress, he said:

I know that immediately after the close of the rebellion there was a very fine feeling manifested in the South, and I thought we ought to take advantage of it as soon as possible.

All impartial men then agreed that the statement of General Grant was true.

If punishments had been deemed politic or possible, then was the time to have inflicted them. The Federal courts were open everywhere; the judges and officers were in full accord and sympathy with the administration; nearly all the great leaders of the rebellion were at their homes and subject to be arrested; Mr. Davis, the president of the Confederate States, was in jail, demanding a trial and ready to abide the result; he was, for causes satisfactory to the administration, discharged, and all proceedings looking to personal punishment were everywhere abandoned. The people of the South, of course, thought the war was ended; Congress so declared; the President so proclaimed; the people of the North, as well as of the South, so understood; all believed that the war, professedly waged to maintain and preserve the Constitution and the Union of coequal States, had proved a success, and that the old representative system of government—a government, as Mr. Lincoln said, “of the people, for the people, by the people”—would go on as of old.

The men of the South, under the programme laid down for them, re-organized their State governments, elected Representatives and Senators to Congress, ratified the thirteenth amendment to the Constitution of the United States by their State legislatures, conferred by law all civil rights on their emancipated slaves, in short, did all that they thought the Federal Government wanted them to do.

But they were mistaken; they had failed to elect men to Congress who would blindly obey the orders of the leaders who then dictated and were determined to continue to dictate the legislation of the country. A system had grown up whereby great, protected, and moneyed monopolies were fostered and enriched at the expense of labor, and especially of agricultural labor, which it was not believed the representatives of southern constituencies would sustain. The doors of Congress were closed upon them (of course not avowedly for the true reason) and, so far as they were concerned, taxation without representation was their fate from that time forward, and has so continued with some exceptions substantially until now. When they had not a Representative in Congress a tax of three cents a pound was levied upon all cotton exported, that being their great staple product, while every other portion of the country could export its products duty free.

The Freedmen's Bureau bill and the civil-rights bill were next imposed upon them by the other States. (We perhaps ought to say that Tennessee had, in the mean time, sent men to Congress willing to obey all orders of their party leaders, and they had been admitted, of course.)

Then followed the series of reconstruction measures, with the fourteenth and fifteenth amendments, which they were required to accept, indorse, and approve, as a condition precedent to being allowed to have any civil government at all; because, until that was done, the liberty and property of every man, woman, and child, loyal and disloyal, white and black, were held at the mercy of any soldier who might be placed over them.

Men in the Northern and Western States have but a faint idea of the oppressions wantonly heaped upon the people of the South; of the insolence of the adventurers who were made their masters; of the strife they stirred up by their appeals to the worst passions of the ignorant negroes, inciting them to crimes, and deceiving them by false promises of conferring upon them the property of their former masters, in order that they, by the votes of the negroes, might ride into power and place, which they never would have thought of at home, and thus be enabled to rob and plunder a people whose most intelligent men and largest property-holders were disfranchised by Congress, the more surely to enable the Freedmen's Bureau agents, and other adventurers, to obtain and hold undisputed possession of all the functions of government, State and Federal.

A careful reading of the testimony taken by the committee—for on these points there is no dispute and no conflict—would convince every impartial man that the endurance and long-suffering of that people has been such as no people ever before exhibited.

We have not the space to set forth one-tenth part of the proof taken, illustrating, we might say demonstrating, the truth of our assertions; but we feel it to be incumbent upon us, as the testimony is too voluminous to be read, to give some extracts from a few of the many intelligent witnesses examined, especially as to the kind of men put in authority by Congress, and their management of the negro.

We hardly know where to begin, as the statements are so similar from gentlemen in every State. General James H. Clanton, of Alabama, in his testimony, (see Alabama testimony, page 233,) gives, perhaps, as good an idea as any other witness of the feelings of the people of the South toward northern men generally, and of the class of people who have come to be generally known as "carpet-baggers" and "scalawags," which we may as well quote in advance:

Question. Is there any sentiment in your State among the white people against settlers from other parts of the country?

Answer. No, sir; we are very much in need of good men from all parts of the world; we offer every inducement to get them, and when one comes in we take him by the hand and encourage him—treat him well. I have never heard of one in the county of Montgomery being interfered with by a neighbor. We need population and capital, and our people are trying to form copartnerships with people at the North who have capital. Instead of being prejudiced against their coming we are in favor of it.

Question. How is the epithet carpet-bagger, which is so odious, applied, and to whom do you apply it?

Answer. If a man should come there and invest \$100,000, and in the next year should seek the highest offices, by appealing to the basest prejudices of an ignorant race, we would call him a political carpet-bagger. But if he followed his legitimate business, took his chances with the rest, behaved himself, and did not stir up strife, we would call him a gentleman. General Warner bought land; I fixed some titles for him, and I assured him that when men came there to take their chances with us for life, we would take them by the hand. But we found out his designs. Before his seat in Ohio had got cold he was running the negro machine among us to put himself in office. Hence

we call that carpet-bagging, where a person comes among us and tries to do something which he could not do in the North before the war. If I had gone to the North and set myself up as a candidate for United States Senator, I would have been ridiculed. I could not have attained that position in twenty years. It is worth the effort of twenty years to attain. But he came just after, if not before, his senatorial term in Ohio expired, and, by ringing in with the negroes, attained that position. Our present governor, Lindsay, is from Scotland, and has been among us about twenty years. He married Governor Winston's sister. Judge Goldthwaite was born in Boston, and his wife is a near relative of Mr. Wallach, of this city; his mother was English, and his brothers and sisters are Northerners. We long ago made him supreme court judge, and now we have made him senator.

Question. Does the term carpet-bagger apply to a man coming from Georgia to Alabama?

Answer. Yes, he would be a Georgia carpet-bagger, if he came in the same way. We set down our own people who act that way as the meanest.

Question. You call them scalawags?

Answer. Yes, sir; we have less confidence in them than in carpet-baggers.

Question. If a man should come from Georgia and act badly, would you call him a scalawag or carpet-bagger?

Answer. Scalawag; southern men we call scalawags. The name originated in a fellow being kicked by a sheep so that he died. He said he didn't mind being killed, but he hated the idea of being kicked to death by the meanest wether in the whole flock—the scaly sheep. We mean by scalawag a meaner man than a carpet-bagger.

We may as well say just here, to avoid repetition, that the testimony shows, in one unbroken chain, that gentlemen, regardless of politics, who go South from the Northern or Western States, and in good faith settle among that people, are as kindly treated and as likely to be promoted to official positions after they are known as they would be if they moved from one northern State to another. Judge Pettus, of Alabama, (see page 390,) states these facts fairly. He says:

Answer. Individuals come to Alabama—some of them honest men and well esteemed where they came from; others of a very different character; a large proportion of them, so far as I have had any personal knowledge or information, of the latter class; neither of them, however, showing to the community in which they settle any indication or evidence of their standing among their neighbors at home; and although a man may conduct himself, for the time he is there, fairly and honestly and uprightly, no man in the community knows by any correct information who he is; and he is not received into society. This has been made a great charge against us, though I have never seen any regulated society on earth that would receive any man into it unless he showed in some way that he was considered an honest man at home. It has been assumed, so far as our social treatment of strangers and immigrants has been concerned, that the fact of a man belonging to the conquering element ought to be a sufficient voucher for his character; and such men have not thought it necessary, as a general thing, to produce any other voucher in the new home that they have selected for themselves. Where a man has come to our country and conducted himself with propriety, and has shown to the people by any evidence worthy of credence that he was an honest citizen where he came from, he has been received, so far as I know, with a certain degree of hospitality. It has not been as cordial as it would be toward one coming from another direction; but it has certainly been respectful, courteous, and kind, whether the man was a republican or a democrat. I know numbers of gentlemen who have come down there and held office—high office. They were gentlemen at home and they made it known there; and although they were decided republicans, they were received in society almost as well as any of our citizens. We do not discountenance a man merely because he is a republican; but there is a prejudice against that class of people coming there, because of the numerous vicious men who have settled among us, and oppressed us under the forms of law. I could name several distinguished republican gentlemen residing in Alabama, who were gentlemen at home, and are recognized and treated as gentlemen there—honest, direct men, attending to their own business, discharging their official duties, and not prostituting their places for the purpose of manufacturing political capital, as is done in numbers of other instances.

On page 376, Judge Pettus says:

Question. And this antagonism of race has been aggravated by the measures of the Government?

Answer. Yes, sir, aggravated very much by the measures of the Government, but aggravated much more by the character of the men who have charge of our local government.

Question. The State and county officers?

Answer. Yes, sir.

Question. State, if you please, the character of these persons and the manner in which they have brought about this condition of affairs.

Answer. As to the character of the persons who have charge there, I never knew anything of them prior to their coming, except those who were citizens of the State. There are among them some few men of irreproachable character, so far as honesty is concerned. Some of them, I have no doubt, are honest men. They came there, however, or seemed to come, with the idea that we were an inferior race of people, not fit to govern ourselves; and I think that some of these men honestly believe we are unfit to be trusted in any matter of importance to the Government. I have no doubt that that is their opinion. They have acted on it, and they have taught the negroes (who are for the most part men of little information) to think the same thing of us. They have bred suspicion and distrust. They have taught these negroes to believe that we were their worst enemies; that we would put them back into slavery if we had a chance to do so; that we would defraud them of their rights, civil and political, as well as their individual rights of property; would swindle them in business transactions. That has been the general character of the teachings of men among us (even those who are considered men of honest character) who have come down there as political missionaries, I might say. Added to those there are a number of very vicious men who have made use of the negro population for the purpose of obtaining position, I presume, and making money. They have gathered the negroes together in large numbers privately in the night-time, and have talked to them in such a way as to create this kind of distrust. Then there are very bad men among our own people who have joined in that thing. In addition to that there are very bad men acting with the white people there, who have given cause for that kind of sentiment toward the people generally; I mean given a handle on which to build that kind of an accusation.

Mr. Sayre, of Alabama, tells, perhaps, as succinctly as any one else, how the negroes were deluded and their votes secured by the Freedmen's Bureau agents, and how they made themselves masters of the Southern States and so-called Representatives in Congress:

Answer. Well, when the agents first came there, after the occupation of the country by General Smith's army, I think it was, they established a Freedman's Bureau. They notified everybody that they must employ their freedmen, and that all their contracts must be submitted to the inspection of the Freedmen's Bureau; that no man would be allowed to employ freedmen unless their contracts were submitted to and approved by that Bureau. Well, they listened to every sort of tale that any dissatisfied negro might choose to tell; they would send out and arrest white men, bring them in under guard, try them, and put them in jail. They got hold of plantations there, what they call refuges for freedmen. It was announced that if the freedmen got dissatisfied they could enter there, and be fed and clothed, and taken care of. In that way a large number of negroes were enticed away from plantations where they had been living, and they flocked to these places. Hundreds of them died from neglect. The impression was produced upon the negro that the white man who had been his master was his enemy, and that these men were his peculiar friends; that they had nothing to expect from and through their old masters. They then commenced the establishment of these Loyal Leagues, into which they got almost every negro in the country. They would send their agents all through there, from plantation to plantation, until I expect there was hardly a negro in the whole country who did not belong to the League. In that way a want of confidence was produced between the negro and the white man, and a feeling of confidence between the negro and the agents of this Bureau. It has been a very troublesome thing to counteract that; but it has been so far counteracted now that the negro has confidence in the white man in everything but politics; I do not think he has much confidence in the white man about politics yet, but I think that feeling is done away with to a great extent. They would tell all sorts of tales before elections; they would send regular orders to the League members on the plantations to go and vote. I have been told that order extended to negroes from fifteen years and upwards. Negroes themselves have told me that they voted the republican ticket for the reason that they were informed by those men that, if they did not do it, they would be put back into slavery, and their wives made to work on the road. It had such an effect that a gentleman in Montgomery told me that some of his own former slaves came back to him after the election and said, "Well, massa, what house must I go into? I understand that the democrats have succeeded, and that we are slaves again."

Question. Give us an account of the manner in which this organization was used as an instrument to electioneer for the republican party, and bring it into power.

Answer. I once saw a copy of what was said to be a constitution of the organization of the Loyal League. There was in that an oath which they all had to take, and in

which they swore that they would vote for the nominees of the League. That has been the chief instrument by which that vote has been controlled. The negro has got the idea into his head that if he does not vote that way some terrible punishment will be visited upon him.

General Wright, of Augusta, Georgia, (page 272,) says :

Question. When these negroes were first given the right to vote, what class of men took possession of them ?

Answer. They were taken possession of by a class of men who went down there connected in some way with the Freedmen's Bureau ; they swarmed all over the country. The white people were sore, intensely sore, at the results of the war, at losing their slaves, and they shrank back and had nothing to say to the negroes. That course of conduct on their part enabled these men to go on and obtain the confidence of the negroes ; they made the negroes believe that unless they banded themselves together and stood up for their rights, the white people would put them back into slavery. But the reign of that class of people in our State is over—past and gone. These men came there and fastened themselves upon every community, and when the election for members of the legislature came on they were themselves elected. I can give you an instance right there, within a stone's throw of where I live, of a man by the name of Captain Richardson, who went down there in the Bureau. He lived in Augusta, and was elected a member of the legislature from the county of Hancock, way up in the interior of the State ; he perhaps never was in that county in his life. There was a man by the name of J. Mason Rice, who came out in the Bureau, and lived in Augusta ; he was elected a representative of the county of Columbia. A man of the name of Sherman came down there, not in the Bureau, but as a developer. He bought a piece of land near Augusta, and worked it for a while, and then had to give it up. He ran for the place of senator in the district composed of Wilkes, Jackson, and Columbia. Wilkes is the county in which Toombs lives. This man ran for senator, and was elected there. There was Rice, elected as a member from Columbia County, and never was in it ; Richardson was elected as a member from Hancock County, and he never was in that county ; and Sherman was elected as senator from Wilkes, Lincoln, and Columbia Counties, and, so far as I know, he has never been in either one of them. A man by the name of Claiborn, a Baltimore negro, came down to Augusta with the Bureau, and was elected a member of the legislature from Burke County. He served until a few months before the close of the legislature, when he was killed by a negro in the capital.

Question. Does your law require the representative to live in the county he claims to represent ?

Answer. Yes, sir ; but the republicans had a majority there, and they permitted any one to take his seat who had the returns ; and when they really did not get a majority of the votes, Mr. Hurlburt, who was the head man of the registration, fixed up the votes, cooked them up for them, and they were admitted. We were entirely powerless there.

Question. That class of men control the votes of the colored people ?

Answer. Implicitly.

Question. Was any such thing as promises of land and other property ever made to the negro ?

Answer. The negroes said so. Up to the latter part of 1868 the negroes believed that by voting they were going to get a division of the land and stock of the country. These carpet-baggers would go down there and actually sell stakes to them. That is almost too improbable for belief ; but these rascals would go down there and sell painted stakes to these negroes, and tell them that all they had to do was to put down the stakes on their owners' farms, and forty acres of land would be theirs after election. You could see them all over the country. The negroes said they gave a dollar apiece for those stakes. They were very ignorant, or they would not have believed such things ; but they did believe it, and, I have no doubt, implicitly.

Question. That belief has passed away ?

Answer. Yes, sir.

Question. And the scepter has departed from them ?

Answer. Yes, sir ; the colored people understand this thing now ; the negroes and the whites are in thorough understanding with each other. The negroes vote now with their old owners ; they did so at the last election. Their owners would fix up their teams and wagons, haul them to the place of election, and supply them with tickets to vote. The negroes are now tired of the carpet-baggers.

John G. Pierce, of Alabama, testifies as to the promises made to the negroes, and the frauds practiced upon them, as follows, (see page 314 :)

Question. State anything you know in regard to promises of land and mules.

Answer. I can tell you from what I know and have seen myself, and also from what negroes have told me, that they have been promised lands and mules—forty acres of land and a mule—on divers occasions. Many an old negro has come to me and asked

me about that thing. I can illustrate it by one little thing that I saw on a visit once to Gainesville, Sumter County. At a barbecue there I saw a man who was making a speech to the negroes, telling them what good he had done for them; that he had been to Washington City and had procured from one of the Departments here certain pegs. I saw the pegs. He had about two dozen on his arm; they were painted red and blue. He said that those pegs he had obtained from here at a great expense to himself; that they had been made by the Government for the purpose of staking out the negroes' forty acres. He told the negroes that all he wanted was to have the expenses paid to him, which was about a dollar a peg. He told them that they could stick one peg down at a corner, then walk so far one way and stick another down, then walk so far another way and stick another down, till they had got the four pegs down; and that, when the four pegs were down, the negroes' forty acres would be included in that area; and all he had to say to them was, that they could stick those pegs anywhere they pleased—on anybody's land they wanted to, but not to interfere with each other; and he would advise them, in selecting the forty acres, to take half woodland and half clear; that nobody would dare to interfere with those pegs.

To men who have only seen the negro in the free or border slave States, and consequently judge of the intelligence of the whole race by what they have there seen, these statements might seem like exaggeration, but when the gross ignorance and superstition of the negroes of the extreme South is understood, they will be readily appreciated.

Judge Carpenter, of South Carolina, thus speaks of their intelligence, or rather want of it, page 238 :

Question. Of course you have been quite familiar with the negro population of South Carolina. How do they compare in intelligence with the colored population of the border States, such as the colored population of Maryland and Kentucky? I know you are familiar with the colored population of Kentucky, as well as myself. How does the colored population of South Carolina compare in intelligence with the colored population in these States; and, if they are less intelligent, what, in your opinion, is the cause of it?

Answer. If you except a portion of the colored population of the city of Charleston—

Question. I mean outside of cities?

Answer. Except a portion of the old colored population there, that have been free for a long period of years, a great many of whom are people of intelligence, good character, reputation for probity and honesty, and even men of property—if you except them, the rest are very much less enlightened than the colored people of the border States. However, the farther you move north in the State, the nearer you approach the mountains, and in the mountains themselves, they are more intelligent than on the sea-coast, or on the rivers. The colored population upon the sea-coast and upon the rivers, in point of intelligence is just as slightly removed from the animal creation as it is conceivable for a man to be. I venture to say that no gentleman here would be able to understand one of them upon the witness-stand, or would be able to know what he meant. I have had to exercise more patience and more ingenuity in that particular, to have more explanations and interpretations, to find out what a witness meant to say, who had witnessed a murder, for instance, than to understand anything else in my life. They talk a very outlandish idiom, utterly unknown to me. They are very ignorant, and still have very strong passions, and these bad men lead them just as a man would drive or lead a flock of sheep.

Question. That brings me to the question which I desired to ask, whether or not that character of population, ignorant and degraded as you have described them, are not very easily controlled and led by persons who acquire their confidence?

Answer. Very easily. They believe anything they are told, no matter how ridiculous. As an instance of that I will say that two of the most serious charges made against me by the colored population when I was a candidate for governor were, first, that if I was elected I would reduce them again to slavery; and second, failing to do that, I would not allow their wives and daughters to wear hoop-skirts.

Question. How did they get the latter idea?

Answer. It does not matter how ridiculous a thing is; they believe anything. They are a very credulous set. Those men have as absolute control over them as any slaveholder ever had over his slaves before slavery was abolished.

Question. In what way did they obtain and maintain that sort of control?

Answer. They obtained the control originally by the white people of South Carolina refusing to take any part in the elections in the organization of the State. These men then went to the colored people and said, "We are your friends; we are going into this thing and have you educate your children, and make everything better for you," and all that sort of thing. They got their confidence and control. The white

people did not go among them. The colored people in that way were made inimical to the white people, and led to think that their interests were antagonistic to the interests of the white people. The white people held the property and what little money there was. The colored people were taught by these men to believe that the lands properly belonged to them and not to their former masters; that the dwelling-houses and gin-houses and everything else belonged to them. I heard that repeatedly stated on the stump last summer, not only by colored men but by white men. Senator Beverly Nash, a colored man, at Columbia, a very shrewd, sharp, keen man, in a public speech to six or eight thousand men, said to them: "The reformers complain of taxes being too high. I tell you that they are not high enough. I want them taxed until they put these lands back where they belong, into the hands of those who worked for them. You toiled for them, you labored for them, and were sold to pay for them, and you ought to have them." That was the key-note of the whole stumping from the sea-coast to the mountains. Some of the people did not say anything about it; but it was a fierce contest from beginning to end, to array race against race. Our efforts were directed to harmonize the two races for political purposes and legal purposes.

Mr. Alrich, of South Carolina, on page 174, says :

The negroes in our country are a very ignorant and a very superstitious class of people. Now and then you see a man down there among the negroes, like the colored people here in Washington, those who have been house-servants, or gentlemen's body-servants, men of intelligence; but the great mass of our plantation hands are extremely ignorant. They love excitement; they love amusement; they will walk ten miles after a hard day's work to go to a funeral.

Question. Do they consider that an amusement ?

Answer. Yes, sir; they consider that the greatest sport they can have. A political speech is looked forward to for days and weeks ahead. They are of a very religious turn of mind; they are a superstitious people, and believe strongly in the spiritual world. They are organized into leagues, and they have speakers in those leagues once a week, orators of the party who speak to the people assembled there. They flock there in crowds; it is great enjoyment to them. Those leagues are opened by prayer, for the preachers are generally there, and they are counseled as they love their immortal souls, to vote no other than the straight republican ticket.

General John B. Gordon, of Georgia, on page 306, says :

Those negroes upon the coast are very different from the negroes in Middle and Upper Georgia; they are almost an entirely different race of people. They are excessively ignorant. The intelligence of the negro in the middle and upper counties of Georgia is very much the same as the intelligence of the negro here or anywhere over the country. But in the southern portion of the State, where there is a large negro belt, as we call it, the negroes have absolutely a language of their own. If a negro from Washington were to talk with a negro from Atlanta, or the upper portion of Georgia, their language would be the same; they would use about the same words to express the same ideas. But it is not so on the coast. If a negro were transported from this city to the coast of Georgia, he would not understand at all a great deal that many of the negroes of that coast would say. Their old masters, who grew up with them, do understand their language; but it is a peculiar language. It is different from the language of the negroes in any other portion of our State, or any other portion of the South, except along the Atlantic belt.

Question. Is that class of negroes still there ?

Answer. They are there now, and in very large numbers, upon the Sea Islands and upon the rice plantations.

Question. They are as ignorant, I presume, as they were at first ?

Answer. Quite so. They have also a peculiar religion. I have attended what they call their religious meetings; and they have what they call "shouting." They say, "We are going to have a shouting to-night." If you staid outside when that shouting was going on, it would remind you very much of the accounts that we read of the worship of the howling dervishes. They sing, shout, take hold of hands, and go round dancing and jumping until one faints; then he is considered as "having religion." That is the style of worship not only in that portion of Georgia, but it is now extending up the State. I had a large plantation in Dougherty County, Georgia, which I sold last fall. On that plantation three years ago there was no such religion as this known. The negroes belonged to various churches; mainly the Baptist and Methodist. Those were the most popular churches among the negroes of Georgia. But now this particular religion, which they call "shouting," has been imported up there, and ingrafted upon their style of worship. It is extending higher up in the State, and is gradually getting possession of all the negroes there. To carry on these exercises, they will sit up all night long, and sometimes many nights in succession; so that it is a source of very great annoyance to the planter who depends on their labor for his crops. I do not want

to say that it is a general thing in the State. It is a general thing on the coast, and is being introduced into the counties in Southwest Georgia, the cotton-growing counties of the State. Before I sold the plantation I have just spoken of, this style of worship had been inaugurated on that plantation.

Question. Do they think the Spirit strikes them when they fall down in that way?

Answer. They say they are "happy;" they are taken to one side, and the exercise is continued until another and another is exhausted and laid aside as "happy" men or women. That is their style of religion which they call "shouting."

Question. In other words, they are extremely ignorant and superstitious?

Answer. They are very ignorant. They are entirely different from the negroes from the middle section of the State upward. The latter are much more intelligent than those along the sea-coast.

Question. As to those negroes along the black belt, whom you have described as having their own peculiar language and religious superstitions, with what sort of intelligence do they seem to exercise the right of suffrage? How are they controlled and managed?

Answer. Well, sir, they had just began voting when I left there; they were at that time, and are still, so far as my knowledge of the State extends—I know it is true of a large portion of the State—controlled almost entirely by the League organizations. The negroes were introduced very early into what they called the Union Leagues; and they were controlled by those Leagues. They seemed to be under the impression that by voting they were to acquire some sort of property, and were influenced mainly by ideas of that sort, which had been instilled into them by these people who had gone there among them. I, however, know less about the particular influence brought to bear now, in that part of the State, with regard to voting, than in any other part, because I have been in that portion of the State less since they have been voting. When I left there they had just commenced voting. But they were then, as they are now generally throughout the State, under the control of men who have gone in our midst since the war—men who, I am sorry to say, are, as a general rule, without any character at home, so far as we have been able to learn; men who, as a rule, were not in the Army; for I want to say very distinctly that our people have not entertained animosity and bitterness toward the troops, the men who were in the Army; our feelings are directed towards these camp-followers and men who have come in our midst since the war—men without character and without intelligence, except a certain sort of shrewdness by which they have been enabled to impose themselves upon the negro and acquire gain, some of them very much gain, out of the pittances they were able to get out of the negro one way and another. Some of them have gotten into office from counties where they never were but once or twice during the whole canvass. In some cases they have gone into a county only a few days before the election; their names have been sent to the League, and their election has been fixed up in advance. I know of one or two members of the legislature who never resided at all in the counties from which they were sent, except a few days before the election.

It follows logically and would be perfectly understood, even if it was not proved—as it is overwhelmingly—that such men as poured down from the North upon that people with such materials in their hands as the negroes there are shown to be, made themselves complete masters of the situation, backed as they were by the Freedmen's Bureau in every village and supported by all the power of the Federal Government, with a soldiery scattered everywhere ready to do their bidding and enforce their orders, with no appeal from their edicts; for the courts were all closed, and Congress had declared that there were no civil governments in all those States. With the great mass of the intelligent white men disfranchised and subject to seizure and imprisonment, without cause shown, if they dared even so much as murmur; with negro militia everywhere, and the arms taken from the whites, it would have shown a virtue in carpet-baggers, which it is not even pretended they possessed, had they not become oppressors.

The elections pretended to be held were mere farces; all the registrars, judges, ballot-counters, police, militia and other machinery were in their own hands, and the officials were often candidates at polls held by themselves; where the negroes could not be inspired with sufficient hatred to their former masters to vote for these loyal leaguers and carpet-baggers they were forced to do so, their ballots were taken, examined and changed when they did not suit, and the recusant negro who dared to

disobey was ostracized, denounced, and often beaten to compel obedience. The testimony taken is full of incontrovertible proof of all these things; we can only give a few specimens.

Mr. Pettus, of Alabama, on page 381, says :

Question. What is your knowledge or information in regard to negroes who have belonged to your Leagues, or who have been taking an active part as republicans, examining at the polls the ballots of negroes offering to vote, and especially of those offering to vote the democratic ticket ?

Answer. Well, sir, there is a regular system on that subject, so far as my observation goes.

Question. Explain it to the committee.

Answer. The system is to make a door, either by men, or rails, or pailings, through which all the voters are required to go. Ordinarily, I have seen these elections conducted at court-houses, and they are inclosed. A crowd stands usually at the paling fence, on both sides, and the voters, white and black, have to pass, because generally there is but one place of entrance; and if there are two, they generally station two men. Any white man is allowed to pass through without question, whether he belongs to one party or the other. The colored man, when he comes to this point of entrance, hands his vote, or it is taken, and it is inspected by another colored man stationed there for that purpose. He inspects the vote, and the man passes on, or he changes the ticket. That is the general system of voting in Alabama, so far as my observation goes, in reference to the colored people. If the negro has a democratic ticket, it is objected to by the man in command of the entrance; and sometimes I have seen controversies on the subject, but never any difficulty. There has never been any mob, except in one instance, and that did not grow exactly out of that kind of thing. But the vote is inspected, and, so far as my observation goes, there is always an effort to change it, if it does not suit the man in charge of the gate. Sometimes it is changed, and sometimes it is not.

Question. This organization that is formed at the gate is generally composed of colored men ?

Answer. Almost always.

Question. And republicans ?

Answer. O, yes, sir.

Question. They are the active controllers of these secret League organizations, I suppose ?

Answer. They are called League organizations. They are secret societies, meeting for political purposes; that is my information; and these men who stand at the gate are, for the most part, bold men of that organization.

Question. Is not this organization acting entirely in violation of law ?

Answer. Well, sir, I cannot say that. The attempt to intimidate a voter is a breach of the law, so far as they do that; but I do not know any law against a body of men meeting secretly for political purposes.

Question. I mean when they stop the voter and take his ticket away from him ?

Answer. Yes, sir; whenever that is done in a style which tends to intimidate the voter, it is a direct breach of the law.

Question. Is it not done in such a way that the voter cannot very well resist, or does not generally resist ?

Answer. I have seen it resisted, but it is not generally done. My information is that most of the negroes have belonged to that League in one form or another, and have been sworn in some way to obey certain orders coming from certain sources; and that when these orders are received they do not question them at all, but obey them, as a general thing, though I have seen this proceeding not only questioned, but disputed with decided rudeness and indignation; I have seen it done by several colored men.

Question. Do you give it as your opinion that the great bulk of the intimidation that has been practiced upon voters in the elections in Alabama has been by organized bodies of the colored League upon their own race, who seemed to be differing with them in politics ?

Answer. It has been by the leading men—the bold men—of these secret organizations; the colored men, I mean. I do not believe a white man would engage in that sort of business in Alabama, in the presence of the multitude, but these bold negroes are put forward for that purpose; and really all the intimidation that I have ever seen, and all that I have ever heard of being exercised at the polls, has been by black men on black men, for desiring to vote "against their race," as it is called.

Again, (page 384 :)

Question. You have spoken of the advice that their leaders give them in those Leagues. Have you ever known any republican leader in your State to argue to men that they ought to do any violence to the white people or to deprive the white people

of any right that belongs to them? Have you ever known any republican leader to advise the colored people that they should do anything more than assert their rights, and to argue to them that they ought to go with the republican party because they were their friends politically?

Answer. I have heard several speeches, the direct tendency of which, while they did not profess to advise violence on the part of the negroes, was to produce acts of aggression on their part against the white people. I will explain that in this way: The former masters of those who had been slaves were abused; the negroes were told of their sufferings in slavery; they were told, "All this property that you see here, these lands, were cleared by you; you made all these fences; you dug all these ditches; and you are the men they belong to." That was the style of speaking. Such speakers have told the negroes that it was the purpose of themselves, and they thought they could induce the Government of the United States to carry it out, to have a division of those lands. I have heard such things said by their leaders; I say their leaders, but they are very insignificant men—men whom you would never invite to your house if you knew who they were; but still they are the controlling men who have charge of these negroes in the special localities; and they base their speeches on the text of a bill which was introduced into Congress by Mr. Stevens. I cannot remember the provisions of the bill; but you, perhaps, will.

Question. The Stevens confiscation bill?

Answer. Yes, sir. It proposed to divide up the lands in small parcels and appropriate them. The negroes were taught to believe that this would be done; that all those immense farms would be hashed up into small pieces and divided among them, provided they would support the republicans, and keep down these bad men called "rebels" and "secessionists."

Mr. Suber, of South Carolina, on page 146, says:

Question. You have alluded several times to the arming of the militia; I want you to tell us what was the general arrangement about the arming of the militia; how were they organized and armed; were they generally white or black; and how did they behave when they were acting in their organized capacity? State fully all about that, without any further questioning, so far as your information and knowledge will enable you to do so.

Answer. Well, sir, without any public call being made, the first intimation we had in our community that there was to be any organization of the militia, a colored officer came to Newberry and was met there by the colored people from all parts of the county; that was the first intimation we had of it. They immediately organized companies and appointed or elected officers; I think they had as many as six companies in our county; I know that in town there were three mustered in, all commanded by colored officers.

Question. Were all the men colored?

Answer. Yes, sir. Soon after they were organized they drilled for some time without arms.

Question. When was that?

Answer. Last summer; about the month of June, I think.

Question. Was that after the canvass had begun between Governor Scott and his opponent?

Answer. It was just about the time, or a little before, the conventions met; just at the beginning of the canvass. They were drilled at first without arms, at night and in the day-time. Soon after that arms were furnished to them, and arms of the most improved pattern, and ammunition in abundance; and they never had any political gatherings or any celebrations, except these companies appeared with their arms. They were drilling and mustering through our streets there, day and night, all the summer and fall.

Question. State the relative proportion of the blacks and whites in the population of Newberry County.

Answer. I think the proportion is about five-eighths black to three-eighths white. Their majority in the election has been 1,300 or 1,400 over the whites.

Question. Were any white companies in the county of Newberry allowed to organize and to be furnished with arms?

Answer. No, sir; one white company organized in town and tendered themselves to the governor, under the act of the legislature authorizing the organization of the militia; but he declined to receive the company or to furnish them with arms.

Question. About that same time, or at some other time?

Answer. Just at the same time. After the colored companies were organized, a white company was organized, and their services tendered to the governor, but he declined to accept them.

Question. So that the only armed organizations you have had in the county of Newberry have been colored?

Answer. Yes, sir.

Question. You think you had six companies of them ?

Answer. I think there were six in the county ; there were three at the court-house.

Question. What was their assumed object in attending political gatherings in an organized military form, with arms in their hands ?

Answer. I suppose it was to please and to dazzle their own people, and at the same time to resist any disturbance that might occur, if any should come in their way ; I cannot imagine what else they went armed for. They had their cartridges and their bayonets, and I suppose it was for that ; I do not know what it was for.

Question. Did they attempt in any way to intimidate the whites ?

Answer. They marched through our streets frequently, and shoved everybody off the sidewalks who came in contact with them. Indeed, nobody cared to go into the streets when they were parading ; it was unsafe for ladies to walk the streets when they were out. Their celebrations generally occurred in a grove not far from the town ; and they generally closed their celebrations by marching into the court-house square and occupying the court-house porch or steps, from which harangues were delivered to them. The companies would be formed in front of the court-house, and they would occupy the whole square ; the square is rather small.

Question. What was the character of the harangues delivered to them ?

Answer. I was compelled to hear them, because my office was within hearing and I could not do otherwise than hear them. I have heard some of a very incendiary character, the tenor of which was to persuade those colored people that the white men were their enemies ; to look upon them as their former masters and as tyrants, and not to trust them in anything. They would dwell with peculiar unction upon the miseries of their former servitude ; they would talk to them about the lashes that had been put on their backs by their masters, and the manacles on their hands that had been taken off by their friends, the republicans. They would tell them that they must not trust their former masters, for they were only seeking to get into position where they could re-enslave them. All sorts of appeals were made to their passions, and everything was said to inflame them against the white people.

Question. Were those speeches made by white men ?

Answer. By white and by colored men ; I think the most moderate speeches were made by colored men.

Question. Did you ever hear a man by the name of Worthington make an address to them ?

Answer. I heard Worthington speak from the court-house steps. He was of that class of orators ; I do not think he was so incendiary as some of the others, but he dealt more in innuendo than in direct appeals to their passions.

Question. Were appeals made to them at any time to apply the torch ?

Answer. Yes, sir ; I have heard that Joe Crews, a member of the legislature, a white man, from Laurens County, marched through that county with those armed companies last summer, during the campaign, and that he said in his public speeches that matches were worth only five cents a box, and that that was the remedy for their grievances.

Colonel Carpenter, of South Carolina, on page 241, says :

Question. What do you know, or what information have you, of the character of the speeches made by Crews, and men of that sort, to the negroes during the canvass ?

Answer. Well, I heard some of them. I did not hear Crews in public—I mean upon the stump ; but I heard him talk to a crowd of men standing about. The general talk of all such men as Crews was, that the negroes owned all the land and property in the country ; that they had a right to all they wanted ; that if the white folks did not let them have it, “and did not behave themselves,” as he called it, they would burn their houses and kill them. I do not think more incendiary speeches could be made than Crews made in that country. In Laurens—where Crews was a commissioner and also a candidate for the legislature at the same time the other two commissioners were, one, a man by the name of Owens, and a senator, a very weak man, perfectly under the dominion of Crews, and the other a negro, also under his dominion—they returned a thousand majority in that county for Scott and Wallace. I am as certain that I received a thousand majority in that county as I am of my existence.

Question. How was the vote against you returned ?

Answer. It was a round thousand against everybody on our ticket, and a thousand in favor of everybody on the other ticket. I do not think they ever counted the ballots. His speeches were of the most incendiary character ; and so were they all, for that matter. The most accomplished, the most able man of their party in South Carolina, General Chamberlain, in the joint debate at Chester, which I spoke of, made a speech that was equally well calculated to stir up the worst passions of the colored men there. He did it very adroitly, to be sure. He said he was very glad he could meet them and address them ; the time had been when he could not have done it, for they would have been over in yonder field with marks of the lash on their backs, and more to the same effect. I think it was very well calculated to stir up the colored population. I am astonished, and have been ever since I have been in the State of South

Carolina, at the generally peaceable condition of the State; that more crimes have not been committed; for these men have exercised control over the colored men, and have made appeals of that sort to them; appeals to the worst passions of humanity.

Question. Such speeches as you have indicated, that Crews made, were made to crowds of ignorant negroes?

Answer. Any quantity of them. As I said before, it was the key-note of the campaign, that the negroes owned all the property, but that it was in the wrong hands; that the white people had it by a trick, and that the negroes ought to have it back again; that the way they proposed to do it was by taxation; to drive the white people out of the State by means of high taxes; and I think they are succeeding very well in their method.

Mr. Aldrich, on page 175, says:

Question. Is that what you spoke of when you said they were obliged to vote one way?

Answer. That is one thing. At the last election in my county I was run by the reform party for the legislature. On the day of election, at a place called Red Oak Grove—I heard this from my brother—some colored men went up to the ballot-box to vote. Tickets were dealt out away from the ballot-box. The managers of election were all republicans, and colored men. They asked for tickets, and tickets were given to them, and they were instructed to put them immediately into the box. One or two of them said, "I don't care to do that just now; I want to read it first." The managers said to them, "You cannot carry the tickets away from this table." The man replied, "I desire to carry it away to look at it." The managers replied to them, "You will not be permitted to do so." But some of the people, who knew better, took the republican tickets and carried them off. They were those who wanted to vote for me and for another man nominated by the reform party. They scratched out the names that were on the ticket and put ours down. When they carried their tickets back these managers said, "Let us see your tickets;" and they showed them. After looking at them the managers said, "The law does not allow you to scratch your tickets." One of the men said, "If I cannot vote in the way I want to vote, I will not vote at all;" and turned around to go off. When he had got two or three hundred yards off a party of men—there was a military company there under arms—one of them, a corporal or a sergeant, went after him and brought him back, and told him that if he did not go and vote the republican ticket, as the law required, he would be punished to the full extent of the law. What law he referred to I do not know; but the man understood that it was as terrible as the law of the Medes and Persians.

A. J. Flavers, a colored representative from Chattanooga, page 50, miscellaneous, says:

Question. Have your people never interfered with any of your colored brethren when they wanted to vote the democratic ticket? Did they never object to their voting that ticket?

Answer. Do you mean me?

Question. No, the League?

Answer. O, yes, sir; some of them would talk to them, and tell them about it.

Question. Have they not sometimes cuffed them about it pretty smartly?

Answer. I don't know but there were some fights round the polls about voting; there might have been; I never had anything to do with it. I don't believe I ever knew an election to be held there without some little scuffle with some of them, I suppose, about voting the democratic ticket.

Question. Was it not a rather hard thing for a colored man to get a chance to vote the democrat ticket when any of his colored brethren were about?

Answer. I expect it was.

Question. They would talk to him pretty roughly?

Answer. They would talk to him about it, of course; refer him back to the days previous to these. I have talked to a good many of them. I never had any fuss with them about it. I have told them to vote as they pleased. I have had them reconsider and vote the right sort of a ticket. I have seen them fooled by having the wrong ticket handed to them. Some have brought me their tickets to read for them, and I would tell them they were the wrong tickets. There is generally a contest about such things as that.

Question. Have you not known colored men to be abused and beaten by other colored men for trying to vote the democrat ticket?

Answer. It seems to me I have known some men have a fight about such things, but I could not say for certain when and where; but I have seen them have some contest about it.

We might multiply these statements almost indefinitely, but as the majority will hardly venture to deny the truth of our assertion on this

subject, it would, perhaps, be improper to extend this report by further quotations from the testimony. When we come to speak of the registration and election laws passed by these carpet-bag rulers, the charge that their whole system of elections was and is a farce, and a fraud will scarcely be denied.

Let it be borne in mind that we are, at this stage of our report, only giving, with as little detail as is consistent with a correct understanding of the true situation, the facts and circumstances which have produced the present state of things at the South, which have paralyzed that people by making them feel that they are looked upon by the administration and the authorities at Washington as degraded and untrustworthy, with whom no faith need be kept and in whom no dependence can be placed.

Take for example the case of Alabama, and when the treatment that people received from Congress is understood, the only matter for surprise will be that they are and always have been as orderly and law-abiding as the testimony shows them to be. It will be remembered that the reconstruction acts provided that unless a majority of all the registered voters voted for or against the constitution submitted to the people for ratification, *it*, and consequently all officers elected under it, should be considered by Congress as defeated and rejected.

The bad faith of Congress toward the people of that State, and the effect of that bad faith on the feelings of the people toward the men and the party who perpetrated and indorsed the act, are spoken of by many witnesses.

We will only quote from one or two: first from General James H. Clanton, now no more, a man of honor, intelligence, and integrity, whose death is mourned with unfeigned sorrow by all classes of people in the State whose interest, welfare, and honor were the end and aim of his life. He says, (see page 227 :)

Congress provided that if a majority of the registered voters voted for it it was accepted; if they failed to vote for it it was rejected. Well, the last democratic State convention which met left the question as to policy entirely in the hands of the executive committee, of which I was president. This question had to be met, and it was a grave one, involving more responsibility than I wished to take. So I called together a council of about one hundred leading men in the State, embracing every ex-member of Congress and ex-judge in the State. We met and deliberated, and we concluded to vote against the constitution, with the hope of rejecting it. But for fear it might be adopted, we were at the same time to take care of ourselves by electing officers under it. Having agreed upon this, we were about to adjourn, when we received a dispatch from Governor Parsons, who was the accredited agent of the democratic party here in Washington, saying, "I am on my way to Montgomery; will be there to-night. Don't adjourn your convention; don't act till I get there." He came. Some few of our men had left. He made a speech in which he used this language: "So far as the reconstruction measures are concerned and this constitution, touch not, taste not, handle not, the unclean thing." He frequently used that language afterward in his democratic addresses throughout the State. Governor Parsons, Alexander White, then a leading democrat, who prepared the address on that occasion, but now a leading radical, and Samuel Rice, a man who has been a secessionist for thirty years, as he boasts, and with whom I have had many a passage at arms—these three men caused the council to reverse its action. They are now three leaders on the other side in Alabama. At this time the negroes were very much excited. The right of suffrage had been forced on them by Congress. They were all armed. They had half a dozen league rooms, I suppose, in our city—several at least—and they were under the control of very bad men—adventurers. A great many had got hold of muskets, and had organized in companies and battalions. This was another reason urged for not going to the polls, that it might lead to a war of races. The election came on. The white people did not go to the polls, or passed resolutions not to go. The consequence was there was but one democratic senator elected in the State, and he ran contrary to our policy. There is but one now in the State senate. We knew we could defeat the constitution without voting, and we thought if we defeated the constitution Congress would not go back on itself and force it on us. Hence the intimidation was all a myth. The democratic

party resolved not to go to the polls, and we did not go. But the negroes marched to the polls by battalions, armed with muskets and stepping to the beat of drums. They stacked their arms around the polls, some standing guard. There was great confusion, and in the evening, in Montgomery, they got on the rampage and commenced firing their guns, the balls whistling through the houses and lots. They continued it in the night until Colonel Crittenden, the Federal commander, being afraid of the results, disarmed them as far as he could reach them. But many remained in the outskirts of the town firing their guns. The balls flew around my house pretty thickly. General Meade appointed the managers of the election. They were all radicals, or nearly so. He received their returns and counted the vote. He reported that the constitution, according to the form of law prescribed by Congress, had fallen short a good many thousand votes of the majority of the registered vote. We thought then that we would continue on under our own officers elected by the people. In that we were mistaken. Every one of those officers, so far as I know, was removed, and the men who had been voted for by the negroes under the constitution which General Meade said was rejected were installed in the places of those elected by law—installed by the bayonet. They are in office to-day, with few exceptions, having held over six years, instead of four as prescribed by the constitution. We have been ever since under officers that we never voted for, except those we elected at the last election and where there have been removals. It has been very galling, but we have borne it. The first legislature after the war imposed a tax on our people of one-fourth of one per cent. for State purposes, which was sufficient. The very next legislature, which was radical and came in under the present constitution—a legislature composed of men elected from districts where they never lived—treble the taxes, raising the rate from one-fourth to three-fourths of one per cent.; and now the funds are insufficient for the State government. The school-fund is in arrears about \$150,000 and the public schools are in danger of stopping for want of money, as I am informed by the superintendent.

He might have added, what the proof before the committee shows, that the debt of the State has been increased by these usurpers from \$5,079,395 65 in November, 1866, to \$24,181,967 37, and that laws have been already passed under which it must necessarily be increased about \$14,200,000 more, or to a total of \$38,381,967 37; that the grossest frauds had been perpetrated, especially in the issuing of the State bonds to the Alabama and Chattanooga Railroad Company; that the legislature was utterly corrupt; that decisions in the courts were paid for, almost without disguise—in short, that the rights and property of the people were subjects of every-day traffic to enrich these congressional emissaries; and he might have said, what is equally true, that it is because Alabama is throwing off the shackles which have so far bound her, and is exposing the villainy of her congressional rulers, that this new persecution in the form of Ku-Klux legislation is being imposed upon them.

General Clanton does say, however, on page 237:

If we felt that we enjoyed all the rights and immunities of Massachusetts we would vie with that State in devotion to the Government. But when we are slaves we cannot love the Government. We cannot love a maladministration which measures a man's political rights by his political opinions. I believe this is the only Government that does so. For instance, Judge Rice has been a secessionist; I have fought him on it again and again. Now he finds me a democrat and I find him a radical. He is a citizen; I am not. He did all he could to break up the Government; I to save it. It just amounts to this: It is the only country in the world where a man's rights as a citizen depend upon his political opinions. If I say I am a republican my shackles fall from my limbs very soon. He said he was a republican and they fell from his limbs. We cannot be expected to love an administration that treats us thus; that puts ignorant negroes over us and tramples under foot virtue, intelligence, and morality; that forces on us a constitution and law-makers. Very few of those who are over us have a military reputation, but they are the offscouring of creation—political and military squaws from all parts of the habitable globe, including the Canadian negroes.

Question. What would be the effect of such a policy?

Answer. When General Grant made his southern trip both parties were speaking of him for the Presidency. He went as far as Memphis, reported all quiet, and advised mild measures. That waked a very cordial response in our hearts. And when General Sherman wrote his letter the other day, men whose houses had been burned by his soldiers said, "Let us go for Sherman; he will carry the Government back to the old track, and do justice." If a generous policy was pursued these foreign intermeddlers

would leave us, and the two races would get along very well. It is a mistake that the negro would be oppressed. It is to our interest to keep his confidence. We have no other labor. If you do not pay him this year for his work, he will not work for you another year, and he will prejudice every other negro against you. Our interest is mutual. They need our superior guidance and direction, and we need their labor. We would get along well if we were let alone. But there are a few men who say to him, "Now you watch these conservatives; they will put you back into slavery if they can; they are only doing you kindnesses to get your votes." That influence renders us powerless, exasperates the negro, keeps up strife, and perpetuates antagonism, which is against our wishes and interest. The disabilities are very galling to our people. Not that our leading men want office; very few of them do. There was no scramble of our leading men after the war. We want to build up our waste places, and retrieve our lost fortunes. But the people demand the services of our best men, and cannot get them. It not only makes the men who are under disabilities, but those who are not, complain and chafe that they cannot send good men to the legislature or Congress.

Judge Pettus, on the same subject, says on page 377 :

Question. The white people of Alabama made no effort to elect officers under that constitution ?

Answer. No sir. We agreed to abstain from voting, and also to abstain from the election of any officers, with the hope that the constitution would be defeated and that thereby we would get rid of the obnoxious provisions in the constitution; that Congress would simply order another constitution to be made by another convention. That was our anticipation; and we relied on the act of Congress itself.

Question. Your constitution was formed by delegates, many of whom, as I understand, were not citizens of your State ?

Answer. That is my information; and I have no doubt it is true. The delegates to the convention embraced officers of the Army of the United States, officers of the Freedmen's Bureau, and many persons who were not citizens of the State, or had only become such within a few days. The order under which the election was held prevented a large class of the people of Alabama from voting. The election was held under a military order.

Question. In pursuance of the reconstruction acts ?

Answer. In pursuance of the reconstruction acts, and carried out by the military authorities.

Question. And by those acts a large portion of the people were disfranchised ?

Answer. Yes, sir; they were denied the right to vote. These things have irritated the people considerably. But if you are seeking the source of our irritation and the condition of affairs down there, it lies further back than that. One of the main things of which we complain and have always complained is the breach of the contract made by the soldiers in the field. I have what I call a contract—an individual one with myself—made by General Sherman in the name of the Government of the United States, in which I was required to conduct myself after that time in obedience to the laws, and was promised that I should not be disturbed in any way if I did so. The soldiers went home, and as a body have been as obedient to the laws of the United States (whether they believed them to be just or unjust) as any people I ever saw. I speak of them as a body; some of them have been lawless. We have been denied the benefits of that contract which was made when we had arms in our hands.

Question. And you look upon that as perfidy ?

Answer. Well, I do not like to use so strong an expression as that toward the Government of the United States at this time; but we look upon it as a direct breach of a contract which we had made with the Government itself.

Question. And the subsequent acts of the Government enforcing upon you a lot of officers whom you had repudiated, and an organic law for the State which had been rejected by the people, have been regarded by you as in pursuance of the same policy ?

Answer. Yes, sir. After that contract had been ignored by the Government of the United States these reconstruction measures followed; and the Congress of the United States (I say it to the committee with the utmost deference) has seemed all the while to have acted on the idea that we were an inferior race of people, unworthy to be trusted; and whether we were in the rebellion or out of the rebellion, not entitled to the same rights that the same men would have if they would remove from Alabama to New York, for instance. Our local place of habitation was made a degradation in the eyes of the Government. That was the great trouble with us.

Question. Notwithstanding this dissatisfaction with the administration of the Government of the United States, have the people of Alabama any hostility to the principles of the Government ?

Answer. I do not think that the people of Alabama as a mass have any hostility to the principles of the Government of the United States. But I would not have the committee understand me to say that they have no hostility of feeling toward the Gov-

ernment, as administered against them. It would be trifling with the committee to say that we could live as we do and not feel unkindly toward the particular men who have put these hardships upon us. It is impossible, in my judgment, that any man of a fair degree of spirit should feel kindly toward any class of men who, with power in their hands, proclaim through official sources and without interruption that they are a degraded people—substantially that, either in words or in acts. Men will not submit to be so considered, and at the same time feel kindly toward the men who thus denounce them. There is that kind of hostility against the administration of the Government as at present conducted.

Take the case of Georgia, and the testimony as to the treatment of that people by the administration at Washington is worse perhaps than that of Alabama, because it was done by the President and his military subordinates, not only without authority of law, but in flagrant violation of every principle of civil liberty. Georgia, as is shown, had obeyed all orders, ratified the fourteenth amendment, adopted such a constitution as Congress approved, elected State officers and a legislature which General Meade, till then military district commander, indorsed and swore into office in the summer of 1868, but Georgia failed to cast her electoral vote for General Grant in November, 1868, and the first public movement against her was when Senator Wade announced in the hall of the House of Representatives, when presiding over the convention of the House and Senate which counted and declared the electoral vote in February, 1869, that he was instructed by his party to receive the vote of Georgia if it did not change the result, and not to receive it if it did.

The next was when the President, in his message to Congress in December, 1869, suggested that something ought to be done in regard to that State, which was followed by the act of December, 1869, remodeling the legislature, but refusing any further interference, and refusing to give the President any further authority, except as provided in section 7, to aid the governor if called on to prevent disturbances in the execution of the other sections of the act.

The conduct of the President and his officers immediately after the passage of this act was regarded by the people of Georgia as a wanton disregard of all their rights. Not only were citizens arrested by the military and imprisoned without warrant or known charge, but a legislature was manipulated and manufactured by the exclusion of democrats who had been elected, and were in every way eligible, and by the substitution of negroes and carpet-baggers who had been defeated, for no other purpose than the people of Georgia can see except to enable the legislature thus created to rob and plunder the State, and to pass laws, nearly always procured by open bribery and corruption, whereby Georgia, from being the richest and freest from taxation of all the Southern States, is reduced to the very verge of bankruptcy. Of course that people do not feel kindly toward a President or a party by whom they have been thus treated.

When Judge A. R. Wright, of Rome, who had struggled to preserve the Union as long as there was a hope left, was being examined by the committee relative to these military arrests by General Terry, he said:

Question. Was General Terry pretending, under any authority given him by the President of the United States, to be authorized to arrest persons in Georgia, without giving any cause for it, but for anything he pleased, as the military commander of that district?

Answer. I did not so understand it. I have reason to know that there was no process of the court that could not have been executed in the case without the least difficulty. I am sure that the sheriff could have summoned a dozen good and true men to execute process in his hands if anybody had resisted. I feel the responsibility of what I am swearing to, and I say that at the time I looked upon it as a most unmitigated act of military power, without any pretext or adequate excuse. I felt so; I may have been mistaken

but it was my honest feeling, and it is so yet. I do not think any justification can be made for it.

Question. Do you know that on the 4th of January, 1870, an order was issued from Washington, in the following words :

"[General Orders No. 1.]

"HEADQUARTERS OF THE ARMY,
"ADJUTANT GENERAL'S OFFICE,
" Washington, January 4, 1870.

"By direction of the President of the United States, so much of General Orders No. 103, dated headquarters third military district, (department of Georgia, Florida, and Alabama,) Atlanta, Georgia, July 22, 1868; and so much of General Orders No. 55, dated headquarters of the Army, Adjutant General's Office, Washington, July 28, 1868, as refers to the State of Georgia, is hereby countermanded. Brevet Major General Terry will, until further orders, exercise within that State the powers of the commander of a military district, as provided by the act of March 2, 1867, and the acts supplementary thereto, under his assignment by General Orders No. 83, dated headquarters of the Army, Adjutant General's Office, Washington, December 24, 1869.

"By order of General Sherman:

"E. D. TOWNSEND,
"Adjutant General."

On the 2d of January, 1870, General Terry sent the following telegram to General Sherman:

"[Telegram.]

"ATLANTA, GEORGIA, January 2, 1870.

"General W. T. SHERMAN,
"Commanding Armies of the United States:

"I have assumed command of Georgia as a district. Since my last telegram I have become convinced that my assignment as a district commander was necessary, and I think I should be clothed with the powers given by the reconstruction acts. I would suggest that the orders proposed in my report of August 14 be issued. I think that the knowledge that I have those powers would go far to obviate the necessity for their use.

"A. H. TERRY,
"Brevet Major General."

On the 12th of January, 1870, General Sherman telegraphed to General Terry as follows :

"[Telegram.]

"HEADQUARTERS OF THE ARMY,
" Washington, January 12, 1870.

"General A. H. TERRY, Commanding Department of the South, Atlanta, Georgia:

"I answered your dispatch this day, and am assured it was sent. I will sustain you in the exercise of any authority that will maintain substantial good order until the State of Georgia is recognized by the Executive and by Congress. Even then some lawful means will be found whereby we can defend our own friends from the Ku-Klux or band of assassins. I think the use of our soldiers should be limited to maintaining the peace, while you, personally, are vested with executive authority over governor and legislature till the State is fully admitted. You, on the spot, must be the judge of how far it is politic or wise to interfere with the component parts of the legislature-elect, or with their proposed legislation.

"W. T. SHERMAN, General."

Now, I want to ask whether or not you consider that the attempt of the President, or his general, to make a military commander and his soldiers superior to the laws and the constitution of Georgia, and all your courts, was in itself a gross violation of every principle of constitutional law, and the arrest of that man under it was also a violation of law?

Answer. Well, I have just stated that I felt as indignant as a man well could feel at that action of the Government, because I thought it was not only a usurpation of power, but it was unjust; and to tell the truth, I viewed it as the last extremest act of despotism. I know of nothing that could more vitally affect the citizen than to permit the military to arrest him without giving him reasons for that arrest. If there is anything worse, it has not occurred to my mind. Therefore I felt mortified, hurt, chagrined, indignant, as much as any man could. I will tell the whole truth. I have

nothing to conceal. When I heard that the Ku-Klux had released the man—Judge Kirby is my personal friend, related to me by marriage—when I heard that the Ku-Klux had released the man, I said that I rejoiced that Judge Kirby had received no personal injury, but I did not see how it was possible for me to condemn the act, for I knew no other way of wresting a citizen from the hands of power. I said that in the honest impulse of my heart; it may have been improper for me to have said it, probably it was in our peculiar condition; but surely before the war it would not have been improper to have said it.

Question. Were your courts open at that time?

Answer. They were; and if the process of the law had been resisted at any time I have never heard of it.

Question. Had any public notice been given in any form, indicating that any necessity existed for a departure from the ordinary proceedings in courts of justice to bring men to trial?

Answer. None that ever came under my observation.

Question. There was no public proclamation declaring these counties, or that particular county, in a state of insurrection or rebellion, or anything of the sort?

Answer. None that I ever heard of or saw.

Question. Was there anything, in fact, in the attitude of that county that authorized or required any such extraordinary proceedings on the part of either the President or his military officers?

Answer. Well, I think not.

Question. Do you remember whether during that same time General Terry removed from his office a man by the name of Wetmore, who was an ordinary, I believe you call it, a judge of probate?

Answer. Either judge of probate or ordinary, he is known as either, and he had both titles. Well, I could not answer that question; there was so much said about the arbitrary acts of the military at the time, and so much complaint made of one sort and another in other sections of the State, that I positively ceased to pay much attention to it; I just concluded that it was the duty of the people to submit to it, no matter what it was, that we would have to submit to it. Therefore I could not say what happened out of my immediate section.

Question. Did or not those illegal acts of usurpation, on the part of the military power, convince your people that they were outside the ordinary pale of the law to a great extent, as it was administered to other people and in other States, and that they were the victims of vengeance?

Answer. Well, sir, I have felt, and I have felt honestly, that the white race at the South were pretty much without a friend or protector in the world. Whether that was a just sentiment or not, it was an honest one.

General Wright, of Augusta, speaking on that subject, said, on page 276, &c.:

Question. Have you any idea of the total amount of the State debt and liabilities at this time?

Answer. No, sir, and no one else; because, I suppose, they have no check or other means of information. The law requires that when the bonds of the State are issued they shall be signed by the governor and treasurer, and that the treasurer shall keep a regular bond-book. Up to the administration of Bullock, we knew every bond that had been issued, when it was issued, where it was issued, and the amount. But, since the last session of the legislature especially, Bullock has issued these bonds without any reference to the treasurer at all, and the treasurer has no record of them at all. It is said that a number of these bonds have the treasurer's name to them; that Bullock had some of them lithographed in New York, and the name of the treasurer put on them. I do not know what the State debt is; but it is thought to be about five or six millions of dollars, since the last session of the legislature, that these bonds have been issued for.

Question. You mean it has been increased that amount since then?

Answer. Yes, sir. The prospective indebtedness of the State is immense; I mean by that, the indebtedness which the last legislature has incurred by the indorsement of railroad bonds. If these railroad bonds are called for by these railroads, and are issued, it will increase our indebtedness between thirty and fifty millions of dollars. They gave to quite a number of the railroads the indorsement of the State for from twelve to fifteen thousand dollars a mile. I believe there are but two of the roads that have as yet called upon the governor for the indorsement of bonds, but they are all entitled to them when they organize and go to work.

Question. The legislature that you had after your re-reconstruction was made republican, was it not?

Answer. Yes, sir; it was very decidedly republican in the senate, immensely so; I think there were eleven, perhaps twelve, democrats out of forty-four senators.

Question. How does it stand now, or how did it stand in your last legislature; was it the same senate?

Answer. No, sir; the term of one-half of the senators expired, and we elected twenty-two senators at the last election. The senate, as it will stand upon its organization, will be from twenty-eight to thirty democrats, and the balance republican. In the twenty-two senatorial districts we elected all democrats but three, I believe.

Question. That legislature has not yet met?

Answer. It was to have met, by law, last January; but, just before they adjourned, the last legislature postponed the meeting of the next legislature until next November, in order to give them a year longer in their operations upon the treasury.

Question. So that all the legislation which has taken place up to this time has been by a republican legislature?

Answer. Yes, sir; all of it.

Question. Was not its republican strength very considerably increased by the action of General Terry and Governor Bullock, under pretense of authority given them by Congress?

Answer. Yes, sir; they put in men and turned out men. I was there as a member of the democratic executive committee, and employed counsel, and assisted in raising money to employ counsel, to represent those cases that were brought up before General Terry's commissioners. General Ruger, I believe, was the chairman of the board to examine into the qualifications of the members of the legislature, and a very clever gentleman he was, too. But it was a very extraordinary spectacle to see a superintendent of railroad transportation presiding over the session of the house of representatives.

Question. What is his name?

Answer. He is known as "Fatty Harris;" I believe his initials are A. L. He is known as "Fatty Harris," but I am not acquainted with him.

Question. How was that managed?

Answer. That board made an examination into the qualifications of the members of the legislature. They would turn out men who they said were disqualified under the fourteenth amendment. If a man had been a road commissioner or a notary public before the war, they would turn him out. A notary public at that time had no authority in Georgia as a justice of the peace; he was not an officer, except to attest papers; to that extent he was a judicial officer. Wherever they charged a man with holding an office before the war, they turned him out, and in one case they actually put a man in the place of a dead man, who had served up to the dissolution of the last senate. A man by the name of McCutcheon was elected over a man by the name of Henry by a very large majority. McCutcheon served in the legislature until he took sick and died. When we went through the last throes of reconstruction under General Terry, Henry presented himself there and was admitted by the military board to take the seat in place of McCutcheon, although he was the defeated candidate.

Question. And he served?

Answer. Yes, sir, and he is serving yet. The member elected in his district drew the long term of four years. I have no idea that the democratic senate at the next session will allow Henry to retain his seat.

Question. If they do not, they will be reconstructed again?

Answer. I expect we will have to go through with another reconstruction.

Question. How many men who had been defeated in the elections were put in place of those turned out? Were the minority men, the defeated men, put in, when the men who were elected were declared disqualified?

Answer. Yes, sir.

Question. Do you remember about how many?

Answer. I cannot give you the number, a considerable number.

Question. As many as sixteen?

Answer. Probably more, perhaps as many as twenty; it has escaped me now. I did know the number, but it has passed out of my mind.

Question. By that process the lower house was made republican?

Answer. The lower house was made decidedly republican.

Question. And the senate was very largely so?

Answer. Yes, sir.

Question. That is the legislature which has indorsed these railroad bonds?

Answer. Yes, sir, and given the governor authority to issue these bonds without the check of the treasurer or any one else upon that issue.

Question. Did any of you in Georgia ever find out by what authority of Congress all that was done? Was there any act of Congress that ever authorized Harris to take his seat, &c.?

Answer. We looked in vain to find that authority. We found it was impossible to contest and argue the case with General Terry; he had bayonets at his command. But we employed counsel and argued the matter before General Ruger. We contested the authority, but we were powerless.

Question. They still would do it ?

Answer. They said they had the authority, and I presume they thought so.

Question. Was there any authority except the military orders of the President ? You saw them, I presume ?

Answer. There was no authority except the orders of the President to General Terry.

Question. They did not even pretend that Congress had given them the authority ?

Answer. I think not.

Question. Was it not regarded by all, republicans and democrats—I mean those who were lawyers—as just a case of executive usurpation by the President and his military officers ?

Answer. We considered it a military usurpation, and contested it as far as we could by argument, but it amounted to nothing.

Question. It was by that sort of usurpation of authority that that legislature was made up that has passed the laws which are now taxing you to death ?

Answer. Yes, sir.

Question. I believe that a large number of your people are still under disabilities, and cannot hold office ?

Answer. Yes, sir ; the very best people in the State are disqualified from holding office under the fourteenth amendment to the Constitution.

Question. You have had a great many special cases relieved ?

Answer. A few ; I do not think there have been a great many from that State. Those that were necessary to hold office under republican administration there have had their disabilities removed. Outside of that I think there are very few who have had their disabilities removed.

Question. I think Governor Bullock is still resisting all demands of that sort, for in his letter to us he speaks of the " hypocritical howls for universal amnesty."

Answer. My impression is this, from a careful consideration of affairs there, if that ban was taken from our people there, we would have no cause of complaint, and there would be none there.

Question. Have you had serious discontents in the State of Georgia, growing out of the management of your railroad affairs ?

Answer. Yes, sir.

Question. Give us, as briefly as you can, a statement of that management.

Answer. The people there feel hopeless in relation to our public debt. The last legislature and Governor Bullock have involved them in such a heavy debt that it will be impossible for the people ever to pay it. Our taxes have not been materially increased, and perhaps we are in that respect better off than many of the Southern States ; but we have been involved in debt by the issue of millions of State bonds, which will have to be paid or repudiated. The State road, which before the war was a source of income, and indeed paid the ordinary expenses of the State government, has been so managed that we have lost the entire revenue of that State road, under the administration of Governor Bullock. We have not only lost the revenue from it, but, under Blodgett's administration of it, we have got in debt for more than \$700,000, for about fourteen months that he had it. The gross earnings of the road were from \$120,000 to \$135,000 a month. He made two payments into the treasury, one of \$25,000 and one of \$20,000 ; and he has received on an average about \$125,000 a month of gross earnings. The State has been run into debt upward of \$700,000 in that piece of property alone.

Question. Did he do it by improving and repairing it ?

Answer. No, sir ; according to his own report to the legislature, and the report of Bullock to the legislature at the last session, the road was represented to be in a wretched condition, and that it would take hundreds of thousands of dollars to put it in good condition again. The road was in good condition when he got it. It was destroyed during the war, and we incurred a debt of over \$500,000, for which we issued bonds, after the close of the war, for the reconstruction and re-equipment of that road. It was then under the management of Campbell Wallace and Hurlburt, up to the time it went into the hands of Blodgett. When Blodgett got it, it was in good condition, but he has paid only \$45,000 in the treasury, the average gross earnings of the road being \$125,000 a month ; and he has left it \$700,000 in debt ; and Governor Bullock has asked an appropriation of \$500,000 to put it in running condition again. The people think strange of that management, and are very restless under it.

Question. About the general expenditures for the executive departments, what do you know about them ?

Answer. They have been enormous, unprecedented.

The official statement of Mr. Angier, the treasurer, himself a northern man and a republican, which we will set forth in another connection in this report, makes the robbery of the people of Georgia appear more flagrant, than either of the above-named witnesses.

But for the wish to avoid comment as much as possible in this part of our report, we think we could show, but will only ask, whether it is believed that the people of any Northern or Western State would have tolerated such usurpation and robbery as have been imposed upon Georgia; whether such vampires as her officials have been could have lived in any of those States; and whether an administration which imposed and sustained them could have received support from any considerable portion of the people?

We might show in detail the same general character of oppression practiced toward each of the other States, but to avoid repetition, we may as well just here state the financial condition of each of the Southern States, their debts, taxation, expenses, and the general management of their affairs as developed before the sub-committee, and proved by the witnesses who were examined on that subject, and we will give in a few instances at least, as specimens, the operations of their registration and election laws; The exact state of facts could not be arrived at in several of the States, because of the unwillingness of the officials to let the truth be known. In South Carolina, for example, all sorts of false official reports, concealing the enormous frauds which were being perpetrated, have been from time to time laid before the country. When the governor of Florida was called on for information, instead of giving it he wrote the following letter:

EXECUTIVE OFFICE, TALLAHASSEE, FLORIDA,
November 24, 1871.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, calling my attention to a circular of your committee asking a detailed financial history of Florida since 1868. It would give me great pleasure, personally, to furnish any and all information upon this or any other subject involving the interests of our beautiful and thriving State. It would, however, hardly comport with official propriety and the deference due from the executive to the constituted representatives of the State at Washington, for me to furnish information, properly within the scope of their official duties, unless through them and at their request.

I will refer your letter to Senators Osborn and Gilbert from Florida, now at Washington, and to them I will leave the honor and responsibility of furnishing the information you seek, and thus vindicating the State against the "damaging information" which you say has already been laid before you.

With high respect, I remain, Senator, your obedient servant,

HARRISON REED,
Governor of Florida.

Hon. JOHN POOL,
United States Senator and Chairman of Sub-Committee, &c.

Governor Bullock, of Georgia, in his response, delivered the committee a lecture on State-rights, quoting Thomas Jefferson and the fathers of the Constitution. If we had not been advised that the devil sometimes quoted scripture, we might have supposed the then governor of Georgia really withheld the statement from patriotic motives. Others refused to answer altogether, while the responses of the subordinates were often tinged with the bias of their own minds, so that the different officials of the same State frequently made statements more or less conflicting with each other. All that made the work of the committee both tedious and troublesome, and compelled them to look to other sources of information in order to arrive at an approximation to the truth. We have endeavored to sift the various statements so as to present the substance of the facts as to each State separately, and, at the risk of being tedious, we propose to give the facts and figures, so that the accuracy of our report may be fairly canvassed by Congress and the country.

Taking the States in their alphabetical order, Alabama will be first presented.

There is an apparent discrepancy in the statements of the treasurer and auditor as to the debt of Alabama in 1860 and 1870, growing out of the fact that the auditor's statement embraces liabilities of the State to its school and other funds at each period, which are not set forth in the statement of the treasurer.

The exhibit made by the treasurer is as follows:

STATE OF ALABAMA, TREASURY DEPARTMENT,
Montgomery, November 10, 1871.

SIR: I submit below answers to the questions contained in circular sent by you to this department, so far as those questions apply to facts known to me, and substantiate my answers by the documents herewith forwarded.

In answer to first question, I have to say, that the bonded debt of this State on the 11th January, 1861, was \$3,445,000.

(See message of Governor Parsons and address of Governor Patton herewith submitted.)

The State is and was bound to pay in perpetuity for annual interest on the school fund the sum of \$134,367 80. Interest unpaid during the war, accrued up to and including January 1, 1867, was then funded, and new bonds issued for the sum of \$621,000, which made the total bonded debt on the 1st January, 1867, \$4,066,000. I take no note of the war debt, which was repudiated by act of the convention, 28th September, 1867, amounting to \$12,094,731 95. Eight per cent. bonds sold in 1867-'68, \$659,100; 8 per cent. bonds sold in 1869-'70, \$657,700; total bonded debt January 1, 1871, \$5,382,800. Cause of increase—sale of bonds to carry on the government.

To the second question, I reply, that the State had no responsibility of that kind; and this answers question three.

Fourth question is answered in reply to first question, so far as to accrued interest. The State lost no trust fund by reason of the war, except the diminished value of North Carolina and Virginia bonds, in which the three per cent. fund was invested prior to the war.

There is a prospective liability for an indefinite amount growing out of the passage of an act, approved February 19, 1867, and amended August, 1868, whereby the State is required to indorse railroad bonds to the amount of \$12,000 per mile, which act was further amended in March, 1870, so as to increase the indorsement to \$16,000 per mile.

The same legislature, in March, 1870, made a loan to the Alabama and Chattanooga Railroad Company of \$2,000,000 in Alabama 8 per cent. bonds, over and above the indorsement of \$16,000 per mile for the entire length of the road, thereby adding to the direct and collateral liability of the State for this one road the sum of \$6,700,000. In addition to this, the republican governor, W. H. Smith, issued to the road bonds to the amount of \$500,000 above what the road could ever by any possibility claim under the law. For proof of this statement, see circular address of Governor Lindsay herewith submitted.

The said road made default in payment of January and July, 1871, interest, which the State paid as its owner and creditor, \$503,000; and there is almost a certainty that the State will have to pay the interest falling due January 1, 1872, \$238,000; making in all a liability for this one road to January, 1872, of \$7,476,000.

There are eight or ten other roads for which the State, under the law above referred to, is liable as indorser, so that it is impossible to state with approach to accuracy the total prospective liability of the State.

The legislature of 1867, that enacted the original indorsement law, was mainly conservative; the legislature of 1868 and 1870, (the same body,) was made up of one democratic and thirty-two republican senators, and fifteen democratic and eighty-five republican representatives.

The average cost of State government for 1859 and 1860, was \$813,000; for 1863, 1869, 1870, was \$1,514,000; and the increase is partly due to increase of bonded debt, but and mainly to ignorant and corrupt legislators.

There were no changes in election laws from 1861 to the surrender, nor from that time to reconstruction days. But the present election laws are radically different from any ever known before in this country, and such as no Northern or Western State is cursed with. They bear on their face, in their wording, the evidence of fraud and the intention to secure office and power to the most corrupt. (See Election Laws, acts of 1868.) The frauds committed under these laws were exposed before the last legislature in the contested cases of Davis vs. Forester, Bradford vs. Woodward, Hitchcock vs. Bradall. See report of committee on elections, which state that all illegal and fraud-

alent votes were on the republican side, and that not one illegal democratic vote was proven.

I am unable to say what was county taxation, either in 1860 or now.
Respectfully submitted.

I. F. GRANT,
State Treasurer.
By O. R. BLUE,
Chief Clerk.

Hon. JOHN POOL,
Chairman Sub-Committee.

One of the best-informed citizens of the State furnished us with the following statement, which we believe to be substantially correct :

The direct bonded indebtedness of Alabama is.....	\$5, 442, 300 00
Her indebtedness on account of the school fund is.....	2, 795, 995 05
She is further indebted for outstanding certificates, auditor's warrants, and temporary loan of Lehman, Durr & Co.	623, 672 32
The total is.....	8, 761, 967 37
To this must be added the amount borrowed by Governor Lindsay to pay the interest on the Alabama and Chattanooga bonds.....	545, 000 00
Altogether these items foot up.....	9, 306, 967 37

The present contingent liabilities of the State consist of bonds to the following roads, viz:

Alabama and Chattanooga	\$7, 300, 000
East Alabama and Cincinnati.....	320, 000
Grand Trunk.....	320, 000
Mobile and Montgomery.....	2, 500, 000
Montgomery and Eufaula.....	1, 260, 000
Selma and Gulf.....	480, 000
Selma, Marion and Memphis.....	720, 000
South and North.....	2, 200, 000
Savannah and Memphis.....	320, 000

The total present contingent debt is therefore..... 15, 420, 000

Of this, the \$7,300,000 of Alabama and Chattanooga Railroad bonds has already virtually become a part of the direct indebtedness of the State, so far as they shall be recognized as legal and valid claims against the State. Altogether, the present direct and contingent liabilities of the State, are \$24,726,967, 37.

Alarming as these figures are, they do not tell the whole truth. Under the State-aid law, each of the roads in progress in the State, which had twenty miles done and accepted by the State on the 1st of November last, is entitled to the State indorsement of its bonds to the amount of \$16,000 a mile, as each builds five-mile sections; and as all these roads will probably be pushed to completion, we must add to the liabilities of the State the amount of these future indorsements. We are unable to give exact figures, but the following estimate of the amount to which each of these roads will be entitled is not far from correct :

South and North, (\$22,000 a mile).....	\$2, 200, 000
East Alabama and Cincinnati.....	2, 000, 000
Grand Trunk.....	4, 000, 000
Selma and Gulf.....	1, 000, 000
Selma, Marion and Memphis.....	1, 000, 000
Selma and New Orleans.....	2, 000, 000
Savannah and Memphis.....	2, 000, 000
Total.....	14, 200, 000

Here, then, we have the liabilities of the State summed up :

Present direct indebtedness.....	\$9, 306, 967 37
Present contingent liabilities.....	15, 420, 000 00
Future contingent liabilities.....	14, 200, 000 00
Altogether.....	38, 926, 967 37

The auditor states that the liability of the State, on the 30th day of September, 1871, on account of railroad bonds then actually indorsed, including the State bonds loaned, amounted in the aggregate to \$15,420,000. He says the total indebtedness of the State, including all liabilities, was, on the 1st day of July, 1861, \$5,939,654 87; on the 24th day of May, 1865, \$6,221,186 45; on the — day of July, 1868, \$7,904,396 92; on the 1st day of January, 1871, \$8,484,010 75; and in his last report he makes it \$8,761,967 37, so that the present indebtedness of the State may be stated thus:

Direct indebtedness.....	\$8,761,967 37
Present conditional indebtedness	15,420,000 00
Conditional indebtedness provided by law.....	14,200,000 00
Total, say.....	38,381,967 37

The report of the present Superintendent of the Census shows the following facts:

Assessed valuation of property in Alabama, including slaves, in 1860....	\$432,192,762
Assessed valuation in 1870.....	156,770,387
State taxation in 1860.....	530,107
State taxation in 1870.....	1,477,414
County taxation in 1860.....	309,474
County taxation in 1870.....	1,122,471

The increased taxation, when the value of the property is considered, will be readily understood by the figures above set forth.

It became notorious that these immense grants to railroads were procured by improper means, and when the fraudulent conduct of the late governor in issuing at least half a million of dollars of bonds to the Alabama and Chattanooga Railroad more than it could by possibility be entitled to under the law came to light, a committee of investigation was ordered by the legislature, which demonstrated the fact that these grants had been obtained by open bribery and corruption. We will give a few quotations from the report and the testimony, illustrating what we say. The committee state—

The two millions of State bonds which the law authorized the governor to issue in aid of said company in sums sufficient to pay off the cost of having constructed a certain amount of road in excess of the State indorsement of sixteen thousand dollars per mile, were issued in bulk, with reckless haste, and were hurried away to the money markets of Europe.

There has been no record kept by any officer of the State of the number and amount of the bonds issued or indorsed by the State in favor of the various railroads entitled by law to the aid of the State, except as to the loan of bonds to the Montgomery and Eufaula Railroad Company, three hundred thousand dollars in amount, and the indorsement of bonds in favor of the Mobile and Montgomery Railroad Company. This fact has prevented your committee from ascertaining the extent of the liability of the State under the laws authorizing the use of her name in aid of railroad companies. Not even an approximate estimate of the contingent indebtedness of the State can be made, because of the sedulous care with which the late administration of the State veiled its transactions in railroad bonds; but enough, however, is known to convince the committee that that indebtedness is alarmingly large, and threatens bankruptcy and ruin to the State.

The testimony on which the committee have acted has been taken down in writing as well as it has been possible, under the circumstances, to do, and is submitted in connection with this report. The late treasurer of the State, from whom the committee expected to get important information concerning the indorsement of railroad bonds under the general law on that subject, claimed, and was allowed, his constitutional privilege of refusing to testify as to the illegal indorsement of the bonds of any other company than the Alabama and Chattanooga Railroad, as his testimony would tend to criminate himself, and thereby the committee were disappointed in getting the desired information from him.

Hon. R. M. Patton was one of the witnesses. He testified that,

although he had accepted the presidency of the Alabama and Chattanooga Railroad, he was ignored because he opposed the loan bill. D. N. Stanton, of Boston, was elected president, and Governor Patton "was not invited or expected at the consultation of the friends of the road." He adds:

On the 1st January, 1870, there were 128 or 130 miles of the Alabama and Chattanooga Railroad completed, which entitled the company to an indorsement of about two million and eighty thousand dollars of bonds (\$2,080,000,) whereas the company had then received an indorsement of two million eight hundred thousand dollars worth of bonds, being an excess or overissue of about seven hundred and twenty thousand dollars of bonds.

I do not think the stockholders ever paid in any of the capital stock of the company.

Speaking of the roads generally, he says:

I think the ability of all the roads in the State to pay their liabilities is overestimated, and that, when completed, they will not then be able to pay their interest and expenses.

JANUARY 28.

Arthur Bingham, being sworn, says:

I held the office of State treasurer from the 27th July, 1868, to 10th December, 1870.

Question by Mr. Bradford: Do you know any fact or circumstance showing, or tending to show, any fraud or illegality in the issue or indorsement of any bond by the State of Alabama, in favor of any railroad in this State other than the Alabama and Chattanooga Railroad Company?

Which the witness declined to answer upon the ground that by so doing he would criminate himself.

Mr. Holmes's evidence shows how these bills were passed:

Testimony of Mr. Holmes.

I was residing in the city of Montgomery at the last session. I do not know Mr Stanton. I knew presidents of other roads; they were here at the time. On the last day of the session of 1869 and 1870, Mr. Gilmer, president of the North and South road, came to see me, and asked me to loan him \$25,000 for twenty-four to forty-eight hours, no longer. He told me he wanted to use it at the capitol. I did not care to give it to him at first. He told me it was a favor, and he would give me a check on New York. I declined doing so, and asked him to go to the banker of the road. His reply was that he had been there, but that he asked him too much for it. I then advised him to go to Mr. Farley. He saw Mr. Farley, who declined to furnish him the money. He insisted on me, and I made the proposition that if Mr. Farley would advance one-half I would advance the other half. He again went to Farley, who gave him \$12,500, which he showed me on his return to my office. I then advanced him the other \$12,500. He then left, I do not know where he went to. He came to my office next day, and I congratulated him on the passage of his bill. His answer was yes, but it cost me ten thousand more. He abused Mr. Hardy, the chairman of the committee. He said Mr. Hardy had acted shabbily; that he had agreed to pass the bill for him for \$25,000, but that on the eleventh hour he had gone back on him and made him pay ten thousand more, making \$35,000. He stated that he received the other \$10,000 from Mr. Josiah Morris. Mr. Hardy was a member of the legislature at that time. I am positive that Mr. Gilmer borrowed the money from me at the last day of the session. I saw Mr. Gilmer that same night at the capitol.

Jere Haralson, a negro representative, did not fare quite so well. He was not worth as much as Mr. Hardy, the chairman of the committee, but still he got a nibble.

Testimony of Jere Haralson.

I was in Montgomery a day or two before Stanton's bill passed the House, and after it passed the Senate; was not here while pending in Senate; I didn't see Stanton nor his agents use anything; I saw a good many members in Stanton's room, at the Exchange Hotel; I heard his agents *talking with them*; I didn't know their names; there was a young light-haired man acting for Stanton; he told members present it was an important road; he didn't think it would be embarrassed; I heard many rumors about improper means; I heard Caraway say there was money in it; he wouldn't vote for Stanton's bill without he was paid \$500; Caraway was a member from Mobile; Stanton had about four rooms at the Exchange Hotel, and had about all

the legislature down there; Ben. Johnson, a member from Dallas County, and I went down to the Exchange; Carlyle put signs to me; I couldn't understand, and didn't get anything myself; he would carry members out of the room, one at a time, down a gangway, and stay a little, and the member would go off; he would return; I went and saw Ben. Johnson; he told me there was not money in it; I went down next evening; he (Stanton's agent) told me he would loan me \$50; I told him I was a member from Bullock; he said he knew me, that I was a democrat; I told him I had quit that party; he handed me the money and I took it; I was here opposing the bill, and had the resolutions from the Dallas meeting opposing Stanton's bill, and told the Dallas members if they voted for it they couldn't get back again; I heard Joe Draun, a member from Dallas, say he expected to get money to vote for the bill; I didn't see any one get any money, and don't know of any one getting any money but the \$50 above, which he offered to me as a loan, and which I took and went home.

The registration and election law of Alabama enacted by the republican State government for the purpose of securing complete control of elections expressly provides, as per abstract below.—

That all persons are strictly prohibited from challenging voters on heavy penalties of fine and imprisonment. Under this law there are no restrictions on repeated voting. A child ten years old could be brought up and voted without challenge, and a negro or ignorant white man could vote under as many different names as he chose to assume. The law gave into the hands of the republican party all the judges, superintendents, and officers of election, together with the books of registration and ballot-boxes. There was not a single check or supervision allowed or provided for. They held and controlled the entire machinery, scarcely a single democrat being permitted to act as an officer of election.

In many cases the officers superintending and controlling the election were candidates for office at said election.

Copy of section 34 of an act of the State of Alabama to regulate elections in that State, (A. S. of 1868, p. 276.)

That there shall be no challenging of electors offering to vote at any election hereafter held in this State; and any registered voter offering to vote at any election in this State shall be allowed to do so without question, challenge, or objection by any person; and any person who questions, challenges, or objects, or who unlawfully hinders or delays any person offering to vote, shall be guilty of a misdemeanor, and, on conviction, shall be fined five hundred dollars, and, on failure to pay the same, shall be imprisoned in the county jail for six months.

Several witnesses examined before the committee (lawyers) spoke of the effects of that law.

Mr. Sayre said, (page 358:)

Question. Was there anything on the subject of election laws embraced in this constitution?

Answer. No, sir; the election laws were passed by the legislature of 1863. Those laws repealed the old election law, which existed anterior to that time, and, to my mind, left it in a very singular condition. Under the registration law the books are kept open all the time, and a man can go into the judge of probate's office at any time and register; and there is nobody there to challenge him and ask him whether he is a legal or an illegal voter, or anything of the sort. He takes a certain oath, it is true. That registry is open on the day of election, and it is the duty of the officers of election to keep it within a certain distance of the polls, so that anybody can register who chooses; and under the construction given to that law, after he registers there is no punishment for illegal voting. A man may vote forty times, and there is no law in the State whereby he may be punished.

Question. No power to challenge his vote?

Answer. No, sir; it is an indictable offense to challenge a vote in the State of Alabama.

General Clanton said, (page 239:)

Question. Whatever may be the law of Alabama as to the right of a man to challenge a voter, what is the practical effect of it? Does anybody dare to challenge a man?

Answer. I never have seen one challenged. It is \$500 fine and imprisonment, I think, for interfering in the elections, and we have negro juries, radical sheriffs, and clerks. I addressed one jury of eleven ignorant negroes and one white man. If that party could get any hold upon a man for violation of the election law, they would certainly convict him.

Question. The practical operation of the law is, as I understand it, that a man dare not open his mouth, and the vote goes unchallenged.

Answer. Yes, sir; it does go unchallenged.

Question. Have you any security at all in your elections from a man voting just as often as he pleases?

Answer. No, sir; it is even held by the best lawyers of our State that if you catch a man voting four times or more, you cannot convict him. In Mobile they stuck fish-hooks in the coat of every negro that voted, and when he came to another poll with the fish-hook in his clothes, there was a fellow to recognize him and threaten to nab him. The negro would see that he was known, and expect some punishment. But after an examination of the law, it is the opinion of the best lawyers that it was framed purposely so that you cannot convict.

It must not be forgotten that all this fraud and corruption, and this increase of over \$30,000,000 in the liabilities of the State since 1868, was perpetrated and imposed by a truly loyal governor and legislature, none of whom were elected by the people of Alabama, but were all imposed on the State by Congress, after they and the constitution had been defeated by the people in strict accordance with the reconstruction acts. As the military commander certified, as Mr. Stevens on the floor of Congress declared, and as Congress itself, in February, 1868, on the joint motion of Mr. Stevens and Judge Poland at first determined, by refusing to admit the State, still it was pushed through in June, 1868, in the omnibus bills, and these creatures of Congress have had full license to rob and plunder Alabama for three years. Not content with what they have done the so-called senate of Alabama, in which there is but one man who is not an avowed radical, in defiance even of the constitution, which limits the terms of senators to four years, have by their own edict continued their term of office two years longer, and are now in power, determined to remain; doubtless their right is as good for the next two as it has been for the last four. They are and have been the mere creatures and tools of Congress, and will doubtless be protected by their masters here as long as they obey orders and only rob democrats and rebels.

ARKANSAS.

Arkansas was comparatively free from debt up to the time of her reconstruction in 1868; her only debt, direct or indirect, grew out of her indebtedness or liability for the State Bank and Real Estate Bank, two banking institutions chartered by the legislature of the State in 1836-'37. For the bonds issued to the State Bank the State was liable directly as principal; for those issued to the Real Estate Bank she was liable as surety or indorser.

The total principal of the State bank debt was \$441,000. Interest on this from the 1st of July, 1841, gives the State's liability for this bank in 1861, 1865, and 1868.

The total principal and interest in July, 1868, being.....	\$1, 149, 270 00
Liability for the Real Estate Bank, July 1, 1868, after deducting good assets on hand, was.....	1, 815, 981 19
	<u>2, 965, 251 19</u>

See report of Auditor Berry, of November, 1868, made to Governor Clayton, page 4. The same report shows that the State was secured for its liability on account of the Real Estate Bank by mortgages on lands,

appraised by commissioners at \$3,380,762 78. Two highly intelligent witnesses, Thos. C. Peak and John Kirkwood, in their sworn statement, furnished to the committee, say:

"Suits had been instituted by the State for the foreclosure of these mortgages, and were in a fair way for speedy determination, when the funding bill was passed, which, in the opinion of our best lawyers, invalidates or releases the State's lien upon the mortgaged lands."

Henry Page, the State treasurer, states the debt of Arkansas on the 1st day of January, 1870, thus:

Bonded and funded debt.....	\$5,051,265 62
Floating debt.....	190,000 00
Bonds issued to railroads.....	2,750,000 00
	<u>7,991,265 62</u>

He states it on the 14th of November, 1871, thus:

Total indebtedness, January 1, 1871.....	\$7,991,265 62
Railroad bonds issued since January 1, 1871.....	1,150,000 00
Due for money borrowed to pay interest on debt.....	120,000 00
Levee bonds, issued under act of March 23, 1871.....	2,262,694 42
Total.....	<u>11,523,960 54</u>

Governor O. A. Hadley, in his reply to the committee, dated December 4, 1871, says:

The railroad companies having received the award of aid, in pursuance of said act, to aid in the construction of railroads, are—

Memphis and Little Rock, 120 miles, \$10,000 per mile.....	\$1,200,000
Little Rock and Fort Smith, 150 miles, \$10,000 per mile.....	1,500,000
Little Rock, Pine Bluff, &c., 160 miles, \$15,000 per mile.....	2,400,000
Mississippi, Ouachita, &c., 170 miles, \$15,000 per mile.....	2,550,000
Arkansas Central, &c., 150 miles, \$15,000 per mile.....	2,250,000
100 miles, \$15,000 per mile.....	1,500,000
850 miles.....	<u>11,400,000</u>

The papers and documents have been filed, as required by section 5, and bonds have been issued, in compliance with section 6 of said act, as follows:

Memphis and Little Rock, 120 miles.....	\$1,200,000
Little Rock and Fort Smith, 90 miles.....	900,000
Little Rock and Pine Bluff, &c., 80 miles.....	1,200,000
Mississippi, Ouachita, &c., 40 miles.....	601,000
Arkansas Central, &c., 30 miles.....	450,000
Total bonds issued.....	<u>4,350,000</u>

According to the evidence before the committee, the present debt and liabilities of the State of Arkansas may be stated thus:

Bonded and funded debt.....	\$5,051,265 62
Floating debt.....	190,000 00
Due for interest.....	120,000 00
Amounts awarded to railroads.....	11,400,000 00
Levee bonds.....	3,000,000 00
	<u>19,761,265 62</u>

According to the sworn statements of Messrs. Peak & Kirkwood, above referred to, there is a discrepancy between the statements of the treasurer and the auditor of \$350,000 in the amount of the funded debt, the treasurer making it \$2,650,000, and the auditor \$3,000,000. Our statement above is based on the treasurer's statement. If the auditor is correct, the present debt and liability of Arkansas is over \$20,000,000,

and we have very little doubt of the truth of the statement of the auditor. The present auditor, assuming that the funding bill lately passed is right, and that all the sums embraced in it, including the whole amount of the "Holford bonds," were just debts, which is evidently not the fact, makes the debt of the State in 1861 \$4,036,952 87
 Debt in 1865 4,527,879 87
 Debt in 1868 4,820,630 87
 Debt in 1871 5,361,265 62

The real debt in 1861 and 1865 are evidently overstated, as we will show presently.

The census report shows that in 1860 the assessed value of taxable property in Arkansas amounted to \$180,211,330
 In 1870 it amounted to 44,168,843
 In 1860 the State taxation was 241,633
 In 1870 it was 950,894
 In 1860 the county taxation was 285,773
 In 1870 the county taxation was 1,738,760

We do not see how we can better present the true condition of affairs in Arkansas than by incorporating into this report the statements of Thomas C. Peak, esq., and Dr. John Kirkwood, which were sent to the sub-committee, at the request of one of the members of it, because up to that time the State officials had failed to furnish the desired information.

THE STATE OF ARKANSAS, to wit :

Answers to interrogatories propounded by the sub-committee of three of the "joint select committee of Congress to inquire into the condition of the late insurrectionary States," as follows, to wit :

Question 1. What was the actual indebtedness of the State (of Arkansas) in July, 1861; what at the date of surrender, July, 1865; what at the inauguration of the present State government, July, 1868; what on the 1st January, 1871 ?

Answer. The actual indebtedness of the State of Arkansas at the times specified was as follows : July, 1861, \$965,200 ; July, 1865, \$1,070,640 ; July, 1868, \$1,149,270 ; January, 1871, \$7,991,265. Prior to the rebellion and prior to the inauguration of the present State government, (1868,) organized under the provisions of the reconstruction acts of Congress, the only indebtedness of the State of Arkansas, of any kind, character, or description, for which the State was liable or responsible, either *directly* as principal or *indirectly* as surety or indorser, or otherwise, was that growing out of the indebtedness or liabilities of the State Bank and Real Estate Bank two banking institutions chartered by the legislature of the State in 1836-'37. For the bonds issued to the State Bank, the State was liable and responsible *directly* as principal. For the bonds issued by the Real Estate Bank, the State was responsible or liable only *indirectly* as surety or indorser. The following statement of the condition of the indebtedness or liabilities of the State on account of bonds issued to the State Bank is taken from the official report of Hon. J. R. Berry, auditor of the State, made to Governor Clayton in November, 1868, on page 5 of said report, a printed copy of which is hereto appended in pamphlet form, marked Exhibit A.

STATEMENT.

Liability on bonds issued by the State to the State Bank, viz :
 Number outstanding, 441, viz, 25 five per cent. bonds \$25,000 00
 416 six per cent. bonds 416,000 00
 Total principal 441,000 00

No interest has been paid upon the bonds since the 1st of July, 1841.
 The interest added to said principal gives the amount of the State's liability on account of said debt at the several dates above specified, viz, 1861-'65-'68.

The indebtedness of the State, as above stated, on the 1st of January, 1871, is taken from the statement of Hon. Henry Page, State treasurer, in his manuscript report hereto attached, marked Exhibit B, estimated at \$7,991,265 62, made up of the following item, viz :

Bonded debt.....	\$2, 401, 265 62
Funded debt.....	2, 650, 000 00
Floating debt.....	190, 000 00
Railroad aid bonds.....	2, 750, 000 00
Total.....	<u>7, 991, 265 62</u>

There is a very considerable discrepancy in amount of the "funded debt" on the 1st of January, 1871, as stated by the treasurer in his said manuscript report B, hereto attached, and the amount on the 1st day of October, 1870. (three months anterior,) as stated by the auditor (Hon. J. R. Berry) in statement P of his official report, made to the governor October, 1870, at page 177, in pamphlet of reports of State officers to the legislature of Arkansas for the session of 1871, a copy of which is herewith transmitted. The auditor in said report states that "the number of bonds issued under sections 4 and 5 of an act of the general assembly, entitled 'An act to provide for the funding of the public debt,' approved April 6, 1869, before October 1, 1870, amounted to \$3,000,000." As the auditor, in that statement, gives in detail the number of bonds issued *seriatim*, date of registration, &c., it is to be presumed that his statement is correct, and that consequently the treasurer's later statement is incorrect. Such being the case, the real amount of the State's indebtedness on the 1st of January, 1871, should be stated as at least \$350,000 greater than the amount estimated by the treasurer in his aforesaid manuscript report.

Question 2. For what amount was the State responsible, collaterally, as indorser, or otherwise, in 1861?

Answer. A statement of the condition of the liabilities and assets of the Real Estate Bank will be a full and complete answer to this question. There is no official information within our reach that will enable us to give the exact sum of the net liabilities of the said Real Estate Bank on the 1st of January, 1861; but the amount may be approximately estimated (in round numbers) at \$1,500,000, from the following statement of the condition of the liabilities and assets of said bank on the 1st of January, 1868, made by Mr. Auditor Berry, in his aforesaid report of November, 1868, made to Governor Clayton, at page 4, Exhibit A, hereto annexed, viz :

STATEMENT.

Number of bonds issued by the State to the Real Estate Bank, <i>not</i> including the hypothecated bonds.....	1, 530
Deduct number redeemed.....	864
Total outstanding and unredeemed.....	<u>866</u>
Principal of said 866 bonds.....	\$886, 000 00
Balance of interest due on same to January 1, 1868.....	1, 129, 570 00
Principal of amount received upon the 500 bonds hypothecated to the North American Trust and Banking Company.....	121, 336 59
Interest thereon from September 7, 1840, to January 1, 1868.....	198, 850 51
Total principal and interest January 1, 1868.....	<u>2, 335, 757 10</u>
From this sum deduct "good assets" on hand.....	519, 775 91
Total amount of liabilities over assets January 1, 1868.....	<u>1, 815, 981 19</u>

NOTE.—The security to the State for this liability consisted of mortgages executed by the stockholders to the bank upon lands appraised by the commissioners at \$3,380,762 78. (See same report of auditor.)

Suits had been instituted by the State for the foreclosure of those mortgages, and were in a fair way for speedy determination, when the "funding bill" was passed, which, in the opinion of our best lawyers, invalidates or releases the State's lien upon the mortgaged lands.

Question 3. For what was the State *prospectively* liable in 1861, *contingent* upon the performance of conditions by corporations or others, or for the completion of works begun or ordered?

Answer. Nothing.

Question 4. What part of the increase of the indebtedness since 1865 arose from the

collateral responsibility of 1861, as indorser or otherwise; what from contingent or prospective liability of 1861; what from accrued interest unpaid upon the old debt; what from the necessities created by the loss, during the rebellion, of public funds dedicated to specific purposes, and of which the State, or its authorized agents, had the management?

Answer. First. That part of the increase of the State's indebtedness since 1865, which arose from "collateral responsibility" of 1861, is the amount of the indebtedness or liabilities of the Real Estate Bank, estimated on the 1st of January, 1870, at \$1,922,301 19, which was assumed by the State, and ordered to be *funded* by act of the general assembly, approved April 6, 1869.

Second. No increase from "contingent" or "prospective" liability of 1861.

Third. The increase of the indebtedness since 1865, from or on account of accrued interest unpaid on the old debt, consists only of the accrued interest unpaid on the principal of the State Bank debt, which, from January, 1865, to January, 1871, amounts to \$157,260.

Fourth. No increase from loss during the rebellion.

Recapitulation of answers to question 4.

1. Increase from collateral responsibility, 1861.....	\$1,922,301 19
2. Increase from contingent responsibility, 1861.....	
3. Increase from accrued unpaid interest, old debt.....	157,260 00
4. Increase from losses during the rebellion.....	

Question 5. Give the items separately which make up the increase, with a reference to the laws authorizing the same; and state what number of those voting for the laws belonged, respectively, to each of the two leading political parties in the legislature. Give, also, the main reasons which were supposed to render necessary the passage of the laws.

Answer. From answers to the foregoing questions it will be seen that the actual or *direct* indebtedness of the State on the 1st day of July, 1865, amounted to only \$1,070,640; and that, according to the official statement of the State treasurer, hereto annexed, marked Exhibit B, the indebtedness of the State on the 1st of January, 1871, amounted to \$7,991,265 62, showing an increase from July, 1865, to January, 1871, to the amount of \$6,920,625 62.

The following is a statement of some of the items which in part make up this increase, with a reference to the laws authorizing the same; and the political status of those voting for the laws:

First. The sum of \$3,983,665 62, by reason of the State assuming the absolute responsibility for, and authorizing the issuance of its bonds for that amount, on account of assumed or alleged liabilities of the Real Estate Bank.

The law authorizing this transaction is known as the "funding act," passed by the legislature of 1868-'69, and approved 6th April, 1869, an official copy of which act is incorporated in official pamphlet of debates on the funding bill, at pages 3, 4, 5, and 6, a copy of which is herewith transmitted, marked Exhibit C.

By the provisions of this act the State authorities were authorized to issue new bonds of the State, to the amount and in lieu of all the outstanding bonds issued to the said Real Estate Bank, with accrued interest thereon. Of the bonds originally issued to the said Real Estate Bank, there were 500 for \$1,000 each, numbered from 1 to 500 inclusive, lettered "C," issued at different times, from the 26th August, 1836, to 24th February, 1838, bearing six per cent. interest. Concerning these said 500 bonds, the Hon. J. R. Berry, then as now auditor of the State, to wit, on the — day of November, 1868, in his official report to Powell Clayton, governor of the State, hereinbefore alluded to and herewith transmitted in pamphlet, marked Exhibit A, made the following remarks:

"The bonds last described [said 500 bonds] were hypothecated to the North American Trust and Banking Company, on the 7th day of September, 1840, for a loan of \$121,336 59, then obtained upon them by the commissioner, and were afterward transferred or sold by this bank (North American Trust and Banking Company) to Holford & Co., bankers, of London, in violation of their agreement with the commissioner. The Real Estate Bank *does not recognize any demand against her* on account of these bonds, except for the amount actually received upon them by the commissioner, and interest thereon from the 7th day of September, 1840."

The question as to whether the Real Estate Bank or its surety, the State, was legally responsible for the payment of said bonds, or that either was liable or responsible to the North American Trust and Banking Company, or their assigns, the Holfords, of London, for any amount over and above the amount actually received on them, and for which they were hypothecated, as aforesaid, has been twice decided by the supreme court of the State in the *negative*.

First, directly in the case of *Whitney vs. Peay*, as receiver, &c., (4th Arkansas Re-

ports;) and secondly, indirectly in the case of Platenius, administrator, &c., vs. The State, (17th Arkansas Reports.)

A full review of these decisions, and a more circumstantial and detailed statement of the case involved, is embodied in a paper prepared by the Hon. Gordon N. Peay, receiver in chancery of said Real Estate Bank, and hereto annexed as exhibit marked E, and asked to be taken as part of these answers.

The legislature of 1868-'69, which passed this funding act, was composed, with one solitary exception, of republican members; that is to say, members belonging to and acting with the republican party.

The bill was fully discussed through a period of several weeks, and especially that feature which authorized the funding of the whole of the said five hundred (Holford) bonds with accrued interest. There was a minority of the republican members of the legislature who joined with the solitary democratic member in opposing and denouncing the gross injustice and monstrous iniquity of the measure; but it was passed by a decisive majority, and promptly approved by Governor Clayton. An official stenographic report of the debates on this bill was made and published by authority in pamphlet form, a copy of which is herewith transmitted. In part proof of the existence of a fraudulent and corrupt intent upon the part of those who aided and abetted in the passage of this almost universally execrated funding bill, especial reference is here made to the following remarks of Hon. D. J. Smith, a leading republican member of the house, printed on page 69 of said pamphlet report of debates on said bill. Said Mr. Smith: "A little more about these Holford bonds, and then I am done with them. They belong entirely to Englishmen, and not to Americans at all. But the Holford heirs have an agent in Little Rock. I have talked with him, and he has told me what his instructions have been with relation to the Holford bonds. * * * He says that the Holfords have been willing to take fifty cents on the dollar in the new bonds, for they look upon their claim as a disputed debt. We propose to give them a hundred cents in the dollar, whether they want it or not."

The "disputed" part of said debt, or Holford claim, with interest thereon calculated to 1st October, 1870, amounts to the aggregate sum of \$1,032,528 53. It may be proper here to remark that the Little Rock Republican, official organ of the republican party of the State, has, within the past few weeks, publicly charged Mr. Brooks, who was the leading republican member of the legislature of 1868-'69, and late United States collector of the revenue, with having corruptly received a fee or bribe of \$25,000 for aiding in the passage of that bill. It is generally believed that Governor (now United States Senator) Clayton received a large amount of money out of this funding operation. It is at least suggestive of a fraud, that, while the provisions of this bill require the process of receiving and canceling the old bonds and the issuing of new ones in lieu thereof to be carried on here, at the seat of government, in the presence and under the supervision of a special commission appointed for that purpose, as a guard against or a check to any possible fraud, the whole operation of "funding" was carried on by a "financial agent" of the State, in the city of New York, appointed by the governor for that purpose, without the least authority of law or semblance of justice and propriety.

It is a notorious fact, and one easily susceptible of proof before any tribunal having authority to send for persons and examine witnesses, that a large amount of the new bonds of the State, issued in lieu of the said five hundred Holford bonds and interest, are owned by sundry persons in this State—an irresistible inference that fraud and corruption were used in obtaining them, in view of the fact that the Holford heirs, who live in England, could have had no other kind of dealings with citizens of Arkansas except those connected with the funding of their claim. Another significant and suggestive fact is, that some of these Holford bonds are yet outstanding and unredeemed. But again: assuming that the State was justly and legally responsible for the payment of the whole of said five hundred bonds; and then assuming that the residue of the State's indebtedness on account of the liabilities of the said real estate bank is correctly estimated by Mr. Auditor Berry in his aforesaid report to Governor Clayton, November, 1868; and calculating accrued interest on the whole amount of liabilities thus ascertained, we find the entire debt, indebtedness, or liability of the State, on account of the entire liabilities of both of said banks, principal and interest, to be, on 1st October, 1870, \$4,256,534 51, to wit:

On account of State Bank	\$1,204,912 00
On account of Real Estate Bank, (including Holford bonds, &c.).....	3,051,622 51

Now according to the official statements of the auditor and treasurer, in their regular biennial reports, October, 1870, printed in "Reports of Officers to the General Assembly, Session 1871," a copy of which is herewith transmitted, the condition of the public debt, funded and bonded, on account of the liabilities of said two banks, is estimated to be, on the 1st October, 1870, as follows, viz:

Number of new bonds issued under provisions of the funding act up to the 1st October, 1870, (see statement P, auditor's report, 1870)....	\$3,000,000 00
Number of old bank bonds outstanding and unfunded 1st October, 1870, principal and interest, to wit: 5 per cent. State Bank bonds,	8,062 50
Letter A, Real Estate Bank bonds.....	1,311,890 00
Six per cent. State Bank bonds	758,055 00
Letter C, Real Estate Bank bonds	313,065 00

(See statements 13, 14, 15, and 16, treasurer's report, 1870.)

Total amount of bonds of both of said banks, with accrued interest to October, 1870, funded and outstanding, and unfunded on the 1st October, 1870.....	5,391,072 50
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Showing an excess of \$1,134,537 99 over and above the true and actual amount of the total indebtedness of said two banks; that is to say, the government has funded and recognized as fundable, on account of the alleged liabilities of the State and Real Estate Banks, an amount of \$1,134,537 99 in excess of the actual indebtedness or liabilities of said two banks according to the official statements of the two principal financial officers of the State—the auditor and treasurer.

Add to this amount the "disputed" part of the Holford bonds, with interest calculated to October 1, 1870, and we have an aggregate of \$2,167,066 12 unjustly, fraudulently, and corruptly funded and tacked on to the public debt of the State, under the operations of the funding act, manipulated and controlled by Governor Clayton and other officials of the State—all belonging, of course, to the republican party.

Third. The next item that goes to make up the increase of the public debt since 1865 is the "floating debt," estimated by the State treasurer in his manuscript report, hereto appended, as Exhibit B, on the 1st of January, 1871, at \$190,000. This floating debt was created by the issuance of auditor's warrants and treasurer's certificates for current expenses of the government, over and above the receipts of the treasury. Or, in other words, that amount represents the excess of expenditures over receipts from taxation, and may be put down to the account of willful and reckless *extravagance* generally, inasmuch as the revenues derived from taxation are amply sufficient to carry on the government on anything like reasonably frugal and economical principles.

Fourth. The next item of increase in the public indebtedness is the amount of \$2,750,000 of bonds issued by the State to railroad corporations, for the nominal purpose of aiding in the construction of railroads. The law authorizing the issuance of these bonds was passed by the legislature of 1868-'69, composed, as before said, with one solitary exception, of republican members. The law was intended, and specifically provided, that these bonds should be given and used for the sole and exclusive purpose of aiding in the purchase of iron rails, at the rates of \$10,000, and in some instances of \$15,000, per mile, and not to be awarded until the beneficiaries had prepared their road-beds for the reception of the rails. But this wise and discreet provision of the law has been grossly violated in almost every instance in which the State-aid bonds have been issued. For instance, bonds were issued to the Memphis and Little Rock Railroad Company, at the rates of \$10,000 per mile for the entire length of their road, at a time when two-thirds of their road had long since been constructed and equipped, and the remaining third nearly completed. In that case the bonds certainly did not aid in the construction of a road, for it was already built, and the spirit as well as the letter of the law was grossly violated and perverted. But it is said, and generally believed, that that corporation bought this aid by a heavy bonus paid to the officials of the State who had the bestowal of it. And again, in the award of these bonds to the Mississippi, Ouachita, and Red River, and the Little Rock, Pine Bluff, and New Orleans Railroad Companies, managed by certain State officials and influential republican politicians, bonds to the amount of \$900,000, according to the report of Treasurer Page hereto annexed, were issued to those two companies before the 1st January, 1871, being a sufficient sum, according to the plain intent and meaning of the law, to aid in the purchase of iron rails for ninety miles, whereas it is a notorious fact that both of those companies combined have not built as much as twenty miles of road, while the money derived from the sale of those bonds has been applied to private and partisan purposes. It is notorious among intelligent men in this State that these State-aid railroad bonds have been and are now being most shamefully and corruptly squandered to the neglect of meritorious companies that might have used them to the benefit of themselves and in promoting the general prosperity. A thorough investigation into these abuses and perversions of the public funds, by competent authority to ferret out the facts, would reveal a mass of corruption revolting in the extreme. It has been frequently charged in the newspapers of the State that the present and late governors and other State officials, together with their "ring" associates, have levied enormous black-mail from the Little Rock and Memphis, and the Cairo and Fulton, and Little Rock and Fort Smith Railroad Companies, in consideration of the State-aid bonds

awarded to those companies; and it is believed that a faithful judicial inquiry into the facts of the case would confirm the truth of these charges.

Question 6. State whether any public funds dedicated to specific purposes, and of which the State or its agents had the management, were lost during the rebellion, and how lost; whether the State is bound for it, &c.

Answer. There were no such funds lost during the rebellion. At the breaking out of the war there were certain funds in the treasury set aside for the special purpose of internal improvement to aid in the construction of levees, &c., amounting in all on the 1st January, 1861, according to the statement of the treasurer hereto annexed, to the sum of \$96,018 09, which were, during the rebellion, transferred to the general fund and used for the purpose of carrying on the government, and applied principally to the charitable and benevolent purpose of providing clothing and medicines for the destitute poor of the State.

Question 7. Have there been any considerable losses sustained by the State from defalcation, fraud, or mismanagement of public moneys or bonds of the State since 1865? How, when, and under whose responsibility were such losses sustained? Does the culpability rest on members of only one political party, or otherwise?

Answer. A full and complete answer to these questions would fill volumes. It would involve almost the entire history of the present administration, and of the republican party in this State, from the day they went into power, under the provisions of the reconstruction acts of Congress, in July, 1868, to the present moment, as well in respect to the administration of the State government as of counties and towns of which they have had the entire and exclusive control. So multitudinous have been the wrongs, frauds, and mismanagements of public moneys by this party in State, county, and municipal governments, that to specify them in detail would be a work too hurculean for this present undertaking; their name is legion, scarcely a solitary official of the government, from governor down to the lowest township officer, being free from well-grounded charges of frauds, robberies, or peculations of some kind.

The biggest steals, however, and those that entail the most serious burdens upon the people, are those connected with, and likely to grow out of—

First. The funding of the so-called public debt, by which upward of two millions of dollars were fraudulently funded, or ordered to be funded, and by which the State has probably lost the ample security it held, in the mortgaged lands of the bank, against any possibility of loss on account of the liabilities of the Real Estate Bank.

Second. In the award and distribution of State bonds, to aid in the construction of railroads, by which the State will ultimately lose, and the people have to pay, a debt of *ten millions* of dollars, with accumulating interest thereon, without the benefit of having added one hundred miles of railroad to the State. The law authorizing the grant of State bonds to railroad companies authorizes the issuance of bonds to the extent of \$10,000,000, and was passed by the legislature of 1868, composed entirely of republicans. The *privilege* of awarding and issuing these bonds is confined exclusively to certain officials of the State government, all of whom are republicans, and upon whom rests all the responsibility for the shamefully corrupt and partisan manner in which this aid has been bestowed.

Third. The *unconstitutional* creation of a State bonded debt of \$3,000,000, ostensibly for the purpose of aiding in the construction of levees, but in reality for the purpose of benefiting and enriching a "ring" of plunderers, closely connected with the administration. The grossly corrupt manner in which this public plunder has been parceled out to the friends and favorites of the administration is a matter of common scandal in the State. Within the last few days a republican newspaper of the city of Little Rock, that makes some professions of honesty, has charged the State commissioner of public works with having fraudulently issued, in one case alone, certificates for \$87,000 of these levee bonds. The paper making this charge is the Daily Arkansas State Journal, of the 1st of December, copy of which is herewith transmitted. As a *proof* of the public estimation of the people of this State, concerning the management of this fund, it may be remarked that these levee bonds, which are ostensibly much better secured, both as to payment of interest and principal, than any other character of bonds issued by the State, are, nevertheless, quoted at only 25 cents on the dollar, and poor sale at that. So foully tainted are they with suspicions of fraud and corruption that honest men dare not touch them.

Question 8. What was the county taxation of the State in 1860, and what in 1870?

Answer. Haven't the official data at hand to enable us to give accurately the amount of county taxation for 1860. But, referring to the tables of the census reports for that year, we find that, for 1860, the amount is there stated to be, in round numbers, \$283,000, which we believe to be substantially correct. From the official statement of the auditor of the State, hereto annexed, in manuscript report marked Exhibit F, it appears that the amount of county taxation for the year 1870 amounts to (in round numbers) \$1,760,000; showing an increase of 1870 over 1860 of the sum of \$1,477,000.

Question 9. What was the average cost of conducting the State government for the years 1858, 1859, and 1860; and what for the years 1868, 1869, and 1870?

Answer. The average cost of conducting the State government in the years 1858, 1859, and 1860 was \$200,000 per annum; the average cost of conducting the State government in the years 1868, 1869, and 1870 was \$800,000 per annum.

[NOTE.—Mr. Auditor Berry, in his statement in manuscript report hereto annexed, marked F, estimates the expenditures of the State government for the two years ending September 30, 1860, at \$408,394 98, which is a correct abstract from the auditor's printed official report for 1860, and which is a fair representation of the average expenditures of the government for the decade preceding 1861.]

But his estimate, in same report, of the expenditures of the present State government for the two years ending July, 1870, at \$1,221,763, though, relatively speaking, enormously large, is *not* a fair representation of the average expenditures of the government from the date of its inauguration, July, 1868, to the present time. It may be true, as stated by the auditor, that the amount of only \$1,221,763 was actually expended or drawn from the treasury during the said two years; but the appropriations made by the legislature at the sessions of 1868, 1869, and 1871, for carrying on the government for the five years ending July, 1873, would indicate a much larger average annual expenditure than the auditor's statement of the expenditures for the two years from July, 1868, to July, 1870.

For instance, the auditor in his biennial report, October, 1870, statement L, estimates the amount of appropriations made by the legislature of 1868-69, for carrying on the government from July, 1868, to January, 1870, at \$2,034,547, while the amounts drawn on those appropriations from July, 1868, to October, 1870, a period of two years and three months, foot up \$1,805,137; showing an average annual expenditure during that period of \$802,505. (See Appendix A, *post*, supplemental answer to this question.)

The appropriations made by the legislature of 1871, to supply deficits for 1870, and for carrying on the government from January, 1871, to January, 1873, are on a much larger scale; while appropriations for maintaining several of the most expensive branches or departments of the government, and those affording the best opportunities and strongest temptations for abuse of discretionary powers are made unlimited—that is to say, "sufficient sums" in general terms are appropriated for the purposes indicated. As, for instance, that for maintaining the State penitentiary, a perfect "tub-mill" of official plunder and robbery; and that for paying the expenses of the "adjutant general's office," which may involve the expenditure of millions for organizing and maintaining an active militia force—already being organized and equipped to war upon an unoffending and helpless people, for the purpose of maintaining the republican party, or the plunderers and despots who represent that party, in power, over the will of the people.

To give some idea of how this unlimited grant of money and power is being abused, and how advantage is being taken of this loose kind of legislation to rob and oppress the people, besides referring to the fact that the militia is being organized and equipped in a time of profound peace and quietude, we refer to the additional fact stated by the auditor in a letter hereto appended of date November 21, 1871, addressed to Dr. John Kirkwood, marked exhibit G, that "the amount drawn from the treasury for the support of the penitentiary since the present superintendent has been in office—a period of about eight months—"foots up the enormous sum of \$112,845 06."

The enormity of this expenditure, and the unblushing robbery involved, can be easily imagined when it is known that the auditor in his report of October, 1870, in statement Y, estimating the probable expenditures of the government for the two years ending July, 1873, estimates the amount necessary to support and maintain the penitentiary at \$20,000 per annum, a reasonable estimate.

But again, many of the appropriations for specified and limited amounts are likely to be overdrawn. Some we know have been up to this time. As, for instance, in the general appropriation bill of the late legislature for carrying on the government for the years 1871-72 there is appropriated for public printing a sum not to exceed \$50,000 per annum.

It will be seen, by reference to the letter of Mr. Auditor Berry, addressed to Dr. John Kirkwood, and above referred to, (hereto appended,) that there has been drawn from the treasury, on account of the public printing, since October, 1870, a period of little over one year, the sum of \$131,219 70—considerably over the maximum amount appropriated for two years.

From these observations some faint idea may be gleaned of the reckless extravagance of this administration in the hands of men who are strangers to our people, and have no other interest in the prosperity of the land than what will subserve their own selfish interests, merest adventurers who have been thrown to the surface and wafted into power by the fearful deluge of reconstruction.

Question. 10. If there is any considerable increase in such cost give the reasons why such increase was necessary.

Answer. The only good and valid reason that can be assigned for any necessary increase in the cost of conducting the government since 1865 is that for raising additional revenue to provide for the public education of the colored children who were

before not entitled by law to the benefits and privileges of the common schools; and, secondly, to provide for the payment of the accruing interest of the public debt. These items, however, constitute but a small proportion of the increased expenditures of the government.

But many causes can be assigned for the increased cost of conducting the government, the reasonableness and propriety of which are denied by at least a large majority of the people and tax-payers of this State.

We will cite some of these *causes*. First. The calling out and maintaining of a large militia force in active service in 1868, which involved an actual expenditure of upward of \$300,000, besides resulting in damage to and loss of the people's property to an additional extent of at least half a million of dollars, for which the State will have, eventually, to pay. The friends and supporters of the administration claim great credit for the results of this militia campaign in 1868: claiming that it broke up imaginary Ku-Klux organizations and restored peace, quiet, and good order to the State. But the justice of this claim may be inferred from the fact that this militia, although marching over nearly the whole extent of the State, robbing and destroying private property, and murdering many citizens against whom no criminal charge had ever been made, did not arrest one solitary individual who was afterward put upon his trial before the civil tribunals or courts of justice of the State, although every sheriff, marshal, constable, justice of the peace, and judge, in the State, at that time, belonged to the republican party.

Secondly. Another cause for the increased cost of conducting the government may be attributed to the greatly, but needlessly, increased cost of maintaining the public institutions of the State; such, for instance, as the penitentiary, institutes for the blind, deaf, and dumb, &c. Under anything like a careful and frugal management of the penitentiary, that institution might, as in other States, be made a source of revenue to the State, or, at the worst, involve an expenditure of only a few thousands per annum. But as at present managed, judging from the expenditures of the past eight months, (\$112,845), it will cost not less than \$150,000 per annum, or nearly as much as the entire expenditures of the State government from April, 1864, to October, 1868.

Thirdly. The greatly increased cost of the public printing, another tub-mill of the administration "ring," is another fruitful *cause* for the increased cost of conducting the State government.

The cost of the public printing under the administration of Governor Murphy, (loyal government,) for two and a half years, from April, 1864, to October, 1866, amounted to only	\$1, 077 00
From October, 1858, to October, 1860, the last two years preceding the rebellion, the cost of the public printing amounted to	17, 637 92
For the first two years of the present administration it cost upward of ..	115, 000 00
And from October, 1870, to November, 1871	131, 219 70

exclusive of an enormous amount charged up to the account of special appropriations, such as for registrations, elections, public schools, and for the use of the various offices of the different departments of the government, under the convenient item of "contingent expenses."

It may help somewhat to inspire a due appreciation of the private virtues and official integrity of our rulers to mention incidentally that the two largest reputed stockholders of the Little Rock Republican newspaper office, that *does* the public printing, are the late Governor (now United States Senator) Clayton and Mr. McClure, presiding judge of the supreme court.

Fourthly. Another and still more fruitful cause for the increase of the public expenditures may be attributed to the creation of many new and high-salaried officers, and the increasing of the salaries of all the other State officers. The following list embraces a *few* of the new offices that have been created since the inauguration of the present government, together with the amounts appropriated by the late legislature for their support for two years, (1871-72 :)

<i>Names of officers, and amounts appropriated for support.</i>	<i>Appropriation.</i>
Two judges supreme court	\$16, 000
Commissioner public works	10, 000
Commissioner immigration	15, 000
Superintendent public instruction	12, 000
Ten district school superintendents	70, 000
Superintendent penitentiary	3, 000
Total	126, 000

In order to present this subject in a still more striking form, and give a more comprehensive and intelligible idea of the wonderful progress of radical improvement in the art of economical government that the republican party have made in our State

government since the evil days of reconstruction have dawned upon us, we present the following tables, showing the aggregate and average annual cost of conducting the State government during three several periods.

1. During the last two years preceding the rebellion, 1858 to 1860.
2. During the four years of Governor Murphy's administration, (loyal,) from 1864 to 1868.
3. During the existence of the present reconstructed government, from July, 1868, the period of its inauguration.

And also a table showing the comparative cost of maintaining certain offices and departments of the government during the same periods. Also tables of comparative rates of taxation in Pulaski County and city of Little Rock for 1860 and 1870.

TABLE 1.—Comparative statement of the cost of conducting the State government during the periods herein named.

Period.	From—	To—	Amount expended.	Average annual cost.
Two years	October, 1858	October, 1860	\$408,394 98	\$204,099
Two years and six months	April, 1864	October, 1866	162,361 42	64,945
One year and nine months	October, 1866	July, 1868	449,644 09	256,839
Two years and three months	July, 1868	October, 1870	1,805,137 98	862,283
One year	October, 1870	October, 1871	*2,000,000 00	*2,000,000

* See Appendix A, post.

From 1858 to 1860 E. N. Conway (democrat) was governor; from 1864 to 1866 Isaac Murphy (republican) was governor; from 1866 to 1868 Isaac Murphy (republican) was governor; from 1868 to 1870 Powell Clayton (republican) was governor; from 1870 to 1871 O. Hadley (republican) was governor.

NOTE.—The following is the official authority upon which the foregoing statements are made:

1. Auditor's report, 1860; statement A, page 23.
 2. Auditor's report, 1866; statement 5, page 28.
 3. Auditor's manuscript report, 1870, hereto attached, exhibit —.
 4. Auditor's report, 1870; statement L, page 49.
 5. Auditor's manuscript letter, hereto attached, exhibit —.
- See also Appendix A, post.

TABLE 2.—Comparative statement of cost of maintaining the same offices and departments of the government during specified different periods.

On what account.	From—		
	October, 1858, to October, 1860.	April, 1864, to October, 1866.	July, 1868, to October, 1870.
Salary of governor	\$3,115 00	\$5,500 00	\$10,019 44
Contingent expenses executive department	16,846 84	9,336 14	26,567 14
Salary governor's private secretary	1,583 42	2,183 28	4,414 14
Salary secretary of state	1,376 51	2,200 00	5,997 22
Clerk-hire and contingent expenses secretary of state	500 00	.....	7,310 27
Salary State treasurer	1,801 45	1,950 00	6,000 00
Clerk-hire and contingent and expenses State treasurer	1,367 40	3,287 05	7,251 51
Salary and perquisites auditor	2,100 00	2,653 33	20,533 50
Clerk-hire and contingent expenses auditor	6,436 23	4,228 47	12,434 56
Salaries judges supreme court	13,303 52	13,005 54	45,929 44
Salaries clerk and reporter supreme court	800 00	.....	3,186 52
Expenses supreme court	3,747 19	1,499 30	6,229 88
Library supreme court	400 00	.....	3,500 00
Salaries special judges supreme court	1,200 00	.....	5,750 00
Salaries judges circuit court	20,409 63	20,402 66	69,555 38
Salaries special judges circuit court	3,500 00	.....	5,750 00
Salary judge chancery court	4,683 32	1,530 80	7,865 42
Contingent expenses chancery court	365 80	.....	.....
Salary solicitor general	3,000 00	.....	5,910 00
Salary attorney general .....	.....	3,675 00	7,875 00
Salaries district attorneys	5,217 32	4,311 17	23,318 00
Expenses general assembly	53,016 30	67,919 30	317,219 52

NOTE.—The three periods selected in this table are—

1. The last two years preceding the rebellion.
2. The first two years of Governor Murphy's administration, (loyal.)
3. The first two years of Governor Clayton's administration, (reconstruction.)

The authorities upon which these statements are made are taken from the auditor's official reports for 1860, 1866, and 1870.

TABLE 3.—Comparative statement of the rates of taxation for State and county purposes in Pulaski County, in which the city of Little Rock is situated, for the years 1860 and 1870.

1860.	
Total State tax	1 $\frac{6}{10}$ mills.
Total county tax	4 $\frac{1}{10}$ mills.
	<hr style="width: 100%;"/>
Total State and county tax for 1860	5 $\frac{7}{10}$ mills.
	<hr style="width: 100%;"/>
1870.	
Total State tax	9 $\frac{6}{10}$ mills.
Total county tax	31 mills.
	<hr style="width: 100%;"/>
Total State and county tax for 1870	40 $\frac{6}{10}$ mills.
	<hr style="width: 100%;"/>
Difference in the rates of taxation between 1860 and 1870	34 $\frac{7}{10}$ mills.

TABLE 4.—Comparative statement of the rates of taxation for all purposes in the city of Little Rock, for the years 1860 and 1870.

1860.	
For all purposes, including State and county tax	10 $\frac{7}{10}$ mills.
1870.	
For all purposes, including State and county tax	54 mills.
	<hr style="width: 100%;"/>
Difference between 1860 and 1870	43 $\frac{3}{10}$ mills.
	<hr style="width: 100%;"/>

The data upon which the statements in foregoing tables 3 and 4 are made up, are taken from from the tax-books on file in the clerk's office of the county court of Pulaski County.

We have not the means at hand upon which to make up similar tables concerning the rates of taxation in other counties of the State; but we know that Pulaski County presents about a fair representation of the average rates of taxation in all the counties of the State, as well in 1870 as in 1860.

But not only have the rates of taxation thus increased seven fold since 1861, but the assessed value of the taxable property of the State has increased almost in the same proportion, while the real value of at least the landed property of the State (which constitutes the principal source of revenue) has decreased in an almost equal inverse ratio. The special reason for this last-named fact, besides the general reason which pervades the entire financial policy of the party in power, to grind all the money they can from the people, is, that the assessors, under existing laws, enacted of course by the party in power, are allowed a fixed commission of a certain percentage upon the value of the property they assess. Under such a law as this, administered by strangers and adventurers, it is not to be wondered at that the taxable property of the people is assessed so often far above its real and marketable value.

The practical workings of this sort of thing, and the terrible increase of the burdens of taxation by this double-acting system of oppression, may be faintly imagined by reading the following exhibit of the amount of taxes levied on a piece of land in Pulaski County, about six miles from the city of Little Rock, and which, during the period embraced, has undergone no change or improvement at all, and which is taken at

random from the tax-books of the county, and selected as an illustration, simply because it is familiar to us, and known to be about a fair average representation, viz :

Taxes levied on said land for 1866.....	\$8 10
Taxes levied on said land for 1867.....	18 36
Taxes levied on said land for 1868.....	112 82
Taxes levied on said land for 1869.....	146 48
Taxes levied on said land for 1870.....	210 60

When it is known, as we know, that the material prosperity of the State has undergone but a slight if any change for the better since 1868, and that the average price of land in the State generally is lower now than it was in 1866, the facts set forth in the foregoing exhibit are just simply appalling.

Question 11. What material changes in the manner of conducting elections were made from 1861 to the surrender in 1865; what from surrender to inauguration of present government; what since?

Answer. No material changes in the manner of conducting elections in this State were made from 1861 to the date of surrender in 1865, and none from the surrender to the inauguration of the present (reconstructed) government, and consequently up to the last-named period, and during the whole of Governor Murphy's administration of the government organized on the 18th of April, 1864, under the counsel and auspices of President Lincoln and his administration, all elections were fairly and honorably conducted, the voice of the qualified electors allowed a full and free expression at the ballot-box, and correct returns speedily made and published. But very material and radical changes have been made in conducting elections in this State since the inauguration of the present government. These changes consist of the introduction of a system of registration previously unknown to the laws of the State. This registration law, besides disfranchising numerous "classes" of citizens, in such general, vague, and comprehensive terms as to put it in the power of registrars, by a convenient interpretation, to exclude almost every citizen who was in the rebel lines during the war, also imposes odious test-oaths, of such a character as to make it almost impossible for any southern man to take them without committing perjury. But, again, this registration law invests the registrars not only with judicial powers, but with the discretionary power of rejecting, at will, any applicant they may choose to reject, although the applicant is willing to take all the oaths prescribed by law, thus practically investing registrars with the despotic and unlimited power of disfranchising citizens and qualified electors *ad libitum!* But bad, extraordinarily bad and odious as the provisions of this registration law are, they are made still more odious and oppressive by being committed to the execution of bad men and corrupt partisans, whose sole rule of action has been how best to secure the success of their party. Before the inauguration of the present government, it was the usual and invariable custom, in this State, for the government or the party in power to give the minority party a representation in all boards of judges of election. But the invariable custom of the present government and party in power has been to appoint their own partisans exclusively, not only on all boards of registration and judges of election, but every other officer in any manner connected with registration or election.

Question 12. If any changes have been made since the inauguration of the present government, (in the manner of conducting elections,) state what causes were supposed to render them necessary or advisable.

Answer. The only cause known or supposed by us to render necessary or advisable the aforementioned changes in the manner of conducting elections in this State, since the inauguration of the present government, has been to secure the success of the radical (republican) party, and perpetuate the reign of that power over the wishes of the well-known conservative majority of the people.

Question 13. If such changes have given rise to unfairness or frauds in elections, state how, and whether it has been confined to one political party or otherwise.

Answer. These changes in the manner of conducting elections in this State since the inauguration of the present government, under the auspices of the men and party in power, have given rise to unfairness, and resulted in wrongs, frauds, outrages, and oppressions unparalleled in the history of any people of whom we have any knowledge, and in comparison with which the infamous Tammany frauds of New York are but as ant-hills to mountains. As to the effects and practical workings of this new system of registration, and method of conducting elections in this State, introduced by the leaders, managers, and controllers of the republican party since the inauguration of the present government, we refer to the reports and the accompanying evidence taken by the house and senate committees in the famous, or rather infamous "Hot Springs" and "Pulaski district" *contested-election cases* before the late legislature, (official printed copies of which are herewith transmitted,) which show up a mass of wrong, fraud, and corruption revolting in the highest degree to any man possessing the least regard for good government and the rights of the people. By an investigation of the

testimony taken in these cases, it will be seen that not only hundreds of qualified voters were wrongfully and unjustly deprived of their votes, but that ballot-boxes were stuffed *ad nauseum* with fictitious names, whose votes were counted to put usurpers in high and responsible offices. The committees appointed by both the house and senate of the late legislature, to investigate the charges of fraud in said contested election cases, were composed of a majority of republican members, the chairman of each, respectively, making the report, being a republican. The unusual spectacle of republicans thus ventilating the frauds and outrages of their own party, is attributable *only* to the fact that at that time the republican party in this State was divided into two hostile factions, bitterly opposed to each other, and it so happened that the frauds in one district were perpetrated by one faction, and in the other by the other faction; and as the senate happened to be controlled by one of these factions, and the house by the other, they mutually "blowed" on each other, and the result verified the truth of the old saying, "When rogues fall out, honest men get their dues." The testimony taken in the Hot Springs contested case, and published at length in the report of the committee, shows that in the general elections of 1870, in the election of members of the general assembly, in the little county of Hot Springs, that ordinarily cast only four or five hundred votes, there were 316 *fraudulent votes*, or the votes of that many fictitious persons, cast for the contestees, (republican candidates,) and that about forty legal voters *who were registered*, had their names erased from the registration books, and were refused permission to vote.

"So much fraud," says the chairman of the committee, "is shown by the testimony before the committee. What more could have been developed by investigation, must be left for the conjecture of natural sequence flowing from the evidence of fraud, in the entire management of the election in said county throughout; as the contestors, and the majority of the committee positively refused to allow any more testimony to be introduced, or the investigation pushed any further."

That these infamous and outrageous frauds in Hot Springs County were the result of a willful, deliberate, and premeditated outrage perpetrated upon the rights of the people and the sanctity of the ballot-box, by the officers connected with the registration of voters and the conducting of the election, under the connivance, if not direct authority of governor, now United States Senator, Clayton, special reference is made to the affidavit of Andrew J. Williams, printed on pages 69, 70, 71, 72, of the report of the house committee before referred to.

The report of the senate committee in relation to election frauds in Pulaski County exhibits disclosures equally if not more revolting than the frauds in Hot Springs, all of which were perpetrated by members of the republican party, and in which no democrat or conservative had the slightest part or complicity.

It only remains for us to say that what was *proven* by positive testimony to have been done in Hot Springs and Pulaski Counties, was done to a greater or less extent in nine-tenths of the election districts of the State in the general elections of 1868 and 1870. All the parties implicated in the fraud of Hot Springs, including Governor Clayton, were *indicted* by the grand jury of the United States district court, at the city of Little Rock, about a year ago, and all of them were discharged on the veriest technicalities. Indictments were made in our State courts against registration and election officers for similar frauds in other counties, as, for instance, in Ouachita County, and those indictments were *nolle prosequi* by prosecuting attorney, appointed of Governor Clayton. To sum up in one comprehensive sentence the amount of frauds and outrages practiced by the Government and the party in power in the elections of 1870, it is enough to say that the State was *nominally* carried by the republican party by an aggregate majority of about 10,000 votes, while in point of fact the actual majority of the qualified voters of the democratic conservative party is not less than 20,000, and may be as much as 30,000. Our estimate of the strength of the democratic conservative party in this State is based upon our knowledge of the people, acquired by an active experience of upward of fifteen years in political life in this State, and by the data of the military registration and vote on the constitution of 1868.

GENERAL REMARKS

At the close of the rebellion, in 1865, the people of Arkansas found themselves under a constitution and form of civil government that had been organized in the State since the 18th day of April, 1864. That government was organized under the auspices of President Lincoln, and loyal men put at its head, and intrusted with the administration of all its departments. The constitution of 1864 was republican in form and liberal in its provisions, modelled after the most liberal and enlightened constitutions of the old loyal States. It was honestly, faithfully, and impartially, frugally and economically administered in all its departments, and on returning to their homes, after the war was over, even confederate soldiers, and those who had committed themselves to the fortunes of the rebellion, were perfectly willing to live peaceably and quietly under the protection and patronage of the then existing government. Peace and tranquillity

reigned, and the people went to work with a cheerful and hearty good-will to build up their broken fortunes, and contribute to the general prosperity. During the whole period of Governor Murphy's administration, from April, 1864, to July, 1868, the amount of taxation for the support of the State government did not exceed two hundred thousand dollars per annum, and county taxation proportionately low; so that the burdens of taxation were light and easily and cheerfully borne by the people. All elections were fairly conducted, and the result of this, the rapid dying out of all the prejudices and animosities engendered by the war.

But in 1868 all this bright, beautiful, and hopeful aspect of our social and political condition was blotted out by the pernicious advent of reconstruction, which has proved a perfect Pandora's box of evils to our oppressed and unhappy people. The first effect of this great evil was to destroy the freedom and fairness of elections and the sanctity of the ballot-box; the second, to put a government over the people obnoxious to a large majority, and cruelly oppressive to a large minority; the next, to put adventurers and incompetent and corrupt men into all the highest as well as lowest offices of the government. Then came a flood of laws, creating new offices, increasing the salaries of officials, multiplying the cost and expenditures of the government, and correspondingly increasing the burdens of taxation. Then came martial law, militia campaigns, robbery and murder of the people, and a reign of terror and intimidation, to make way for the easy perpetration of the most monstrous and unparalleled wrongs, frauds, and outrages, that soon followed in the manner of conducting so-called popular elections. During the last year of Governor Murphy's administration, the average annual expenditures for the cost of conducting the State government did not much exceed \$200,000. During the last fiscal year of the present administration, which has just recently closed, the expenditures will foot up at least, if not more, than \$2,000,000. (See Appendix A, post.)

At the end of Governor Murphy's administration, the public debt of the State scarcely exceeded \$1,000,000. At the end of the present administration it will foot up at least \$20,000,000, as follows:

Funded debt	\$5,500,000
Railroad bonds	10,000,000
Levee bonds	3,000,000
Bonds to raise money to pay interest on funded debt.....	300,000
Floating debt	1,200,000
	20,000,000

Has the condition of the people been benefited by the change? We answer, No. How is it possible that any benefit could result from such a change of condition?

Virtual disfranchisement of all political rights and privileges, accompanied by almost intolerable burdens of taxation, are not calculated to make a people any better or any happier.

THOS. C. PEAK.
JOHN KIRKWOOD.

Subscribed and sworn to before me this 5th day of December, A. D. 1871.

[SEAL.]

FRANK E. WRIGHT,

Clerk United States Circuit Court, Eastern District Arkansas.

APPENDIX A.—Supplemental answer to question 9 concerning the cost of conducting the State government for the past fiscal year, viz, from October, 1870, to October, 1871.

The foregoing answers have been kept open for several days, waiting for an answer to a communication addressed to the State auditor, asking for the aggregate amount of auditors' warrants drawn on the treasurer for conducting the State government for the fiscal year ending October 1, 1871.

The auditor refuses to give that information, upon the shallow and baseless plea or pretext that it would take him and his large corps of clerks three months to give the desired information. Any one who knows anything about the manner of conducting official business in a government auditor's office, knows very well that, if his books are properly kept, the information desired could have been given in a few hours, if not in a few minutes. But the auditor has good reason for withholding this information. It would make a most damaging showing against the administration, and convict it of appalling profligacy and extravagance.

And now, as the auditor has refused to give this information, we must make it up as best we can, by approximating the amount from the data of other official information in our possession. And first: both the auditor and treasurer, in their regular biennial

reports, 1870, (herewith transmitted,) certify to the following balances in the State treasury on the 1st day of October, 1870, and credited to the following funds, to wit:

General revenue	\$782,706 37
School fund	58,994 95
Military fund	69,331 36
Sinking fund	98,602 29
Excess fund	8,524 99
County tax sales, forfeited lands, &c.	14,903 73
International improvement fund	3,617 19
Seminary fund	500 91
<hr/>	
Total balances in treasury on 1st October, 1870, subject to auditor's warrants.....	1,037,181 79
<hr/>	

It may be here remarked that these large balances were carried over for the fourth quarter of 1870, in order to make a more favorable but deceptive showing of the expenditures of the preceding two years, for it is apparent that appropriations for the third quarter were kept back, in order to make this favorable showing of large balances. This fact will be made more apparent in the further elucidation of this subject.

In his statement, (manuscript report hereto appended, marked B.) Mr. Treasurer Page estimates the floating debt of the State—that is to say, outstanding auditor's warrants and treasurer's certificates, which there was no money in the treasury to pay—on the 1st day of January, 1871, at the sum of \$190,000. Now the question arises, What had become of the large balances of upward of a million of dollars that were in the treasury just three months before, viz, on the 1st of October, 1870? Expended, of course, to meet "kept back" appropriations and pay current expenses; and the \$190,000 floating debt, on the 1st of January, 1871, represents the excess of auditor's warrants over the amount in the treasury on 1st of October, 1870, and the revenues received in the fourth quarter of 1870. Add these sums together, as follows:

Balances on hand 1st of October, 1870.....	\$1,037,181 79
Receipts for the fourth quarter, 1870, (based upon receipts for the same quarter, 1869).....	215,000 00
Floating debt, January 1, 1871.....	190,000 00
<hr/>	
Making a grand total of	1,442,181 79

expended to carry on the government for the first three months of the last fiscal year. To this amount add the probable cost of conducting the government for the remaining three quarters, based upon the amounts appropriated by the legislature at the moderately estimated sum of \$600,000, and it gives us, as the probable expenditures incurred for conducting the State government for one year, from October, 1870, to October, 1871—

The sum of	\$2,442,181 79
Deducting for possible errors.....	442,181 79
<hr/>	

And it leaves the amount of..... 2,000,000 00

as the most reasonable minimum limit of the probable cost of conducting the State government for the last fiscal year of the present administration.

THOMAS C. PEAK.
JOHN KIRKWOOD.

Subscribed and sworn to before me, this 5th day of December, A. D. 1871.

[SEAL.]

FRANK E. WRIGHT,

Clerk U. S. Circuit Court Eastern District, Arkansas.

We do not know that it is necessary to make further proof of the corruption and fraud practiced in Arkansas by the men who, under the reconstruction acts of Congress, are constituted her rulers. Yet, as the gentlemen who made the statement above set forth are not in accord with the dominant party, brief extracts from the report of the republican senate committee, and from the report of the chairman of the house committee charged with the duty of investigating the frauds committed in Pulaski and Hot Springs Counties, at the November election, in 1870, together with extracts from the testimony taken before them, may not be out of place, showing, as they do, that bribery,

perjury, fraud, and corruption, in their worst forms, are the instruments used by these men to accomplish their purposes.

The senate committee says, (see page 18 of their report :)

Your committee are bound to confess that they do not comprehend the workings of the enforcement act as administered at the late election. In the First and Third wards of the city of Little Rock, the enforcement act and the United States marshals seem to have been employed in attempting to break up the legal polls after they were organized; while in the townships of Ashley, Badgett, and Campbell, it and the United States marshals was used to vote a hundred and seventy-six more votes in said townships than there are votes in them.

"For ways that are dark
And tricks that are vain
The enforcement act is peculiar."

It is barely possible that the enforcement act authorizes the deputy United States marshals to do what was done by Pugh, in Eastman; by Withall, in Badgett; by Reel, in the Third ward; by White, in Gray; by Perkins, in Campbell; and by Hodges, in Ashley; but your committee does not so understand it.

In conclusion, your committee desire to call special attention to the testimony of Fitch, the registrar, and Mr. Chamberlain. Fitch swears positively that Hodges approached him, and desired him to issue two thousand fraudulent certificates of registration, and to allow him (Hodges) to name the judges of election; for which Hodges said he would have Fitch elected clerk of the house of representatives, and would insure the position to be worth \$5,000.

Your committee have patiently pursued their investigations, and the report and testimony, as will be seen, is voluminous. More testimony might have been elicited, tending to show the same criminal acts, but your committee have thought proper to suspend the work of piling up infamy and the evidence of it, and submit the result of their labors to this body for their information and guidance. The heart grows sick, and our confidence in the integrity of mankind sickens and grows less day by day, as we probe the acts of corruption perpetrated in this county at the late election. The ambition of Hodges, Green, and Hartman, "overleaped itself and fell on the other side." These three men were candidates for a seat in the house of representatives, on the republican ticket, but an All-wise Providence, for some good and to us unknown reason, has spared the people of the tenth district from being represented by such men. Our sympathies are with the cause under whose banner these unblushing and bare-faced frauds were committed; but we feel that republicanism cannot prosper, nor does it deserve to prosper, by the use of the means employed in Pulaski County. "The receiver is as bad as the thief;" and an indorsement of the acts of these men, in the late election, would place us in the light of "receivers."

Your committee have no doubt that a conspiracy was formed to carry the election by fraud, and that the men who executed it, in most instances, were mere puppets that were moved by the direction of other men, whose names do not appear in the evidence. If your body will take the evidence of Hodges and Hartman, and note their answers, and compare them with the evidence of men of spotless reputations for truth and veracity, senators will at once see the reason why the moving minds of this great wrong cannot be ascertained. Whenever men fail to recognize the sanctity of an oath, it becomes useless on our part to push further inquiries.

One of the leading witnesses, James V. Fitch, deposes as follows:

I am president of the board of registration in and for said county, (Pulaski,) and made the registration in and for said county, &c. While the board of review were in session a great pressure was brought to bear on the board to induce them to increase the registration, by a large number of persons, prominent among whom were William S. Oliver, George W. McDiarmid, and others, by bringing men forward who had already been registered. During the session of the said board of review, on Thursday, I was approached by W. S. Oliver, saying that he came from those parties, who, he gave me to understand, was Brooks, Hodges & Co., saying that they were pleading for mercy. I told him I had no mercy to give. He then said, "you can have the city;" I said, "The city is all right." (Little Rock.) He then said, "The ticket must be elected;" referring to the Brooks ticket. I said, "The registration would elect him, if White County did their duty. He said, "They did not think so, and to make it sure they must have two thousand extra registration certificates, and the selection of the judges of election, and if they could get them they would give up the city to me, and insure my election as clerk of the House of Representatives, which would be worth (\$5,000) five thousand dollars to me." I replied, I was not for sale. A list of names was handed to me to be placed upon the registration as extra, by W. S.

Oliver, and other lists were sent in to me by others, through colored men, whose names I do not now recollect.

The foregoing is only a specimen of the evidence, which makes a pamphlet of 71 printed pages.

Frank M. Thompson, chairman of the committee of election, in his report to the house, after setting forth the most stupendous and barefaced frauds, such as could only be practiced in a State whose people were ground down to the dust by oppression, and who knew that no protest of theirs would be listened to, or believed, but would only be used as another evidence of that rebellious spirit and temper which caused them to slander their *loyal task-masters*, uses the following language. Being a leading republican perhaps he will be believed :

I therefore present this report of the most palpable and scandalous election fraud and outrage upon the ballot-box of which it has been my misfortune to have ever heard or read, and in consideration of the length of time the contestants have been waiting for the action of the committee, in vindication of this house, its honor, and legality of composition, and in defense of the ballot-box as the sheet-anchor of our free institutions, I move, &c.

The pamphlet containing the evidence and report to the house in these cases makes 77 printed pages. We will give only the testimony of one witness as a specimen :

And at said time and place appeared Andrew J. Williams, who, after being duly sworn, deposes and says :

I am a citizen of Hot Spring County, State of Arkansas; was the judge of an election held at Rockport, Hot Springs County, State of Arkansas, on the 8th day of November, A. D. 1870, in Fenter Township. I was appointed judge by Mr. Cotton, president of registration of said county. I was instructed as judge, as I was first judge, by Mr. Cotton and others, not to allow any person who did not vote to come within thirty yards of the window of the room in which the election was to be held. For the purpose of putting in votes for the purpose of beating Sumpter, I was asked by Mr. Beldin, candidate for Senator from this district, if I would vote 30 votes from this poll. I told him no, for they were watching me too close. And Mr. Cotton came up to him (Belden) and told him that I would rather put in 150 in Antioch than ten in here. Belden asked me if I would vote all the names that appeared on the registration-book and were absent. I told him I would not. He then told me if we do not put in 800 we are beat. He (Belden) said there was no use to have anything in a man's hands unless he used it. He said he banked his election on registration. I told him, then, not bank it on judges. I told him that I would not do anything only that I was sworn to do. He then said he would have another judge appointed. I told him he could do so; that I would not violate my oath to please any man. Then Cotton told him that he was president of the board; that he would appoint who he pleased. Cotton said right precise the order he had was to put in only 400. Belden said that was not the latest order; that he (Belden) had later orders to put in 800, and pulled out the order and handed it to Cotton. Belden stated his order was from Governor Clayton. I did not read the order, but I saw Powell Clayton's name on it, to the best of my recollection. He (Belden) stated to me that it was understood through the district for all of the judges to do the same thing. I told him I would not do it. I asked him if that was republicanism. He answered that it was radicalism.

Signed :

ANDREW J. WILLIAMS.

BENJ. H. RIGSBY, J. P.
JOHN W. NORTON, J. P.

Before leaving Arkansas we would call attention specially to the testimony of William G. Whipple, esq., United States district attorney for the eastern district of Arkansas, who was removed from office in June, 1871, by the President of the United States, because he was officially prosecuting one Powell Clayton, governor of Arkansas, for participation in the frauds in the elections, to which we have just been calling attention. His testimony will be found from pages 62 to 87 of the volume marked "Miscellaneous." We do not propose to notice any portion of it just now, except that which bears on the financial management of the

affairs of the State, and will confine ourselves to so much of it as speaks of the grants of bonds to railroads, and the frauds perpetrated therein.

The witness, in speaking of Governor Clayton's management of affairs, is questioned on page 73 as follows :

Question. Now that brings us to a point that I want to know something about. What particular transaction in the records of his administration was there that he did not care to have disclosed ?

Answer. Well, sir, for instance, I think there was a great deal in connection with his management of the State aid to railroads.

Question. The legislature of the State had voted subsidies to certain railroads ?

Answer. Yes, sir.

Question. What was the manner, or supposed to be the manner, in which the governor gave out those subsidies ?

Answer. The State aid to railroads was generally awarded to personal friends of Governor Clayton, who were connected with railroads.

Question. Was it, in any instances, given to companies who had not complied with the requirements of the law ?

Answer. That is understood to have been the case in several instances.

Question. In what instances in particular ?

Answer. Well, sir, in the case of the Memphis and Little Rock Railroad, State aid for one hundred and twenty miles was awarded, when only forty-five miles remained to be built and have since been built.

Question. He paid to the company the amount of aid they would have been entitled to had they built one hundred and twenty miles of road ?

Answer. Yes, sir ; \$1,200,000.

Question. And they have built only forty-odd miles, for which they are entitled to the State aid ?

Answer. Yes, sir.

Question. And it is believed he has violated the law in this issue of State bonds over and above what the law authorized to be issued ?

Answer. Yes sir.

Question. Are there any other instances of similar violations of the law on the part of the governor ?

Answer. Well, sir, in the case of what is known as the Little Rock, Pine Bluff and New Orleans Railroad, the president of which is James M. Lewis, commissioner of immigration for the State of Arkansas, and conspicuously known as an intimate personal friend of Governor Clayton, I think there has been \$750,000 of State aid awarded to the road, besides \$320,000 in levee bonds. For that there has been built about twelve miles of road, and I understand that the iron for those twelve miles has, for the most part, been since removed and put on other roads. I have reason to believe, and do believe, that Mr. Lewis has not spent more than \$100,000 on the road.

Question. Was the issue of subsidy to that road in excess of what the law authorized the governor to issue ?

Answer. So I understand.

Question. What amount did the law authorize to be issued for the twelve miles of finished road ?

Answer. Fifteen thousand dollars a mile for the twelve miles.

Question. You spoke of the issue of levee bonds to that road. Under what law was the road allowed to have those levee bonds ?

Answer. Well, sir, an act of the legislature authorized the issue of levee bonds to the amount of \$3,000,000 for the erection of levees, and this road-bed is claimed for a levee. It is said that the actual cost of grading was not to exceed \$2,500 a mile. Aid was allowed by the State to the amount of \$10,000 a mile to roads endowed with a land grant, and \$15,000 a mile to roads that had no congressional aid.

Question. Did that road get bonds for their embankment under the railroad law, and additional bonds under the levee law ?

Answer. Yes, sir.

Question. It was, then, paid twice, for the same embankment ?

Answer. In that way, yes, sir. The road was the road known as the Mississippi, Ouachita and Red River Railroad, of which Thomas M. Bowen was president until recently. He was associate justice of the supreme court at the time, and is one of the managing men of the Clayton party.

Question. What is the present debt of the State of Arkansas ?

Answer. The statutes authorize the increase of the debt to about \$18,000,000. I think the funded debt is about \$2,600,000. Then there is a debt in the shape of old outstanding bonds, which, with the principal and interest up to the first of last January, is about \$1,600,000. Then aid to railroads is authorized to the amount of about \$11,250,000, and levee bonds to the amount of \$3,000,000.

The CHAIRMAN. As we have a sub-committee charged with the investigation of that subject, is it desirable that we should go into the matter now ?

Mr. BLAIR. No; I do not know that I want to ask anything further about that.

It is hardly necessary to add, after setting forth these facts, that in the State of Arkansas elections by the people are the merest farces.

Under the constitution and laws the registrars can and do disfranchise just as many as they please. The great speech of Senator Schurz, of Missouri, giving an account of how the registrars larded it over the people in his State, gives only a faint idea of how the thing is managed in Arkansas. All the great offices are bought and sold. Railroad bonds and levee bonds, as well as positions in which official robbery may be perpetrated, are granted and awarded to political partisans, until it is the merest mockery to say that reconstructed Arkansas has a republican form of government. And all these wrongs and outrages are sustained and indorsed by the dominant party at Washington, to retain men in the Senate and lower House of Congress who will do their biddings, and to coerce the State to cast its electoral vote to continue the present President in power. We would set forth the registration and election laws in this connection, but for the fact that they are similar in most of their leading features to those of Louisiana, which we have given in full in connection with our report on that State, and as they apply to Arkansas as well, we refer to them instead of repeating their provisions in detail; but it is safe to say that they are infamous in all their provisions, and intended to destroy anything like an expression of the will of the people at the ballot-box.

FLORIDA.

We have had great difficulty in getting information relative to the debts and taxation of the State of Florida. Her governor refused to give it, as his letter heretofore set forth shows, and as there is neither a democratic representative nor senator from the State we have only to rely on such information as could be otherwise obtained. Enough is known, however, to make the governor's reason for declining to answer the searching interrogations propounded to him very apparent, and by no means so high-toned and patriotic as is assumed by him.

The comptroller gives the debt of the State—

Debt in 1860, at.....	\$221,000 00
Debt in 1865, at.....	370,000 00
Debt June 8, 1868.....	523,856 95
Debt November 1, 1871.....	1,343,447 50
Add State bonds hypothecated.....	421,000 00
	1,763,447 54

Bonds issued to Jacksonville, Mobile and Pensacola Railroad.....\$4,000,000 00

Other bonds, for an amount not definitely ascertained, must be issued to the Jacksonville, Mobile and Pensacola Railroad; to the Santa Rosa Railroad, Banking and Insurance Company, &c., while large land-grants have been made to a number of roads, the quantity and value of which we have no means of stating with accuracy. (See acts of third session of 1870, for a list of grants of bonds, lands, &c.)

On the 22d of November, 1871, Hon. C. E. Dyke, mayor of Tallahassee, wrote to a member of the sub-committee charged with the duty of obtaining information on these subjects, as follows :

TALLAHASSEE, November 22, 1871.

Hon. JAS. B. BECK, *Washington* :

Your letter of the 17th is received. The comptroller promised me to-day that he would at once mail to you an official statement of the financial condition of Florida.

It is impossible to obtain information as to the rate of taxation on the several counties and cities for county and municipal purposes. The comptroller will also send you the acts of 1870, in which you will find the laws under which Littlefield obtained \$4,000,000 of State bonds, and under which he expected to get \$3,000,000 more. The same acts authorize the issue of over \$7,000,000 more State bonds to wild-cat roads. I will state here that \$3,000,000 of the bonds issued to Littlefield were issued on nineteen and one-half miles of road which had not been graded. S. W. Hopkins & Co., of New York, are having trouble with Littlefield about the proceeds of the \$4,000,000 of bonds. I have seen a sworn bill of theirs, in which they set forth a good deal you ought to know. I have not got a copy, or I would send it to you, but you can obtain a copy through their lawyers, Sewall & Peirce.

Very respectfully,

C. E. DYKE.

We have been unable to learn the exact facts relative to the pretended or real purchase of these bonds by Hopkins & Co. We hear that they bought \$2,800,000 of them, and that not exceeding twenty miles of the road is finished. What Littlefield and the governor did with the money is not fully developed. The wild-cat roads referred to by Mr. Dyke, to which he says \$7,000,000 of State bonds are authorized to be issued, as far as we can ascertain by the acts of the general assembly, and from information as to the length of their lines, are as follows :

Florida Railroad from Waldo to Tampa Bay and Charlotte Harbor, two hundred and forty miles, State bonds, at \$16,000 per mile	\$3,840,000 00
Santa Rosa Railroad from Milton to State line, limited to fifty-five miles, at \$10,000 per mile, State bonds,	550,000 00
West Florida Railroad from Mariana to St. Andrew's Bay, sixty miles, at \$14,000 per mile	840,000, 00
	5,230,000 00
Upper St. John's, Mellonville, and Tampa Railroad, with extension to Charlotte Harbor, one hundred and ninety miles, \$14,000 per mile, State bonds	2,660,000 00
Total	7,890 000 00

These roads are already chartered and organized, and some of them have commenced construction. Of course they will get their bonds as Littlefield got his.

We have but little doubt, judging from the number of roads to which bonds are authorized to be issued, as we find them in the acts, that the sum of \$14,000,000, as stated by Mr. Dyke, will be issued to these roads, and we presume all the land grants to the various roads are in addition to the bonds authorized.

The fact that Governor Reed issued to Littlefield \$3,000,000 of the bonds of the State in palpable violation of law, is an evidence of what he will do with the balance of them when the proper parties apply. Who the proper parties are or may be, can only be judged by what is proved and known in regard to Littlefield. He has been indicted for swindling operations perpetrated in North Carolina, and is charged with trying to compromise indictments in that State, by the transfer to parties there of the bonds of Florida, which he had obtained from the governor, instead of using them to build the railroads of the State. Perhaps the governor's virtuous indignation at the *impertinent* questions put to him by the committee may be accounted for by his connection in this bond transaction with Littlefield. When he is transferred to the United States Senate, perhaps he will explain; he seems to think it the special duty of Senators to do so.

On the 6th day of September, 1871, the tax-payers of the State of Florida, regardless of party, held a convention in the city of Talla-

hassee to consider how their burdens could best be relieved. It issued an address to the people and a memorial to the governor, from which we take the following extracts :

The convention have carefully examined the financial condition of the State, and the taxable resources of the people, and submit that the taxes are oppressively, even ruinously, high; that the taxable resources of the State are entirely inadequate to meet the present amount of taxation; the system for the collection of the revenue is very imperfect and inadequate, and oppressively harsh in its operation; that the agents employed are, in many instances, improper persons, and the security required for the faithful and honest discharge of their duties entirely inadequate; that the number of officers employed in the State government is much greater than is requisite, and the compensation paid them more than a just requital for their services; that the financial condition of the State, through no fault of the tax-payers, is desperate in the extreme. To instance particulars in evidence of these general statements, the convention submits to the people of the State that the bonded and floating debt, including interest, and *excluding* the four millions already issued to a railroad corporation, as near as they can ascertain, is about \$1,550,000, having increased over one million of dollars since July, 1868. They find that the taxable property of the people has been arbitrarily assumed, for purposes of revenue only, to be \$34,439,053, and that upon this arbitrary valuation there has been assessed a sum amounting in the aggregate to \$471,811 51, exceeding \$2 50 *per capita* of our entire population; that the greater portion of the above-stated nominal valuation of property represents real estate which is not convertible into money, leaving the entire amount of the tax of one million of dollars annually to be paid out of the personal property, which amounts to the sum of \$11,721,521, being nearly one-eleventh part of all the personal property in the State.

From their knowledge of the condition of the producing interests, the delegates here assembled give it as their deliberate opinion that after deducting the actual cost of production there will not remain in the hands of producers a sufficient amount to pay the taxes upon their property, thus leaving them without the means of support for their families and employes for the ensuing year.

The grievances which oppress the people may be thus summarily stated:

First. A law which places the immense power of taxation in the hands of a few men unacquainted with the character and value of property except in their own immediate locality.

Second. A rate of taxation imposed upon an assumed valuation of property which is without a parallel in any other State, and which cannot be borne without great distress and peril to the best interests of the people.

Third. Forcing the people to pay taxes to meet appropriations which are not necessary and may be dispensed with without injury to the public service.

Fourth. Paying out to the people two descriptions of obligations or scrip, one character of which is received by the State, while the other is repudiated for public dues, thus making a large class of the paper of the Commonwealth, based upon the property of all, worthless for the only purpose for which it can have any value to the tax-payer.

Fifth. In leaving nothing exempt from sale for taxes, neither the agricultural implements, nor the horse of the laboring man, nor the bed upon which his family rest after their day's toil, nor the food on which they make their daily meal.

Sixth. In the provision of the law which permits the collection of the entire tax from the personal property of the citizen.

Seventh. In exacting this large amount of tax at a time when it is unnecessary for the due administration of the State government, and when it can serve no other purpose than to enrich the officers of the government and those charged with its collection.

These grievances call for prompt redress, and this convention respectfully requests the governor to take such steps as will afford relief to the people, the delegates here assembled assuring him that the good people of the Commonwealth will sustain him in all just measures having for their accomplishment this end.

The Floridian, a leading newspaper in the State, furnishes us with the following:

WHAT HAS BECOME OF THE PROCEEDS?

It is now pretty generally understood that the larger portion of the proceeds of the four millions of State bonds issued to the Jacksonville, Pensacola and Mobile Railroad Company in 1870, have been squandered or misapplied. The bonds were issued ostensibly to enable that company "to complete, maintain, and equip its road," but no such purpose has been subserved, except to a limited extent. Out of the proceeds of \$2,000,000 of the bonds, there have been partially graded and prepared for the iron

nineteen and a half miles of road-bed, all of which is not yet paid for, and an alleged purchase of iron for a like distance, of which some ten miles only have been received and laid. Not an engine or a car has been purchased, or anything done, except in the particulars mentioned, toward completing or extending the road. For a better understanding of the use to which the proceeds have been applied, we append hereto an exhibit made by S. W. Hopkins & Co., contained in a sworn bill filed in a New York court asking that the Jacksonville, Pensacola and Mobile Railroad Company be restrained from prosecuting S. W. Hopkins & Co., on account of their agency in the sale of the bonds and the disposition of the proceeds. The bill sets forth their contract with General Littlefield, as president of the road, which contract secured to them the exclusive right to sell the four millions of bonds already issued, as well as three millions more yet to be issued. The bill also alleges that two thousand eight hundred of the bonds for \$1,000 each, making \$2,800,000, were sold for £138 1 10 each, and that in order that the agents might be reimbursed their expenses attending the negotiation and sale of the bonds, they were offered to S. W. Hopkins & Co. by General Littlefield for one hundred pounds sterling each, *after* General Littlefield had been informed of the price at which they had been previously negotiated. The following letter from General Littlefield making the offer is set forth in the bill:

“58 OLD BROAD STREET, London, November 14, 1870.

“GENTLEMEN: I herewith offer you four thousand (4,000) Florida State 8 per cent. gold bonds, in aid of the Jacksonville, Pensacola and Mobile Railroad Company, for one thousand (1,000) dollars gold each, at the price of one hundred (£100) pounds sterling for each bond in the city of London, subject to the commission agreed as per contract dated 13th day of April, 1870, with your good selves.

“I remain, gentlemen, yours faithfully,

“M. S. LITTLEFIELD,

“President Jacksonville, Pensacola and Mobile Railroad Company.

“Messrs. S. W. HOPKINS & Co., London.”

On the 28th of the same month, S. W. Hopkins & Co. accepted this offer and thus became the purchasers of the whole four millions at the price mentioned. The bill further alleges that the proceeds were disposed of as directed by General Littlefield; that \$200,000 of the four millions were directed and agreed to be turned over to North Carolina, which direction was subsequently disavowed by the directors of the Jacksonville, Pensacola and Mobile Railroad, and this disavowal was the origin of the suit by the commissioners of North Carolina against S. W. Hopkins & Co.; that, prior to the contract with S. W. Hopkins & Co. to sell the bonds, General Littlefield had contracted with L. P. Bayne & Co. (the parties who now hold some \$400,000 of Florida 6 per cents. for a large loan to General Littlefield) to negotiate their sale, and that Bayne & Co. claim commissions under their contract, which S. W. Hopkins & Co. have been instructed to allow and pay. There are many other allegations in the bill which it is not now necessary to refer to. The most interesting portion of the *exposé* is “Schedule F,” which accounts for the disposition of the moneys received for 2,800 of the bonds.

It will be seen from this astounding “balance-sheet” that only \$308,938 of the proceeds of \$2,800,000 of bonds have been applied to the purpose for which they were issued, viz, completing, equipping and extending the road. It seems that the bonds were sold by Hopkins & Co. for about 66½ cents on the dollar in gold; that they were subsequently sold by Littlefield to H. & Co. for about 48½ cents; and that after commissions and a year and a half of interest had been deducted, there remained applicable to the use of the company about 32½ cents on the dollar in currency. We know very little of the accuracy of the exhibit, but it is apparent that no considerable portion of the money has gone to parties who had no legitimate claims on the road. We may remark here that some of the alleged payments and acceptances were for legal services and for stock in the Central road, (as is the case, we are informed, with the Hon. M. D. Papy and R. H. Gamble,) which road could not be bonded until parties holding the stock could be settled with, their refusing their consent to a heavy lien being created so long as they remained stockholders.

Taking this exhibit all in all, it is a remarkable exposure for the people of this State, who are expected to pay the bonds at maturity, to ponder. For the present, we leave the matter to their consideration. There is much not yet told in connection with these and the bonds yet to be issued, which in due time will be made known.

In another article that paper says:

On the 8th day of June, 1868, the radicals came into power under “congressional reconstruction.” On the 8th of July following, Governor Reed, who had been elected

in the previous May, sent his first message to the new legislature, in which he stated the debt of the State to be \$523,866 95. This debt was made up as follows:

Bonded.....	\$466,364 63	
Floating.....	57,492 32	
Total when republicans took charge.....		\$523,856 95
On the 1st of January, 1871, the bonded debt proper was reported to be.....	747,367 24	
Bonds issued in 1870 to Littlefield ostensibly for railroad purposes.....	4,000,000 00	
Floating debt September 1, 1871.....	490,220 55	
Total debt exclusive of unpaid interest.....		5,237,587 79
Increased debt created by republicans.....		4,713,730 84

This is the State debt as far as known. A party in New York holds some \$400,000 in bonds hypothecated for a loan of \$100,000 in 1869. It is reported that a further advance has been made on these bonds, but there has been no report of it made to the treasury by the governor.

The \$4,000,000 of bonds issued to Littlefield in 1870 were authorized under "An act to perfect the public works." Under its provisions, \$3,200,000 additional are authorized, and it is said will soon be issued. This will make \$7,200,000 delivered to the Jacksonville, Pensacola and Mobile Railroad. The same act authorizes \$7,360,000 more to be issued to other railroad enterprises mentioned in the 31st section, which is as follows:

"Sec. 31. All the rights, franchises, privileges, and conditions granted and prescribed in this act are hereby granted and applied to any company that is now or hereafter may be organized for the purpose of building a railroad from the waters of Tampa Bay and Charlotte Harbor, on the Gulf, by the way of Ocala, and ending at Gainesville, on the Florida Railroad, and from Marianna, in the county of Jackson, to the waters of Saint Andrew's Bay, in West Florida, and also to the waters of the Apalachicola Bay, in West Florida, and to a point on the Choctawhatchie Bay, between the Choctawhatchie River and Boggy Bayou, and from Pilatka to Melonville, on the Saint John's River, to the nearest practicable point on the line of railway from Tampa Bay or Charlotte Harbor to Gainesville, as far as the same can be constitutionally granted."

Each one of these so-called "public works" is entitled, under this section, to \$16,000 per mile of State bonds. But we must add also the road from Jacksonville to Saint Augustine, for a provision in its charter gives it a right to the same amount per mile. When the bonds are issued the account will stand thus:

Jacksonville, Pensacola, and Mobile Railroad, already issued.....	\$4,000,000
Jacksonville, Pensacola, and Mobile Railroad, to be issued.....	3,200,000
Tampa to Gainesville, 200 miles.....	3,200,000
Apalachicola Bay, 60 miles.....	960,000
Choctawhatchie Bay, 30 miles.....	480,000
Pilatka to Gainesville, 80 miles.....	1,280,000
Marianna to Saint Andrew's Bay, 50 miles.....	800,000
Jacksonville and Saint Augustine, 40 miles.....	640,000

Amount of bonds authorized for railroad purposes..... 14,560,000

Add the debt of the State proper, and there will appear a present and prospective indebtedness of \$15,797,587.

The telegraph announces within the last few days that Governor Reed has been impeached by his legislature. The New York Times, in commenting on Governor Reed's impeachment, says:

Under his *regime* the taxes of the State have been enormous, the legislation has been scandalous, the public credit has been substantially ruined, and the treasury has been literally emptied, so that at last accounts the comptroller did not command public funds sufficient to purchase a postage stamp.

GEORGIA.

Georgia was not only the richest and most prosperous of the Southern States when the war began, but was almost free from both debt and taxation. She owned the railroad, one hundred and thirty-eight miles

long, from Atlanta to Dalton, the earnings of which almost paid the annual expenses of the State government; it is fed by the net-work of roads concentrating at its northern terminus, and also by a net-work of roads radiating from Atlanta southwardly. Her financial condition and resources in 1860 are set forth in the answer of Madison Bell, esq., comptroller general, to the committee, dated May 29, 1871, which reads as follows :

COMPTROLLER GENERAL'S OFFICE,
Atlanta, Georgia, May 29, 1871.

SIR: In compliance with request in your circular letter of 24th inst., I have the honor to state that the value of taxable property in this State for 1860 was as follows, to wit: Land, \$161,764,955; slaves, \$302,694,855; city and town property, \$35,139,415; money and solvent debts, \$107,336,258; merchandise, \$15,577,193; snipping and tonnage, \$943,940; stocks, manufactories, &c., \$4,034,252; household and kitchen furniture, \$2,374,284; other property not mentioned, \$42,427,295. The public debt of the State in 1860, as stated in the comptroller general's report, was \$2,670,750. The balance of the information you desire will be found, as nearly as it is in my power to furnish it, in the following-named documents, which I send you by mail, to wit: first, a copy of my last published report; second, a copy of the statutes or public laws of the State passed in 1870; third, a pamphlet containing a digest of tax laws and instructions now in force. I will send you a copy of my report, now in the hands of the printer, when published.

Respectfully,

MADISON BELL,
Comptroller General.

Hon. JOHN SCOTT,
Chairman, &c., Washington City, D. C.

P. S.—The rate of taxation for 1860, *ad valorem*, was 6½ cents on the \$100. In January, 1861, the 18th day, I believe; the ordinance of secession was passed by the convention of this State. The rate of taxation, *ad valorem*, at the present time is 4-10 of 1 per centum, and the same rate has been levied since 1868, when the new constitution went into operation. M. B.

We do not think it necessary to copy the extracts from the books referred to. The substance of them is given in the testimony, which we propose to notice.

Mr. Angier's (the State treasurer's) response is substantially a copy of a paper filed by him, and made part of his testimony, when examined here on the 14th of July, 1871; and as the latter is in a condensed form, and answers quite fully as to the matters inquired of, and moreover was submitted under the sanction of his oath as being true, we have thought it best to make the treasurer's sworn statement part of this report. (See testimony as to Georgia affairs, pages 153, 154, 155.) Mr. Angier said:

As regards the finances of the State, it is impossible to give testimony precisely without putting it in figures on paper. I have prepared a statement in that form, complying, as I understand, with the instructions which I received from the circular of the chairman of the committee, Mr. Scott. In this statement I have tried to present, as clearly as possible, the details in regard to the management of the State finances, and the contrast between different periods.

This statement I certify to be correct:

1857. Ordinary expenses of Georgia.....	\$275, 632 43
1858. Ordinary expenses of Georgia.....	304, 637 59
1859. Ordinary expenses of Georgia.....	369, 653 53
1860. Ordinary expenses of Georgia.....	325, 600 00
<hr/>	
Total ordinary expenses of Georgia for four years immediately preceding the war.....	1, 275, 523 55
<hr/>	
1868. Less than six months' ordinary expenses of Georgia.....	\$401, 865 08
1869. One year's ordinary expenses of Georgia.....	848, 298 23
1870. One year's ordinary expenses of Georgia.....	924, 413 27
<hr/>	

Total ordinary expenses of Georgia for less than two and a half years by Governor Bullock	\$2,174,576 58
Subtract total ordinary expenses for four years under Governors Johnson and Brown	1,275,523 55

Leaves against Governor Bullock's administration, for less than than two and a half years, more than Johnson and Brown for for four full years.....	899,053 00
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In the above estimates the payments on account of public debt are taken out of both accounts; also all appropriations to or for repairs of buildings. The payments on account of school fund do not enter into the account of either; as, under Governor Bullock's recommendation, the school fund has been taken and used for general purposes. The payments on account of artificial limbs and schooling maimed soldiers, burial of confederate dead, removing furniture, library, office-fixtures, books and papers, from Milledgeville to Atlanta, are all taken out. Also payments on account of convention scrip. So each period stands fairly alike on ordinary expenses, which shows Governor Bullock's administration, for less than two and a half years, to have been eight hundred and ninety-nine thousand fifty-three dollars and three cents more than Governor Johnson's and Governor Brown's for four years.

With no deduction from the accounts as officially reported they stand thus :

1857. Total amount paid out of State treasury.....	\$511,789 90
1858. do do do do do	745,470 64
1859. do do do do do	874,465 92
1860. do do do do do	662,600 00
	<u>2,794,336 46</u>

1868. Less than six months	\$430,957 77
1869. Twelve months	1,857,825 98
1870. Twelve months	1,470,021 02

	<u>3,758,804 77</u>
Deduct four years before the war	2,794,336 46

Leaves an excess of Governor Bullock, for less than two and a half years, for over four years	964,468 31
Nine hundred and sixty-four thousand four hundred and sixty-eight dollars and thirty-one cents.	
Total for extra legal services for 1855, 1856, 1857, 1858, 1859, and 1860, (six years)	\$17,000 00
Governor Bullock, for extra legal services, for less than half the time has paid.....	36,600 00
Rewards for fugitives, 1855, 1856, 1857, 1858, 1859, and 1860, (six years,) all charged to contingent fund.....	1,400 00
Governor Bullock has paid by warrants on the treasury, (not charged to the contingent fund).....	51,100 00
Less than half the time, though thirty times as much.	
Advertising proclamations, 1855, 1856, 1857, 1858, 1859, and 1860, (six years).....	5,000 00
Governor Bullock has paid for less than half the time, by warrants on the State treasury	98,300 00
Incidental expenses of executive department, 1856, 1857, 1858, 1859, 1860, 1866, and 1867, (seven years.) Under this head only twenty dollars is charged, but I have included "small articles furnished executive department," and "articles furnished executive mansion," making in all.....	2,188 76
Governor Bullock's "incidental expenses" for less than three years	23,800 00
The section of the appropriation bill authorizing the governor to draw warrants on the treasury for services or labor authorized by the general assembly, for which no provision is made for compensation, has never been used by any governor except Governor [Brown]† and then in amount about seven thousand dollars, while Governor Bullock has used it to the amount of four hundred and sixteen thousand six hundred and twenty dollars and ninety cents.....	416,620 90

The annual general tax since Governor Bullock's administration has been about \$300,000 annually more than it was before the war. Still he has had engraved six

million (\$6,000,000) dollars new State bonds, while the rate of State taxation now is over six times as high as it was in 1860.

Taking last year as an average, the tax for this year, independent of the rental of the Western and Atlantic Railroad, will be \$1,280,756 57
 Rental of Western and Atlantic Railroad 300,000 00

Ordinary expenses for 1871 \$500,000 00
 (Which is considerably over the average before the war, and more than in 1860.)
 One-half rental of Western and Atlantic Railroad for school purposes 150,000 00

 650,000 00

(This last amount, however, together with all the other funds set apart by the new constitution specially for common-school purposes, and to be used for no other, the governor has used, and is using, for ordinary expenses,) leaves a surplus to meet the public debt of 1871 930,756 57

Matured State bonds before 1870 \$173,000 00
 Which should and would all have been hypothecated with the 7 per cent. mortgage bonds issued specially for that purpose, had not Governor Bullock, in violation of express statute, sold \$265,000 and used a portion of the proceeds on the Kimball Opera House.
 State bonds due in 1871 154,250 00
 Interest due in 1871 427,375 00

 754,625 00

Leaves a surplus for 1871 176,131 57

After paying all past due bonds and coupons.

Where the necessity for these six millions \$6,000,000 00
 new State bonds Governor Bullock has had engraved, or any portion of them? With any regard for economy there should be a large surplus in the State treasury. At the close of 1869, I honestly estimated the surplus for 1870, after paying all liabilities, including the maturing interest, at over four hundred thousand dollars, to be used as a sinking fund.

These six millions of new State bonds are exclusive of the State aid to railroads; for, independent of this amount, the governor has had engraved and sent to him State gold bonds, purporting to be for additional State aid to the Brunswick and Albany Railroad Company 2,760,000 00
 Add to this the amount the governor reported to Henry Clews & Company the middle of March, as having received the indorsement of the State, (how much more since I do not know, as the governor refuses to answer) 5,923,000 00
 The previous bonded indebtedness, including all bonds issued before 1869 6,554,450 00

 20,637,500 00
 Deduct new currency bonds returned to State treasurer's office 500,000 00

And we have present State liabilities 20,137,500 00
 counting all the bonds engraved, legitimate and in use, the amount of interest on which will be twice the amount of the annual general State tax.

But the evil and danger do not stop here. The governor approved bills granting further State aid, or indorsement, to railroads, to the amount of about thirty millions (\$30,000,000) more; and, if I have been correctly informed, State indorsed bonds have been issued by Governor Bullock before a mile of railroad was completed, or the first cent of subscription paid. If this recklessness and waste are not speedily stopped, but are followed up with new issues of bonds, the result is inevitable. The State will soon be absorbed, and the toiling farmers, with what little they can gather up, will be forced to flee their homes for safety from the tax-gatherers.

N. L. ANGIER,
Treasurer of Georgia.

We suppose the following list of roads makes up, in great part at least, the roads spoken of by Mr. Angier, when referring to the recklessness and extravagance with which aid had been given to railroads under

Bullock's administration, which, it will be observed, he charges will amount to \$30,000,000.

Name of railroad.	Amount of State aid.
Albany and Columbus Railroad	\$12,000 per mile.
Albany, Mobile and New Orleans Railroad	12,000 do.
Americus and Florence Railroad	12,000 do.
Americus and Hawkinsville Railroad	12,000 do.
Americus and Isabella Railroad	12,000 do.
Atheus and Clayton Railroad	15,000 do.
Atlanta and Blue Ridge Railroad	15,000 do.
Atlanta and Lookout Railroad	15,000 per 8 miles.
Augusta and Hartwell Railroad	15,000 per mile.
Canilla and Cutburt Railroad	12,000 do.
Chattahoochee Railroad	12,000 do.
Columbus and Atlanta Air-Line Railroad	12,000 do.
Dalton and Morganton Railroad	15,000 do.
Fort Valley and Hawkinsville Railroad	12,000 do.
Georgia Seaboard and Northwestern Railroad	12,000 do.
Grand Trunk Railroad	12,000 do.
Great Southern Railroad	12,000 do.
Griffin, Mouticello and Madison Railroad	15,000 do.
Lookout Mountain Railroad	15,000 do.
Macon and Brunswick Railroad	3,000 additional per mile.
Marietta, Canton and Ellijay Railroad	15,000 per mile.
McDonough Western Railroad	12,000 do.
Memphis Branch Railroad	15,000 do.
Newman and Americus Railroad	12,000 do.
North and South Railroad	12,000 do.
North Georgia and North Carolina Railroad	12,000 do.
Ocmulgee and North Georgia Railroad	15,000 do.
Polk Slate Quarry Railroad	15,000 do.
Savannah, Griffin and North Alabama Railroad	12,000 do.
Saint Mary's and Western Railroad	15,000 do.

That statement of Mr. Angier made under oath, he being the treasurer of the State, a Northern man and a republican, is a fearful exhibit of the corruption of the radical rulers of Georgia, fortunately for the State, (and no man did more to bring about the result than Mr. Angier,) the robbery of the treasury was exposed. Governor Bullock fled to avoid impeachment for high crimes and misdemeanors. His partner Kimball, who had got to be president of seven of the great railroads of the State, though a bankrupt in 1868, was shorn of his power. Blodgett, who was indicted for criminal offenses, was so notoriously corrupt that he could not be admitted into the Senate of the United States. A democratic governor and legislature have obtained power; the fraudulent bonds are being recalled; the State is righting up, and will resume her former position, if the Government at Washington does not again invade her and put another gang of thieves over her.

The treasurer and the legislature are now in search of the fraudulent bonds. Mr. Angier has recently sent his report to the legislature, in which he urges a rigid investigation into the fraudulent issue, and that body seems determined to do so. We extract the following sentences from the report:

An inquiry into what is known to be a fraud against the State is no repudiation, neither is it repudiation to deny and disown what is null and void from want of conformity to law. Those who have just and legal claims against Georgia have nothing to fear, and I believe they are content. The cry comes from those who have been confiding in or intriguing with Bullock and Clews.

The amount of honest, legitimate State indebtedness once learned, these defective bonds, with lithographed coupons, should all be retired, and genuine, valid State bonds be issued, sufficient to meet the State's real liabilities. The credit of the State will then reach its customary high standing; but she cannot hope for, and should not have any credit while, through her now absconded executive and his agents, she attempts to impose on the commercial world defective bonds, greatly in excess of the wants of the State, and used, as is believed, for private ends.

Two million dollars of currency bonds were issued in October, 1870, without the knowledge of the State Treasurer, to meet an indebtedness of less than one-sixth of the amount of bonds issued. These Governor Bullock, when exposed, claimed were for only temporary use; still they had twenty years to run, and *one million five hundred thousand dollars* are still in the hands of parties in New York, who claim the right to hold them, though Governor Bullock, when hard pressed, communicated to this office, over a year ago, that they (these bonds) would be returned canceled in a few days.

Four million dollars of finely engraved State gold bonds were sent to Governor Bullock, and this office has proof that he intended to put the whole amount on the market, and would, had not his movements been closely watched and promptly reported. Three millions were placed on the market to meet the amount falling due on account of matured bonds and coupons for the year 1871, and other small amounts, which were less than one-fourth of the amount of new gold bonds thus placed on the market.

These bonds being issued so greatly in excess of the honest demands against the State, seems to indicate that they were in anticipation and mutual understanding of frauds upon the State railroad, as well as to supply for executive plunderings and private schemes for speculation on the credit of the State.

The probable object of no net income from the Western and Atlantic Railroad, and involving it in a debt of a million dollars or more, was a grand swindle, and, outside of enriching those who had the management, designed to effect a transfer of the road, under a fraudulent sale, to a riuq; thus, besides pocketing the income, and *a million dollars extra over the net earnings*, virtually robbing the State of this main trunk road.

The income of the road and the governor's sale or hypothecation of illegal bonds not meeting all their wants, the superintendent of said road, Foster Blodgett, enters the market as a borrower of money, and Clews & Co. now appear at the State treasury demanding payment on account of large amounts advanced on Blodgett's drafts as superintendent of the Western and Atlantic Railroad, otherwise State road. Clews & Co. should know there is no law authorizing said superintendent to borrow money—making such transactions invalid, and in no way binding upon the State. They well knew the standing of both these men; and if said Clews & Co. have, or anybody else has advanced or loaned them money which has not reached the State treasury, or been applied to legitimate indebtedness of the State, they should find their sole redress in the men upon whom they staked their hazard.

It is a matter of wonder that a war-devastated, impoverished people, under the reign of those who govern for plunder, aided by experienced stock and bond gamblers, preying upon the toil of the body-politic, with the policy of the central government (however well intended) operating to retard industrial energy and material advancement—I say, with all these combinations working for evil and discouragement, the annals of history furnish no parallel of a people who, in their commonwealth relations, have so faithfully and promptly responded to their State obligations, which is an earnest of what may be relied on under the ægis of an honest home government, wisely guaranteed to each State under the federal compact.

Respectfully submitted.

N. L. ANGIER, *State Treasurer.*

Hon. A. R. Wright, of Rome, when examined as to the management of the affairs of the State by Bullock, said:

Question. After men have been convicted, is there any great complaint in the State concerning the pardons of the governor?

Answer. O heavens! it is hardly necessary for this committee to ask me such a question as that. Our statistics show that our governor has issued between three hundred and four hundred pardons.

Question. Within what period?

Answer. Since he has been governor, and he has been governor, I believe, only two years and a half. I do not think the like has been known in the history of any government. I do not think there ever was a people on earth cursed with any such ruler as Georgia is with her governor. I say it with all respect to you; but here is Angier, who will testify before you. He is a northern man, and an honest man. God Almighty does not make honest men by parallels of latitude. He is in controversy with his own governor; and yet both of them are radicals. Now, why is it? It is because Bullock is trying to plunder the State, and it seems to me that he thinks a government is nothing but a machine with which to plunder other people. Angier stood there in the treasury, like a lion at bay, and resisted him. The result is that the governor sets him at defiance; he issues his bonds without the signature of the treasurer. He issued some bonds and had the name of the treasurer engraved upon them without his consent, and proposed to put them upon the market. Angier told him that if he did it he would have him indicted for forgery, and he did not issue them. But he issued other bonds, with the comptroller's name on them; at least so I am told, and I have no doubt of it. I could not give you the details of all his acts. I declare that it is my honest conviction that if the people of Massachusetts were to discover that their governor had

robbed their treasury to the extent that I think the records show that Governor Bullock has the treasury of Georgia, the "solid men of Boston" would hang him in forty-eight hours. I know how staid their habits; but there are certain things I do not think they would submit to, that we do.

Question. Were the criminals pardoned by the governor convicted of crimes of the highest class?

Answer. I think there were some eighteen or twenty of them who were murderers; that is my remembrance. I think a large portion of them had been convicted of the highest offenses known to the law.

Question. Did this course of his make the people feel insecure?

Answer. Why, I have heard it said again and again, "hang him," or, "kill him, for if you don't Bullock will pardon him after you have sent him to the penitentiary."

Question. Before the war the condition of your State was very sound?

Answer. It was sound as a mackerel.

Question. The State was not in debt?

Answer. Not to hurt; it had a little debt; it has the most splendid public work in the South; of all the blundering ever seen, I think that about that public work takes the lead; Bullock called his right-hand man Friday down there and put him in the railroad, with Mr. Burnett, who has been before you here; and I suppose each of them knows as much about the running of a railroad as the learned pig Ben does about mathematics; but that does not make any difference; if they had been honest and faithful men they could have called in those to help them who did know about it; before the war that railroad paid \$600,000 a year over and above expenses.

Question. And owned by the State?

Answer. Owned by the State; every dollar paid out of the treasury of the State; they took charge of it, and the first month, if I remember correctly, they paid in \$25,000; the second month they paid in \$20,000, and from that day to this they have never paid in one solitary quarter of a dollar.

Question. For what length of time?

Answer. I do not remember the precise time; it is going on two years.

Question. Had not Campbell Wallace, the former superintendent of the road, been paying from \$25,000 to \$40,000 a month up to the time Blodgett took possession of the road?

Answer. I know he was paying something into the treasury, I will not state the amount; I know he had the confidence of the people; he was regarded as a faithful, honest man; I know he paid into the treasury, but I will not state the amount, because I have not the data before me, and I have not scrutinized them for some time, as I have the accounts of Blodgett; the people have been compelled to look at them, and try to stop them if possible.

Question. Has not the business of the road, both of freight and travel, increased during the administration of Blodgett?

Answer. Immensely. Governor Brown the other day, trying to vindicate the smallness of his rental, and giving the figures, admitted that the income for the month of March was \$128,000. Now, if you will take that and multiply it, I think you will find that the income for year will be over one and a half millions of dollars.

Question. Is it not a fact that a floating debt of \$700,000 has accumulated on that road in the mean time?

Answer. The treasurer reported some time ago that he had paid some four hundred and odd thousand dollars of the debt of the road, and he had no knowledge of the debts behind; perhaps those, with the debts that have been liquidated, amount to about \$700,000; but where it will stop nobody knows.

Question. And in less than two years, under the administration of Bullock and Blodgett, a first-class paying road has been reduced so that it pays nothing, with a debt of \$700,000 incurred upon it?

Answer. Yes, sir; and its engines and track and running stock run down.

Question. With freight and travel largely increased?

Answer. Yes, sir.

Question. And under that state of facts was it not confidently believed by the people of Georgia that they had been robbed by their governor?

Answer. By heavens! gentlemen, we know it.

Question. And is it not a fact that a body of men, composed in part of Georgians, and a portion of them being Columbus Delano, Secretary of the Interior; Simon Cameron, a Senator from Pennsylvania; and Mr. Scott, vice-president of a Pennsylvania railroad, while your road was in that broken-down condition, obtained a lease of it for twenty years from your legislature, at \$25,000 a month?

Answer. They did.

Question. Is it not believed to be far below the true value of the road, except that the people were glad to get anything, in order to get rid of the robbery that was going on before?

Answer. That reconciled the people to the lease. Before they got nothing, and the debt was accumulating. Governor Brown is the head of the company, the only man

who perhaps before the war was guilty of treason, for he captured the public property before Georgia seceded, and was perhaps the bitterest man, during the war, to Union men, of whom I was one; and now I am denounced everywhere by that same class of men, who come here and get forgiveness from the Government; I am denounced as disloyal to the Government I tried to save, because I did not stand there and see them plunder our government.

Question. Those men got your road under those circumstances?

Answer. They did.

Question. And it is believed by your people to be a combination, and while better than the Blodgett one, still a fraud upon the people?

Answer. Well, they do regard it as a terrible fraud.

Mr. Angier said on his examination, (page 1571:)

Question. Has Kimball become a man of great reputed wealth?

Answer. I understood (I do not know that it is so) that he gave in his property recently at \$500,000. When he came there, three or four years ago, he was reported to be bankrupt for a very large amount. I do not know whether he was or not. He now pretends to own a hotel which, with furniture and everything in it, I would presume to be worth not less than \$600,000. Then he has bought this Brunswick road; when he pretended to buy it there had been issued to the road, I suppose, \$200,000.

Question. Is he one of the lessees of the State road?

Answer. Yes, sir; I think so; he and Bullock run together in everything. I simply form my judgment from what I see; I have never seen the contract, and know nothing about the matter except from outside appearances. I understand that he owns also a majority of the stock of the bank there. He has taken stock in all the railroads. He is president, I believe, of four of these new railroad schemes gotten up lately.

Question. The Chattanooga and Atlanta Railroad belongs to the State, and is known as the State road?

Answer. Yes, sir.

Question. Give us, as briefly as you can, a history of the management of that road for the last few years.

Answer. The road, two or three years before the war, paid about \$450,000 net earnings annually; sometimes it was over that, and sometimes a little under, I think. Since the war the freight over that road has vastly increased. Furniture, hollow-ware, agricultural implements, and everything of that kind, now go over that road from the West, being manufactured in Cincinnati. That freight used to go generally over other roads. Thus the business of the road is vastly increased. I understand that during most of the business season eighteen freight trains a day have been running. Governor Bullock is president of this road, *ex officio*. For the months of October, November, and December, 1869, the road paid in nothing; Mr. Foster Blodgett was then treasurer. In January, 1870, he paid in \$25,000, and in February of the same year \$20,000, making \$45,000. From that time up to the close of his administration, December 27, 1870, he did not pay into the treasury one cent. Before I left, the treasurer of Georgia had paid over \$400,000 of outstanding debts against the road, and it was said there was still a large amount behind.

Question. About how much?

Answer. I do not know; I understood there were several hundred claims that had not been passed upon.

Question. Was it believed that it would amount in all to \$700,000?

Answer. It was reported by some of the officers of the road that it would amount to that. That is simply a report; I do not know that it is true.

Question. What has become of the money earned by the road?

Answer. Well, sir, that is the inquiry of the people generally; they believe it has been fraudulently used by the officers of that road. Nearly every man who had anything to do with it came there poor; Mr. Bullock, for one, never paid a cent of tax in Georgia in his life, unless he paid it this year. I have looked at the records myself; and up to last year, when the investigation of the committee was made, he had never given in a cent of tax. He is now buying plantations and stocking them with fine English stock; he has the best of everything, and lives very fast.

Question. What is his salary?

Answer. Only \$4,000 a year—not a third of his family expenses; I do not believe it is one-sixth. He remarked to a person that it would not feed his horses on oats. Every one who has had anything to do with that road came there apparently poor; and now they are all building new houses, and riding in fine carriages.

Question. In your opinion what ought that road under good honest management to have paid the State?

Answer. Mr. Jones, who was formerly treasurer of the State, and received the funds of that road for eight years, stated to me that his last estimate, which was in 1867, was \$600,000 net earnings annually. Governor Brown, who was governor eight years, was in my office a little over a year ago, and stated to me that he knew the business of that road; that he had run it for eight years; that he knew what the rate of freight was

when he ran it, and what it was now; that he had plantations on the road and was very familiar with its business; and that the road could be made to pay, and ought to pay at that time, \$55,000 net earnings monthly. The estimate of Mr. Jones was \$600,000 a year, which would be \$50,000 a month.

Question. The road has since been leased to a party of gentlemen?

Answer. Yes, sir.

Question. Who compose that party?

Answer. Mr. Cameron, Mr. Delano, Mr. Thomas A. Scott, Mr. Kimball, Mr. Richard Peters, Mr. John P. King, Joe Brown, and others.

Question. Do Kimball and Joe Brown hold any more than one share each?

Answer. I do not know anything about that; they keep these things covered up.

Question. The governor is not ostensibly in that lease?

Answer. No, sir; if he is represented at all, I think it is in some fictitious way.

Question. Has any effort been made to conceal the true state of the indebtedness and liabilities of the State of Georgia?

Answer. Yes, sir. The law requires the treasurer to make reports of all bonded indebtedness—the amount of interest and bonds falling due. The treasurer is sworn to do this. This thing had been covered up so much in darkness by Governor Bullock, that I wrote to Mr. Clews, requesting him to give me a statement of the bonds he had received, the amount hypothecated, the amount sold, at what price, and what disposition had been made of the proceeds. My son presented the letter to Mr. Clews. Mr. Clews immediately telegraphed to Governor Bullock, stating what I wanted. Governor Bullock telegraphed to Mr. Clews to answer no questions at all, and stated that if I wanted to know such things I could learn them at his office. I wrote him a letter asking for that information; but I got no answer. The day I wrote the letter he was not there; but he got there before I left. I wrote a letter to his secretary, requesting a statement in relation to the bonds of some of the railroads. I got no answer before I left, though the governor had returned and was in his office. The secretary, when my son went up, said that he could not answer it, and that he would refer it to Governor Bullock. I got a letter from my son lately, stating that it has never been answered. The attempt is to keep all that matter concealed.

Question. The attempt of the governor and his friends who ought to give the information?

Answer. Yes, sir.

Question. They have it and can give it, you think?

Answer. Yes, sir, certainly. I have here the statement of the party who engraved those bonds, showing that the governor has had four million of gold bonds engraved—out-and-out State bonds.

General John B. Gordon, when examined, said, (see page 314:)

Question. In other words, great discontent has grown up in your State out of what is believed by the people to be the general plundering of the State by the government?

Answer. Yes, sir; I think that is the prime source of dissatisfaction now in our State. I think it absorbs more of the thoughts of the people and annoys them more than anything else. This magnificent piece of property, the State road, which they had built, and which had been to them a source of so much pride, has been almost plucked out of their hands. Hence a very large number of the citizens of Georgia are quite reconciled to the present lease of the road, though it pays only \$25,000 a month. They are very glad that the State should get that. In this view, a great many of our people are quite satisfied with that lease. They think it is better to get that than to get nothing, as they would if the recent method of management on the road had been continued. Under that management, as they believed, the road would have been utterly destroyed.

Question. Has your legislature been making large grants and donations in aid of railroads?

Answer. Yes, sir. Nearly every road that has been chartered in our State has received State aid, as they call it, by the State indorsing the bonds of the road, to the amount of from \$12,000 to \$16,000 per mile.

Question. Was this done by a republican legislature?

Answer. Yes, sir; the legislature that did this was largely republican. We have had no legislature since that one.

Question. All the legislation which has been enacted within the last two or three years, in Georgia, has been enacted by a republican legislature?

Answer. Entirely so.

Question. Was it not a legislature made republican, not by the people, but by the interference of the Federal Government?

Answer. It was a legislature elected partly by the people. It would have been democratic but for the interference of General Terry and the military authorities of the State, under the last "re-reconstruction" act, as we call it in Georgia.

But it is unnecessary to elaborate by accumulating further evidence. The country knows that Georgia has been robbed out of millions on millions by her radical governor and his minions, mainly through the instrumentality of a legislature elected by the bayonets of General Terry's soldiers, under the direction and by the order of the President of the United States. That usurpation has cost Georgia thirty millions of dollars—more than it is pretended New York, with all her wealth, lost by all the maladministration of her rulers—and she lost it all by the wanton and flagrant usurpation of the President, who placed General Terry, as his orders show, over her to turn out legally elected democratic representatives, and install radicals in their places who had been defeated, by whose votes all these schemes of iniquity and plunder were perpetrated.

ELECTION LAWS.

Previous to the passage of the act entitled "An act to provide for an election and to alter and amend the laws in relation to the holding of elections," approved October 3, A. D. 1870, (which act was popularly known as the Akerman election law,) elections in Georgia were held at the different precincts in each county on one and the same day. These precincts were established by the court of ordinary of each county at such places as would best suit the convenience of voters under the constitution and laws of the State. These courts alone had the right to "make or change election precincts." The legislature had no such power. The act of October 3, 1870, above referred to, altered the law and provided that the election for members of Congress, legislature, sheriffs, and other county officers, should commence on the 20th day of December, A. D. 1870, and continue between the hours fixed by law for three separate days, to wit, the 20th, 21st, and 22d days of December, thereby requiring the election to be held in each county for three days instead of one day, thus affording an opportunity to the vicious and unprincipled voter to cast his vote in at least three different counties for the same candidate for Congress, and for the same candidate for State senator, and for members of the legislature and county officers of three different counties. The charge was very generally made that it was so framed for the purpose of aiding fraudulent voting in the interest of the republican party. That portion of the eighth section of said act which prohibits any person from challenging a vote, although the vote may have been known to be an illegal one, was justly liable to that criticism.

The third section of said act provides that said election shall be managed and superintended at the several court-houses at the county seats, and at any election precincts that may exist or be established in any incorporated and organized city or town, by managers chosen as follows, to wit: The governor of the State, with the advice and consent of the senate, to appoint three, and the ordinary of each county two, fit and proper persons to hold the election at the precincts above referred to, and that three of the five persons so appointed should be authorized to hold said election. This portion of said act changed the old law, at least so far as related to the precincts at the several county seats and all incorporated cities and towns, thus enabling an unscrupulous, partisan executive to exclude fair men and put a majority of his own partisans as managers of said election, and also to prevent the holding of an election at any of the said precincts by failing or refusing to appoint the three managers which the law directed he should appoint. This act failed to make any provision for the holding of the election at the precincts aforesaid in the event the executive should fail or refuse to appoint the three managers as aforesaid. Another objection to this portion of

said act is that it was a deception upon the entire people of the State, as exhibited by the election returns made to the secretary of state. No returns were made to said officer except from precincts at county seats and incorporated cities and towns. There were a number of other precincts in each county at which no election was held, for the reason that the people believed and acted upon the idea that said precincts had been abolished by the act of October 3, 1870, and that if an election had been held at such precincts the votes there cast would have been thrown out and not counted, notwithstanding the constitution of the State provides that the legislature shall not have the power to "make or change election precincts." This deceptive outrage upon the people caused a great number in each county to go from ten to twenty-odd miles in cold, winter weather, and over bad roads, to the county seats or incorporated cities or towns to cast their votes, while the aged, infirm, and poor men who lived at a distance from such precincts were virtually prohibited from voting. We incorporate sections four, seven, and eight of the bill as part of this report:

SEC. 4. It shall be the duty of the governor of the State, by and with the advice and consent of the senate, as soon after the passage of this act as possible, to appoint three, and the ordinary of each county two, fit and proper persons of intelligence and moral worth, for each election precinct established at the county court-house, or in any city or incorporated town in this State; and said five persons, or any three or more of them, may, and shall hold the election at said court-house and precincts in such city or town.

SEC. 7. In addition to the duties now prescribed by law for the managers of elections, it shall be the duty of said managers to preserve order at and near the polls, but they shall have no power to refuse ballots of any male person of apparent full age, a resident of the county, who has not previously voted at the said election.

SEC. 8. They shall not permit any person to challenge any vote, or hinder, or delay, or interfere with any other person in the free and speedy casting of his ballot.

The seventh section of said act, it will be observed, provided that said managers of election should "have no power to refuse ballots of any *male person of APPARENT full age*, a resident of the county, who had not previously voted at the said election." Under this section a minor of *apparent* full age could have voted, and also foreigners unnaturalized, and all other persons who had not resided in the State six months and in the county thirty days prior to the election, provided they were residents of the county on the day of the election. The constitution of the State provides that all voters shall be twenty-one years of age, and, if a foreigner, naturalized, or has legally declared his intention to become a citizen of the United States, and resided in the State six months and in the county thirty days next preceding the election.

The eighth section provides that said managers of the election "shall not permit any person to challenge any vote, or hinder, or delay, or interfere with any other person in the free and speedy casting of his ballot."

General John B. Gordon, of Atlanta, testified more fully as to the effect of this law than any one else. He said, (see page 310:)

Question. Give us a bird's-eye view of the election law of Georgia; how the elections are managed and controlled; what parties have the power to count your ballots, &c., and speak particularly about the last election in Atlanta; its fairness or unfairness, as we have had before us a gentleman named Rockafellow, who has undertaken to give us some information on that point.

Answer. The election law of Georgia is a general law passed by the last legislature, under which our people felt so discouraged immediately after it was passed that the general feeling was not to attempt to do anything in the State at all. We believed it was passed with the intention of carrying the State for the republican party. For instance, one of the provisions of the law was that there should be no challenging for any cause whatever. Our people believed that, as there were in the State a vast number of ignorant young negroes from sixteen to twenty-one years, who did not know their age at all, and who could be imposed on by those people who were trying to get them to vote through the Leagues, there was no sort of protection for the ballot-box in that direction. In the next place, a negro in many cases could not

be identified. A mass of negroes in one place are in appearance very much like a mass of negroes elsewhere. For instance, if you were to meet a negro in the street, unless you had a personal acquaintance with him, you might not distinguish him from another negro whom you might meet at the next corner. It is well known that negroes are harder to identify than white men. The idea of not allowing challenges at the polls was very discouraging to our people. Many of them said, "It is no use to attempt to do anything at the election; we may just as well let the other party have it their own way; they will import negroes from other States, and from one county to another, during the three days of the election; and it is idle for us to attempt to do anything." Another provision of the law was that no one except an officer in charge of the election should go within thirty feet of the polls, except those who went to vote. Another provision was, that the governor should appoint for each voting place three commissioners, and that the ordinaries of the county, who were almost entirely republicans, should appoint two others; the result was that when democrats were nominated by the ordinaries, they were not confirmed by the senate. There were some exceptions to this rule; but for some cause or other the democratic nominees for commissioners did not appear upon the official list of commissioners for the State. Even if the ordinaries in every instance had nominated democrats, and the nominees had been confirmed by the senate, the republicans would still have had a majority of the commissioners; for the governor appointed three out of every five; but in many instances the officers named by the ordinaries were republicans; sometimes, as I have said, when they were democrats, they were not confirmed by the senate, but republicans would be put in their places. Under this state of circumstances, the apprehension in Georgia was, that if we should undertake to do anything at the election, we would simply waste our efforts, without being able to accomplish anything, and would only feel a sense of outrage in the end. Hence there was a general disposition in favor of letting the thing pass without effort.

Question. Was not the precinct system also broken up?

Answer. The precinct system was broken up. In a large majority of counties the votes were all to be polled at the court-house. There may have been a few exceptions in some of the counties, but in a large majority of the counties the voting was to be done at the county seat. Our people felt that that was very antagonistic to their interests, for the reason that it was very important that white men who lived remote from the county seat should be at home at the particular season when the election was to be held, as it was about the time of the Christmas holidays, and at such times there is a general disorganization of everything. About the end of the year there is a general breaking up and roaming of the negroes over the country. At that time there is no work being done; and it is a time when most of the white people feel that they cannot very well go away from home. In view of all these difficulties, the white people felt that it was hardly worth their while to attempt to do anything. That was the feeling immediately after the law was passed. There was, however, a reaction; and they determined to make an honest effort to try to keep outside of the limits prescribed around the polls, but to endeavor to prevent, by argument, solicitation, and protest with the republican leaders in the particular counties, any gross violation of the general law of the State, to prevent in that way any man from voting who was not twenty-one years of age, or who was not a citizen of the State or a citizen of the county in which he offered to vote. In Atlanta, where I was, the contest during the first day of the election did not wax warm at all. The whites felt discouraged, and they remained away from the polls almost entirely. In Atlanta the first day was given up pretty much to the blacks. The second day the whites began to go to the polls; and I think they were mainly carried there by the information that was disseminated all over the town, that Foster Blodgett, who had charge at that time of the State road, and whose son was a candidate for the legislature in that county, contrary, as the people thought, to all law, (for he was not a citizen of the county, as we thought and still think,) was bringing in train-loads of negroes from other counties to vote in Atlanta.

General A. R. Wright, of Augusta, said, (see page 274:)

Question. Under your election laws, as now arranged, would a majority of the appointees of the governor, and of those appointed by the ordinaries, subject to confirmation by the Senate, and generally unconfirmed unless they belong to the republican party, always be republicans; and would it be possible for the democrats to exercise any frauds in the counting of votes or the receiving of them?

Answer. The law authorizes these managers to take the ballot-boxes home with them at night, for the three nights they have charge of them.

Question. And these managers are republicans, a majority of them?

Answer. They are obliged to be, because the governor appoints three of the five managers of the county, and they constitute a majority. If the ordinaries should appoint their full number of democrats, and they were confirmed, there would only be two in a county, leaving the appointees of the governor in the majority. In the town where I live, with four or five thousand voters, there were four managers of elections there, and they were all four republicans. The first night they proposed that one of

the republican managers should take the ballot-box home with him, while another republican manager put the key in his pocket. The democrats said that could not be done. There was no riot, but there was a determination shown that the ballot should be protected. Finally, it was agreed between the candidates on either side that a member from each party should be selected to sit up with the box all night, and that was done. Each party designated a man to stay with the managers of elections, so careful were we that there should not be frauds. We were satisfied that if there was a fair election we could carry the State; and we were determined, if we could prevent it, that there should be no ballots thrown out. We had nothing to gain by having ballots thrown out; it was not necessary, as we thought, to resort to frauds, even if we had been disposed to do it, because we were confident that we would carry the State.

Question. And you had not the power even if you had been so disposed?

Answer. No; they had the power themselves.

We think it very clear, from the provisions of the Georgia constitution, that the law prohibiting the right of challenge was an unconstitutional enactment. Article 2 provides:

SECTION 1. In all elections by the people, the electors shall vote by ballot.

SEC. 2. Every male person born in the United States, and every male person who has been naturalized, or who has legally declared his intention to become a citizen of the United States, twenty-one years old, or upward, who shall have resided in this State six months next preceding the election, and shall have resided thirty days in the county in which he offers to vote, and shall have paid all taxes which may have been required of him, and which he may have had an opportunity of paying, agreeably to law, for the year next preceding the election, (except as hereinafter provided,) shall be deemed an elector; and every male citizen of the United States, of the age aforesaid, (except as hereinafter provided,) who may be a resident of the State at the time of the adoption of this constitution, shall be deemed an elector, and shall have all the rights of an elector, as aforesaid: *Provided*, That no soldier, sailor, or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote, who, if challenged, shall refuse to take the following oath:

"I do swear that I have not given or received, nor do I expect to give or receive, any money, treat, or other thing of value, by which my vote, or any vote, is affected, or expected to be affected, at this election, nor have I given or promised any reward, or made any threat, by which to prevent any person from voting at this election."

It will be observed that the constitution of Georgia assumes as an undoubted and indisputable fact that the right of challenge exists, just as the Constitution of the United States assumes the existence of the right to the writ of habeas corpus in the provision that it shall not be abridged, except in the cases and under the circumstances specified.

LOUISIANA.

The financial condition of Louisiana is very fully set forth in the official papers accompanying the letter of James Graham, auditor, and there is no contradiction of them, from any quarter, that we are aware of.

Document A, attached to this report, shows that on the 1st day of January, 1861, the State debt and liabilities amounted to \$10,099,074 34, and the total tax for 1861 was 29½ cents on the \$100, slaves taxed as real estate. The auditor states it, in 1868, at \$14,347,051 62. On the 1st day of June, 1871, the debts and liabilities of the State, excluding those declared unconstitutional, amounted to \$41,194,473 91.

The auditor furnishes a statement, marked B, of estimated receipts of the State for the year 1871, and of expenditures, under acts of the general assembly of the same year, made up to June, 1871, with a list of the acts, which shows expenditures amounting to...

Receipts	\$14, 111, 852 50
Excess of expenditures	4, 766, 119 00
	9, 345, 733 50

Exhibit B is as follows:

B.—Statement of estimated receipts of the State for the year 1871, and of expenditures under acts of the general assembly of the same year, made up to June 1, 1871.

No. of act.	DEBT.	General funds.	Common school fund.	Interest-tax fund.	Levee-tax fund.	Special levee-tax fund.	Total.
1	Compensation and contingent expenses of general assembly	\$250,000 00					\$250,000 00
4	Louisiana Levee Company, (bonds)			\$1,000,000 00			1,000,000 00
5	Relief of John L. Lewis	350 00					350 00
15	Relief of the University of Louisiana.	6,500 00					6,500 00
20	Relief of F. G. Lorens	150 00					150 00
23	Compensation and contingent expenses of general assembly	250,000 00					250,000 00
25	Relief of N. F. Scoppin and F. Lattier	30,000 00					30,000 00
27	Southern Railroad Company, (bonds)			1,250,000 00			1,250,000 00
28	Mississippi River Packet Company	250,000 00					250,000 00
31	State-house, (bonds)	100,000 00					100,000 00
31	State-house, (bonds)			1,400,000 00			1,400,000 00
32	To J. O. Nixon	50,331 46					50,331 46
33	To S. Belden	52,065 00					52,065 00
34	Compensation to John Ray	20,000 00					20,000 00
35	Bayou D'Arbonne and Corneil	75,000 00					75,000 00
37	Representatives of newspapers	2,500 00					2,500 00
40	Alexandria, Homer, and T. Railroad Company, (bonds)						
41	Louisiana Warehouse Company, (bonds)			1,750,000 00			1,750,000 00
45	Removal of obstructions in Bayou Bartholomew	40,000 00					40,000 00
46	Removal of obstructions in Amite River	53,500 00					53,500 00
50	Improvement of Bayou Courtauld	60,000 00					60,000 00
53	Franklin College, Opelousas	7,000 00					7,000 00
65	Improvement of Bayou Fartege and Mayers	100,000 00					100,000 00
70	General appropriation bill	3,051,465 36	\$683,154 20	874,191 95	\$320,000 00	\$240,000 00	5,168,811 41
72	Relief of R. P. Bruton	1,553 38					1,553 38
81	Relief of F. L. Jewell	1,500 00					1,500 00
90	Refunding tax on gross sales	525,475 90					525,475 90
93	Arkansas and Delta Railroad Company, (bonds)			525,000 00			525,000 00
106	Legislative warrants in excess of appropriations	275,000 00					275,000 00
	Outstanding warrants	567,115 35					567,115 35
	Total	5,769,306 35	683,154 20	7,099,101 95	320,000 00	240,000 00	14,111,552 50
	CREDIT:						
	Estimated revenue from taxes	975,461 18	487,740 54	1,097,416 21	365,805 40	609,675 67	3,536,119 00
	Estimated revenue from licenses	600,000 00					600,000 00
	Estimated revenue from other sources	330,000 00					330,000 00
	Estimated revenue from back taxes	238,095 38	95,238 08	71,428 56	95,238 08		500,000 00
	Total	1,943,576 46	582,978 62	1,168,844 77	461,043 48	609,675 67	4,766,119 00
	Excess of expenditures	3,825,929 89	100,175 58	5,930,347 18			9,856,452 65
	Excess of receipts				141,043 48	369,675 67	510,719 15
	Total excess of expenditures						9,345,733 50

James Graham, auditor of public accounts, State of Louisiana, do certify that the foregoing statement is correct.

NEW ORLEANS, June 1, 1871

JAS. GRAHAM, Auditor.

In his accompanying letter he says :

Document marked A contains a full statement of the debts of the State, present and eventual, up to the 1st of June, 1871. This does not include, however, the bonded obligations, and other debts contracted by the general assembly of this State during its session of 1871, and which are detailed in document B; all of which debts, that are not necessary "to meet the interest on the public debt, and the current expenses of the necessary State agencies to preserve the government," having been declared unconstitutional by a recent decision of our supreme court.

The auditor has lately sent us the following statements :

Appropriations made by the general assembly, sessions of 1867, 1868, 1869, 1870, and 1871.

Year.	Bonds.	Other appropriations.	Total.	Remarks.
1867.....	\$7,050,000 00	\$2,940,982 51	\$9,990,982 51	
1868.....	1,140,000 00	2,128,188 08	3,268,188 08	
1869.....	16,355,000 00	2,604,412 54	12,959,412 54	
1870.....	8,634,000 00	876,169 70	9,510,169 70	Regular session.
1870.....	3,525,000 00	3,221,613 49	6,746,613 49	Extra session.
1871.....	7,987,500 00	8,197,822 99	16,185,322 99	

I hereby certify that the foregoing is a correct statement of the appropriations made by the general assembly, sessions of 1867, 1868, 1869, 1870, and 1871.

[SEAL.]

JAS. GRAHAM, Auditor.

STATE OF LOUISIANA, AUDITOR'S OFFICE,
New Orleans, November 25, 1871.

The assessed value of all the taxable property in the State, according to the assessments for 1870, now being collected, (in 1871).....	\$243,870,274 61
Of the above amount there is in the city of New Orleans, \$143,592,937 00	
And in the country	100,277,337 61
	243,870,274 61
The aggregate tax is 14½ mills on the dollar, or \$1 45 on the \$100, or 1.45 per cent., making	3,536,118 98
For assessing, the assessors in the city and the collectors in the country are allowed 5 per cent. on the amount of the tax, making the commission for assessing, (see section 49, acts 1871, No. 42).....	176,805 94
For collecting, in all the parishes except the parish of Orleans, 10 per cent. on the amount collected and paid in, making for the country parishes	145,392 14
For collecting in the first and second districts, 5 per cent., making amount for collecting in these districts	81,021 99
In the other districts, in the parish of Orleans, 10 per cent. is allowed collectors for all collected paid in, making (see section 75, acts 1871, No. 42)	45,045 91
Total for collecting.....	271,519 97
The licenses collected in the State amount to about \$600,000.	
The commission for collecting is 10 per cent. all over the State, except in the first and second collection districts in New Orleans, in which about one-half the amount is collected, where the commissions are 5 per cent., making approximately.....	45,000 00
Add the commissions for collecting the property-tax	271,519 00
Cost of collecting.....	316,519 00
Add cost of assessing	176,805 00
We have cost of assessing and collecting for the year 1871.....	493,324 00

If the plan of taking the assessment made by the city authorities for the State assessment, and having the State taxes in the city collected by the city collector, there will be a saving to the State of all it now costs to assess and collect the State taxes in the city, which will be—

For assessing	\$194, 104
For collecting	126, 127
For collecting licenses	45, 000
Amount saved in the city	275, 231

This proposes to reduce the percentage for assessing in the country parishes from 5 to 2 per cent., which is an ample compensation for that service; the saving will be	43, 621
And reduce the percentage for collecting in the country from 10 to 6 per cent. will make a saving of	58, 156

Making the aggregate saving 377, 008

for assessing and collecting the taxes of the State, enough to pay the salaries of any officer in the State, including the judges of all the courts; leaving ample compensation to the collectors.

The legislature at the last session appropriated \$625,000 to pay the expenses of the general assembly; this amount has been exhausted, and it is understood the commission appointed by the court to investigate alleged frauds in the issue of warrants will report over \$200,000 of warrants yet outstanding.

If there was a law passed defining the number of employes and making definite all the expenses that could be incurred by the general assembly the sum of \$125,000 would be found to be ample, even more than enough. The largest amount ever appropriated before the war for this purpose was \$100,000, for an ordinary session. Then, if no more is paid by the State for the expenses of the last legislature than was appropriated, \$625,000; if the expenses of the subsequent sessions are reduced to an amount not to exceed \$125,000, we have a saving alone in this item of \$500,000.

The next item that demands attention is the amount paid for public printing. The appropriation made for that purpose in 1871 was \$390,000. The largest amount ever appropriated for that purpose before the war, when the laws and journals were printed in both English and French, was \$60,000, generally below \$40,000. With a printing law fixing a fair compensation for public printing, and confining it to the State proper, as it was done before the war, \$50,000 will be an ample amount. This will be a saving of \$240,000.

The above items of excessive expenses alone amount to the sum of \$1,117,000. Besides these amounts there is an immense amount in the general appropriation bill of 1871 of extravagant and unnecessary appropriations; such, for instance, as \$150,000, all of which has been drawn for the arming, equipping, and uniforming the State militia. No part of this appropriation should have been used this year, (1871,) and this amount has been uselessly expended.

The fourth clause of the one hundred and seventy-fifth section of the Revised Statute Laws of the State of Louisiana, makes it the duty of the auditor of public accounts to submit to the consideration of the general assembly, at the commencement of each regular session thereof, "such plans as he may deem expedient for the support of the public credit, for lessening the public expenses, for promoting frugality and economy in the public offices, and generally for the better management and more perfect understanding of the fiscal affairs of this State."

Under that provision he made an elaborate report, from which we extract the following:

Something ought to be done to promote the more general payment of the poll-tax; or, if this does not admit of remedy, to lessen the expenses of collecting it. At present it is paid by a comparatively small number of those who are subject to no other State tax. Except in comparatively rare cases, it is paid only by property-holders, and the greater part of the money thus collected is absorbed in compensating assessors and tax collectors. In the second district of New Orleans, for instance, the assessment for poll-tax on the roll of 1869 called for 10,146 persons—

Equal to	\$10, 146 00
Of which was collected only	1, 911 00
Leaving amount not collected	8, 235 00

Amount collected as above.....	\$1 911 00
From which deduct assessor's commission on 10,146 names, at 10 per cent.....	\$1,014 60
Tax collector's commission on \$1,911, at 5 per cent.....	95 55
Total commission of assessors and collectors.....	1,110 15
Net amount in treasury.....	\$800 85
<hr/>	
<i>Four mills on each dollar</i> , "for the purpose of supporting the government of the State, of paying the public debt, and of promoting the public interest thereof," in accordance with section one of act No. 68, extra session of 1870.....	4
<i>Two mills on each dollar</i> , for the support of the free public schools of the State, to comply with the requirements of section thirty-four of act No. 6 of the extra session of 1870.....	2
<i>Four and a half mills on each dollar</i> , to provide for the payment of the interest to become due in 1871, upon all State bonds, except the interest on levee bonds, in compliance with section nine, act No. 68, extra session of 1870, and known as the "interest tax fund".....	44
<i>One and a half mills on the dollar</i> , to meet the maturity of the coupons of interest, to fall due in 1871, for the benefit of the levee bonds, issued under act No. 115, of 1867, and known as the "levee tax fund," and additionally to conform to the requirements of section six of the said act.....	14
<i>Two and a half mills on the dollar</i> , as provided for under act No. 32, of 1870, for the payment of interest and part of the principal of the bonds issued under said act, which bonds are payable in five years from the date of issue.....	24
	<hr/>
	144
	<hr/>

The whole forming an aggregate of *fourteen and a half mills on each dollar*.

This is a rate of taxation nearly twice as large as ever levied before; and when considered in connection with the taxes imposed on the people by our cities and parishes, should not be continued a moment longer than necessary. The only way to bring about their reduction at an early day is by the adoption of, and adherence to, a rigid rule of economy, an avoidance of all unnecessary expenses, and a steady refusal to give the money or to lend the credit of the State in aid of private enterprises. The constitution of the State of Illinois, adopted in July, 1870, forbids the appropriation of money out of the treasury in any private law or for any but public purposes. The supreme court of Michigan, in the case of *The People ex rel. The Detroit and Howell Railroad Company, vs. The Township Board of Salem*, recently pronounced railroad-aid laws unconstitutional. These are but indications of a growing sentiment observable everywhere in the nation, that the money raised by taxation should be used solely for the support of government, and not lent or given away to individuals or corporations. And seeing that for all the vast sums the State has expended (in aid, for instance, of railroads which are not now in existence) we have not a dollar to show, we should not be among the last in conforming to a policy which promises to form a new and advanced epoch in our political history.

The exhibit made by this officer is certainly a very bad one, especially the last sentence quoted, to wit: "For all the vast sums the State has expended (in aid, for instance, of railroads which are not now in existence) we have not a dollar to show," &c., &c., when it is recollected that the debt had been increased, as he shows, from \$10,099,074 32 in 1861, to \$41,194,473 91 on the 1st day of June, 1871, and the excess of expenditures over receipts, under acts of the general assembly of 1871, is estimated at \$9,345,733 50, and all that under a State constitution which prohibits the State from incurring liabilities beyond the amount of \$25,000,000.

It did not require the developments which the recent quarrels among the radical rulers in Louisiana have exhibited to satisfy the country that fraud, corruption, bribery, and extortion were the order of the day there as well as in the other States under radical carpet-bag rule. Perhaps the kind of men and their ways of doing things are exposed a little more sharply than would otherwise have been by reason of the quarrel now going on; we have no doubt all they say about each other is true, and much remains untold.

A few specimens from the speeches of Governor Warmoth, when he and his friends were excluded by the Federal officials and soldiers from the custom-house convention, will give an idea of the characters now figuring as the leaders in Louisiana politics.

The governor first takes up his chief antagonist, George W. Carter, and says :

This gentleman arraigns me. He says I have done some big things in this State—that I have made a big fortune; that I have created for the State of Louisiana a big debt, and I forget what other big thing he charged me with. How did George W. Carter become familiar with my bank account? Who of this audience can tell me how much money I had when I went into office, and how much money I have now? How did this apostate angel get his information? [Laughter.] Does he suppose because in one short session of the legislature he was capable of making enough money to buy a valuable residence in New Orleans, and to spend in one night seventeen hundred dollars in a gambling-house, that, therefore, upon his own experience in making money out of an official position, it follows that I must have made a considerable fortune in the three years I have been governor? It may be that I have made money; it may be that I have taken bribes; it may be that I have prostituted the high office you have given me for my personal aggrandizement. It may be I am guilty of all these sins of commission as well as omission that he has charged against me; but if this is true, why don't this man arraign me before the legislature and have me turned out of office?

Mr. Carter says I have created a big debt. Turn to the record of the last session of the legislature. Look at the number of bills passed making large appropriations of bonds and money for various purposes. Every one of them had George W. Carter's vote or support. [Applause.] And he got his *quid pro quo* for his services in every single case. [Applause.] Does he remember the one million four hundred thousand dollars intended to be given to the warehouse company? Or does he remember this grand levee scheme, fastened upon the people of the State, taking millions out of the people's pockets?

Next Charles W. Lowell, and speaks of him thus :

He did indorse and support, in a long-winded argument, the celebrated Ship Island Canal bill, [laughter,] which was to take all the public land of the United States that they supposed to be lying around loose in the suburbs of the city of New Orleans. He was to have this great franchise. His lungs were strong and his voice was loud when he stood up to advocate this iniquitous measure, which I say to-day has done more to injure the republican party, in the minds of the people of this city and State, than any other bill that was ever passed. [Applause.] My sin of omission that this gentleman charges me with was that I would not sign it. [Applause.] I vetoed his bill, notwithstanding that a gentleman connected with the enterprise was kind enough to offer me five hundred thousand dollars of their stock.

Next S. B. Packard, of whom he says :

There is another sin of omission I committed, [laughter and applause;] but the thing that turned the whole tide; that destroyed me in his estimation forever; that made him think that I was going over to the democratic party, was that I refused to sign the Nicolson pavement bill, which was to take out of the State treasury two hundred and fifty thousand dollars for paving St. Charles avenue. Now you see if Carter had been there he would have signed that bill, for in the first place he would not have wanted to incur the enmity of the chairman of the State central committee; and, in the second place, fifty thousand dollars is a magnificent compensation for writing one's name. [Cheers and laughter.]

He next disposes of James B. Casey, the brother-in-law of the President, and his friend Felix Herwig, thus :

My friend Jim Casey is a clever fellow. He hasn't sense enough to be a bad fellow. [Laughter.] A man to be a bad fellow must have some character—he hasn't any. [Much laughter.] That little native of Jerusalem, Felix Herwig, [laughter,] leads him round by the nose and takes him up stairs and down stairs, and puts him first in one corner and then in another, and Casey doesn't know while Herwig is doing all this that he is filling the custom-house with his relations. Casey don't know to-day that Herwig's brother is chief of the bonded warehouse department; that another brother owns bonded warehouse No. 6, class 3; that a brother-in-law is chief weigher; and Casey doesn't know that Herwig has been scheming and plotting and planning to get Ullman, another brother-in-law, appointed chief appraiser. [Laughter and cheers.] He

don't know enough to see that with Herwig chief deputy, one brother chief of bonded warehouse department, another brother owning the general-order warehouse, a brother-in-law chief weigher, and another chief appraiser, Felix Herwig could, in twelve months, steal the United States as poor as a rat! [Loud and long-continued laughter and cheers.] It was because I was not in favor of putting all Mr. Herwig's brothers and brothers-in-law into the custom-house that Herwig comes to the conclusion that "I am not for Grant," and he comes to Casey at midnight and early dawn, at breakfast, dinner, and supper, and says, "Casey, Warmoth is not sound on the Grant question." [Laughter.] He is not sound on the Grant question, because he is not in favor of putting brother-in-law Ullman into the appraiser's office. [Laughter and cheers.] But even Herwig has some lucid intervals. There are times when the sun, in all its force, will break through the dark clouds over the custom-house. Herwig sometimes says, "Upon my soul, I do believe Warmoth is in favor of Grant, and is sound on the negro question. I believe there is a good deal said that is wrong against him, but, by G—d, he will not let Casey and me make any money; that is the only objection I have to him. Why, he had my name—notwithstanding I was State senator—he or his friends—and he ought to control his friends—had my name stricken out of the levee bill, and it cost me ten thousand dollars to get an incorporate interest in it." [Laughter.] Just think of it! Doesn't this prove I am unsound on the negro question? Would you not hesitate after this before sending me to the next national convention, knowing from all of this evidence that I should vote against Grant? [Applause and laughter.]

Speaking of John N. Welch, he says :

I won't tell you the reason that he is indignant with me now, nor how mad he became when Packard and that crowd sent him to me to offer me fifty thousand dollars cash if I would sign the Nicholson pavement bill. I refused, and he made up his mind immediately that I was not for Grant. [Laughter and cheers.]

It will be understood from these extracts what sort of men control the once great State of Louisiana. The other side were equally complimentary in their remarks on the governor and his friends. As we said, it is highly probably that both sides told the truth as to each other. It is evident that if the State of Louisiana is not taken out of their clutches very soon she will be hopelessly bankrupt.

Colonel Carter, in his speech made the other day to the people of New Orleans, thus speaks of the governor and his administration :

Louisiana is affected with worse laws and worse administrators thereof than can be found in any ten States of the Union. Henry Clay Warmoth is the Boss Tweed of Louisiana, except that that amiable villain, with all his infamies, is a gentleman and a saint compared with the unscrupulous despot who fills the executive chair of this State. From the great deep of the popular heart comes up the demand for *bona-fide* and radical reform. Who is Henry Clay Warmoth? I knew him before he was governor. He came in your midst poor and an adventurer, and he has been elected to office, and gradually by corruption and all the questionable means resorted to by the political demagogue, abusing the confidence of a simple hearted and confiding people, he has gradually acquired and holds power more despotic than any King in Europe, and patronage more abundant and potent than any five governors in the Union. Through the registration and election laws he makes voters and controls elections. Through his patronage he poisons public virtue and corrupts public officers; and, through the Metropolitan police, militia, and constabulary laws, he intimidates and coerces those whom he cannot corrupt. With executive powers the largest possible he has nefariously absorbed, in many instances, judicial power, and manipulated and controlled the legislative department of the State, and all this for the perpetuation of his power and the aggrandizement of his partisans, rather than for the public weal. He had kingly prerogatives given him, not for personal ends, but for the benefit of the people, and it was expected, in the exercise thereof, to confer royal benefactions upon the people who elected him to power and charged him with the safe keeping of their interests. What return has he made? This beggar, made a king, has done nothing adequate to his opportunities and his powers, but made most beggarly return for the trust put in his hands.

On the 30th day of November, 1871, the Democratic Central Committee issued an address to the people, in which they make the following statement :

The party in power is alone responsible for the increase of taxation beyond all precedent and the three-fold increase of the State debt, resulting mainly from venality and speculation, and evidently tending to the eventual confiscation of the property of an impoverished people.

To illustrate the extent of our financial embarrassments and the urgent need of reform, consider that the annual interest, alone, on the bonded debt of the State exceeds the sum of *one million dollars*. Under the existing revenue laws, fifteen per cent. of the amount of taxes collected will barely cover the expense necessary to place it into the vaults of the treasury. The constantly decreasing value of property, the increasing deficit in receipts, compared with current expenses; the annual payment of this enormous interest account; the impaired credit of the State; the incompetency of our financial agents, together with the depressed condition of trade, and the unfavorable aspect of our agricultural interests, present to the intelligent and thoughtful a financial prospect calculated to arouse the most serious apprehensions and to stimulate the most apathetic to earnest and persistent action.

The very warrants of the State, notwithstanding the heavy taxes wrung from the people, are hawked about the streets at fifty cents on the dollar, as if possibly the State might be on the verge of bankruptcy. And repudiation—the very idea of which was once so repulsive—had become a familiar word with a people whose credit and good faith were proverbial under democratic administrations.

All the elections in Louisiana have been held and the present rulers elected under the constitution of 1868. We propose to give the registration and election laws of this State as a specimen of those which exist in Arkansas and elsewhere.

By article 99 of the constitution of this State adopted in 1868, “the following persons” are “prohibited from voting and from holding any office.”

* * * * *

Those who held office, civil or military, for one year or more, under the organization styled “the Confederate States of America;” those who registered themselves as enemies of the United States; those who acted as leaders of guerilla bands during the late rebellion; those who, in the advocacy of treason, wrote or published newspaper articles, or preached sermons during the late rebellion; and those who voted for and signed an ordinance of secession in any State. No person included in these exceptions shall either vote or hold office until he shall have relieved himself by voluntarily writing and signing a certificate setting forth that he acknowledges the late rebellion to have been morally and politically wrong, and that he regrets any aid and comfort which he may have given it, and he shall file the certificate in the office of the secretary of state, and it shall be published in the official journal: *Provided*, That no person who, prior to the first of January, 1868, *favored* the execution of the laws of the United States, popularly known as the reconstruction acts of Congress, and *openly and actively* assisted the loyal men of the State in their efforts to restore Louisiana to her position in the Union, shall be held to be included among those herein excepted.

In relation to which article, a delegate of the convention which framed the constitution, says, in an energetic protest against its adoption, that :

Article 99, regulating the elective franchise and the right of holding office, is anti-republican, in direct conflict with the principles already established in the “bill of rights,” and *will disfranchise a large class of the people of this State*, and that class is composed of the very material which past events have proven to us we must draw from, if we wish competent men to manage the affairs of state. (How wise, in the light of subsequent events, and the present melancholly condition of that most unfortunate State, are these words.) The condition upon which they are offered the exercise of the elective franchise, and the capacity to hold office, is unjust, illiberal, ungenerous, and humiliating, and unworthy of being considered as emanating from an American head and an American heart.

We cannot add force to this most emphatic exhibit of the character of this constitution. By its provisions, the intellect, the integrity, and the manhood of the State was ostracized and insulted. We have here the commencement of that sad drama we are now witnessing in that State. From this constitution, and a government organized under it, we might naturally look for other scenes and events equally as disgraceful to republican institutions, and in so doing we will not be disappointed. A constitution born of malice, conceived in hate and prejudice, must necessarily, if it lives, be enforced by vengeful power; and such is its history in Louisiana.

Before referring to the specific laws passed under this constitution in relation to the exercise of the franchise, let it be remembered that, by

the military and police laws of the State of Louisiana, the Governor of that State has, and exerts, an amount of authority and power possessed and exercised by no ruler of any people under the sun having fixed laws. His forces are as obedient, as swift, and as faithful as any Swiss ever were, and, for the same reason, but without the dignity of character that belong to this mercenary class of soldiers, and, without being content with stipendiary pay, are quartered upon a disfranchised and helpless people, whom they recklessly plunder.

It appears that prior to March 16, 1870, there existed under this constitution a law providing for the registration of the voters of the State, qualified under said constitution and law to exercise the elective franchise, which, in its essential features, was the same as those passed that day, but which did not confer upon the governor, as it was supposed, so complete a control over the ballot-box, for remedy whereof, the acts of the legislature to which we now refer were passed.

Under the act entitled "An act to provide for the revision and correction of the lists of registered voters of the State, the appointment of the various officers necessary therefor, and to prescribe the duties, powers, and compensation of the same. To prescribe certain duties for the sextons of the cemeteries of New Orleans, to prescribe the penalties for the violation of the law, and to provide for a new registration in certain parishes and wards," "the governor, by and with the advice and consent of the Senate," was authorized upon the passage of this act, and every two years thereafter, to "appoint a person to be known as State registrar of voters." "The State registrar shall be the superior of registration for the parish of New Orleans."

By section 11 of said act it was enacted as follows:

SEC. 11. *Be it further enacted, &c.,* That the governor shall, six months previous to any general election, appoint in each parish of the State, except the parish of Orleans, one supervisor of registration, who shall hold his office for two years from the date of his appointment.

It will be observed that the appointment of these supervisors are not required to be with the consent of the Senate.

Among the duties required of these supervisors of registration, and the powers conferred upon them, were the following:

SEC. 19. *Be it further enacted, &c.,* That it shall be the duty of the supervisor of registration for each parish, when he opens his office, to take up the registration book he has received from the clerk of the district court, and proceed to an immediate revision of the same by striking therefrom the name of every person who is known by him to have died or removed from his parish since the last previous registration, or whose death or removal from the same shall be made known to him, and upon the personal application of any qualified voter, who shall be known by him to have moved into the parish since the last previous registration, or whose removal into the same shall be or shall have been made known to him, to add the names of such voters to the registration book.

SEC. 23. *Be it further enacted, &c.,* That the supervisor of registration for the parish shall carefully examine the registration books, and if, upon due INQUIRY and INVESTIGATION, he shall find the name or names of any person or persons therein not entitled to vote in his parish at the next election, he shall strike the name of every such person therefrom, by drawing a line in red ink through the same; but the name of no person shall be stricken from any registration book in his absence, except upon the testimony of at least two reputable citizens, qualified electors of the parish, whose names appear upon the said registration books, to be given under oath or affirmation, that such a person is not a resident of the precinct or parish, or is otherwise disqualified by law from voting at said election: and the said supervisor of registration shall also examine and revise the book of registration of his parish, and shall strike therefrom the names of all persons who are not residing in the parish or precinct on the tenth day before the election, and the names remaining on the said book of registration as corrected by the supervisor of registration as aforesaid, shall constitute the registry of citizens qualified to vote in the said parish at the next election.

SEC. 26.

The supervisor of registration for each parish shall require every person, before he is registered as a voter, to take and subscribe any of the following affidavits, as the case may require, and the supervisor of registration is hereby authorized to administer said oaths:

"I, ———, do solemnly swear (or affirm, as the case may be) that I am twenty-one years of age, was born (or naturalized, as the case may be) in the United States, and am subject to the jurisdiction thereof, and have been a resident of the State of Louisiana since the ——— day of ———, and resident of this parish since the ——— day of ———, and that I am not disfranchised for any of the causes stated in the first paragraph of article ninety-nine of the constitution of this State.

"And I do further solemnly swear (or affirm, as the case may be) that I did not hold any office, civil or military, for one year or more, under the organization styled "the Confederate States of America;" that I never registered myself as an enemy of the United States; that I never acted as leader of guerrilla bands during the late rebellion; that I never, in the advocacy of treason, wrote or published newspaper articles or preached sermons during the late rebellion; that I never voted for or signed an ordinance of secession in any State."

The last paragraph of the above affidavit shall be dispensed with where the person applying for registration shall produce and exhibit to the supervisors of registration the certificate of the secretary of state, showing that he has relieved himself from the disability contained in the clauses of said affidavit, by voluntarily writing and signing a certificate setting forth that he acknowledges the late rebellion to have been morally and politically wrong, and that he regrets any aid and comfort he may have given it, and showing that such certificate has been filed in the office of the secretary of state, and been published in the official journal, as is required by article ninety-nine of the constitution, and the act of the general assembly, prescribing the necessary forms for such certificate, and the registry and publication thereof.

The taking and subscribing the affidavits required by the preceding part of this section shall not prevent the supervisor of registration from receiving other evidence, showing that the party applying for registration is not entitled to register; and they shall have a right to examine, under oath, to be administered by themselves or other competent authority, any witness to prove any fact pertinent to the right of any one to register, and shall decide from the evidence whether the party so applying is entitled to register. That if any person applying to register claims to be relieved from the disabilities contained in the second clause of the aforesaid affidavit, under the proviso to article ninety-nine of the constitution, he shall be required to take and subscribe the following affidavit, and thereupon he shall be admitted to registration:

"I, ———, do solemnly swear (or affirm, as the case may be) that prior to the first day of January, eighteen hundred and sixty-eight, I favored the execution of the laws of the United States popularly known as the reconstruction acts of Congress, and openly and actively assisted the loyal men of the State in their efforts to restore Louisiana to her position in the Union."

And then it is provided by—

SEC. 24. *Be it further enacted, &c.,* That the said book of registration shall be the only evidence that the persons whose names are found therein have resided for ten days immediately preceding the said election in said parish.

And then, that there might be no appeal from the result of a registration so manipulated, though putrid and rank with vile fraud, it is, with devilish cunning, enacted by section 33 of said act:

SEC. 33. *Be it further enacted, &c.,* That the decision of any supervisor of registration on all questions of erasure from or addition to the registry, and all questions relative to the registry of voters, shall be final, and shall not be subject to any revision or correction by any parish or district judge. No parish or district judge shall interfere by writ of injunction, or mandamus, or other order of court, to compel any supervisor, or assistant supervisor of registration to register, or prohibiting him from registering any person. Any judge so interfering shall, upon conviction thereof, be subject to a fine of not less than five hundred dollars, and imprisonment for not less than six months, and shall be liable to impeachment and removal from office.

And yet, fearful as the wicked always are, that the plans of the governor might "gang alee," it is enacted by section 41 of said act:

SEC. 41. *Be it further enacted, &c.,* That it shall be the duty of the supervisor of registration in every parish of this State to appoint one or more suitable persons to attend at each poll or voting place, whose duty it shall be to convey the box to receive the votes to the place of holding the election, and to deliver the same to the commissioners of election, and to attend the commissioners of election during the whole time of

holding the election, and to obey all legal orders of such commissioners in keeping order at or near the polls, suppressing riots, or disorder of any kind, and to make all such arrests as may be lawfully ordered by said commissioners.

In other words, that the ready agents of imperious power, should, if necessary, and other schemes had failed, *stuff*, *crain*, or supervise the ballot-box, and thus defeat the freemen who had grown restless under arbitrary power.

To make certain and secure of the fidelity of his instruments, and to prevent anything like conscientiousness upon their part, or if they halted, or slackened in zeal to their master, a remedy was provided in the thirty-seventh section of said act:

SEC. 37. *Be it further enacted, &c.,* That the governor shall have power to remove any supervisor or assistant supervisor of registration for failure, refusal, neglect, or inability to perform the duties enjoined on him by law.

Cotemporaneous with the act referred to, and whose details we have just examined, as if distrustful of its tyrannical efficacy, the legislature of Louisiana enacted upon the same day another act, entitled "An act to regulate the conduct and purity of elections, to prescribe the mode of making, and designate the officers who shall make, the returns thereof," &c.

An examination of the provisions of this act shows that while "each parish in this State except the parishes of Orleans and Jefferson" was fixed as an election precinct, yet—

The supervisor of registration in each of said parishes shall direct what number of polls or voting-places shall be established in each precinct, fix the places of holding the election, and appoint commissioners of election for each poll or voting-place. In the city of New Orleans, each ward shall constitute a precinct, and in the remaining part of the parish of Orleans the supervisor of registration for the said parish shall fix both the precincts and voting-places in each precinct, and in the parish of Jefferson the supervisor of registration shall fix both the precincts and the voting-places in each precinct; in the parishes of Orleans and Jefferson the supervisor of registration of each parish shall appoint commissioners of election therefor, as in other parishes. Any duly registered voter may vote at any poll or voting-place within his precinct.

Thus, by controlling the voting-places, having power to control the number of votes.

The right of every voter, by challenge, to sue and to have no infringement upon his rights and powers, is devised by section 45.

SEC. 45. *Be it further enacted, &c.,* That no voter whose name is registered according to law shall be challenged at the polls on any question of residence, and it shall be the duty of the commissioners of elections to require every person whose name appears on the registration books to prove his identity if required by the commissioners of election.

It will be seen that the commissioners, who are the appointees of the supervisors, alone can challenge.

By section 50 it is seen that other agents of the governor are brought forward to aid in this vile work of disfranchisement. The "board of metropolitan police commissioners," creatures of the governor, are directed to "inquire into and report" to the supervisors of registration in the parishes of Orleans and Jefferson "the names of all persons falsely, fraudulently, or improperly registered," "who shall immediately make publication thereof in the official journal of the State, *with notice to all such persons to appear forthwith * * * and show cause why their names should not be erased from the registry list.*" "If any such person shall appear and show, to the satisfaction of the supervisor of registration, that he has been unjustly reported, * * * or show other sufficient cause, * * * his name shall not be erased; OTHERWISE the supervisor shall cause all names so reported to be erased; * * * and no person whose name is so erased shall vote at that election."

The point we make, as the power in this section, is seen in the latter

clause above quoted; since by control over the publication, &c., it is readily seen that many a well-meaning and qualified voter may be deprived of the benefit of his registration.

SEC. 54. *It is provided, &c., That the governor, the lieutenant governor, the secretary of state, and JOHN LYNCH and T. C. ANDERSON, or a majority of them, shall be the RETURNING OFFICERS for all elections in the State, a majority of whom shall constitute a quorum, and have power to make the returns of all elections.*

The power proposed by these returning officers, so called, will be best understood by reference to section 29, which enacts—

That in any parish, precinct, ward, city, or town in which, *during the time of registration, or revision of registration, or on any day of election, there shall be any riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influence at any place within said parish, or at or near any poll or voting-place or place of registration or revision of registration, which* * * * * * *shall prevent or tend to prevent a fair, free, peaceable, and full vote,* * * * * * *it shall be the duty of the commissioners of election, if such riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences, occur on the day of election, or of the supervisor of registration, or any assistant supervisor of registration of the parish, if they occur during the time of registration or revision of registration, to make in duplicate, and under oath, a clear and full statement of all the facts relating thereto, and of the effect produced by such riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences in preventing a fair, free, peaceable and full registration or election, and of the number of qualified electors deterred by such riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences, from registering or voting, which statement shall also be corroborated under oath by three respectable citizens, qualified electors of the parish. When such statement is made by a commissioner of election or assistant supervisor of registration, he shall forward both copies to the supervisor of registration immediately on the close of the election. The supervisor of registration shall forward one copy of all such statements, whether made by himself or by a commissioner of election, or by an assistant supervisor of registration, to the governor, and shall deposit one copy with the clerk of a district court of the parish.*

SEC. 53. *Be it further enacted, &c., That immediately upon the close of the polls on the day of the election, the commissioners of election at each poll or voting-place shall seal the ballot-box by pasting slips of paper over the key-hole and the opening in the top thereof, and fastening the same with sealing-wax, on which they shall impress a seal, and they shall write the names of the commissioners on the said slips of paper; they shall forthwith convey the ballot-box so sealed to the office of, and deliver said ballot-box to, the supervisor of registration for the parish, who shall keep his office open for that purpose from the hour of the close of the election until all the votes from the several polls or voting-places of the precinct shall have been received and counted. The supervisor of registration shall immediately upon the receipt of said ballot-box note its condition and the state of the seals and fastenings thereof, and shall then, in the presence of the commissioners of election and three citizens, freeholders of the parish for such poll or voting-place, open the ballot-box, and count the ballots therein, and make a list of all the names of the persons and offices voted for, the number of votes for each person, the number of ballots in the box, and the number of ballots rejected, and the reason therefor. Said statement shall be made in triplicate, and each copy thereof shall be signed and sworn to by the commissioner of election of the poll and by the supervisor of registration. As soon as the supervisor of registration shall have made the statement above provided for for each poll in his precinct or parish, and it shall have been sworn to and subscribed as above directed, the supervisor of registration shall inclose in an envelope of strong paper or cloth, securely sealed, one copy of such statement from each poll, and one copy of the list of persons voting at each poll, and one copy of any statements as to violence or disturbance, bribery, or corruption, or other offenses specified in section twenty-nine of this act, if any there be, together with all memoranda and tally-lists used in making the count and statement of the votes, and shall send such package by mail, properly and plainly addressed, to the governor of the State. The supervisor of registration shall send a copy of said statement to the governor of the State by the next most safe and speedy mode of conveyance, and shall retain the third copy in his own possession.*

SECTION 54. * * * * * Within ten days after closing the election, said returning officers shall meet in New Orleans, to canvass and compile the statement of votes made by the supervisors of registration, and make returns of the election to the secretary of state. They shall continue in session until such returns have been completed. The governor shall, at such meeting, open, in the presence of said returning officers, the statements of the supervisors of registration, and the said returning officers shall, from said statements, canvass and complete the returns in duplicate. * * * * *

SEC. 55. * * * * * Whenever from any poll or voting-place there shall be received the statement of any supervisor of registration, assistant supervisor of reg-

istration, or commissioner of election, in form as required by section twenty-nine of this act, on affidavit of three or more citizens, of any riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences, which prevented or tended to prevent a fair, free, and peaceable and full vote of all qualified electors entitled to vote at such poll or voting place, such returning officers shall not canvass, count, or compile the statement of votes from such poll or voting place until the statements from all other polls or voting-places shall have been canvassed and compiled. *The returning officers shall then proceed to investigate the statements of riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences at any such poll or voting-place, and if from the evidence of such statements they shall be convinced that such riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences, did not materially interfere with the purity and freedom of the election at such poll or voting-place, or did not prevent a sufficient number of qualified voters thereat from registering or voting to materially change the result of the election, then, and not otherwise, said returning officers shall canvass and compile the vote of such poll or voting-place with those previously canvassed and compiled; but if said returning officers shall not be fully satisfied thereof, it shall be their duty to examine further testimony in regard thereto, and to this end they shall have power to send for persons and papers.*

By sections 30 and 31 it is provided :

SEC. 30. *Be it further enacted, &c., That no parish or district judge shall interfere, by writ of injunction or mandamus, or order of court, to compel any commissioner of election to do any act or prohibit him from doing any act in his official capacity as commissioner of election, or relating in any manner to the conduct of the election. Any judge so interfering shall be guilty of a misdemeanor in office, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and imprisonment in the parish prison for not less than three months: Provided, That nothing in this section shall be so construed as to exempt any commissioner from a suit for damages or prosecution for violation of the law.*

SEC. 31. *Be it further enacted, &c., That it shall be the duty of the governor to cause the attorney general, or, in case of his failure or refusal, to employ competent counsel to prosecute any judge who shall violate the provisions of the foregoing section of this act. In the parish of Orleans such prosecutions shall be before the district court having criminal jurisdiction.*

Yet by section 83 all power is given and conferred upon the governor, in the following language :

SEC. 83. *Be it further enacted, &c., That the governor shall take all necessary steps to secure a fair, free, and peaceable election, and shall, on the days of election, have paramount charge and control of the peace and order of the State over all peace and police officers, and shall have the command and direction in chief of all police officers, by whomsoever appointed, and of all sheriffs and constables in their capacity as officers of the peace.*

It has been remarked, "Oh! Liberty, what crimes are committed in thy name!" Under pretense of securing to the newly-made freeman the exercise of the elective franchise, whereby he could protect his rights of person and property, this right, which makes of the American citizen a sovereign, is taken away from and denied to a large class of men who with us were joint inheritors of this most glorious privilege—the bequest of our common fathers. If the gift of it enabled the colored man to protect himself in his rights of person and property, the denial of it to the white man took away from him, as it was doubtlessly intended, the ability to protect himself in either right. But it seems that not content alone with the disfranchisement of "a large class of the people of this State," and "that class composed of the very material which past events" had proven to them that they "must draw from if" they wished "competent men to manage the affairs of State," yet they went to lower depths, and by the election and registration laws (from which we have liberally quoted to show their character unmistakably) basely surrendered to the control of the governor of the State all power, even over those who are permitted by said constitution to exercise the right of ballot or of holding office. The governor is the source of all power; the governor is the ruler of the people; the governor is an autocrat, without check save his own will.

The judiciary, the last refuge of the oppressed and the unfortunate,

is stricken down. The ballot-box—the sanctuary of freedom; the ballot box, the only abiding place and secure retreat of liberty; the ballot-box, the arsenal where freemen's weapons were wont to terrify tyrants—is made the charnel-house in which the assassinated liberties of a defenceless people are buried; is made the dice-box in which are staked and played for by the minions of a despot the revenues of a plundered Commonwealth. What wonder that in the lust of power these minions should become rapacious! Alien to the people they rule, alien to honesty and patriotism, they recognize, as they practice, no law but that of force, and yield to no consideration but that of plunder; and when their victims can bleed no more, that they should quarrel among themselves, and against themselves employ the same means, force and robbery, they had successfully used against others. The employment of the "Gatlin gun" by one party, and the use of the bayonet and the metropolitan janizary by the other, are the logical results of the legislation to which we have referred. And the present condition of Louisiana, in which one of the governor's own political party addresses him in words (the truth of which he knows full well) like these: "You have plied *your theft upon every citizen, rejected his ballot at your caprice, burdened him with taxation, and mocked the fair fame of his Commonwealth;*" and to which the governor replies by recrimination, all justify the criticisms we have ventured upon this proscriptive constitution and this tyrannical and despotic legislation.

This character of legislation and rule has already brought reproach upon our Government, and has weakened the confidence of the friends of a popular form of government in the American system. For this reproach and disgrace the party in power in the National Government is alone responsible. But for the support and countenance their miserable satraps of the South derive from them, they would not exist an hour. And with their disappearance their laws would depart, and peace and liberty would again dwell in all our borders.

MISSISSIPPI.

The State of Mississippi had no debt before the war, and, as a State, is comparatively free from debt now. Section 5 of article 12 of her present constitution provides as follows:

The credit of the State shall not be pledged or loaned in aid of any person, association, or corporation, nor shall the State hereafter become a stockholder in any corporation or association.

Besides, when she was reconstructed one of her own citizens, a republican, of course, but a large property-holder, was elected governor, and doubtless aided in keeping down the liabilities of the State, but it must not be understood that the burdens imposed on that people have been lighter than in the other States. On the contrary, the county and local taxation, and the extravagance of the officials, State and local, have been oppressive in the extreme. Indeed, most, if not all, of the wrongs done and outrages committed by disguised men in the disturbed portions of that State can be traced directly to the local exactions and extortions of the radical officials and their adherents, as we propose to show, first giving what little information could be obtained as to debts, taxation, general expenditures, &c.

The reconstruction of Mississippi was not perfected till 1870; she came in with Virginia and Texas. She had, according to the report of the auditor, a debt in 1870 of \$1,177,339 46; on January 1, 1871, \$1,791,971 30.

According to the same authority the cost of conducting the State government for—

The year 1859 was	\$424,943 31
The year 1860 was	517,491 94
The year 1870 was	942,662 42

There is no statement for the year 1871. The late census report shows—

Assessed value of property for 1860	\$509,472,913
Assessed value of property for 1870	177,282,292
State taxation for 1860	392,821
State taxation for 1870	1,112,657
County taxation for 1860	324,908
County taxation for 1870	2,299,696

We desire to call special attention to the enormously increased county taxation, as we propose to show that the discontents of that people grew mainly out of the profligacy of the county officials, all of whom were republicans and nearly all carpet-baggers. As the constitution curbed the legislature in schemes involving the State, they made it up by local oppression. The management of the State government, however, is the subject of just criticism. As we could not get full official information relative to its management, we had to resort to the best-informed citizens to supply what the officials withheld. Questions were addressed to the Hon. G. Barksdale, of Jackson, Mississippi, perhaps the best-informed man in the State on these subjects, and he replied thus:

The annual cost of administering the State government before the war was about \$300,000. Now it is from \$1,100,000 to \$1,500,000. To this is to be added the taxes levied for county purposes, (which were trifling before the war,) and which will swell the cost to about \$2,000,000. A full and satisfactory answer to your interrogatory touching the comparative expenses of the two regimes, as to the State government, is furnished in the annexed paper, which was carefully prepared from official sources during the late canvass. I beg to ask your special attention to it:

We have shown by figures from the official reports, accessible to every one who may choose to examine them in the State library, that the expenditures under carpet-bag rule upon a property valuation of \$180,000,000 have been increased from three to four hundred per cent. beyond the expenditures under the rule of Mississippians on a property valuation of \$600,000,000. And now we propose to analyze these expenditures and to show specifically for the information of the tax-payers the enormous increase under separate heads and in the several branches of the State government.

To illustrate we will take a series of years, beginning in 1848 and continuing down to 1861, and the years of civil rule after the war until the inauguration of military government, and contrast them with the expenditures in the same departments under the rule of the carpet-baggers and their scallawag allies:

JUDICIARY.

Expenditures for 1848	\$75,741
Expenditures for 1849	83,230
Expenditures for 1850	82,364
Expenditures for 1851	74,449
Expenditures for 1853	78,819
Expenditures for 1854	95,655
Expenditures for 1855	99,527
Expenditures for 1857	114,983
Expenditures for 1858	139,842
Expenditures for 1859	147,105
Expenditures for 1861	144,565
October, 1865, to May, 1866	49,775
May, 1866, to May, 1867	163,340
May, 1867, to May, 1868	191,440
Expenditures for 1870	220,339
Expenditures for 1871, as estimated by Auditor Musgrove's report, page 111.	328,000

LEGISLATIVE DEPARTMENT.

Expenditures for 1848	\$48, 154
Expenditures for 1850	63, 516
Expenditures for 1854	43, 135
Expenditures for 1857	32, 766
Expenditures for 1858	17, 824
Expenditures for 1859	26, 592
Expenditures for 1861	56, 909
October, 1865, to May, 1866	77, 567
May, 1866, to April, 1867	72, 407
Expenditures for 1870	258, 400
Expenditures for 1871, (estimated)	260, 000

Remarks.—Musgrove, in his report of January 1, 1871, estimates expenditures on account of legislature for a session of sixty days at \$135,000; but the session was drawn out to one hundred and nine days, which would swell the expenditures at the same ratio to about \$260,000 in round numbers.

EXECUTIVE DEPARTMENT.

Expenditures for 1848	\$8, 623
Expenditures for 1849	8, 663
Expenditures for 1850	8, 853
Expenditures for 1853	8, 251
Expenditures for 1854	8, 008
Expenditures for 1855	4, 450
Expenditures for 1857	10, 018
Expenditures for 1858	11, 216
Expenditures for 1859	12, 570
Expenditures for 1861	13, 716
October, 1865, to May, 1866	10, 429
May, 1866, to May, 1867	22, 598
May, 1867, to May, 1868	20, 571
Expenditures for 1870	24, 200
Expenditures for 1871	34, 800
(Musgrove's report.) These extraordinary expenditures are exclusive of the fifty thousand secret service fund appropriated to the use of the executive department and chargeable to it, making a grand total of	84, 800

PUBLIC PRINTING.

Expenditures for 1848	\$7, 717
Expenditures for 1849	1, 602
Expenditures for 1850	6, 591
Expenditures for 1851	2, 503
Expenditures for 1853	3, 282
Expenditures for 1854	6, 703
Expenditures for 1855	4, 357
Expenditures for 1857	7, 168
Expenditures for 1858	9, 004
Expenditures for 1859	16, 297
Expenditures for 1861	8, 028
October, 1865, to May, 1866	5, 964
May, 1866, to May, 1867	6, 228
May, 1867, to May, 1868	18, 675
Expenditures for 1870	52, 876
Expenditures for 1871, estimated by Musgrove, but known to be far below the real figure	50, 000

COST OF ASSESSING.

1854, commissions	\$17, 157
1855, commissions	9, 980
1858, commissions	18, 998
May, 1867, to May, 1868, commissions	28, 066
1871, commissions	175, 000

This is the estimate by Musgrove of expenditures under the new law, showing an increase of something like tenfold under carpet-bag rule. The amount of this increase over *ante bellum* times will be still better appreciated when it is considered in connection with the fall in the valuation of property from \$600,000,000 to \$180,000,000.

CONDEMNED OUT OF THEIR OWN MOUTHS.

[*Extracts from Governor Alcorn's message of January, 1871.*]

"The public printing of 1861 amounted to but \$8,028; whereas last year (1870) it amounted to \$52,976."

"The legislative expenses of 1870 present on their face a *startling comparison* with those of 1861.

"I am without the details of the expenses of 1861, and will, therefore, make the comparison of the heads of cost of legislation in 1870 with those of legislation in 1865. * * This explanation goes to the justification of a very large excess in the expenses of the legislation of 1870 over that of 1865; *but so very marked as the excess shown in this table actually is*, I recommend that your honorable bodies consider whether any means in saving in the rate of expense may not be put in operation at your present session."

SPECIFICATIONS.

"The mileage of members in 1870 was \$29,664, whereas in 1865 it was but \$22,128. * * While the per diem of clerks was in 1865 but \$5,861, it was in 1870 so much as \$28,201."

"The per diem of members in 1865 was but \$46,362, in 1870 it was \$166,632."—*Message January, 1871.*

Men of Mississippi, you have seen by these figures what it costs to administer your State government under the rule of Mississippians, of honest and capable men of your own choice, in past years; and you have contrasted their expenditures with the cost of carpet-bag scalawag misrule. The disproportion is immense, and would baffle credulity if you did not read it in the figures, which speak trumpeted-tongued, and know it in your terrible realization of the increased burden.

How is it that your legislative sessions, which formerly cost from \$30,000 to \$70,000, now cost \$260,000. Your judiciary, which, in all its branches, averaged from \$30,000 to \$140,000, now costs \$320,000. Your printing-bills, which formerly averaged from \$8,000 to \$10,000 per annum, have run up to \$52,000, and God and the mongrel vampires only know how much more. How is it that the cost of assessing taxes has swollen from \$18,000 and \$20,000 in the days of your prosperity, to \$175,000 when your property is reduced to a little remnant, pledged and mortgaged as it is to your merchants to secure accommodations for making your crops on which the tax collectors have their eager gaze already fixed?

How is all this? The answer is plain. To gorge the vampires who are eating out your vitals, offices by the multitude have been created; salaries have been increased; sinecures have been established; and the ingenuity of the plunderers has been taxed to discover new approaches to your pockets. The election now pending is to determine whether their license to depredate on a larger scale shall be renewed or withdrawn.

To the foregoing statistics are added some other figures from an official report of the auditor to Governor Alcorn, (now Senator,) showing the enormous expenditures in a single branch of the public service, for thirteen months under radical rule—public printing. I will state in this connection that the cost of public printing before the war averaged, per annum, about \$9,000. These figures show upwards of \$180,000 in little over a year. The whole cost of the public printing for the twelve years preceding the war was \$108,000, or about \$70,000 less than was expended by the carpet-bagger on that account in one year. This is given as an example of the whole system of radical expenditure in this State.

At the coming session of the legislature the conservative and democratic members will institute a rigid investigation into the iniquities and frauds of the radical administration, which have yet been but partially disclosed.

With much respect, I have the honor to be, your obedient servant,

E. BARKSDALE.

The foregoing statement shows how the burdens of the people, even for State purposes, are being quadrupled; and now that the governor, allured by the tempting bait of a seat in the Senate of the United States, has left them, his radical friends will find ways and means still more rapidly to enrich themselves at the expense of the people. But it is the county and local taxation that grinds that people to the dust. Mr. Barksdale, as will be observed, fixes the local taxation for the year just closed at about \$6,000,000. That imposition on a people whose

property has been reduced from \$509,472,912 to \$177,288,892 in ten years is perfectly frightful.

Perhaps the best way to illustrate how it is done, is to begin with the testimony of Cornelius McBride, a radical school-teacher in Chickasaw County, afterward promoted to assistant United States marshal in the great Ku-Klux trials at Oxford, who was whipped by disguised men, and was called and examined by the majority of the committee while yet breathing vengeance against the people of the State. After showing how the tax known as the school-tax was imposed by an act of the radical legislature, giving power to the local officials, all of whom were radicals, to establish schools in their discretion; and after it was shown by him and other witnesses that the property was almost exclusively owned by the whites, as Mississippi had within her borders only 771 free blacks when the war closed, and that the proceeds of the crop of 1870 hardly paid the expenses of raising it, leaving the people miserably poor, the examination proceeded thus, (page 234:)

Question. What is that free-school system in Mississippi; how is it kept up? Tell us the working of it.

Answer. I will give it in my county; I am not familiar with it in any other county. There is a tax on the property of five mills on the dollar, allowed by the State to be collected by the county officers for school purposes. Now our superintendent has this arrangement: In any neighborhood where there are twenty-five children, and the parents or guardians want a school, they get up a petition stating the number of scholars they will send, and recommending a certain man for teacher, if the superintendent should find him to be competent. This petition is presented to the board of school directors, and if they think that a school is necessary in that neighborhood they locate a school there, and appoint the party recommended as teacher if he has been found to be competent. No school is located in our county unless the people petition for it, and no teacher is appointed unless the people of the neighborhood want him.

Question. And any twenty-five persons can have a school established and a teacher assigned?

Answer. Yes, sir; they get the teacher themselves and send him before the board.

Question. Then if twenty-five colored persons, or enough persons to send twenty-five children—is that it?

Answer. Yes, sir; enough persons to send twenty-five scholars; that is, if there is no other school within a reasonable distance.

Question. So that if five men could send five children each, they would be entitled to a school?

Answer. They would only be entitled to a school with this proviso, that there is no other school within three miles.

Question. They would be entitled to a school then, and to have a teacher of their own selection, if he was qualified?

Answer. Yes, sir.

Question. Although none of those five men should own a dollar's worth of property in the county?

Answer. Yes, sir.

Question. And the county would have to be taxed to support their school for them under those circumstances?

Answer. Yes, sir.

Question. How many schools were established in Chickasaw County?

Answer. Something like two hundred, I think.

Question. Two hundred schools in that county?

Answer. I think so; I do not remember the exact number.

Question. What are the teachers paid there?

Answer. Third-class teachers are paid forty dollars a month; second-class teachers some sixty dollars a month, and first-class teachers a hundred dollars a month.

Question. To what class did you belong?

Answer. To the second class; to the sixty-dollar class.

Question. Is the second class about the average?

Answer. Yes, sir; I think so.

Question. And there are about two hundred schools and teachers in the county?

Answer. I think so; I do not know that that is the correct number, but I think it is about that.

Mr. Charles Baskerville, one of the most intelligent of the witnesses

examined on either side, from Mississippi, when questioned on this subject said, (see page 384:)

Question. What is the amount of school tax levied, and how is it levied in your State?

Answer. I will endeavor to explain to you the system of taxation for the State of Mississippi. We have in that State a tax of one-half of one per cent. upon every description of property that it is possible to conceive of. They tax your hogs, your cows, your furniture, your watches, your cups and saucers, your land, and everything else. Everything is subjected to that tax of one-half of one per cent. by the State. Then the county has the right to levy not exceeding one hundred per cent. upon the State tax. Every county comes up to that limit and wants a little more; that, added to the State tax, makes one per cent. Then they have a right to levy a special tax for the purpose of building jails, bridges, &c.—a tax not exceeding one hundred per cent. upon the county tax; that is another half per cent. Then the school tax is so many mills—if I recollect right it is five mills to pay teachers, and ten mills for the building of school-houses.

Question. The school tax is a tax of one and a half per cent.?

Answer. Yes, sir; this one and a half per cent. is levied for school purposes.

Question. In addition to the other taxes?

Answer. In addition to all the others. We have, thus, a tax of one-half per cent. for State purposes, one-half per cent. for county purposes, about one-half per cent. for special purposes, and one and a half per cent. for school purposes, making in the aggregate, as I now estimate it, four per cent. upon the entire property of the State—land, cultivated or uncultivated, and everything else.

Question. Are you certain of that?

Answer. I think that is correct.

Question. Are not the owners of small amounts of property exempt to a certain extent? Are not so many hogs, so many horses, &c., exempted from taxation?

Answer. Yes, sir; there is an exemption, I think, of about two horses, \$200 worth of furniture, so many bushels of corn, &c. I do not recollect the items; but the exemptions just cover the absolute living of a family.

Question. Those exemptions would relieve from taxation the entire body of negroes or very nearly all?

Answer. Yes, sir; the negroes of our country pay no tax except here and there an occasional instance. I will illustrate to see whether I am correct. The assessment of tax for my county is, I see, \$59,000—say \$90,000. I think about \$20,000 is for school purposes, about \$25,000 or \$30,000 for the State, and the balance for county and special purposes. Now, we make in our county about 12,000 bales of cotton. That at \$75 per bale, the price which the last crop brought, would make about \$900,000. As a general rule the negro gets one-half the cotton. If we give him one-quarter we feed him, which we suppose is equivalent to one-quarter. In other words, only one-half of the cotton belongs to the planter. The planter pays the tax, which amounts to about 25 or 30 per cent. I know that last year it took about all my cotton to pay my taxes.

Question. Then the entire tax to carry on the State government, and the county government, and the schools, is levied upon the white people of the county?

Answer. I say unhesitatingly that it is.

Question. There has been some testimony given here in regard to the resistance made by the people of the counties to that enormous tax, and especially the school tax?

Answer. Well, sir, there is very great complaint, and I think very justly, against the onerous taxation of our people. They are oppressed with taxation. Our tax was due on the 1st of July; and fifteen per cent. additional has been levied upon delinquents who did not pay at that time. The sheriff told me he had collected about \$50,000 of taxation up to the time when he spoke to me—a few days before I left home, and before the period for payment had elapsed. He has the right to levy fifteen per cent. on the amount remaining unpaid up to a certain time, and after the expiration of that time to sell the lands for taxes. His list of lands on which taxes were unpaid covered, when printed, one entire side of a newspaper. Besides that we have another tax to pay in October.

Question. What is that for?

Answer. The tax which was due the other day was the tax for 1870, the tax under our late law having been levied one year and paid the next. But the law has been changed so that the tax assessed in the spring shall be collected in the fall. Hence this year we have to pay the taxes of last year, and in October the taxes for the present year. The tax for last year was due in April, but the governor, considering that there was a great burden resting upon the people in this respect, suspended its collection for a while, so that it did not fall due till July.

I. F. Sessions, esq., a member of the legislature, when examined said, (see page 208:)

Question. What is the rate of taxation now?

Answer. Well, in some localities it is quite large, in others not quite so much. The State tax is one-half of one per cent. on the dollar for all property; in some counties it is very large, and in others much less.

Question. In what counties is the rate so very large, and upon what does it depend?

Answer. The county tax depends altogether upon the board of supervisors who have the power to levy the county tax, and the special tax, as it is known; that is, all other taxes for special purposes, and the school tax. I think that in my county the whole county and other taxes amount to not more than 250 per cent of the State tax, the State tax being one-half of one per cent. In the county of Issaquena the whole county tax and other taxes amount to 800 per cent. of the State tax.

Question. That grows out of the construction of the levees, does it not?

Answer. No, sir; there is a tax of 15 cents an acre for the construction of the levees. In Issaquena the tax is 800 per cent. for county and other purposes, and 15 cents an acre besides for the construction of levees.

Question. How is the school tax levied?

Answer. The school tax is levied by the board of supervisors in conjunction with the board of school directors.

Question. Who appoints the supervisors; or are they elected?

Answer. They are made elective by the constitution, but until a general election is ordered they are required to be appointed by the governor; all existing boards of supervisors have been appointed by the governor, by and with the advice and consent of the senate.

Question. How are the school directors appointed?

Answer. The school directors are appointed by the board of supervisors.

Question. So that these two boards, the board of supervisors and the board of school directors, have a right to levy taxes for school purposes in each county?

Answer. Yes, sir; the board of supervisors, as I understand the law, levy the tax at the request of the board of school directors; the directors submit their estimate of the amount necessary in the county, and the board of supervisors make the levy.

Question. Has there been much complaint in the State about this school tax?

Answer. I think that in some of the counties there has been considerable complaint that the tax is too large. The law under which the tax is levied limits the boards to a certain per cent. for the purpose of paying school-teachers, and for the purpose of building or buying school-houses.

Question. The present legislature of your State has passed a law donating the stock of the State in the Central Mississippi Railroad, I believe it is—

Answer. The New Orleans, Jackson and Great Northern Railroad.

Question. That stock was given, by act of the legislature, to a Mr. McComb, was it not?

Answer. Yes, sir; the stock owned by the State in the New Orleans, Jackson and Great Northern Railroad, as well as the stock owned by the State in several other railroads, was given, by an act of the legislature, to the New Orleans, Jackson and Great Northern Railroad, the value of which amounted, I am credibly informed, to something over \$250,000.

Question. The cash value?

Answer. Yes, sir; at the time it was given.

Question. Nominally it was much larger?

Answer. Nominally it was several hundred thousand dollars more; I cannot state the exact amount.

Question. Was there a bill passed by the legislature of your State to lease the penitentiary of your State?

Answer. Yes, sir.

Question. Was that attended with much discussion and excitement?

Answer. Yes, sir; it gave rise to considerable discussion, and was the cause of great excitement in the legislature. It was commonly supposed there, and generally believed, that the passage of the bill was secured by bribery. The substance of it, as I recollect, was, that the penitentiary should be leased to a man by the name of Richardson for a period of fifteen years, he to be paid by the State the sum of \$18,000 per annum, and also \$120,000, I think the sum was, for which he was required to erect a cotton factory and certain buildings, and at the expiration of the fifteen years he is to turn over to the State the whole thing in good condition, and he is allowed to work outside of the walls of the penitentiary all the convicts that are not sentenced for murder, rape, or arson.

Question. Did I understand you to say that he was to be paid \$18,000 a year?

Answer. Yes, sir.

Question. And \$120,000 to build a factory?

Answer. To erect certain buildings.

Question. And he is simply to turn them over to the State at the end of his term in good condition?

Answer. Yes, sir.

Question. To have all the profits that he could make out of the labor of the convicts, both inside and outside of the walls?

Answer. Yes, sir; all he could make in the mean time, during the fifteen years.

Question. Was there any competition for this contract?

Answer. Yes, sir; there was great competition for it. Other parties proposed to do the same work, and to erect the same buildings, for about one-half the sum proposed by Richardson, I think; and other parties proposed to pay the State so much for the labor of the convicts.

Hon. Joshua S. Morris, a republican, and the attorney general of the State, when examined before the committee, explains the cause of all troubles in Mississippi in the following statement, (page 299:)

By the CHAIRMAN, (Mr. POLAND:)

Question. Where do you reside?

Answer. At Jackson, Mississippi.

Question. That is the capital of your State?

Answer. Yes, sir.

Question. How long have you resided there?

Answer. I have lived in the State about twenty years. I was born in Tennessee.

Question. You have always lived in the South?

Answer. Yes, sir.

Question. Your profession is that of a lawyer?

Answer. Yes, sir.

Question. Do you now hold some official position in your State?

Answer. Yes, sir; I am attorney general of the State, and reporter of the decisions of the supreme court.

Question. How long have you held each of those positions?

Answer. I have been attorney general from the time when the present government of Mississippi went into operation; I was appointed reporter of the decisions of the supreme court soon after the court organized; I do not recollect the exact date. I believe I was installed into office as attorney general on the 10th of March, 1850.

Another thing which I desire to state (for I am anxious to tell all that I know about this matter) is that since the present government of the State went into operation many of the officers throughout the State have not been elected by the people. The people have elected their governor and a few of the principal State officers, together with members of the legislature; but their sheriffs, constables, magistrates, county treasurers, assessors—in general all local officers—have been appointed. Sometimes men who have been sent into a county with their commissions in their pockets were never in the county before; knew nothing about the people and possibly were not known to anybody residing there. The people had a contempt for such men; it was natural; I had a great contempt for them myself. I thought that in this respect a mistake was made. I thought it would be better that the positions should be given to men even of less qualification or merit, but residents of the county, and therefore identified to that extent at least with the people. None of these local officers were elected by the people. The boards of supervisors, who levied the taxes, were appointed by the governor. The supervisors appointed the county directors of schools. The people had nothing to do with the selection of these officers. The superintendents of schools were appointed by the State board of education, sitting at Jackson. The magistrates, constables, sheriffs, &c., were appointed by the governor. Those officers thus appointed were often regarded, even by good men, loyal men, republicans, as being interlopers who had come among them merely to stay as long as they held office, and to leave as soon as they ceased to hold office. This has been a fruitful source of discontent.

These extracts give an idea, only a faint one, it is true, of the oppressions imposed upon the people of Mississippi by the men who have been induced to go there and manage their affairs. All the testimony shows that the white people of Mississippi are almost a unit against the radical party; it often happened that in counties with a white voting population of 1,500 or 2,000 there are not more than ten or a dozen white radicals, and they generally recent settlers. The people are not allowed to elect their own local officers; they are appointed and sent among them, all radicals of course, as Attorney General Morris describes it:

These officers thus appointed were often regarded even by good men, loyal men, republicans, as interlopers who had come among them merely to stay as long as they held office and to leave as soon as they ceased to hold office. This has been a fruitful source of discontent.

Men will endure oppression when they have selected their rulers with much more equanimity than they will when strangers are imposed upon them against their will, especially when those who impose the burdens bear none of them and pocket all they can. The people of Mississippi form no exception to the rule. Take the school-house and school-teacher tax, as described by McBride, in Chickasaw County, as an illustration. There, he says, about two hundred schools were established, and, of course, two hundred schoolmasters appointed. The proof all shows that there were hardly enough white radicals in that county to fill county offices, a dozen or twenty at the outside. Of course, several hundred radical schoolmasters had to be imported. Each one became a political emissary among the negroes, who were hired by the whites, or living on rented patches of their plantations; the struggle of each was to get twenty-five little negroes together and obtain a petition from their fathers or mothers to the school-board for the erection of a school-house, and his appointment as their preceptor; for it must be remembered, from reading McBride's evidence, that the law gave an absolute right to the parents of each twenty-five negro children, no matter whether they paid a dollar of tax or not, no matter though they might be living on another man's place and only there for a limited time, to have a school-house furnished and a schoolmaster appointed for their accommodation. These learned gentlemen, when appointed, would not put up with ordinary buildings which could be erected at cheap rates, but required handsome edifices, bells, and walnut furniture brought from Cincinnati and elsewhere. These edifices, thus furnished, were being erected everywhere; they cost from \$500 to \$1,000 each, and the law authorized the employment of teachers for ten months in the year in Chickasaw County at an average of \$60 a month; in other counties the average was \$100 a month. If the scheme had been consummated in Chickasaw, which we give merely as a sample, furnished by an intelligent radical witness, the cost for the year 1871 would have been \$100,000 for school-houses, at \$500 each, or \$200,000, at \$1,000 average, which is nearer the truth, and at least \$120,000 for schoolmasters, at an average of \$60 a month, besides all the expenses of the county machinery necessary to put the system in operation.

Mr. Baskerville testified that it took all the cotton he made in 1870 to pay his taxes, and he was one of the largest and most energetic of the planters of Noxubee County. All others were in the same condition. The poorer classes suffered most; they were without money, and their taxes had to be made by sales of their horses, corn, furniture, or whatever else could be found to sell. It requires no stretch of imagination to understand the feelings this state of the case would produce among a people who had been reduced to poverty by the war, whose crops, for several years after peace was declared, had proved failures, or had been sold at such low rates as hardly to pay taxes.

With a government imposed upon them by military rulers, headed by General, now United States Senator, Ames, under the dictation of Congress; with strangers and adventurers placed in authority over them, under the reconstruction acts, by the votes of their former slaves, when **THEY** were disfranchised; with all their local officers sent from other States and sharing none of the burdens they imposed; with political emissaries associating with the negroes and poisoning their minds against the white man; and when, at last, a law was passed by the radical legislature inaugurating the gigantic school system to which we have alluded, whereby they were to be sold out of house and home, and turned out with their wives and little ones as beggars, the poorer class became desperate, and in a number of cases violated the law, by whip-

ping and driving off men like McBride. They did wrong. The law allowed the oppression; McBride and his associates had the legal right to have their two hundred school-houses built, and their twenty-five little negroes instructed in each; they had the right to have their \$600 or \$1,000 a year each paid, and the horses, cows, beds, and provisions of these poor people sold to pay the taxes imposed for that purpose. Let THEM starve or leave the State if they could; Congress had, by its agents, given the authority, and Federal soldiers were stationed everywhere by the President to see that all these orders were enforced. It would doubtless have been better for the country if all the people of Mississippi had quietly submitted to all these things; but it is easier to philosophize than to starve. Many of the poorest of these people saw that they had either to be deprived under the forms of law of all they had or to break up the system of robbery, for it was nothing else, which had been inaugurated, to get enough radical schoolmasters into each county to control and manage the negroes. They gave them all sorts of notices to leave, hoping to intimidate them, and thus, without collision, rid themselves of their burdens; failing in that, in several instances they banded together, disguised so as if possible to avoid detection and escape punishment, and whipped the schoolmasters, as in McBride's case. That is all, or nearly all, there is, or ever was, of Ku-Kluxism in Mississippi anywhere. There was no politics in it; the fact that nearly all the white men and tax-payers are democrats, while all the schoolmasters had to be radicals, of course, alone gives it anything like a political aspect. It was, in fact, a struggle, regardless of politics, whether the white people in those counties should be driven from their homes beggars, or whether they should drive off the men and break up the system producing such results. It is doubtful whether even the law-abiding people of New England would quietly consent to be driven from their homes by such taxation, so imposed, for such purposes, without making a struggle, even if not in accordance with law, for the retention of what they supposed belonged to them.

NORTH CAROLINA.

The most reliable statement we have been able to obtain relative to the financial condition and management of North Carolina is that made by Hon. Kemp P. Battle, former treasurer of the State, who is known to be not only a man of the highest order of integrity, but perhaps the best informed man in the State relative to financial matters. When called on to answer the interrogatories put to him by the sub-committee, he responded as follows:

RALEIGH, November 15, 1871.

SIR: At the request of Hon. Messrs. Shober, Waddell, and Manning, I forward to you answers to the printed questions inclosed. The time allowed me for preparation is short; but I hope I am substantially accurate.

The facts and figures are taken from official documents. Where I give an opinion only, it is so stated.

Truly yours,

KEMP P. BATTLE.

Hon. J. B. BECK, M. C.

Answer to question 1:

1. On 1st July, 1861, the debt of North Carolina was.....	\$9,699,500
2. At the surrender, in 1865, interest unpaid on this amount was, in round numbers, (exact amount unknown)	1,200,000
Total debt recognized, July 1, 1865.....	<u>10,899,500</u>

To which ought to be added, in whole or in part, \$717,000, bonds to railroad comp-

nies *during the war*, under acts passed before; but they are omitted because the general assembly since the war has failed to recognize them.

War bonds—At the surrender, in 1865, there were outstanding, issued for “ways and means of defense” and “payment of confederate tax,” in bonds and treasury notes, \$18,117,836.

These were declared illegal by the conventions of 1865-’66. The State treasurer reports that the debt was, on October 1, 1870, \$28,772,045.

This, however, was only the principal. Adding interest due and unpaid up to January 1, 1871, and we have a total of \$32,455,205. The above report, however, does not state all the facts the sub-committee seem to desire to know. If the legislation of the convention of 1868 and of the general assembly of 1868-’69 had been carried into effect, the result would have been a State debt, on January 1, 1871, of \$42,000,000, as appears from the following statement:

Debt at the inauguration of the State government under the reconstruction acts.....	\$15,799,945
Increase by convention of 1868:	
For Chatham Railroad Company.....	\$1,200,000
Williamston and Tarborough Railroad Company.....	150,000
Western Railroad Company.....	500,000
	1,850,000

Besides, the convention directed a State indorsement of \$1,000,000 for the Wilmington, Charlotte, and Rutherford Railroad Company, which will probably fall on the State.

Increase by the general assembly:	
For Williamston and Tarborough Railroad Company.....	\$300,000
For Chatham Railroad Company.....	2,000,000
Western North Carolina Railroad Company.....	7,000,000
Wilmington, Charlotte, and Rutherford Railroad Company.....	4,000,000
Northwestern North Carolina Railroad Company.....	1,440,000
Western (Coal Field) Railroad Company.....	1,500,000
Atlantic, Tennessee, and Ohio Railroad Company.....	2,000,000
Eastern and Western Railroad Company.....	2,000,000
Edenton and Suffolk Railroad Company.....	850,000
University Railroad Company.....	300,000
	21,390,000

Provision was, however, made to retain in the Treasury \$2,100,000 of the above bonds, to secure payment by the companies of \$720,000 interest, in cash or coupons, the first year, and \$360,000 the second year. The provision was not complied with, except to a limited extent, so that, in round numbers, the effect was to reduce the debt about \$2,000,000—say nothing—of increase \$19,390,000.

So that it appears that the legislation of the convention of 1868, and the general assembly of 1868-’69, was designed to increase the debt of the State directly to \$37,039,945, or, adding interest, in round numbers, to January 1, 1871, \$42,000,000.

An act was likewise passed by the general assembly of 1868-’69 providing for resumption of payment of interest on the public debt, and as the expense of the State government had been increased, as hereafter shown, to \$500,000 at least per annum, the taxation on a total valuation of real and personal property of \$120,900,000 would have been about 2½ per cent. for State purposes alone; for State and county purposes 3 to 3½ per cent., (in some counties,) and for State, county, and city purposes, (in some cities and towns,) 4 to 4½ per cent. As some counties owing old debts, created for building railroads, the stock of which is nearly worthless, are being pushed for payment in the courts, the taxation necessary to meet all these demands would have been even higher.

An abortive effort was made by the general assembly of 1868-’69 to pay interest on the public debt. The result was to pay in cash \$111,123 for interest maturing October 1, 1868, after which no more interest was paid on the general public debt. Interest on the special tax bonds to the amount of \$208,470 was paid likewise, after which the State treasurer, in compliance with a resolution ratified January 20, 1870, stopped payment of all interest.

But part of the above contemplated debt was attached on the ground of unconstitutionality, and the result was that the following were declared void, either directly or by the reasoning of the opinion of the supreme court, viz:

Chatham Railroad Company, second issue under act of assembly.....	\$2,000,000
Eastern and Western Railroad Company.....	2,000,000
University Railroad Company.....	300,000
Edenton and Norfolk Railroad Company.....	850,000
	5,150,000

None of which are outstanding, except \$350,000 of numbers above 1,200, issued to the Chatham Railroad Company under act of assembly.

Moreover, by act passed by the general assembly of 1868-'69, ratified February 5, 1870, the officers of the railroad companies who had on hand unsold bonds were directed to return them to the treasury, to the end that they might be reissued under proper safeguards.

Under this act the following were returned:

By Atlantic, Tennessee and Ohio Railroad Company.....	\$1, 613, 000
By Northwestern North Carolina Railroad Company	1, 050, 000
	<hr/>
	2, 693, 000
	<hr/>

The return of \$1,650,000, declared unconstitutional, issued to the Chatham Railroad Company, has already been mentioned.

Answer to question 2: In 1861 the State was responsible as indorser for only \$300,000, issued to the Cape Fear and Deep River Navigation Company, but as the State had assumed this debt, it is stated as part of the \$9,699,500 mentioned in answer to question 1.

Answer to question 3: In 1861 the State was prospectively liable, as far as can be ascertained, contingent on acts to be performed by the companies for which the debt was to be created, as follows:

Wilmington, Charlotte and Rutherford Railroad Company	\$950, 000
Western (Coal Fields) Railroad Company. (Per mile on certain conditions).....	10, 000
Western North Carolina Railroad Company	2, 802, 000
Albermarle and Chesapeake Canal Company.....	200, 000
	<hr/>

Answer to question 4: First. No part of the increase of debt since 1865 arose from "collateral responsibility," as above mentioned.

Second. The increase from the contingent or prospective responsibility is as follows:

Bonds to Wilmington, Charlotte and Rutherford Railroad Company.....	\$453, 000
Bonds to Northwestern North Carolina Railroad Company.....	2, 562, 000
	<hr/>
Total	3, 015, 000
	<hr/>

Third. From funding accrued interest:

By act of 1866	\$2, 417, 000
By act of 1868	1, 721, 400
	<hr/>
Total	4, 138, 400
	<hr/>

The State has not attempted to replace any public funds lost by the war.

Answer to question 5: The items of increase since 1865 are as follows, viz:

1. Wilmington, Charlotte and Rutherford Railroad Company bonds issued prior to the convention of 1868..... \$450, 000

These bonds were issued in exchange for the same amount delivered to the company in 1862, but not used. As they were issued to the company under acts prior to 1861, and were for building the road, and as they had not been paid out, the general assembly thought proper to authorize the exchange.

2. Western North Carolina Railroad bonds, dated July 1, 1866, October 1, 1866, and July 1, 1867, and January 1, 1868..... \$2, 220, 000

This increase was for the purpose of completing the road through the Blue Ridge Mountains, to connect with the Tennessee line of railways, and was authorized by the general assembly prior to the war; in fact, arose from the provisions of the original charter of the company.

3. The debt created by funding part-due securities is as follows:

Under act of 1866	\$2, 417, 400
Under act of 1868	1, 721, 400
	<hr/>
Total	4, 138, 800
	<hr/>

The increase following is under the authority of the convention of 1868 and the general assembly of 1868-'69, both which bodies were elected under the reconstruction acts.

4. Bonds issued to complete the Chatham Railroad running from Raleigh, through the coal-fields of Chatham, to Cheraw and Columbia, South Carolina.

By the ordinance of convention of 11th March, 1868, \$1,200,000; for which 76 republicans and 5 conservatives voted, the convention consisting of 120 members.

By act of assembly, ratified August 15, 1868, chapter 14, there was authorized to be issued to the Chatham Railroad Company an additional appropriation of \$2,000,000. The reasons given for this appropriation were the necessity of developing the coal-fields of the Deep River Valley and of giving railroad facilities to the counties from Deep River to the South Carolina line.

Republicans voting for this act, 83; democrats voting for this act, 7; in both houses.

WILLIAMSTON AND TARBOROUGH RAILROAD COMPANY.

Under ordinance of convention, ratified August 17, 1868, this company was authorized to have, on condition of grading the road, \$150,000. The vote for this was republicans, 55; democrats or conservatives, 3.

The general assembly of 1868-'69, by act ratified August 17, 1868, authorized the issue to this company of \$300,000, to enable the company to grade, &c., the road. Republicans for, in senate and house, 83; democrats or conservatives, 7; in both houses.

WESTERN (COAL-FIELDS) RAILROAD COMPANY. (A. J. Jones, *President*.)

By act ratified February 3, 1869, \$2,000,000 were authorized to be issued to this company. Republicans for, 85; democrats or conservatives for, 8; in both houses.

WESTERN NORTH CAROLINA RAILROAD COMPANY.

By act ratified January 29, 1869, eastern and western divisions, \$7,000,000; republicans for, 79; conservatives and democrats for, 15; in both houses.

There were several acts in regard to this company; the above is the final result.

ATLANTIC, TENNESSEE AND OHIO RAILROAD COMPANY.

Act ratified February 3, 1869; \$2,000,000 appropriated; republicans for, 63; conservatives and democrats for, 13; in both houses.

Act to authorize the construction of a railroad through the counties of Granville, &c., sometimes called the Eastern and Western Railroad; ratified March 24, 1869. (Pronounced unconstitutional by the supreme court.) Vote in house of representatives, republicans for, 40; conservatives and democrats for, 6. I cannot lay hands on the senate vote.

EDENTON AND SUFFOLK RAILROAD.

Act ratified April 8, 1869; appropriates \$850,000; (unconstitutional;) republicans for, 63; conservatives and democrats for, 11; in both houses.

UNIVERSITY RAILROAD.

Act ratified January 30, 1869; appropriates \$300,000; (unconstitutional;) republicans for, 64; conservatives and democrats for, 9; in both houses.

NORTHWESTERN NORTH CAROLINA RAILROAD COMPANY.

Ratified February 13, 1869; appropriates \$1,440,000 directly, and more on conditions. Republicans for, 75; conservatives and democrats for, 10; in both houses.

WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD COMPANY.

Appropriates \$3,000,000; act ratified January 29, 1869; republicans for, 89; conservatives and democrats for, 15.

The reason given for the above appropriations was the necessity to develop the resources of the State.

PENITENTIARY ON DEEP RIVER.

\$100,000 issued, decided unconstitutional; republicans for, 80; conservatives and democrats for, 3; in both houses. Advocated on account of water-power convenient, centrality of position, &c.

Answer to question 6:

1. *Sinking-fund*.—The commissioners reported December 5, 1860, \$457,000. This was invested in bonds of the State. During the war they were sold by the commissioners, and the proceeds re-invested in North Carolina State 8 per cent. bonds, issued during the war at a large profit.

Besides, during the war, the interest of this fund, and also dividends of railroad companies paid into the same, were likewise invested in North Carolina bonds, issued during the war. Since the close of the war this whole sinking-fund, amounting to \$2,372,500, has been treated as valueless, the legislatures and courts regarding the bonds as tainted with rebellion and void.

2. *Literary fund* for the support of common schools. Stocks in bonds lost by the result of the war, repudiation of bonds of the State, issued during the war failure of debtors, &c., \$1,047,100. There were bonds of individuals, not of considerable amount, lost by the results of the war, but not by the default of the State officials or agents, say not exceeding the stock held by this fund, viz :

Wilmington and Weldon Railroad Company.....	\$400,000
Wilmington and Manchester Railroad Company.....	200,000
Cape Fear Navigation Company	32,500
	<hr/>

Remained after the war and were sold by authority of the general assembly of 1868-'69, through the board of education of 1868-'69, as follows :

Wilmington and Weldon Railroad stock, \$400,000, for	\$140,000
Wilmington and Manchester, \$200,000, for	10,000
Cape Fear Navigation Company, \$32,500, at	3,250
	<hr/>
Total	153,250
	<hr/>

Answer to question 7: This question can only be satisfactorily answered by the report of the committee on frauds, consisting of Attorney General Shipp and Messrs. J. G. Martin and J. B. Batchlor, appointed by the general assembly of 1870-'71, and who have been taking evidence since May, 1871.

It is admitted that from \$10,000,000 to \$12,000,000 have been lost by the mismanagement or wastefulness in unfortunate speculations of railroad officers.

Answer to question 8 :	
County taxation for 1860.....	\$364,833
County taxation for 1870.....	954,111
	<hr/>

(The taxes of nine counties of 1870 are estimated by averaging the rest, there being no return from them.)

Answer to question 9: Average cost of conducting State government in 1858-'59-'60, excluding interest on public debt.....	\$137,977
Average cost for 1868-'69-'70, excluding interest and \$74,000 for building penitentiary, as being of a permanent nature	576,738
	<hr/>

Answer to question 10: Part of the additional expense arose from the constitution of 1868, requiring more officers than the old constitution; part arose from higher salaries: part from extravagance in some of the officers; part from longer sessions of the general assembly, and larger per diem and mileage. In 1868 (in which year the expenses were less than the average, viz, \$403,841) there was a convention held, and there was none in 1858-'60. In 1870 the militia cost \$74,742. There was no such expense in 1858-'60. The larger part of the increase was from high salaries, more officers, and wastefulness.

Answer to question 11: There were no changes from 1861 to the surrender in 1865; none from the surrender to the inauguration of the present government; since, registration of voters is required. Another change was the forbidding challenges of voters on the day of election. A third was requiring all the candidates to be voted for in the same ticket and in the same box. The present general assembly has changed these last two particulars.

Answer to question 12: 1st. Registration was deemed advisable, in order to prevent from voting those excluded from the right by recent amendments to the Constitution.

2d. Republicans say it is right to prevent challenges on the day of election, because otherwise colored people would be intimidated or excluded from voting by the delays caused by frequent challenges. The democrats say the object and effect were to increase the colored vote unfairly. Their exact ages are seldom known, for obvious reasons, and it is charged that many under twenty-one years of age have voted; also, that colored men have voted under different names.

3d. Republicans say that candidates should be voted for on the same ballot, in the same box, because the colored men are ignorant, unable to read, and the chances of imposition are diminished. The other party contend that the object is to prevent them from choosing between candidates; that they considered themselves bound by their duties to the League, and other causes, to vote the republican ticket, and that they were taught by cunning party leaders that such ticket could not be altered.

Answer to question 13: So far as my personal observation extends, I think that the effect of the foregoing changes has been to keep the colored people in a body, and unwilling to vote for any but the regular nominees—in other words, they almost universally accepted a printed ballot, printed so as to be easily distinguished, and voted it without knowing, or caring to know, what names were on it. And I think it altogether probable that colored boys under twenty-one years of age have often voted.

DAVIDSON COLLEGE, *November 21, 1871.*

DEAR SIR: Before finishing the answers to the questions of the sub-committee, I received notice of the extreme sickness of the husband of a near relative, the Rev. Dr. Phillips, of this place. I deemed it proper to come here by next train. Hence, I was compelled to complete my answer in great haste. In doing so, it occurs to me that I may have omitted to state that the University of North Carolina lost its endowment of \$200,000 stock in the Bank of North Carolina by the failure of the bank. This should be stated, because its omission would cause a charge of unfairness in my answer, which charge would not be true. *I may have stated this—I had it in my mind to do so, but for fear I did not, I will thank you to examine the answer, and add this above, if necessary.*

I had no time to have my answer copied. If its details be printed, I will thank you for a copy; if not, I will thank you to have a copy made, at my expense, and forward to me at Raleigh.

Truly yours,

KEMP P. BATTLE.

Hon. J. B. BECK, *Washington, D. C.*

It will be thus observed that, in the foregoing statement, Mr. Battle shows that the indebtedness of North Carolina on the 1st day of July, 1861, was \$9,699,500; on the 1st day of July, 1865, it was \$10,899,500; at the inauguration of the government under the reconstruction acts it was \$15,799,945. There was a contingent liability of several millions at each of the above dates, the exact amount of which is not stated. On the 1st day of January, 1871, it was \$32,455,205; and adds: "If the legislation of the convention of 1868 and of the general assembly of 1868-'69 had been carried into effect, the result would have been a State debt on January 1, 1871, of \$42,000,000," the items of which he sets forth in detail.

The courts, however, interfered, and saved the State from these appropriations to the extent of about \$10,000,000, as he shows, by declaring the acts unconstitutional. Mr. Battle further shows that if the legislation of 1868-'69 had been carried out, and "the taxation on a total valuation of real and personal property of \$120,900,000, would have been about 2½ per centum for State purposes alone; for State and county purposes, 3 to 3½ per cent., (in some counties,) and for State, county, and city purposes, (in some cities and towns,) 4 to 4½ per cent."

Governor Caldwell sent the sub-committee his message to the legislature recently assembled, to which the attention of Congress is invited. He seems to regard the financial condition of the State as so bad, and the legislature which made it so extravagant and corrupt, that repudiation in whole or in part is perhaps a necessity. He shows that the debt of the State on the 1st day of October, 1871, amounted to \$34,887,464 85. The census report shows that the assessed value of taxable property of North Carolina in the year 1860 was..... \$292,297,602

In 1870 it was.....	130,378,622
Taxation for State purposes in 1860.....	543,643
Taxation for State purposes in 1870.....	1,160,413
Taxation for county purposes in 1860.....	255,417
Taxation for county purposes in 1870.....	923,604

We desire to avoid comment in regard to all these matters as much as possible, simply laying the facts as furnished before Congress for con-

sideration; but we cannot forbear turning to the testimony of H. W. Guion, one of the oldest and ablest lawyers in the State, and extracting from it, on pages 256, 257 the following, as showing more clearly than any comments we could make, how North Carolina has been plundered and oppressed by the rulers imposed upon her by the reconstruction acts:

Question. How have the financial affairs of your State been managed?

Answer. The State has been plundered openly.

Question. In what way?

Answer. The legislature that was elected in 1868—

Question. Under this same military reconstruction?

Answer. "Yes sir; under the same military direction. A set of men were elected that had no interest in the State at all, or very little. * * * They would just vote out the bonds of the State with the understanding that a certain part of them would be divided among them. I was a director of this Wilmington, Charlotte and Rutherford Railroad. A message came in a circuitous way to the board of directors, (we needed funds to finish the road,) that if we would ask for ten millions of dollars of bonds they would let us have them, provided they would receive five or ten per cent. on them; they would vote ten millions of bonds to this railroad company, provided certain managers were allowed to retain either five or ten per cent. I have forgotten which it was.

Question. That proposition came directly from the legislature?

Answer. It came from certain parties in the legislature in such a way that we were assured it was a proposition, and that it would be carried out. It was in that way our present State debt has been made.

Question. None of the bonds were expended in the construction of the roads?

Answer. None. That legislature was so corrupt that when the three commissioners appointed to draught the laws tendered to the legislature several chapters for passage by the legislature, they swore that they would not vote for them at all unless they were paid for it.

SOUTH CAROLINA.

There is perhaps no means of stating with accuracy what the debts and liabilities of South Carolina now amount to. The whole machinery of the State government seems to have been run for the purpose of plundering the people, and enriching the officials. This unfortunate State fell into the hands of a worse set of carpet-baggers than any other. The negroes, as a class, were more ignorant and debased than in other States. They outnumbered the white population largely, there being almost 35,000 more negro than white voters, and they became the ready tools of the needy adventurers who obtained power by their votes, in the system of oppression and corruption which was inaugurated in all the departments of the State government. The governor and his official staff were all carpet-baggers. The legislature was composed mainly of ignorant negroes and degraded white men; the local officials were of the same class, and all seemed to agree that it was their right and privilege to rob and plunder the people of the State in any way they pleased. Our special report on the "disturbed portions" of South Carolina shows clearly what sort of men composed the convention and legislature of this State. South Carolina was known to be more obnoxious to the Federal authorities at Washington than any other State, and the oppression of her people would not only be tolerated, but encouraged to any extent that her oppressors might find it to their interest to keep them up, as they were well assured. The people of that State are now not only on the verge of bankruptcy, but their future is almost without a gleam of hope. The plunderers have quarreled however; their dissensions may bring relief, that is the only chance the people have. But we will not comment further until we have furnished the proof.

The debt proper of the State in 1861 was about \$4,000,000. Some \$6,000,000 of conditional and prospective liabilities then existed. Much of

this seems, from the information we had, to have been dropped, and, doubtless, settled by the corporations for which the State was bound, but we could not arrive at the facts with accuracy.

On the 12th of May, 1871, the tax-payers' convention which met at Columbia reported the following:

THE PUBLIC DEBT OF THE STATE.

The following is a statement of the bonds and stock of the State on which its name appears, outstanding, as near as could be ascertained during the short session of the convention :

Amount of bonds and stock outstanding on the 1st of October, 1867, as exhibited by the report of the comptroller general for November, 1867, exclusive of bonds issued for military defense.....	\$5,407,215 23	
To this must be added the difference between the true amount due on the fire loan sterling bonds past due, unpaid and payable in London, to wit, \$788,222 27, and that stated in the comptroller general's report, to wit, \$484,444 51	383,777 76	\$5,790,992 99
Amount due on bonds issued under acts of 1860 and 1861 for military defense, as by comptroller's report for October, 1867.....		2,854,679 78
Total as principal of October, 1867.....		8,645,672 77
Bonds issued by present administration as follows :		
Under act approved August 26, 1868, for redemption of bills receivable.....	\$500,000 00	
Under act approved August 26, 1868, for payment of interest on public debt.....	1,100,000 00	
Under act approved September 15, 1868, for funding bills of Bank of the State of South Carolina.....	1,258,550 00	
Under act approved February 17, 1869, for relief of the Treasury.....	1,000,000 00	
Under act approved March 27, 1869, for land commission.....	200,000 00	
Under act approved March 1, 1870, for land commission.....	500,000 00	
		4,558,550 00
Total outstanding obligations of the State as principal.....		13,204,222 77
Statement of contingent liabilities of the State of South Carolina arising from the indorsement of railroad bonds:		
South Carolina Railroad bonds, payable in 1868, secured by first mortgage.....	\$2,093,312 40	
Charleston and Savannah Railroad bonds, payable in 1877, secured by first mortgage.....	505,000 00	
Savannah and Charleston Railroad bonds, under act of 1869, payable in 1869, secured by first mortgage.....	245,750 00	
Laurens Railroad bonds, payable in 1879, secured by first mortgage.....	75,000 00	
Spartanburgh and Union Railroad bonds, payable in 1878-79, secured by first mortgage.....	350,000 00	
Greenville and Columbia Railroad bonds and certificates of indebtedness, payable in 1881, 1882, 1883, and 1888, under acts of 1861, 1866, and 1869, secured by first mortgage.....	1,426,545 80	
Blue Ridge Railroad bonds, under act of 1868.....	4,000,000 00	
		8,695,608 20
Indebtedness of the State as principal and guarantor, inclusive of bonds issued for military defense.....		22,899,830 97
Less amount due as of October, 1867, on bonds issued for military defense.....		2,854,679 78
Indebtedness of the State as principal and guarantor, exclusive of war debt.....		20,045,151 19

The members of that convention thus spoke of the corruption of the government officials :

Indeed the members of the senate and the house of representatives, as well as the officials, do not hesitate openly to charge each other with fraud and corruption ; and there is a well-settled tariff for legislative action of this kind most accurately graduated.

A considerable portion of the last session of the legislature was consumed in mutual criminations of this kind, and one of the senators actually proclaimed his independence of investigations of fraud and corruption on the ground that his own frauds would bear investigation quite as well as those of his accusers, and the challenge was not accepted. The governor of the State, in his veto of a bill for legislative expenses the last session, says: "I regard the money already appropriated during this session and the sum included in this bill, amounting in the aggregate to four hundred thousand dollars, as simply enormous for one session. It is beyond the comprehension of any one how the general assembly could legitimately expend one-half that amount of money." And the matter turned out to be a fraud, as the governor insinuates. Last winter a committee of both branches of the legislature was appointed to investigate the frauds and blackmailing connected with the Blue Ridge Railroad legislation of the previous session. The governor, the main witness, appeared before this committee, and accused the former legislature of all sorts of villainy. Alluding to the bill granting aid to the road, the governor says: "When the bill came up a member of the house came to one of the parties and said: '*The report can't go through until I get five hundred dollars.*'" And when an injunction was served on the fiscal officers of the State to prevent the indorsement of the bonds, the governor alleges that the parties procuring the injunction proposed to withdraw the same if \$25,000 would be paid. After many clear and explicit charges of fraud and corruptions, the governor, with an honest burst of indignation against this corrupt body, says: "I know of the fact, or have been told so by a hundred different persons, that money had been paid to get a report through at the last session. I want to say, do you suppose that if our Saviour would come here with a bill ever so good, and want to get it through, or it was thought best to get up a committee to investigate Him, do you suppose he wouldn't be crucified again if He didn't pay something to prevent it. * * * I learned afterward that they privately demanded of the president of the road \$500 apiece, as it was publicly stated by themselves that they did not get enough out of the road when the bill passed."

The taxable value of the property of the State, in 1860, was \$490,000,000, and the taxes only \$392,000; now the taxable property has been reduced to \$184,000,000, and the taxes increased to \$2,000,000. So, you perceive, while your property has been reduced to less than half its former value, your taxes have been increased five hundred per cent.

That upon a careful examination of the act of the legislature, we can reach but one conclusion: that, for some reasons unknown to your committee, the legislature has, without consideration, relinquished to private individuals the State's lien upon the Blue Ridge Railroad, and the entire properties of the other companies, (styled companies in the act,) the Greenville and Columbia Railroad Company. Such dealings by trustees with the property or funds of their *cestui que* trust can only be the result of fraud; are unauthorized by law, and are void.

Your committee need not dwell upon the poverty of the State, and her utter inability to enrich private individuals or corporations by such munificent gifts; or upon the fact that legislators, however generous they may be, are not authorized to devote public funds to the use and benefit of their friends and patrons.

What next? We find the Blue Ridge Railroad coalescing, confederating with the Greenville and Columbia ring; a ring which at that time had a record that the very smokes of hell could not render darker or more disgusting; a record which is no clearer to-day than it then was.

But the Greenville and Columbia Railroad Company also has a history. Certain men, well known to this convention, acting as agents for a ring of speculators, had by deception and misrepresentation purchased the stock held by private individuals at a nominal price. The governor, by authority of the legislature, then sold the State stock in this company to the same "ring," in which high State officials are the chief jewels. I have authority for saying that money to make these purchases was raised by hypothecating State bonds. So, then, the corporation known as the Greenville and Columbia Railroad Company passed into the hands of private individuals who never paid out of their own pockets one cent for the stock, and became, what it yet is, a disreputable ring of State officials, carpet-baggers, scallawags, and bankrupt stock-jobbers.

Notwithstanding all the efforts of this convention, it seemed to be impossible to arrive at the truth; but after the corruption and profligacy of every department of the government became apparent to all;

after repeated efforts to conceal the true state of affairs had been exposed, and the falsity of the official statements of the debt were made apparent, a joint committee, consisting of three radical members of the house and two of the senate, was appointed to investigate the whole subject of the financial management of the State. Their unanimous report to the legislature has been forwarded to us, and we propose to make a few extracts from it, after quoting from the testimony of the witnesses who were sworn before the congressional committee, which we propose to do first, in order to make the extracts from the report more intelligible. First, because it is more exhaustive, and because the witness was in a position which enabled him to know accurately the facts about which he speaks, we quote somewhat extensively from the testimony of the Hon. R. B. Carpenter, who was a candidate for governor against Governor Scott.

By Mr. BECK:

Question. State to the committee how long you have lived in the State of South Carolina; what official positions you have held there, and to what you have aspired.

Answer. I have resided in South Carolina since the beginning of 1867. I held the office of register of bankruptcy from January, 1867, till December, 1868. I was then elected, by the legislature, judge of the first circuit, and I resigned from the office of register and held the office of circuit judge until July, 1870; I was then put up by the reform convention for governor of the State, and made the canvass of the State for that position.

Question. What portion of the State of South Carolina did your circuit embrace?

Answer. Do you mean as judge?

Question. Yes, sir.

Answer. The two counties of Charleston and Orangeburgh.

Question. To what extent did you canvass the State of South Carolina while candidate for governor, and what were your means of information relative to the condition of affairs in that State?

Answer. I canvassed every county in the State very thoroughly, except the county of Horry. I became thoroughly acquainted with the situation of the people of both colors.

Question. State now what is the general condition of the State of South Carolina, as far as regards the protection of life, liberty, and property therein; if there are discontents or outbreaks among the people, give the causes of them as well as you can, without being specifically questioned. Give the present condition of the State and the causes that have led to that condition.

Answer. I think there is a great deal of discontent in the State. There has been more perhaps than at the present time. There have unquestionably been many cases of violence. I have no doubt of the existence, in eight or ten counties, of some secret organization, whose name even I do not know; of course I never belonged to it, and know nothing of its workings, except what every one knows who lives in the country.

Question. I would suggest to you just here that our rule has been for a witness to speak of what he knows from such information as he relied upon, though he may not have personal knowledge himself of the facts. Therefore you will have the privilege of so speaking.

Answer. Such information as morally convinces me of the truth?

Question. Yes, sir; we have been taking testimony to that extent.

Answer. Well, I believe such an organization has existed in several counties of the State, perhaps eight or ten; I do not think it has been more widely disseminated than that, though I am not certain of it. I think the causes of the existence of that organization in South Carolina are purely local; they grew out of the condition of things that has existed there since the reorganization of the State; the local government of the State in all its departments and ramifications. At the commencement, when the State was reorganized, in 1868, the people of the State took very little part in the elections. The elections were carried by the colored people, and the persons who had emigrated from the North and gone there managed it exclusively. The first legislature that met in South Carolina began its career by largely increasing the State debt, without there being anything in the State to show for that increase. I can only give in round numbers what was the State debt of South Carolina at the time of the inauguration of Governor Scott in July, 1868; it was about six millions of dollars. The legislature increased it in the first place by an act authorizing the issue of \$500,000 in bonds, to take up certain bills receivable, as they were called. They then passed an act authorizing the governor to borrow a million of dollars, to issue the bonds of the State to pay the back interest upon the public debt. They then passed an act to fund

the bills of the Bank of the State of South Carolina, and bills were funded to the amount, I think, of twelve hundred and forty-six thousand dollars. They then passed an act authorizing the governor to borrow a million of dollars for the relief of the State treasury. They passed two acts, by the two acts authorizing the issue of bonds for \$700,000 for the land commission, for the purpose of buying lands and selling them to the colored people. With these additional expenditures of money, all these bonds having been issued, as I believe, not a mile of railroad has been built in the State, not a mile of canal, and up to last November not a school-house had been erected in South Carolina from our State resources. The Freedmen's Bureau had built a large number of school houses there that had been occupied, but none have been built by the State, although large appropriations have been made for school purposes, and the per capita tax has also been devoted for that purpose. Besides this increase of the indebtedness of the State, the general conduct of the legislature was very unsatisfactory to the people. It was very well understood at Columbia and throughout South Carolina that no bill, having any other purpose than a mere public law, could be passed in that legislature without bribery. The governor, in his testimony before the joint committee on the Blue Ridge Railroad, has expressed it very strongly. His statement was that if the Saviour came down to that legislature and wanted to pass a bill for reform, unless he bribed the legislature to do it, they would crucify him; they would not only reject his bill, but they would crucify the Saviour. I do not pretend to indorse that statement precisely, but my belief is that of every other man in South Carolina, of any intelligence, that no act was passed there, other than of a purely legal character, that the legislature was not bribed to pass. I make that statement not only from general information, but from the confessions of a large number of parties interested, the lobby members and the members of the legislature themselves; I do not think they ever made any secret of it. Another cause of discontent was the lavish pardons that were issued by the governor. Men of the worst character, men who had committed the worst possible crimes, were pardoned and turned loose without any application from anybody, as far as was known; from no responsible parties, certainly; no application from either the judge or solicitor. They were pardoned and turned loose to prey again upon the community. Another cause of discontent was the character of persons appointed to fill offices under the executive. The constitution of South Carolina gives the executive vast patronage, or at least the legislature have assumed it, whether the constitution gives it or not. All the county auditors, county treasurers, trial justices—as they are called there—justices of the peace, and most of the local officers are appointed by the governor. As a rule they are utterly incompetent, and as a rule they are utterly corrupt. Another cause of discontent was the organization and arming of the militia of the State, and the furnishing them with ammunition. The militia were confined to colored people. Numerous applications were made by white companies to be received into the State militia, but they were all rejected. Some twenty thousand colored people in different parts of the State were armed with Winchester and Springfield and other rifles, and near the time of election ammunition was distributed to them, as if upon the eve of battle. They were sometimes very offensive, and did a great deal of mischief. It was very offensive to the white people that these colored people should be armed, and sometimes depredations were committed by them; that was a serious cause of discontent. Another cause was the election law itself, and the manner in which it was executed. I do not remember the number of sections in the statute. It is a long act, and from the beginning to the end no penalty is provided for any violation of its provisions. That act places the whole power of conducting the elections in the hands of the three commissioners for each county, to be appointed by the governor, without confirmation by the senate. These commissioners, thus appointed, were required, in the first place, to designate and fix the places of voting. They appointed the managers to receive the votes—to have the ballot-boxes at the polls and receive the votes. The law then required the managers, within three days after the election, to return these ballot-boxes sealed up to the commissioners. The commissioners were allowed by law ten days to count these ballots and to make their returns of the persons elected. They began their career as commissioners by being very generally themselves candidates for office; and they had to decide whether they were elected or their competitors. Before the appointment of the commissioners, however, the executive committee of the reform party requested Governor Scott to appoint one reform commissioner for each county. That he declined to do, and, so far as I am apprised, he appointed commissioners only from his own party and his own friends. These commissioners commenced operations by fixing the voting places upon the banks of rivers and upon the sea-coast, where the colored population is very dense; while further back from the rivers, and along the upper part of the State, the white population predominates, but is very scattered. As a rule, the commissioners fixed the voting places to accommodate the colored people, and to be as far off and inconvenient for the white people as they could. In certain counties the white people would have to travel forty miles to the nearest precinct to vote. Then it was proposed to the executive committee of the republican

party to have a committee of each party remain with the ballot-boxes and see that they were not tampered with. This they declined to do, and, except for the city of Charleston, they kept these ballot-boxes in their private houses, from the time of the election until the time they made their returns. That the ballot-boxes were stuffed after the election is no longer a matter of opinion. In some of the counties it has been a matter of judicial investigation. For instance, in the county of Beaufort there was a trial of the commissioners for that county, charged with stuffing the ballot-boxes after the election. The trial was before his honor Judge Bond, of the circuit court of the United States. The jury was composed of an equal number of black men and white men. They found the defendants guilty, and Judge Bond sentenced them to the penitentiary for two years each. In counties where it was utterly impossible there should have been a majority for Governor Scott, in my opinion the ballot-boxes were stuffed, the record falsified, and the will of the people entirely thwarted. I cannot suppose that a law of that sort was made for any other purpose than to keep the party in power, to prolong their power, whether the people voted for them or not. For instance, in the fourth congressional district, represented in your House by Mr. Wallace, the commissioners' returns make him elected by some three or four thousand majority, I think. Now, judging from a very active and thorough canvass of the whole country, and from information of men of all parties generally, I do not think he could have been beaten there by less than six or seven thousand votes. In the county of Chesterfield, where the white population largely predominates, where the reform senator was elected by a handsome majority, the commissioners returned to the lower house two members as elected who were friends of Governor Scott, and the house seated them. I think it was universal with the republican papers in the State that they denounced it as an outrage; these men never could have and never did have a majority. The Charleston Republican and the republican paper of Columbia both very severely denounced the action of the house, particularly the Charleston Republican. I do not pretend to state what the opinion of the people was as to the real result of the canvass; but it was the general opinion throughout the State, after the election, that the ballot-boxes had been tampered with throughout the State, and the will of the people entirely disregarded. The legislature elected in that canvass then took their seats, and they proceeded at once to follow out the line of their predecessors. Bribery was the general order of the day to secure the passage of anything. They had some very large jobs in relation to railroads that were carried out very much to the disgust of the people who have to pay the taxes, and who have any regard for public morality. The first legislature passed an act guaranteeing four millions of dollars of bonds for the Blue Ridge Railroad, and reserving a statutory lien upon the road and its franchises, and its running stock, and everything of the sort, for the payment of the four millions of dollars. The same legislature passed an act guaranteeing about two millions of dollars of bonds for the Greenville and Columbia Railroad, a road already running. Last winter the legislature passed an act relieving both of these roads from their liability, so far as a mortgage was concerned, canceling the mortgage in favor of the State, and authorizing them to put a first mortgage bond upon their road.

Question. Thus releasing the lien of the State?

Answer. Thus releasing the lien of the State entirely upon the two roads. Those two liens amount to about six millions of dollars. The Blue Ridge Railroad had only about twenty-nine or thirty miles of road constructed. The estimates of the engineers are that it will require, in addition to the four millions of dollars guaranteed by the State, some four or five millions more to complete it. It runs through a mountainous country from Anderson, South Carolina, to Knoxville, Tennessee. That of course is assuming the debt by the State, for it is impossible that the road can pay it and finish the road. The State for two years has been paying the interest on the bonds of the road guaranteed by her, is doing so now, and has been doing so since the war, and I think she did so before. That has been the general character of the legislation of South Carolina. In addition to that, there have been a great many outrages perpetrated in South Carolina, other than by Ku-Klux, as they are called. Last summer the Loyal League, headed by those persons who controlled the State government, were very efficient in mischief. During my canvass, I suppose that half a dozen meetings were broken up by hostilities commenced in every instance by colored persons, and as I believe, being on the ground, at the instigation of certain white people.

Question. Do you mean meetings of your political friends?

Answer. Yes, sir; I mean meetings where I was advertised to speak, and some meetings where both parties were advertised to speak and had agreed upon a joint debate. We agreed upon a joint debate at Chester Court-House. Mr. Attorney General Chamberlain made a speech and I was to follow—other speakers had preceded; I was to conclude the debate. There was known to be a great deal of feeling and excitement there, and it was agreed between the different committees there that there should be no disturbance; that no speaker should be interrupted; for there was some fear of bad blood. I had not been speaking five minutes, and certainly was saying nothing offensive to anybody, when I was interrupted by the chairman of the Scott com-

mittee with a question that I answered. Immediately he and two or three others began to throw rocks; one of them came up on the stand and knocked down a man who was standing by my side; I was not hurt. There was a general scrimmage, the people trying to get out of the way. I saw no white man strike back, nor throw anything back. There was a man shot the same day by a colored man. Substantially the same thing occurred in three or four other places. I never saw a white man arrested; they did not arrest at all. I think that the cause of the operations of these secret organizations is simply and purely the bad local government, where life and property are insecure. As I have stated, I traveled, last summer, over the entire State of South Carolina, with the exception of a single county. I was entertained by prominent gentlemen in different parts of the State. I was in full and confidential intercourse with them; social intercourse, sometimes; sometimes convivial intercourse. From the commencement of my campaign until the end, I never heard any gentlemen anywhere express any hostility to the Government of the United States. The trouble of which everybody complained was the incapacity and venality of the administration of South Carolina in all its departments and branches; that was the cause of all the complaints. During the campaign several men were killed in different parts of the State; two colored men were killed in Barnwell County. I never heard that charged to the Ku-Klux organization; nobody ever supposed it was done by them. In more than one place during the canvass it was proclaimed, publicly, that if any colored man dared to vote the reform ticket, the order had gone forth from the League that he was to be shot. I do not pretend to say there were any such orders, but I certainly heard the threat made by several prominent colored men, and the colored men, undoubtedly, were very much afraid. And on the day of election, in my immediate neighborhood, upon the islands below Charleston and around Charleston, the military companies were out armed, with their rifles loaded; and when a colored man came up who was suspected to be a reformer the companies were ordered to fall into line. Indeed, they had no chance to vote our ticket, because the moment that the challengers came upon the ground with our tickets for distribution they were seized and the tickets taken away from them, and some of them were very roughly used. On John's Island, Wardmalaw, and Edisto, that took place. The same thing occurred in Christ Church parish, in the county of Charleston, and in St. John Berkley; and in other places.

Question. You stated a moment ago that the colored people were evidently much afraid; be kind enough to explain whether you meant the colored men who thought of voting the reform ticket?

Answer. Yes, sir; that is what I meant. Large numbers of them in every county of the State, where I was, at different times came to me and told me that they thought I was right; that in our platform we had provisions protecting their rights, and they believed, from their acquaintance with me and my conduct in the State, that I would carry out the pledges made; that they believed we were right, but they feared to vote our ticket.

Question. They so told you?

Answer. Yes, sir; as respectable colored people as there are in South Carolina told me that in every county of the State—that they dared not vote for our ticket. The killing of two men who were very well known in Barnwell County especially, and the violence that occurred during the meetings in other places, struck perfect terror among the black population. These men who were talking to me said, "We can and we will stay away from the polls, for if we are not there we will not be hurt; but we dare not go there and vote the reform ticket." I may as well say that the reform movement had no national significance.

Question. I was about to ask that question—whether or not the opposition to Governor Scott and the then existing administration in South Carolina—was not your movement principally—based upon reforms proposed in the administration of the affairs of the State?

Answer. Entirely so; it had no national significance whatever. It was not intended or in any way constituted a party with any idea of national politics. It was very well known to the convention that nominated me that I had voted for General Grant, and I had voted for Lincoln for his second term. It was equally well known that I had been appointed by Chief Justice Chase register of bankruptcy, and equally well known that I had been elected by the first legislature of South Carolina as judge; that they nominated me as a republican, and knew I was one.

Question. That legislature itself being very largely republican?

Answer. Overwhelmingly so. National politics had nothing to do with the reform movement in our State last year. It was simply to remedy the crying evils of the local administration, if that were possible.

Question. A paper has been laid upon our table this morning, and handed to me just this moment, purporting to be an official statement, by Niles G. Parker, treasurer of the State of South Carolina, and attested by F. L. Cardozo, secretary of state, of the public debt of the State of South Carolina at the close of the fiscal year ending October 31, 1870, together with the statement of the funded debt of the State of South Caro-

lina. I have not had time to examine these papers, and do not know anything about them. Be kind enough to look at them and state wherein, if at all, they fail to set forth what you regard as the legitimate indebtedness of the State of South Carolina, embracing in your statement such liabilities, outside of the funded debt, as the State will certainly have to pay. I will make these papers a part of the record, so that your statement may be fully understood. [The papers referred to are as follows:]

Official statement of the public debt of the State of South Carolina at the close of the fiscal year ending October 31, 1870.

Class of securities.	When issued.	When redeemable.	Principal.	Rate.	Interest.		
					When payable.	Where payable.	
State South Carolina stock.	1794	At pleasure.	\$38,836 60	3	Jan. 1, April 1, July 1, Oct. 1.	State treasury.	
Fire Loan stock.....	1838	1870	303,343 89	6	Jan. 1, April 1, July 1, Oct. 1.		
State Capitol stock.....	1856	1877	189,690 80	6	Jan. 1, July 1.		
State Capitol stock.....	1857	1888	127,441 37	6	Jan. 1, July 1.		
State Capitol stock.....	1858	1883-'85	304,370 00	6	Jan. 1, July 1.		
State Capitol stock.....	1859	1887-'89	215,476 24	6	Jan. 1, July 1.		
State Capitol stock.....	1861	1882-'86	130,315 00	6	Jan. 1, July 1.		
State Capitol stock.....	1863	1890	1,740 00	6	Jan. 1, July 1.		
Conversion stock.....	1868	1888	64,000 00	6	Jan. 1, July 1.		State treas. and financial ag't, New York.
Fire Loan bonds*	1838	-----	484,444 51	5	-----		
Blue Ridge Railroad bonds.	1854	1874-'78	970,000 00	6	Jan. 1, July 1.	State treasury and financial agent, New York.	
State Capitol bonds.....	1853-'55	1871-'80	499,000 00	6	Jan. 1, July 1.		
State Capitol bonds.....	1866	1885	11,600 00	6	Jan. 1, July 1.		
Funded debt.....	1866	1887-'97	1,131,700 57	6	Jan. 1, July 1.		
Bonds of 1868-'69.....	1868-'69	1888-'89	3,193,950 00	6	Jan. 1, April 1, July 1, Oct. 1.		
Total.....	-----	-----	7,665,908 98	-----	-----		

* These bonds are held in Europe, for which the assets of the Bank of the State are liable and fully sufficient to meet the payment.

The interest of the entire debt is payable in gold.

NILES G. PARKER.
Treasurer State of South Carolina.

Attest:
F. L. CARDOZO,
Secretary of State.

Statement of the funded debt of the State of South Carolina, and information relative thereto.

Amount of bonds and stock outstanding on the 1st of October, 1867, as exhibited by report of the comptroller general, for November, 1867, pp. 43, 46.....	\$7,649,055 22
Less amount issued for confederate war purposes.....	2,241,840 00
Net total.....	<u>5,407,215 22</u>

Amount outstanding on the 1st of November, 1870, as shown by report of comptroller general, for fiscal year 1869-'70, pp. 55, 57..... \$7,665,908 98

Bonds authorized to be issued by the present administration are as follows:

Under act approved August 26, 1868, for redemption of bills receivable, issued by previous administration....	\$500,000 00
Under act approved August 26, 1868, for payment of interest on public debt.....	1,000,000 00
Under act approved September 15, 1868, for funding bills of Bank of the State of South Carolina.....	1,258,550 00
Under act approved February 17, 1869, for relief of the treasury.....	1,000,000 00
Under act approved March 27, 1869, for purposes of land commission.....	200,000 00
Under act approved March 1, 1870, for purposes of land commission.....	500,000 00
	<u>\$4,458,550 00</u>

Bonds issued under authority above referred to, to November 1, 1870:	
To financial agent as per comptroller's report, 1869, pages 151-154, &c.:	
October, 1868. For redemption of bills receivable.....	\$500,000 00
October, 1868. As above for payment interest public debt.....	1,000,000 00
June, 1869. As above, for relief of treasury.....	1,000,000 00
Sept., 1869. As above, for land commission.....	200,000 00
May, 1870. As above, for land commission.....	500,000 00
	<hr/>
	3,200,000 00

Of which the following have been sold by financial agent, as will appear by reference to his reports, included in those of the comptroller general for 1869, (page 153,) and 1870, (page 101 :)

Sept., 1869. For redemption of bills receivable.....	\$300,000 00	
Oct., 1869. For redemption of bills receivable.....	200,000 00	
Oct., 1869. For payment interest public debt.....	500,000 00	
	<hr/>	\$1,000,000 00
Leaving unsold in his hands, November 1, 1870.....		2,200,000 00
		<hr/>
Amount of bonds sold by financial agent as above, is.....	\$1,000,000 00	
Amount issued, in funding, to holders of bills Bank of State of South Carolina.....	1,258,550 00	
	<hr/>	\$2,258,550 00
Total amount of new bonds bearing interest.....		\$2,258,550 00
Increase of bonds and stock issued in funding under acts of September and December, 1866, being net amount received from parties funding, to make even sums of \$100s and \$50s.....		143 75
		<hr/>

RECAPITULATION.

Amount of bonds and stock (exclusive of invalid war issues) October 1, 1867.....		\$5,407,215 23
Increase of State debt since October 1, 1867:		
By issue of bonds for funding bills Bank State of South Carolina.....	\$1,258,550 00	
Bonds sold by financial agent.....	1,000,000 00	
Bonds and stocks issued to parties paying in various sums to make even \$100s and \$50s.....	143 75	
	<hr/>	2,258,693 75
Total funded debt November 1, 1870.....		<hr/> <hr/> 7,665,908 98

The comptroller general, in view of the interest at present manifested in the condition and management of the finances of the State, deems it proper to present, for the information of the public, the foregoing exhibit; and, in doing so, takes occasion to remark that it will afford him pleasure, at all times, to furnish the fullest information relative thereto; more especially would he be pleased to receive and exhibit to a committee from the tax-payer's convention, to assemble on the 9th instant, the books and records of his office, and to show, openly, in detail, or otherwise, the manner in which its affairs are conducted.

J. L. NEAGLE,
Comptroller General.

COMPTROLLER GENERAL'S OFFICE, Columbia, S. C., May 1, 1871.

Answer. [After examining the papers.] Well, sir, I have glanced at them casually; of course it would require a great deal of examination of the books and records to show in all particulars how I think they differ from the truth in the matter. I do not think either of these papers is a correct statement in regard to the debt of South Carolina. In my statement heretofore given I have gone over a part of the ground. I see that this "statement of the funded debt" gives the acts as I have given them; it gives the dates of them. For instance, the act of August 26, 1868, for redemption of bills receivable, issued by previous administration, \$500,000; that is the first act of the kind passed by that legislature, as I have stated. It is to be remarked here, in the first place, that according to the comptroller's report at the close of Governor Orr's administration, and consequently just prior to the time that Governor Scott was inaugurated, the amount of outstanding bills receivable was less than \$260,000. I see that this statement also says that the \$500,000 of State bonds, authorized to be issued for the redemption of those bills receivable, have not only been issued but sold; therefore this

statement shows the fact that \$500,000 of State bonds have been issued and sold to pay about \$260,000 of bills receivable.

Question. They have, in fact, all been sold?

Answer. This statement admits that they have all been sold. It says "bonds issued under authority above referred to * * * to financial agent * * * for redemption of bills receivable, \$500,000," and then it says, "of which the following have been sold by financial agent * * * September, 1869, for redemption of bills receivable, \$300,000; October, 1869, for redemption of bills receivable, \$200,000." This statement undertakes to say that the whole State debt consists in the debt before Governor Scott came into office, and the amount of bonds sold by the financial agent since. But it is a notorious fact, as I have learned from the financial agent and from other departments of the Government, and nobody can deny it, that the bonds that have not been sold by the financial agent have been hypothecated by him; he has not got them on hand; they have been hypothecated by him. He has sold a portion of them, as here stated; the others have been hypothecated. They are none the less a debt owing by the State of South Carolina when hypothecated than when sold; the only difference is between the price when sold and the price when hypothecated.

Question. Does that statement anywhere include the liability of the State for these hypothecated bonds?

Answer. No, sir; it does not allude to it.

Question. What is your opinion of the amount of the bonds of the State of South Carolina that have been hypothecated?

Answer. My opinion is that all the bonds authorized by the legislature have been issued, and so far as I know they have all either been sold or hypothecated. They are as follows: By act of August 26, 1868, for redemption of bills receivable, \$500,000; by act of same date, for payment of interest on public debt, \$1,000,000; by act of September 15, 1868, for funding bills of Bank of the State of South Carolina, \$1,258,550—I see he puts it at more than I thought; by act of February 17, 1869, for relief of the treasury, \$1,000,000; by act of March 27, 1869, for purposes of land commission, \$200,000; and by act of March 1, 1870, for the same purpose, \$500,000; making a total of \$4,458,550. I understand that to be the increase of the State debt, so far as the bonded debt of the State is concerned, since Governor Scott went into office; and those bonds I understand to have been all sold or hypothecated. In regard to the act for the relief of the treasury, it is very peculiar in its phraseology; perhaps not peculiar when taken in connection with certain statutes of the United States, but peculiar in connection with the statutes of South Carolina, or of any other State, so far as I am apprised. The State collected that year over \$1,100,000 in taxes from the people; a sum twice as great as it ever cost before the war to run the entire machinery of the government of South Carolina, and more than twice as great as it cost during Governor Orr's administration. After collecting that sum of money they then passed this act for the relief of the treasury. The act was worded something in this way: The governor is authorized to borrow \$1,000,000 for the relief of the treasury; and he was further authorized to sell the bonds of the State for that purpose at a price to be fixed by him, the comptroller general, and the treasurer general, or to hypothecate them without any price being fixed. Now how many bonds have been issued under that act, which as you see may authorize him to issue two millions instead of one million, I do not know, and nobody but the comptroller, the treasurer, and the governor does know. They admit that they have issued one million; how many more they have issued I do not know.

Question. But they may issue as many bonds as in their judgment would produce them a million of dollars?

Answer. Yes, sir; they could issue any quantity of bonds that by hypothecation would bring a million of dollars into the treasury. The act authorized them to do that.

Question. Even though it might require two or two and a half millions to produce that sum?

Answer. Just so. I think this statement is incorrect in another respect; I do not think it states the debt on the 1st of October, 1867, as large as it was. It states it to be \$5,407,215 23. I think it was about a half a million more than that. I have made very careful investigations of this subject. It was some time ago, and it was then perfectly fresh in my mind. My conclusion, from the reports and everything I could get hold of, was that the debt of the State was about \$6,000,000 on the 1st of October, 1867. But taking this statement of the comptroller general that the debt was then \$5,407,215 23, then, in my judgment, there should be added to that the sum of \$4,458,550 of bonds authorized by the legislature to be issued by Governor Scott's administration, and then, in the next place, there should be added \$4,000,000 of bonds guaranteed by the State to the Blue Ridge Railroad Company, and the mortgage for which was released by the last legislature; and in the third place there should be added \$2,000,000 of bonds in precisely the same condition in connection with the Greenville and Columbia Railroad.

Question. As this seems to be the proper place, state as succinctly as you can why

that should be added as a debt, and whether it is not as certainly a debt as any portion of the funded debt?

Answer. Perhaps I had better go on with this statement, so that it can all be summed up together.

Question. Very well; go on and complete your statement as you desire.

Answer. Then there should be added about a million of dollars—I am not certain as to the precise amount—of bonds to the Spartanburgh and Union Railroad, and to the Laurensburgh Railroad. The reason why I place in the list of debts of South Carolina the \$2,000,000 of bonds indorsed for the Greenville and Columbia Railroad, is because the State having heretofore held a mortgage upon that road has released it, and the parties now owning the road have put a first mortgage upon it, and the road is in a bad condition and could not be sold for enough to pay both amounts. In short, the State never will realize one cent out of that road; she has guaranteed the bonds, and she will have to pay them.

Question. In your judgment, the other mortgage, together with the cost of construction, will exhaust the road before the State will be reached?

Answer. I have no doubt of that. As to the Laurensburgh branch, the State is a guarantor for some \$375,000 or \$400,000 of its bonds, with back interest now for eight or ten years; that road is already in the bankrupt court; has been decreed bankrupt by the Federal court, and has long since passed into the hands of a receiver.

Question. How about the \$4,000,000 of the bonds of the Blue Ridge Railroad?

Answer. First the Spartanburgh road, in this connection; that is a bankrupt corporation without being in bankruptcy, and utterly unable to pay its debt, and also with a large floating debt. The State can never be reached there, for the State has no lien on that road, or on the Laurensburgh road. As to the Blue Ridge road, as I have already said, only twenty-nine miles of that road have been constructed. It will require four or five millions of dollars, in addition to the four millions guaranteed by the State, to build that road, and until it is built of course it can pay nothing. In other words, the bonds of the State were issued to take the place of original stock, and through such a country as that of course that stock would in any event all be sacrificed; and if built with bonds instead of stock they would be sacrificed. The State having given up its lien and allowed another mortgage to be put upon the road, if they go on with it they will be compelled to mortgage the road for as much as it would pay if sold.

Question. In fact, you regard that as an absolute debt of the State?

Answer. I regard the guaranteed bonds of that road, of the Greenville and Columbia road, of the Spartanburgh road, and of the Laurensburgh road, as so much debt of the State, as much so as any of the bonds issued by her.

Question. And none of them are embraced in this statement of the debt of the State?

Answer. Not one dollar of them. The State is guarantor for several other railroads which I have not enumerated, because I consider that they are able to pay, and will pay the debt themselves.

Question. These other liabilities in the aggregate amount to how much?

Answer. About \$3,500,000 or \$4,000,000.

Question. The State has to run the risk of any contingencies that may arise to depreciate the value of the property of those corporations; and though you think she will be secure, it is not certain?

Answer. I regard those corporations as perfectly solvent and able to pay. I do not think the State is in any danger of being compelled to pay either the interest or the principal of those bonds.

Question. Can you form anything like an estimate of what is the real amount that the State is now liable for?

Answer. By adding these figures together, in my opinion, you can tell very quickly what is the debt of South Carolina, every dollar of which she will be compelled to pay. [Making a calculation.] It is about \$17,450,000.

Question. Who are the owners of the Greenville and Columbia Railroad, and of the Blue Ridge road, especially the first; in what way did they become the owners of it and what legislation, if any, has been passed to aid them since they became the owners of the road?

Answer. In the case of the Blue Ridge Road, to answer the shortest question first, the majority of the stock is owned by the State of South Carolina and the city of Charleston, and has been represented in the board of directors, in voting for officers, by Governor Scott and Mayor Pillsbury, the one governor of the State and the other mayor of Charleston. There is very little stock outside of that, and they have managed it between them. I have stated the legislation in regard to the Blue Ridge Road; first, the credit of the State—the indorsement of the State on its bonds to the amount of \$4,000,000—and then the relinquishment of the mortgage held by the State. This is substantially all the legislation in regard to the Blue Ridge Road, except one piece of legislation last winter, that I may more properly speak of in connection with the Greenville and Columbia Road. The Greenville road is owned now by Colonel John Patterson, formerly of Pennsylvania; Governor Scott, whose stock, I think, is held by

Joseph Crews or his brother-in-law, Waterman, amounting, I think, and as I understand, to about three shares; by Parker, the State treasurer; Neagle, the comptroller of the State; and Cardozo, secretary of state. I think Mr. Tomlinson has an interest in it. He was formerly auditor of the State. I will not be sure of that, but he had an interest in it, and I think he has now. Timothy Hurley and others are also stockholders. I do not know all the present stockholders.

Question. Who is Timothy Hurley?

Answer. He is a member of the legislature of South Carolina. Formerly he was a very active lobby member of the legislature. The road was acquired by purchasing up in the country, through a portion of the directors of the Greenville and Columbia road, a certain amount of its stock, all that could be purchased in the up-country. That stock was transferred, in the first place, to three persons from Pennsylvania, Colonel McClure, Colonel Patterson, and a Mr. Taylor, under some arrangement with Governor Orr, who was one of the board of directors, Mr. Hammett, who was the president of the road, and Mr. Reed, who was the attorney of the road. A very considerable amount of the stock of the road was purchased in the country and delivered to these parties. Then the parties divided the stock of the road into shares of \$20,000 each; twelve shares, equal to \$240,000. Then these different parties came in and subscribed one share, or half a share, or a quarter of a share, as they pleased, and took an interest in it in that way. That, however, did not give them a controlling amount of the stock of the road. They could not buy it in the market. It had got noised about, and there was a great deal of excitement about it. Then a bill was introduced in the legislature in the interest of this ring, and it was passed. The bill authorized the governor, the comptroller, the treasurer, the attorney general, the chairman of the committee on finance in the senate, and the chairman of the committee on ways and means in the house, to sell any of the public stocks or property held by the State of South Carolina, at public or private sale, with advertisement or without it, as they might deem proper. The object of the act was to enable them to sell to themselves the stock held by the State in the Greenville and Columbia road, probably some three or four hundred thousand dollars. That would give them a majority of the stock, and enable them to control the road. The bill was passed through the legislature, as was asserted at the time, and never denied that I know of, by the usual means of procuring the passage of bills through that body. The stock was sold to some persons in New York, some friends of Mr. Kimpton. I do not know who they were. It was sold at \$2 75 a share, the shares being \$50 each, when these same parties had been offering and paying for all the stock that could be brought to them from Newberry, as Colonel Fair informed me, \$4 a share. They sold this stock to those men in New York, and it was afterward transferred to the different parties who held these several shares, and it is now owned by them.

Question. You spoke of aid being granted to that road by the legislature. Was that done after they became the owners of the road?

Answer. No, sir; it was done before they became the owners of it. It was after that act that the mortgage was released.

Question. The mortgage of the State was released?

Answer. Yes, sir; after they became the owners of the road. That was this last winter, more than a year subsequent to the time when they acquired control of the stock of the road. Of course other people own stock in the road who have never parted with it.

Question. That aid, granted by the State, amounted to two millions of dollars?

Answer. About two millions of dollars. I believe the comptroller general states in his last report that under that act bonds to the amount of fifteen hundred thousand dollars have been issued. That is the only means I have of knowing how much has been issued; but the statute authorizes about two millions of dollars.

Question. What consideration did the State receive from the governor and his ring, as you call it, for the release of their first lien of two millions?

Answer. The State received no consideration at all; what consideration the members of the legislature received I am not able to say.

Question. The release operated to the extent of a grant or gift of two millions of dollars to the ring who controlled the road?

Answer. That is my opinion of it.

Question. You say that \$700,000 was appropriated by the legislature for the purchase of lands for the landless and homes for the homeless. To what extent has that \$700,000 been expended, and how has it been applied?

Answer. Well, sir, I could not give a definite answer to that question. I do not know how much of the money was ever used for buying lands; a great deal of it certainly has not been so used.

Question. What is your best information in regard to that matter?

Answer. Judging by all that has been told me by the persons in the different counties, and from my knowledge of the workings of the land commission, I do not suppose that the land that has been purchased by the State for the \$700,000 could be sold

in the market to-day for more than one-seventh of that amount, if it could be sold for that. The Schley purchase, which was a large one, amounted to \$122,000; I think the tract of land consisted of about thirty thousand acres, lying up the Ashley River, almost an entire unbroken swamp, utterly worthless except for the timber that there is upon it; and by any means that we have of cutting the timber and getting it out of the swamp, it is worthless for that purpose. There is a great deal of valuable timber upon it, if it could be got out, but, of course, without labor and capital, it cannot be got out. For the purpose for which it was purchased, it is utterly worthless. The land was offered in the North for months for \$15,000, without finding a purchaser. There is not a county in the State where the land commission was not more or less swindled. At one time I had a statement of each county, and the precincts where the land was situated; the universal practice was for the local agent of the land commission to buy land at one price and put it in to the land commission at another. The Reverend Mr. Donaldson, a State senator from Chesterfield County, purchased a tract of land there; the excess of the amount for which he sold it over the amount for which he purchased it, must have been between twenty and thirty thousand dollars; I saw the tract of land and passed over it; it was worth very little.

Question. It was charged to the State for that much more than was paid for it?

Answer. Yes, sir. Another State senator, Mr. Lunney, purchased a tract of land in Darlington County, and charged the State as much again as he gave. Indeed, I believe he took the money, and made no title to the State at that. During the latter part, the operations of the commission had got down to about this: When a man wanted to sell any land to the commission, he would charge three prices for it; one price he got himself, one price was taken by the go-between, and another price was taken by the land commission for themselves. That, I believe, is the way the thing wound up; I do not think it was as bad as that at first.

Question. It kept getting worse and worse as they learned how?

Answer. Yes, sir; or, as the fund grew less, they grew more hungry. In other words, if you had a piece of land that was worth \$5,000, and you wanted to sell it to the land commission, and I was the agent of the commission, the arrangement would be for you to charge \$15,000 for it, of which you would take \$5,000, I would take \$5,000, and the other \$5,000 would go to the commissioners.

Question. You think the land would not realize one-seventh of the amount appropriated by the legislature for that purpose?

Answer. I think more money was expended in the purchase of the land than \$100,000; for I think that in a great many instances it was a matter of personal favoritism to give large prices for lands, and that they did so. But I do not suppose that out of the \$700,000 one hundred men in South Carolina have got any land and are living on it and cultivating it to-day. Most all of the land is in the hands of the State; most of the lands are unfit for cultivation; either old worn-out lands, or else swampy new lands. It has been a fruitful source of speculation and speculation, no doubt about that; I do not think anybody doubts it; I have never heard it denied by anybody; it was admitted on all hands last summer, by Governor Scott's partisans and friends, as well as by my friends, that there had been a great deal of corruption and speculation in connection with the expenditure of that fund.

Question. Have you any information as to who were the principal owners of the notes of the Bank of the State of South Carolina to the amount of twelve hundred and odd thousand dollars, which is referred to in the statement of the comptroller general? Do you know how that affair was managed, and how those notes were obtained and paid off?

Answer. I know something about them. I think that perhaps the largest holder of the notes was Edwin Parsons, of New York; perhaps the next largest holder was a man by the name of Marsh, from Cincinnati, Ohio; and Governor Scott was a very considerable holder of these bills. I think most of the gentlemen composing the State government were interested in them, as well as several members of the legislature. I think Governor Scott had probably some sixty or seventy thousand dollars; I am not certain as to the amount. He told me at one time that he had \$50,000, and I know that he afterward purchased more. I think that most of those who are called the ring there had an interest in them; if they did not have the bills themselves, they had an interest in the bonds after the bills were funded.

Question. How was that funding accomplished?

Answer. Well, by an act of the legislature. I do not think they got much for passing that; it was in the early days, and they were green about such things. I have heard some parties say that they got along very well with that. Those fellows had not learned their business well when that bill was passed. I think it was got through without a great deal of money, very little money indeed; but I think a great many more bonds were issued than there were bills filed. I think the speculation there was in that way principally. It was asserted—well, there was a suit by Dabney, Morgan & Co., plaintiffs, against the Bank of the State, in the nature of a bill against an insolvent debtor. That suit was referred to a master in equity, to take proof as to the out-

standing bills of the bank, and the holders of those bills were required to come in and present them and prove them. In that case there was proved something less than \$500,000 of the bills. The case had been in court a year and a half or more; had been a very prominent case; was widely known; and there was something less than a half million of the bills there proved. Those bills were withdrawn from that court by leave of the court. To the astonishment of everybody who had been familiar with the affairs of the State, when the bonds came to be issued for the funding of those bills, they footed up between twelve and thirteen hundred thousand dollars, instead of what everybody supposed would be the case, between six and seven hundred thousand. One of the committee to count the bills was Mr. Joseph Crews, of Laurens; another of the committee was a Mr. Rainey, now a member of your house; and the third was the treasurer of the State, I believe, Mr. Parker. After these bonds had been issued, shortly afterward, it seems that Mr. Crews deposited with Scott, Williams & Co. \$30,000 of these bills. Nobody knew anything about it until last year, when Scott, Williams & Co. sued Crews for some money he owed them. Then this state of facts was disclosed on the trial; Scott, Williams & Co.'s bank had been robbed before the institution of the suit against Crews, and among other property taken by the robbers was this \$30,000 of the bills of the Bank of the State of South Carolina. It turned out that shortly after the bills were counted and supposed to have been destroyed, Crews had deposited this amount as collateral security for money that he had borrowed of that bank. In the suit he insisted that he ought not to pay the amount he had borrowed, because the bank had allowed the collateral security to be stolen.

Question. This \$30,000 was supposed to be part of the bills understood to have been destroyed by the committee of which Crews was a member?

Answer. It was supposed they were all destroyed. Where he got this \$30,000, when it was supposed that all these bills had been counted and destroyed, of course I do not know. He was one of the committee that counted them.

Question. Will you tell us what you know about the pardons issued by the governor; the number and character of the criminals pardoned, and especially the time when these pardons were issued in the greatest numbers?

Answer. I have already stated that a large number of criminals of the worst description were pardoned by Governor Scott. I think the pardons came much the thickest just before the October elections of last year.

Question. What was the date of your election?

Answer. It was on the 19th of October.

Question. The governor's official statement of pardons by him reaches to the 1st of October?

Answer. Yes, sir.

Question. From your knowledge and information, what would be your opinion as to the number of pardons issued between that date and the date of the election?

Answer. I could not state. I saw several persons that I had myself sentenced to the penitentiary, who were pardoned just before the election; I met them on the streets; three or four of a very bad description of men—men who had been sentenced to the penitentiary for a series of years. I do not know, but I judged, from seeing three or four that I knew myself, that there must have been a great many all over the State; and that is my information from other people. I think the official statement of pardons from October 1, 1869, to October 1, 1870, gives the number as two hundred and five, out of some four hundred and eighty who were in the penitentiary. How many of them had been convicted during that time, and how many of them were there before, I cannot say. I do not know whether the official record, if I had it, would enable me to say. According to General Stolbrand's report, who is the keeper of the penitentiary, two hundred and five prisoners in the penitentiary were pardoned between October 1, 1869, and October 1, 1870, out of some four hundred and eighty who were confined in the penitentiary during that year. I think the pardons were largely in excess of the convictions; I think there must have been more of them there before Governor Scott exercised the pardoning power with so great liberality.

Question. And you think from the 1st of October to the day of election it continued quite liberally?

Answer. Quite liberally, I should think.

Question. But the number you cannot give

Answer. I cannot give the number for the State.

Question. What effect did the free exercise of pardon have upon the sense of security of all the people throughout the State?

Answer. The same effect it would have anywhere, that there was very little security for life and property in the country.

Question. What effect did it have upon their reliance upon the courts for the proper redress of grievances?

Answer. It had a very bad effect, as I think such an indiscriminate use of the pardoning power will have everywhere. If men can commit crimes with impunity, of course no one will be afraid to do so, especially in such a population as that we have

in South Carolina; an ignorant population, uncultivated, led by these persons; they were led to think they could do anything, commit any outrage, and that the governor would protect them, that he was all they had to fear.

Question. What effect did that pardoning of criminals have upon the lawlessness that existed, the taking of the law by men wrongfully in their own hands?

Answer. I think that that, and the manner in which the election was conducted, the election law, and the other matters I have stated—I think these are the sole causes for men taking the law into their own hands. There was a great deal of excitement, a great sense of insecurity, and a great feeling of indignation. Because, in addition to what I have stated, in all the appointments in every department of the government, the men were generally not only corrupt, but utterly incompetent. Men were appointed school commissioners who could neither read nor write, at a salary of a thousand dollars a year for a commissioner in each county. Salaries were increased everywhere. Public officers were multiplied, and the only business of the officers seemed to be to prey upon the people. The whole government in all its ramifications seemed to be intent upon no other purpose than self-aggrandizement at the expense of the population, and I confess I shared in the belief that there was no protection of person or property in the State.

Question. And that even the conviction of criminals did not tend to produce punishment?

Answer. In the first place, the juries, being composed of colored people, as well as of white, (parts of each,) it was difficult to indict anybody. The moment a question of indictment came, there would be some difficulty of race about it. I think there was none with the white people; but, of course, the colored people had a strong predilection for their own race, and they were not very clear in their ideas of the difference between right and wrong. Then, if the parties were indicted, it was very difficult to convict them; and, if they were convicted, they were very sure to be pardoned. I have known, in more than one instance, where a man preferred a charge against a party, the accused was discharged by the grand jury, and the accuser indicted for false imprisonment, or something of that sort. In Christ's Church Parish, four indictments were found, that my successor on the bench said were an outrage, and he was a simon-pure Scott man. Some colored men had been stealing some cattle, and the owner had them arrested and taken before a justice of the peace, and they were bound over for trial, the proof being very clear. The jury were nearly all colored men, and were summoned by the sheriff of my county—a man of very extreme partisan views—Mr. Mackey, son of Dr. Mackey. The jury discharged the prisoners for stealing the cattle and indicted the two young planters for false imprisonment. The case was tried at the last June session, at Charleston, by my successor. I have information that it was not a singular case. It has been repeatedly done there. In that case, the judge charged the jury that there was no ground at all.

Question. Would not a course of conduct of that sort deter men from seeking the law as a means of protection?

Answer. Undoubtedly it would.

Question. You say that was not confined to one locality?

Answer. It occurred several times in my circuit, and I had information that it occurred in other circuits. I do not want to be understood as justifying the proceedings of these secret organizations. I do not think it was a remedy for anything; but in my opinion it was the condition of things which I have detailed that was the cause of it. In my judgment, nothing could be further from a cause for this organization than any hostility to the Federal Government in any of its departments. It had nothing more to do with the Federal Government than it had to do with the government of China. Whatever may have been their reasons—whether well founded or ill founded—they acted upon the idea that they were without a government to protect them; on the contrary, that the Government was inimical to the white people of the State particularly, protecting their enemies—the men who committed crimes against them—and rewarded them rather than punished them. In my judgment, that was the reason for forming that organization in South Carolina. As I have said before, I do not approve of it, for I think it was a remedy for nothing.

Question. In what way did they obtain and maintain that sort of control?

Answer. They obtained the control originally by the white people of South Carolina refusing to take any part in the elections in the organization of the State. These men then went to the colored people, and said, "We are your friends; we are going into this thing, and have you educate your children, and make everything better for you," and all that sort of thing. They got their confidence and control. The white people did not go among them. The colored people in that way were made inimical to the white people, and led to think that their interests were antagonistic to the interests of the white people. The white people held the property and what little money there was. The colored people were taught by these men to believe that the lands properly belonged to them and not to their former masters; that the dwelling-houses and gin-houses and everything else belonged to them. I heard that repeatedly stated on the

stump last summer, not only by colored men, but by white men. Senator Beverly Nash, a colored man, at Columbia, a very shrewd, sharp, keen man, in a public speech to six or eight thousand men, said to them: "The reformers complain of taxes being too high. I tell you that they are not high enough. I want them taxed until they put these lands back where they belong, into the hands of those who worked for them. You toiled for them, you labored for them, and were sold to pay for them, and you ought to have them." That was the key-note of the whole stumping from the sea-coast to the mountains. Some of the people did not say anything about it; but it was a fierce contest from beginning to end, to array race against race. Our efforts were directed to harmonize the two races for political purposes and legal purposes.

Question. In your canvass, you and the men associated with you had in view the harmonizing of the races?

Answer. Yes, sir.

Question. Did not your safety consist in that course being pursued?

Answer. I think the safety of the whole State and of the people of the State consisted in it. If, after the election was over, these appeals had been kept up to the colored people, and they had acted upon these suggestions, of course there could have been nothing but war. A great many gin-houses and dwelling-houses have been burned by the colored men during the last two or three years in South Carolina.

Question. Do you think that was done at the instigation of others?

Answer. Well, I do not say that, because I do not know it.

Question. Why were they burned, do you think?

Answer. I think it was oftener the result of personal ill-will toward the owners than a preconceived political design. I am not prepared to think there was any concerted design about it. Of course, an uncultivated wild man, like the uncultivated colored man of South Carolina, subject to very strong passions and impressions, if he thinks he has been particularly ill-treated or anything of that sort, is very likely to take a fearful revenge. While they are a very gentle people, when they do commit crime they are more barbarous than any people I have seen. In several cases of murder that came before me, sometimes the man would have twenty bullet wounds. In one case in particular, not only was his head cut off, but he had four or five stabs in the right breast; his heart was literally pierced four or five times, stabbed through and through, and then he was disemboweled. They are a very peaceable people naturally, and, if let alone, they want to do right; but when their passions overcome them, and they commit crime, they do it with a vengeance.

Question. Their ignorance, their peculiar disposition, and their liability to be misled, are well known to the white people of South Carolina?

Answer. Yes, sir. Still there is a great deal of kind feeling toward them on the part of the white people, and a great deal of kind feeling toward the whites from a large class of the colored people. The colored men who are not either local or State politicians, who have any intelligence, generally feel very kind to the whites, and come to them if they want any help about anything—if they want to borrow any money or get any help of that sort. A great many of them have very excellent credit, and are of good character.

Question. What I am coming to is this: with these known characteristics of the negro, their ignorance and liability to be imposed upon, and the opinion generally prevailing throughout the State of the way in which they have been induced to have hard feelings toward the whites, will you state to the committee what effect it had upon the people and their sense of security when the governor armed them as State militia, and refused to arm the white people in the same way?

Answer. Well, sir, the people felt they had no security at all; that they might be attacked at any time. I do not think myself that this militia was ever organized for the purpose of any war on the white people. It was organized to carry the election through the colored vote; to intimidate and overawe the colored people. I do not think they ever intended to have any fight with the white people, but, of course, the white people felt very anxious upon the subject, hearing companies of colored men drilling and training every night in each village of two or three thousand inhabitants, and the people were perfectly unprotected. In the time of election there was a great deal of whisky about, for the colored man is not very much unlike his white brother in that respect; he is very fond of whisky. And it is very astonishing to me the paucity of casualties and crimes that occurred in consequence of it. They seemed to content themselves with carrying out the ideas of the party. On the day of election they were parading, and then, not where there were many white people, but in the dense colored districts they overawed and drove off everybody that was obnoxious to them. I think that was the original purpose of the militia, for certainly Governor Scott was in the army too long to suppose that this militia would be effective in any contest with the white people of South Carolina. I think he has expressed himself very fully on that subject; he knows that they are of no consequence for that purpose.

Question. Was there anything in the militia law that prevented the organization of white men as militia, and their being armed as such?

Answer. No, sir. Under the law the governor had the right to receive any organization for militia purposes; the governor had to receive them. Any who chose could propose to form a company, but they had to ask the governor to receive them. If he received them, very well; they could go on organizing; but it was made a very serious offense to drill and organize a company without the permission of the governor. When a white company was organized and offered to the governor he invariably refused it, until very lately. I believe he received a white company from Columbia, and perhaps one from some other place. It was made a highly penal offense to organize a company without the permission of the governor. All other military organizations were prohibited, except those he accepted, and he accepted nothing but colored militia.

Question. They were generally composed of his own political friends?

Answer. Entirely so.

Question. I believe you have stated that the negroes who desired to vote for you, or for the reform ticket, were maltreated, threatened, and persecuted by their colored brethren. Was that general throughout the State?

Answer. I think it was. I was told so in every county that I was in, by more than one colored man. As I said before, I heard men proclaim that the order had been issued to shoot any colored man who voted for the reform ticket. I do not think there was any such order, but that was the statement.

Question. Was it believed by those people?

Answer. Undoubtedly it was believed by the colored people.

Question. And acted upon?

Answer. And acted upon.

Question. Were the election managers so divided as to give you any chance in the counting of votes, or were they generally friends of Governor Scott?

Answer. They were all friends of Governor Scott, without any exception, so far as I know; that is, the commissioners of election; and the managers were his friends without any exception, except where nobody was found that was able to read and write of their party, and then they had to resort to the reformers for managers. Once in a while there would be a precinct where no colored man could read and write, and then they had to take a reformer to take down the names on the poll-list.

Question. As a matter of necessity?

Answer. Yes, sir. I do not think there was any reformer in the State appointed as commissioner or manager other than from necessity.

Question. If in these elections the frauds were as great as you supposed they were, what was the obstacle under the laws of the State to exposing them and making contest?

Answer. There was no penalty affixed to the law of the State for any offense connected with the election. The only way to prosecute them was in the United States courts, under the Federal statutes.

Question. Under the statute known as the enforcement bill?

Answer. Yes, sir; that was the statute under which those men in Beaufort County were prosecuted; but then it was so difficult to obtain the proof. The act of the legislature did not require the managers to keep the ballots at all, and they did not keep them. They certified that A B had so many votes for Congress, that C D had so many, that E F had so many votes for governor, and so on, and then they destroyed the ballots. They did not leave anything by which to trace them. The way those persons were convicted in Beaufort was by bringing men from the precincts to swear how they had voted. To illustrate the whole thing, in one precinct where the commissioners returned but six votes as having been given for a certain party, forty-one men were brought forward who swore they voted for that party; and so it was in other precincts. That showed that the commissioner had taken ballots from the boxes, and put others in their stead. The act, if you can call it one—I call it a device—was so framed as to enable them to destroy any trace of their guilt in the matter. The only thing that could be relied upon was the general statement of the certificate of the commissioners, who, as I said awhile ago, were themselves almost universally candidates for office.

Question. The party in power could have been maintained under that law, no matter what majority the people might cast against it?

Answer. If there had been forty thousand majority there would not have been any difference; it would have been just the same, for the law was framed for that purpose.

Question. You spoke of the district of Mr. Wallace as an illustration. What facts have you to satisfy you that in his district the count was false?

Answer. I canvassed that district very thoroughly; I canvassed it almost by precincts. In the first place, it has a large preponderance of white votes.

Question. Where does the district lay?

Answer. It is Chester, York, and Laurens, and in that region of the State. I talked with a great number of persons, intelligent men of both parties; I obtained information from both sides as to the particular counties. I talked with colored men throughout the entire district, and I made up my mind that the majority for General McKis-

sick in that district would be about six or seven thousand. It was owing to two facts that I came to this conclusion. First, the character of the population, and second, the very active and thorough canvass of the whole district, without the exception of a county. I never saw any one during the campaign, black or white, that had any idea that Wallace was going to be elected, and I do not think that any one was more astonished than his own partisans when they found that he had three or four thousand majority in that district. He had just been beaten by about five thousand majority by Simpson. Simpson was disqualified, and Wallace was therefore given the seat. He ran this race with McKissick, who is a very popular stumpster, and a popular man in that region of country; besides, there is a great deal of dissatisfaction toward Wallace among his own people. But it was a part of the general scheme to keep power in the hands of the officials of the State, no matter how the people voted.

Question. How much of joint debate had you in the canvass?

Answer. Very little; no debate at all with Governor Scott. I think I had about four general discussions, at different places, with candidates of the other side for State offices and candidates for Congress; but none with Governor Scott, for he did not make his appearance on the stump at all.

Question. What do you know, or what information have you, of the character of the speeches made by Crews and men of that sort to the negroes during the canvass?

Answer. Well, I heard some of them. I did not hear Crews in public—I mean upon the stump; but I heard him talk to a crowd of men standing about. The general talk of all such men as Crews was that the negroes owned all the land and property in the country; that they had a right to all they wanted; that if the white folks did not let them have it, "and did not behave themselves," as he called it, they would burn their houses and kill them. I do not think more incendiary speeches could be made than Crews made in that country. In Laurens, where Crews was a commissioner and also a candidate for the legislature at the same time the other two commissioners were—one a man by the name of Owens, and a senator, a very weak man, perfectly under the dominion of Crews, and the other a negro, also under his dominion—they returned a thousand majority in that county for Scott and Wallace. I am as certain that I received a thousand majority in that county as I am of my existence.

Question. How was the vote against you returned?

Answer. It was a round thousand against everybody on our ticket, and a thousand in favor of everybody on the other ticket. I do not think they ever counted the ballots. His speeches were of the most incendiary character, and so were they all, for that matter. The most accomplished, the most able man of their party in South Carolina, General Chamberlain, in the joint debate at Chester, which I spoke of, made a speech that was equally well calculated to stir up the worst passions of the colored men there. He did it very adroitly, to be sure. He said he was very glad he could meet them and address them; the time had been when he could not have done it, for they would have been over in yonder field with marks of the lash on their backs, and more to the same effect. I think it was very well calculated to stir up the colored population. I am astonished, and have been ever since I have been in the State of South Carolina, at the generally peaceable condition of the State; that more crimes have not been committed, for these men have exercised control over the colored men, and have made appeals of that sort to them; appeals to the worst passions of humanity.

Question. Such speeches as you have indicated that Crews made were made to crowds of ignorant negroes?

Answer. Any quantity of them. As I said before, it was the key-note of the campaign, that the negroes owned all the property, but that it was in the wrong hands; that the white people had it by a trick, and that the negroes ought to have it back again; that the way they proposed to do it was by taxation; to drive the white people out of the State by means of high taxes; and I think they are succeeding very well in their method.

Question. Just there state how the tax on the real estate of South Carolina is imposed; what it is now as compared with what it was four years ago. State your general knowledge in regard to taxation in the State.

Answer. The property is assessed by the auditor of each county, and a return of the assessment is made to the State auditor. The board of equalization then examines the returns from each county, and adds to or detracts from the amount at which the property is assessed. This board, without seeing the property or knowing anything about it, receives complaints from persons assessed; or if they think the assessment too low in a county, they do as they did in Orangeburgh; they quadrupled the amount of taxation in Orangeburgh; they said it was not enough.

Question. Without seeing the property at all?

Answer. Yes, sir; without seeing it. It was done by the board of equalization at Columbia. They made it four times what it had been assessed at, and they doubled it in a great many counties. There were a very few counties where they did not add something, and if they diminished it in any county I do not know where. The property of South Carolina is assessed and taxed in round numbers at one hundred and

eighty millions of dollars. I do not think it would sell in any market for one hundred millions, for South Carolina has vast tracts of poor land. I think property is assessed there at about twice its value.

Question. On an average?

Answer. Yes, sir. I will instance one case in Clarendon, where a tract of land had been offered two years for \$5,000, and they assessed it at \$15,000, and the owner could not get the board of equalization to do anything about it. Taxes seemed to be assessed with a view to the supposed necessities of the State for revenue, rather than to the value of property.

Question. A sweeping assessment made in particular localities, without any knowledge of the property at all?

Answer. Yes, sir. The taxes assessed upon South Carolina this year for State purposes is over four millions of dollars.

Question. For State purposes alone?

Answer. The State tax is over four millions this year.

Question. Up to 1866 and 1867, what was the general taxation in South Carolina for State purposes?

Answer. I could not tell you anything about 1866 and 1867, for we were then under a military government. Prior to the war, the taxable property of the State was about four hundred and eighty millions of dollars, as against one hundred and eighty millions now; and I think the taxes raised for State purposes averaged about \$400,000.

Question. And the tax is now about ten times that much?

Answer. Well, I must state, in justice to all parties, when I say that the tax is over four millions of dollars this year for State purposes, that they have crowded two years into one. Of course the tax for last year was due and collectable by law this year. The legislature passed an act making this year's taxes due and collectable this year also. It was a different system from that we have had. When I say that over four millions of dollars is levied this year for State taxes, I mean to say that they are trying to collect two year's taxes in one.

Question. In the present condition of the State, what effect has that upon the property of the people?

Answer. It is very depressing. If the scheme is carried out, and it is insisted that the taxes be paid, I think it will amount to a confiscation of one-third of the land in South Carolina, for the planters simply cannot pay it. They made a large crop of cotton last year, to be sure, but it was in a very extravagant way; they bought fertilizers very largely; the cost of producing the crop, in consequence of the purchase of fertilizers, and the expense of labor, made it very expensive to raise the crop. They raised a crop to sell at 20 cents a pound, and they were compelled to sell it at 12 cents a pound. If they could have held their crop they would have done well, but they could not do it. And in addition to that, putting a double tax upon them must amount to the confiscation of a large proportion of the property of the State.

Question. In addition to these heavy taxes for State purposes, have you also a tax for local county purposes besides?

Answer. O, yes.

Question. Explain to the committee what is the general character of that tax; whether it is oppressive, or otherwise; who imposes it, and how is it generally expended.

Answer. The taxation for county purposes is for making and repairing roads; building and repairing bridges; the support of the poor, and the administration of justice in the counties. Under our law, as it now stands, the county is compelled to pay for the entire system of judicial administration, except the salaries of the judges. They pay jurors, they pay witnesses, they pay sheriffs for dieting and keeping prisoners, for the expense of arresting them, and everything of that sort. All expenses of that sort are borne now by the county; formerly they were born by the State. That makes the taxation in the county large; especially where, in the multiplicity of trial justices, a great many people of all sorts and conditions almost, except very few white people, are arrested for various supposed crimes and sent forward for trial. The fees for trial justices are paid by the county, and the fees of the solicitors are paid in the same way.

Question. Do not these immense local burdens, applied as they are and used as they are, add very greatly to the discontent of the people in the localities where they occur?

Answer. Undoubtedly they do, and more particularly because the county commissioners having charge of them are generally people who have very little interest, if any, in common with the community. Generally they are colored men, who are desirous of making what they can out of the people, or else adventurers who want to do the same thing. I know of no instance in my part of the State where the county commissioners are men who have had any stake at all in the community. In the northern part of the State it is somewhat different; in the counties of Pickens, Anderson, Spartanburgh, and other counties, with an overwhelming white population, the men they have themselves elected are of a different stamp; the taxes imposed are lighter and they are perfectly satisfactory. They have a very good administration of local affairs in those counties.

Mr. Chamberlain, the attorney general of the State of South Carolina, a leading republican, called by the majority of the committee, when examined as to the abuses in the State government, said:

Question. Give us some account of the abuses of the State government of South Carolina?

Answer. I think that, in the first place, the misfortune was that the dominant party was necessarily made up of such materials as it was. Of course negro suffrage was not acceptable to the former ruling population of the State, and they refused to have anything to do with it. That left a very large numerical majority in the hands of the negroes of the State, and of the few white men who had gone there at the close of the war, and the very few white men who had been residents of the State before and had joined the republican party. The material for creating public officers in those elements was necessarily very poor. A large number of incompetent and dishonest local officers were elected throughout the State. Their incapacity and dishonesty was displayed very conspicuously. In many counties their local affairs have been very much mismanaged; and in the legislature we have had a great deal of corruption.

Question. If I understand you, then, the whole State government of South Carolina, including all its local details, is in a terrible condition in regard to a fair administration of the public affairs of the State?

Answer. That is a little different from the statement I would make. I would make this statement: that I think there are very many abuses existing now in the State, growing out of the incompetency and dishonesty of republican office-holders.

Question. You have no personal knowledge of corruption on the part of the office-holders of South Carolina, have you?

Answer. Well, sir, I think I have personal knowledge; that is, as much personal knowledge as I have of anything that I have not seen with my own eyes.

Question. Outside of the city of Columbia?

Answer. Oh, yes, sir.

Question. Have you seen anything of it outside of the city of Columbia?

Answer. Yes, sir.

Question. What?

Answer. Do you want that I should mention where and who?

Question. I do not care to go into an examination as to the names of parties.

Answer. I can illustrate what I mean. In the county of Newberry, at the last term of court just now closed, two trial justices were indicted for malfeasance in office, and also two of the three county commissioners: the other had run away; they were all four convicted and are now in jail. For instance, the county commissioners were convicted of purchasing supplies, and the party who sold the supplies charged two or three prices for them, and the excess was divided with the county commissioners. The trial justices were convicted of extortion and oppression.

Question. That is a strong republican county?

Answer. Yes, sir.

Question. Were you present at the trial?

Answer. No, sir.

Question. Was it tried before a jury of colored men?

Answer. Of colored and white men.

Question. A mixed jury?

Answer. A mixed jury.

Question. Then there is no difficulty in convicting these criminals?

Answer. I think not.

Question. Then why the necessity for using these extraordinary means of Ku-Klux outrages to put them down?

Answer. That is very true; I think there is no need of it.

Question. Do you know any other instance in which there has been conviction or indictment.

Answer. The three county commissioners of Charleston County are under indictment.

Question. You mean the city of Charleston?

Answer. The county of Charleston, which embraces considerable outlying territory.

Question. Do you know of any others?

Answer. In the county of Williamsburgh, I am not sure whether indictments have been found or not. But a day or two before I left I saw the report of the grand jury in which they made similar statements in reference to the conduct of the county officers there; but I will not say that bills of indictment were returned; my impression is that they were.

Question. Have not the governor and the executive officers under him been charged with corruption?

Answer. Yes, sir.

Question. To any great extent?

Answer. Oh, yes, sir; very gross charges of corruption have been made.



Question. Against the governor?

Answer. Yes, sir.

Question. As much so as against members of the legislature and county officers?

Answer. No, sir; I do not think they have been so generally made in the case of the governor; I am simply saying that they have been made.

The letter of General Chamberlain, set forth in this report upon the condition of the counties in South Carolina visited by the sub-committee of three, shows the most frightful condition of affairs in this State of any other document which was presented to the committee.

Mr. Corbin, the United States district attorney for South Carolina, also a republican, testifies as follows:

Question. What is the machinery of election there?

Answer. At the last election it was a very miserable machinery. Do you wish me to state the details of the law?

Question. Yes, sir.

Answer. The last legislature but one passed a general law.

Mr. POLAND. Is there not a shorter way to get at the law than by asking the witness to state his recollection of it?

Mr. BLAIR. I would like to hear from the witness how it worked.

The WITNESS. The machinery was briefly this: three commissioners were appointed for each county by the governor; those three commissioners appointed managers in the several precincts in the county, and were to furnish those managers with ballot-boxes locked and sealed, except an aperture through which to deposit the votes in the box. The managers were to receive the votes on the day of election, keep a poll-list, and return the poll-list and the box to the commissioners of election, who were to count the votes; they were to do that within three days after the election; they had three days within which to return the boxes and poll-lists.

By Mr. BLAIR:

Question. To the commissioners?

Answer. Yes, sir; and then the commissioners were required by law, within ten days, to canvass the vote and make return to the State board of canvassers; and the State board was to canvass the result and declare it.

Question. General Scott, the governor, who had the appointment of the commissioners, was himself a candidate for re-election as governor, was he not?

Answer. Certainly.

Question. Therefore he had it in his power to appoint every person who had anything in the State to do with receiving and counting the votes?

Answer. All but the managers; he appointed the commissioners only.

Question. Well, the commissioners appointed the managers?

Answer. Certainly.

Question. Therefore he had the control, directly or indirectly, of every person in the State who had anything to do with counting the votes by which he was to be either re-elected or defeated? I understand that to be the state of the case.

Answer. Yes, sir; there is no doubt about it. But the great difficulty under that election law and the working of it arose simply from the dishonesty of the managers or commissioners; that is where the frauds were committed, if they were committed at all.

Question. Did not the law itself contemplate that very thing; does it not give the opportunity?

Answer. Of course, every one in office has the opportunity to commit rascalities and frauds. If every officer had been honest the election returns would have been as correct under that law as under any law. Still, you can see what the opportunities were; the managers had the boxes at their precincts, remote from the county seat, and having received the votes, they sealed up their boxes as they were required. Some of them had to carry them thirty and forty and fifty miles to the county seat, to deliver them to the commissioners. If they chose to knock out the bottom and put in other votes, or to change those that were in there, they had the opportunity to do it. And after the boxes were received by the commissioners, they had the same opportunity to commit frauds, because the boxes were in their custody for ten days. Some very glaring frauds were doubtless committed in some of the lower counties. At the very last term of the court I convicted three parties in Beaufort County for abstracting ballots that had been cast by the voters at the election and substituting others for them, and also for erasing the names of some of the candidates upon the ballots cast and substituting others therefor. After a very deliberate trial, that extended over three weeks, the first trial resulted in a mistrial; but on the second trial we convicted them on all the counts against them.

Mr. Corbin, when further asked as to the feeling of the people in regard to the execution of the revenue laws of the United States, said :

Question. How is the sense of the community generally there upon that subject ?

Answer. In 1867 and 1868 the sense of the community was very much opposed to the execution of the revenue laws, very much indeed ; and I had great difficulty in conducting the prosecutions there, owing to the combinations effected to evade them.

Question. Was there any especial opposition to the tax on whisky ?

Answer. Yes, sir. The people in the western part of South Carolina have always been engaged in distilling whisky, using small distilleries. It is a part of their business ; every farmer had his whisky still, as much as they have a cider-mill in Vermont or New Hampshire, and the revenue law came down heavy on that class of business. Of course, no man could afford to keep a still, give bonds, make his returns, keep his meters, and generally comply with all the requirements of the revenue laws ; no man could do it with a small still. Hence it had to be an illicit distilling. In 1867 and 1868 they pretty generally determined to defy the law. I have no doubt that during 1867, 1868, and 1869 I obtained at the Greenville court, in the western district, one hundred and fifty or two hundred indictments for illicit distilling, and at successive terms of the court upon the same persons.

Question. There seems to be in that section an especial opposition to the revenue law in regard to whisky ?

Answer. Yes, sir.

Mr. E. W. Siebels, of Columbia, when before the committee, testified as follows :

Question. Was there not a large amount of fraud practiced in your State at the last election ?

Answer. Yes, sir ; some voting a dozen times, perhaps ; women and children voted. Women gave votes for their husbands or their brothers, who they said were sick. After we elected a few members they voted them right square out of the legislature. We elected some of our candidates by a hundred and odd majority ; yet the legislature declared their seats vacant. They did everything according to their own account. These are facts which are on record. I think many of these facts were developed in the Bowen and De Large controversy that has been going on in Charleston. Yes, sir ; boxes were opened and votes were changed. They committed fraud in a dozen different ways. I know a gentleman whose uncle voted for him, and they found the ticket on which his uncle had written his name, in his own handwriting, and they had afterward scratched it out. I am certain that if we had had any election at all we would have elected the members of the reform party, or the democratic party, in fourteen counties, perhaps in more. We thought we stood a good chance in sixteen counties out of the thirty-one. After we had been defeated in all the counties, the people became perfectly wild with excitement, and we were apprehensive that we could not control them, and General Kershaw and General Butler both believed that something had to be done to prevent the people of the State from being precipitated into a revolution, because the people knew they had been defrauded out of their rights in the election.

Question. Your election law gives every facility for fraud ?

Answer. Yes, sir. A correspondence took place between Mr. Chamberlain and myself. By the way, I like him very much ; he is a very fair man, and he was desirous of giving us every facility so to enable us to act.

Question. The governor had power to appoint all the commissioners of elections, and they appointed all the managers of elections ?

Answer. Yes, sir.

Question. Did he in any single instance appoint anybody but a partisan ?

Answer. No, sir. The attorney general came to me before the election and asked me what I proposed. I told him all we asked was that the governor should appoint one single commissioner in each county, or one manager in each county, of our party, and let the other two be of his own party. We had three or four conferences, but he refused to do it.

Question. In every instance ?

Answer. Yes, sir.

Question. So that every person appointed as a commissioner or a manager of election was of the republican party ?

Answer. Yes, sir ; whether we were in the majority or in the minority in a county, it was all the same.

Mr. Siebels, when asked to tell some of the corrupt practices of the officials in South Carolina, said :

For instance, there is the appropriation for the land commission ; \$700,000 was appropriated for the purpose of buying lands for the landless. It was intended that that money should be expended in the purchase of land that was for sale throughout the

State; that the land was to be bought and paid for by the State authorities, and afterward sold in small quantities to the freedmen who had no land, on long credit. There was a land commissioner appointed, a Mr. C. P. Leslie, a man from New York. It was his duty to appoint sub-commissioners or agents in the several counties of the State, who were to purchase lands. All those purchases were to be submitted to an advisory board, of which Governor Scott was the chairman, and Attorney General Chamberlain the legal adviser of the board, and of which the secretary of state and the treasurer of the State were to be members; the advisory board was to consist of five members. There never have been any books at all kept; there is no evidence of the amount of land that has been purchased; you cannot tell what has been bought, and you cannot tell what has been sold. We only know, after investigating and trying to find out what has been done, that land has been purchased as low as fifty cents an acre, and booked to the State at \$8 and \$10 an acre; and in one single instance a tract of land near Charleston, which you will find on the map, called Hell-hole Swamp, was purchased at seventy-five cents an acre, or the whole tract for \$23,100, and booked to the State at \$120,000. One of the advisory board drew the money from the financial agent of the State in New York, a Mr. H. H. Kimpton.

Question. Which member of the advisory board?

Answer. It was said that the treasurer of the State, Mr. Parker, did so. The facts were not denied; the accusation was openly made in our reform canvass; I made the accusation myself, in a public speech, and it was not denied.

By Mr. STEVENSON :

Question. Parker being the treasurer of the State, he had power to draw the money?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. What was the name of the senator with whom you had that colloquy?

Answer. Beverly Nash.

By Mr. BECK :

Question. I want to ask you about two or three special cases. According to your information, how much of that \$700,000 has been invested in good faith for homes for the negroes?

Answer. I was very diligent during the canvass in making inquiry, for we sought to use that as an electioneering document against them. I was very diligent in inquiring about the purchase of lands in all the counties, and I never heard of a single instance in which a *bona fide* trade had been made.

Question. Your information is that that \$700,000 was substantially stolen by the officials?

Answer. Yes, sir; I do not believe that \$100,000 of it was properly invested.

Question. I want you now to tell this committee how much money was deposited with Kimpton, the financial agent of the State; for what purpose; how it was drawn; upon whose orders; what contract was made with him about it; and who he is.

Answer. After Governor Scott was elected, the republican party concluded that they must have a financial agent in New York, and this man, H. H. Kimpton—whom nobody, it appears, knows either in New York or anywhere else as a financial man—was appointed that agent. He is a young man with no reputation, I hear. Bonds of the State were put in his hands to the amount of \$2,700,000. He gave no security, and no contract has ever been made with him at all. As the State authorities wanted money for their various purposes, they drew on him and he advanced the money.

Question. Either by the sale or the hypothecation of the bonds of the State?

Answer. Altogether by the hypothecation of the bonds, I think. We paid about 15 per cent. interest for the money, according to his account, and his commission is to be added to that. It appears there has never been any settlement with him at all. I looked over his report; he reports in a line and a half to the comptroller general, simply saying "Herewith is my statement," and then he gives simply the amount received in bonds and the amount drawn in cash. He says nothing about interest, commission, or anything else.

Question. Was there or not an order at the last session of the legislature for the furnishing of the house of representatives, and a bill produced there by the chairman of the committee appointed to do it?

Answer. Yes, sir.

Question. State who he was, what was the amount of the bill produced, and what was done in regard to it?

Answer. At the session before the last there was a resolution passed the house that a committee be appointed to purchase furniture for the house of representatives; the senate had been finished and furnished before. This committee was appointed, and Mr. John B. Dennis was the chairman of it. When the legislature met the last time

the new furniture was all in; the house was furnished most superbly. A great deal was said in the papers about the extravagance; a great deal of talk was made about the carpets being so fine and about the magnificent chandeliers and spittoons, and one thing and another, for an impoverished people. Even several republicans said to me that it provoked them to see so much extravagance, when we were so little able to afford it. It was a theme of conversation with everybody. When the bill came in it amounted to \$95,000. That created a terrible excitement in the house. We had only twenty-three members in the house, I believe; some of them moved that the bill be printed, but they would not print the bill. One of the members said it would cost \$2,000 to print the bill, and that they had better not print it. They staved it off until the very last day of the session. When they had spent \$200,000 or \$300,000 in the way of expenditures, they brought in another bill for two hundred and odd thousand dollars on the very last day of the session, out of which this \$95,000 was to be paid. But the governor, who had taken a very decided stand in regard to the reckless expenditure of the public money, swore that that bill never should be paid. He vetoed the bill, and the senate sustained the veto. Since then some gentlemen, interested to see what on earth this bill could be for, how the things could cost so much, because there were the goods to show for themselves, ferreted the matter out. And although the highest prices were paid for this furniture, three or four or five times its value—for instance, \$750 was paid for one mirror in the speaker's room; each official has a separate room for himself, most gorgeously fitted up, with toilet sets and all the paraphernalia of a dwelling-house; clocks, at \$480 apiece; chandeliers, at \$650—

Question. How many spittoons were there?

Answer. There were two hundred fine porcelain spittoons at \$8 apiece.

Question. There were only one hundred and twenty-four members.

Answer. Yes, sir.

Question. What were the bills really found to foot up?

Answer. The bills were obtained and sent to Columbia, and we had them published in all the papers. They foot up to fifty and some odd thousand dollars; I have the bills myself.

By Mr. VAN TRUMP :

Question. So that reduced the bill about \$40,000 below what it was first put at by the committee?

Answer. They never reduced it at all.

By Mr. BECK :

Question. The actual bill was \$50,000 and odd, and the bill as presented to the legislature and passed was \$95,000?

Answer. Yes, sir.

Question. Was there not an investigating committee appointed by the house of representatives to look into alleged election frauds in the case of Reid and somebody?

Answer. Yes, sir.

Question. Reid and who?

Answer. Reid and Hoge.

Question. Of which Joe Crews was chairman?

Answer. Yes, sir.

Question. What was the amount spent in that investigation?

Answer. The bill brought in there for expenditures was an enormous bill; I do not remember the amount exactly.

Question. Do you remember about the amount? Was it not \$68,000?

Answer. It seems to me it was between \$60,000 and \$70,000.

Question. I want to call your attention to the Dunbar fee.

Answer. At any rate, this was in the bill: \$7,500 was charged in the bill by Crews, who made out the expenses, for lawyers' fees and services.

Question. Paid to whom?

Answer. To James Dunbar, of the firm of Chamberlain, Dunbar, and somebody else. Of course it was talked of, and Dunbar very promptly came forward and said that he had never received a dollar, that he had never rendered any services, had never been consulted, and had never received a dollar. The other members of the committee say they never consulted any lawyers at all, because Wright, one of the associate justices of the State now, and Elliott were both on the committee. They say they discussed the propriety of calling in legal advice, but as both of them were lawyers they did not call in any at all. This bill was a gross fabrication; they never consulted any lawyer at all, and Dunbar says they never paid him a dollar. The attorney general was instructed to take steps to indict Crews for embezzling the public money. Crews went before the committee investigating this matter, and told them at the very off-start that he did not intend to answer any question that would criminate himself. As soon as they commenced questioning him about this money, and if he paid it to Dunbar, he said, "I decline to answer that question," and so on throughout. And when

he was threatened afterward with being indicted, he defied them and said that they did not dare to do it; that they would first have to make an appropriation to enlarge the penitentiary, for he would put the half of them in there.

By Mr. VAN TRUMP:

Question. What did he mean; half of the legislature?

Answer. The whole concern connected with the government, I suppose.

By Mr. BECK:

Question. And the prosecution was dropped?

Answer. Yes, sir; and the money has been drawn and paid.

By Mr. STEVENSON:

Question. What money do you mean?

Answer. The bill he reported for expenses has been paid.

Question. Paid before or after the investigation?

Answer. Paid before the investigation. The money was done paid and gone; he rendered in his account and drew the money, and it was too late to get it back.

By the CHAIRMAN:

Question. Did he file any receipt for that money?

Answer. No, sir; he could not produce any receipt at all.

Question. Did he get the money without a receipt? How did he get the money?

Answer. I do not know; they have so many ways of doing this thing that I cannot tell about this.

By Mr. BECK:

Question. Crews reported this \$68,000, or whatever it was, as expenses, and the house ordered it to be paid?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. How do you account for the state of facts which you say exists in relation to your taxes?

Answer. Some property is taxed about right, but others five times too much.

Question. Is that a matter of favoritism toward certain people, or how is it?

Answer. I will state the facts and leave you to draw your own inference. There is a committee, or a board, appointed, tax commissioners I think they are called; a board of equalization; they receive the reports of the county assessors, and then they decide that such a man must pay so much on his land, and another man pay so much on his.

Question. Is this board of equalization frequently made up of negroes?

Answer. I believe most of them are negroes. They meet together, and without seeing anybody at all, decide that such a man must pay so much and another man so much. The way it is so unequally distributed is this: Adjoining plantations are sometimes very different in value, as you all know. A man may own a plantation on a large creek or river, and it may be worth \$20 an acre; while his neighbor may own an adjoining plantation, but it may be of poor land not worth a dollar an acre. But this board of equalization cannot tell those facts; they are there in their office and merely make out their statements and decide that the tax must be so much, and it has to be paid. And in that way a man who has a plantation worth \$30,000 may not pay any more tax than the man whose plantation is only worth \$5,000.

Mr. Suber, a leading lawyer of Newberry, South Carolina, when asked on these subjects, said:

Question. State your general information in regard to the management of the school fund, the land fund, railroad corporations, &c.

Answer. The land commission there has been the source of great complaint; it was created by an act of the legislature with a view to buy lands for the landless and homes for the homeless, and \$500,000 was first appropriated by the legislature for that purpose. A man by the name of C. P. Leslie was appointed land commissioner for the State, and charged with the duty of purchasing lands and reselling them to indigent persons, in small lots of twenty-five, forty, and fifty acres. Afterward \$200,000 or \$250,000 more was appropriated—\$200,000, I think. All of that money has been expended, and very few people have been benefited by it. The general belief is that a great deal of corruption has been practiced in that commission; for instance, it is charged that bodies of land have been bought by the commissioner at low figures and charged to the State at high figures in his accounts. There is one transaction in which it is said that a body of land lying in Charleston district, entirely worthless, was bought for \$30,000 and charged up against the State for \$120,000. That has been charged publicly, and it has not been denied by the parties who are said to have been guilty of it.

By Mr. BLAIR :

Question. Was that not proved to be the case upon an investigation ?

Answer. Yes, sir.

By Mr. BECK :

Question. How have they managed their railroad transactions; do you know anything about that ?

Answer. The legislature has been charged with corruption in railroad jobs, too. The railroad on which I live, the Greenville and Columbia Railroad, was purchased more than a year ago by a ring, as it is called, in Columbia, headed by the governor of the State, and with Parker, the treasurer of the State, and others of that party in it. The stock of that road was purchased at a very low figure; the stock belonging to the stockholders along the line of the road was sold out at a very small figure, and it now belongs to the ring, and at the last session of the legislature a bill was introduced to give the State indorsement to \$2,000,000 of the bonds of that road.

Question. After those men had obtained it ?

Answer. Yes, sir; after those men obtained it; the bill was introduced the past year, but it was defeated in the senate. It was believed that they managed to get it through the house by bribery.

Question. What was the general impression about bribes being paid to members of the legislature for all sorts of jobs; did you ever hear them say anything on that subject themselves ?

Answer. A colored member from my county told me on the floor of the house, the second time I was ever in the house, that he constantly saw bribes offered there to parties to vote for measures; that they had been offered to him. He approached me as I entered the bar of the house, and asked my opinion about some bill that was pending—what I thought of it. The bill I think was called the sterling loan bill. He said they were agitating it then, and he was doubtful which way to vote; that he had voted against it the night before, for the reason that he saw men offering bribes to members of the legislature to vote for it, and he therefore thought there was something wrong about it; that bribes were constantly being offered in the house for various measures. I have heard that stated generally; but he is the only member of the legislature who ever told me so.

Question. The members of the legislature were generally believed to be corrupt, were they not ?

Answer. Yes, sir.

Mr. Aldrich, of Barnwell, said :

Question. Do you know of any case of corruption committed by your county officers ?

Answer. Well, sir, their administration of the affairs of the county is very bad, very lamentable. They collected \$40,000 or \$50,000 from the people, yet the roads are not repaired, the bridges are not built, the public buildings are not sufficient for the accommodation of the people, and the claims of the county have not been paid.

Question. Is it the general opinion of the people of your county that the taxes are collected ?

Answer. Yes, sir; all the taxes are collected, but the money is squandered.

Question. Is the same thing true in regard to State officers ?

Answer. Yes, sir, generally charged so; and I know of some instances of my own knowledge which show that they are more or less corrupt.

Question. Is that the opinion of the white people generally in reference to the State government ?

Answer. Yes, sir.

Question. Is it the universal opinion ?

Answer. Yes, sir; I think it is, so far as I have been through the State. I have canvassed the State twice, and I have heard that charge made by every man I met.

Mr. Joseph Hernden, of Yorkville, when asked as to incendiarism in his county, said :

Question. After that time how many other fires occurred ?

Answer. We had a great many fires in the county after that. I think the next fire was some time in November or December. There was a gin-house burned, and, I think, a saw-mill. That was perhaps the next fire of any account.

Question. Was that supposed to be the work of incendiaries ?

Answer. Yes, sir.

Question. Then you had a fire some time in January, had you not ?

Answer. Yes, sir; there were four or five buildings burned one night in January.

Question. State the circumstances attending that fire, and what was believed about it.

Answer. Well, the people there believed that the thing was concocted in the village, from what they could gather from the negroes; they could not tell.

Question. State all the facts to the committee.

Answer. These houses in the country, some four or five of them, were all burned about the same time.

Question. Do you mean the same hour?

Answer. About the same hour, yes, sir. Before the burning commenced—I did not hear this myself, but a great many persons did hear it—there was a volley of some twenty or thirty pistols or guns fired off in the street, opposite to a house where the county treasurer kept his office, and very soon after this volley was fired off those buildings were seen on fire; and they supposed that was a signal for setting them on fire. Of course I do not know; I only give you what was the impression.

Question. What was the common belief of the people?

Answer. That was the common belief of the people.

Question. Was it at night after the people had retired to bed?

Answer. Yes, sir; one or two o'clock in the morning.

Question. What were the buildings burned?

Answer. There were one or two barns and two or three gin-houses in that fire, as well as I recollect.

Question. In different parts of the county?

Answer. Yes, sir; in a kind of a circle from the north around to the east of the village.

Question. Was there a large gathering of colored people in town that night?

Answer. Yes, sir; there were a great many negroes in town that night from the country.

Question. Do you know the cause of their gathering there that night?

Answer. It was said they had a League meeting there that night; that was what the people said.

Question. Did the volley believed to be a signal for those fires come from that League meeting?

Answer. That was what was believed; that that was the signal for the parties to set the fire. I do not know this, of course; this is just what I heard talked.

Question. At these meetings held and largely attended by colored people, what sort of speeches were generally made to them by their leaders?

Answer. I understood that there were a great many of them very incendiary speeches. I did not attend any of their meetings.

Question. What was the character of those incendiary remarks, as you have heard them repeated?

Answer. I heard several persons remark that Mr. John L. Neagle, who is now the comptroller general of the State, made a speech there last summer, and said to the negroes that if they could not get this, that, and the other, that town might probably be laid in ashes; that matches were cheap, and all that sort of thing. I did not hear that; this was the talk.

Question. Made during the canvass last summer?

Answer. Yes, sir.

While we have felt compelled, in the case of South Carolina, to make copious extracts from the testimony taken before the committee to show the universal corruption which ramifies every department of the government, stifling the voice of the people at the ballot-box, and poisoning the very fountains of civil liberty, the extracts presented might have been extended almost indefinitely. There is no contradiction of them in all the volumes of evidence taken. Yet, in the face of all this, the President of the United States, without any report from our committee, and for purposes best known to himself, suspended the writ of *habeas corpus* in nine counties of South Carolina, and numbers of humble men are being punished by Federal authority under the enforcement act of Congress there, while Governor Scott and his officials, who have by their negro militia, their frauds, intimidation, and ballot-stuffing made the right of suffrage a mockery and a farce, are sustained and upheld in all their villainy by Federal bayonets. They will doubtless repay all this by constituting themselves delegates to the approaching republican convention, and by casting the vote of the State there for their friend General Grant. If there is anything we have shown beyond all peradventure in the special report referred to it is that in the counties of South Carolina now under martial law the only violations of the enforcement act of Congress, and the only intima-

tion at the polls last fall, was by the radical party and their negro militia, whereby the radical vote in these nine counties was increased from 10,000 in 1868 to nearly 19,000 in 1870, and changed from a democratic majority of 4,000 in 1868 to a radical majority of over 5,000 in 1870; and we think we have made these facts conclusive when we show by the statutes passed in 1870 that the governor was made absolute dictator just before he became a candidate, the law making it a penitentiary offense for men to organize into militia companies, or even practice the manual for such organization, unless accepted as militia companies by the governor, who, of course, rejected every white company offered, disarmed those already organized, and accepted every negro company that could be got together by his emissaries, spending \$374,696 59 of the people's money for their arms alone, placing them at every poll to insult, intimidate, and drive off enough of his opponents to make his election sure; with every election officer a partisan of his own, and the right given to them to hold the ballot-boxes ten days after the election to make the count certain by putting in and taking out ballots to suit themselves.

It is a fact worthy of notice that when any great "loyal" criminal is about to be brought to justice, martial law or some other vigorous Federal interference against the people to shield or divert attention from the criminal is the ready and prompt resort. Kirk and Bergen, in the summer of 1870, did valuable service in North Carolina in the effort to save Holden from impeachment, and a mission to Pernambuco was promptly tendered to the principal malefactor. General Terry, under orders, re-reconstructed Georgia to prevent the impeachment and removal of Bullock. Martial law and military arrests for offenses committed often years before the passage of the Ku-Klux or enforcement acts, together with a corrupt and venal legislature, were doubtless deemed sufficient remedies to prevent the impeachment and removal of Scott for the high crimes and misdemeanors with which men of all parties charged him. But, as we said, we introduced portions of the testimony taken before the committee for the purpose of making the extracts we propose to make from the legislative committee intelligible, as the report is too long to embody entire. While we have no doubt it is true as far as it goes, it does not reach the whole truth because of the careful manner in which the official plunderers have covered up their tracks. Nobody supposes that either impeachment or any other punishment will follow the exposure of the corruption they have exposed. The legislature is too corrupt; and the official ring have too much money with which to purchase an acquittal for any punishment to be expected. It has cost the governor and his friends something to be whitewashed; it was only a question of money, however, and as long as the bonds of South Carolina can be sold at any price, the necessary funds to procure an acquittal will be forthcoming.

The joint committee say, on page 7:

In the commencement of the work obstacles were immediately encountered; the question, how far the authority or power of the committee extended, was debated by some of the State functionaries, and not until the written opinion of the attorney general was solicited and given was much advancement made in any direction. The authority "to send for persons and papers" was regarded, even by the chief executive, as an empty prerogative. The committee are compelled to say, that, had it depended upon the co-operation of the governor as to how far their examination of persons or papers should be carried, the work would have been completed the moment it began. While his excellency, in his conversation with the committee, "hoped the investigation would be thorough," yet, in all his actions he most certainly exhibited little sympathy with the progress of investigation, and less desire for its "thoroughness."

On page 10, speaking of the cost and management of "Scott's militia," they say:

This part of the work of the present administration, so severely and extendedly criticized at home and abroad, so fruitful of suspicion and opposition among a large portion of our citizens, as well as dissatisfaction to another class, while intended for the preservation of the peace, lives and property of the people of the State, has not only failed in its avowed object, and been managed unwisely, but also proved an expensive experiment, as the charges for such purpose will show the total outlay for the enrollment and organization of the militia, now entirely without organization, the armed force now virtually disarmed, the purchase of arms, one thousand Winchester rifles, now scattered throughout the thirty-one counties of the State, the sum of \$171,009 93.

The committee are, in this connection, forced to the acknowledgment, however unpleasant or humiliating it may be to such as are connected with the fact, that the moneys expended (as vouchers indicated the direction in which the funds were used) were not all paid out for such purposes. In the enrollment and organization of the militia, as well as in the armed force employed by the governor, there was a most ample and complete opportunity for ambitious political partisans and aspirants for re-election to *arm and equip a force of personal friends and advocates and pay them* "when on service the same pay and allowances as are given to officers and soldiers of the same grade in the Army of the United States," not out of their own purse, but "out of any moneys in the treasury not otherwise appropriated; the State to be reimbursed by a special tax upon any county into which the governor was compelled to send an armed force." And to carry out these provisions, the governor was to exercise all the powers conferred upon him by an act entitled "An act to suppress insurrection and rebellion," passed September 22, 1868. Besides, as he was to be the judge of the existence, in any county, of the necessity of an armed force "to preserve the peace," and it was his own prerogative to commission the officers and subalterns, and indorse their pay accounts.

An enrolled, organized, and armed retinue of personal favorites or advocates were commissioned and placed upon his staff at the proper time, as well as ordered to form companies, battalions, regiments, and brigades throughout the State, into what was called "The National Guard," *alias* "Scott's Militia." This statement is made from undoubted evidence in the premises, and cannot be controverted. The election in 1870 was carried, in part, by the means herein stated, and while some portion of the funds appropriated for the purposes specified were, no doubt, expended for the same, the largest amounts were diverted to secure the re-election of Robert K. Scott, as governor of South Carolina, but not for the success of the republican party. That the adjutant general has not known of this diversion of special appropriations, cannot be possible; for, being a member of the house of representatives, the speaker of the house, and signer of all bills passed both branches of the general assembly, he must be familiar with the laws passed; and, as the elected adjutant general, the principal staff officer of the State, whose recognized duty is to assist the commander-in-chief in the details of military organization, and promulgate his orders, he certainly cannot claim entire ignorance in the use of the funds which are here referred to.

Nor is this all. A more glaring robbery of the treasury, for personal ambition and gain, has been perpetrated, and will be presented in that part of this report which covers the investigation of the financial agent's books and papers. The enormous sum of \$202,602 66, (two hundred and two thousand six hundred and two dollars and sixty-six cents,) not appearing anywhere upon the State treasurer's books, and never intended for the public eye or ear, has been paid, in addition to the amount already aggregated, for the alteration of arms, which swells the account to \$374,696 59.

On page 14 they say:

THE LAND COMMISSION.—This gigantic folly, about which there has been more said and less known than any other branch of the State government, and of which the legislature have often been challenged in open session to find out anything about, as well as denied a report concerning its operations—this offspring of an ordinance of the constitutional convention, passed to furnish a certain individual with a visible occupation, and a more visible manipulation of the public funds—has, without doubt, been one of the most expensive experiments, productive of greater distress and dissatisfaction that has been legalized or patronized by the State.

In no instance has the spirit of the ordinance alluded to, or the act authorizing the creation of the land commission, been carried out, as will be seen by the following extracts from both of these instruments; but, on the other hand, the office, the administration of its power, the purchase of lands, the payment for the same, the sale of land commission bonds, have all been made to subserve a certain organized result, *viz*, the primary benefit of members of the advisory board, and the land commissioners and their subservient allies.

In the examination of the books of the State treasurer, or the vouchers to the charges

made against the land commission, but little trace of the operations, and a small proportion of the amount expended by the commission, could be found. There seemed to be a studied silence on the whole subject; and had the investigation ended with the treasurer's or comptroller's office, no more information would have been gained than was already given, viz, that less than \$90,000 had been expended by the land commission at the close of the fiscal year ending October 31, 1870. Suspicions were aroused that a full record of all its transactions had not been made; and the subsequent examination of the books of the financial agent justified these suspicions, for in them it was found that, from the appointment of the first land commissioner to the 31st of October, 1870, according to the financial agent's charges, there had been paid out by him, in cash, for the land commission, \$562,063 40, which, added to the amount, * * * swells the aggregate expended for and on account of the said land commission, as far as known, to \$746,724 07.

The major part of the business transactions of the land commission were now performed by the financial agent in the city of New York, the accounts kept by him, as by a transcript of the same will be seen. To use the language of the financial agent, in answer to the question from the committee, "What has been the process by which the land commission transactions have been conducted between you as financial agent of the State of South Carolina and the State treasurer?" he says, "Instead of drawing on me, the treasurer directed me to credit the State as having received the money from him, and charge the land commission with the same."

This plan, it will be apparent, obviated the necessity of charges upon the treasurer's or even the land commissioner's books. As an illustration, in the case of the "Hell Hole Swamp" purchase, Parker gives drafts on H. H. Kimpton, in favor of Z. B. Oakes, for \$120,752. These are Kimpton's vouchers.

Parker pays the money at Columbia, the draft on Kimpton is the notice of the payment of money, the State is credited on Kimpton's books with the same amount in cash, and the land commission at the same time debited with the amount, and the whole transaction is safe, for details are not indulged in by the financial agent in his reports; nor do the advisory or financial board trouble the general assembly or the public with their suggestions or experience.

The statement will bear reiterating, that the land commission and its operations have been an "outrageous and enormous swindle," and the only satisfaction or comfort that the people of the State can take is that, having expended more than the entire amount authorized by law, "the purposes of the land commission" *have been gained*, and no further expenditures can be made. That legal means to bring these fraudulent transactions to light, and the corrupt complicators to judgment, should be instituted and furthered there can be no division of sentiment upon; and the sooner the work is begun the less liable will the guilty be to cheat the demands of justice.

The committee, on pages 48 and 49 of their report, fully confirm the statement of Judge Carpenter that the official ring had obtained full control of the interest of the State in the Blue Ridge Railroad as well as of the Columbia and Greenville Railroad. They say:

And, in order to remove every obstacle to an immediate or entire use of these bonds, which was restricted by conditions, under the act authorizing their issue, the fathers and abettors of the act of March, 1871, introduced section 6, which says: "The following clause in section 2 of the act of September 15, 1868, to authorize additional aid to the Blue Ridge Railroad Company in South Carolina, viz: 'And further provided, That the said bonds, or any part thereof, shall not be used, unless upon the express condition, that upon application to the Congress of the United States, or to private capitalists, the amount of three millions of dollars in currency, or so much of that sum as may be necessary, shall be furnished in exchange or upon the security of said bonds,' is hereby repealed."

This repealing clause removes all hinderances to the use or negotiation of these bonds; and when it is borne in mind that so many of the State officers, financial board, and financial agent were so much interested in "the promotion of the consolidation of the Greenville and Columbia and Blue Ridge Railroad Companies," and have the control and direction of these bonds, it is not too much to anticipate their advent upon "the market" when the emergency arises; hence they should have a permanent place among contingent, if not actual liabilities.

And as the State has, by this same act, surrendered its prior lien upon the property, assets, effects, rights, and franchises of the Greenville and Columbia and Blue Ridge Railroad Companies, to be consolidated, and generously, before the marriage ceremony, advanced the bond-holders, with their respective mortgage rights, to a first consideration in the settlement of claims, it will be expected that the State will submit to a further use of its "faith and funds," in order that the bond-holders may not suffer by their investments. And further, as the 21,698 shares of the State in the Greenville and Columbia Railroad Company, which, in 1869, according to the comptroller general's

report, were valued at \$433,960, have been sold, as per report of Hon. J. H. Rainey, secretary of "the sinking fund commission," for \$59,669 50, at the rate of \$2 75 per share, in order to put the management of the road into the hands of the twelve associate consolidators and repealers, there can be no contingency, or fortuitous circumstance, which will prevent the putting upon "the market" of every bond issued and indorsed, authorized by statutory provisions.

The claims of the State upon the Laurens Railroad, which has gone into bankruptcy, the bonds of which were indorsed to the amount of \$75,000, are, according to high authority, "fully secured."

On the subject of the funding bill, whereby the same ring got possession of the bills of the Bank of the State, and pretended to destroy notes to the amount for which bonds were issued, it is shown that the total number of notes is reported as \$1,258,550, while the amount of bonds issued is \$1,590,000. The committee say, on page 52:

Since the foregoing was written it is found that, of the bonds to redeem bills of Bank of the State of South Carolina, \$1,250,000 were sent by the American Bank Note Company to the State treasurer, and \$340,000 to the governor. In whose hands, then, the balance of the said bonds, viz, \$331,450, may be found is not yet known to the committee.

How many bills of the Bank of the State had been presented to the treasurer up to January 1, 1869, or bonds issued for their payment, is not known, but \$500,000 of the bonds classed as "Loan to Redeem Bills of the Bank of the State of South Carolina," had been printed; and before the adjournment of the session of the general assembly of 1868 and 1869 one million and seventy-five thousand more of the same bonds had been printed. After the adjournment of the general assembly in April, 1869, fifteen thousand more were printed, making in the aggregate \$1,590,000.

The excess printed over the amount issued, in whomsoever hands they may be found, should be at once canceled or destroyed, as the legal time for the presentation and conversion of the bills of the bank of the State has already passed, and no further issue has been authorized.

The committee afterward turned their attention to the financial agency established in New York, through which a large amount of the business of the State was transacted, and they show that there, as in the books of the officials in South Carolina, the truth was concealed whenever it suited the purposes of the officials to conceal it. On pages 245 and 246 of their report they say:

The committee are compelled to say that the financial agent has acknowledged to them "the incorrectness of his accounts, and admitted that he was directed by the financial board not to make real but fictitious entries; so frightfully large were the expenses of the transactions of the agency, in negotiations of loans, &c., the board thought it best to keep the true amounts in disguise."

Beside this admission of the agent, the manner in which his books and accounts have been kept justifies suspicion as to their accuracy.

The committee most unhesitatingly and emphatically assert that no business man, with honest intentions, who makes his books the true record of his operations, would suffer such an incomplete and questionable account to be kept as the financial agent of South Carolina has kept.

What, however, is our astonishment and indignation when we are told, on finding specified charges, "that they are not correct," "that even detail in payments is no assurance of accuracy?" And what our humiliation when we are told "the financial board of the State have recommended the covering up and withholding of the real business transactions of the agency?" That, because the credit of the State is so low, the standing of the agency so poor, the demands per cent. so great, and the charges for outside financial operations so enormous, to negotiate loans in behalf of the State it would be unwise to be honest, impolite to tell the truth, unfinancial to let the books become a faithful record."

Passing over many details, all pointing in the same direction, giving incontrovertible proof of the grossest corruption, we will content ourselves by presenting the debt of the State, as ascertained by the committee. (See pages 260, 261.)

The committee acknowledge their inability to express the feelings which the discovery of such ponderous overissues produced. It was a shock that convulsed every sentiment of extenuation or doubt. The whole transaction was too visible and glaring to admit of an excuse or explanation, however anxious or willing the subtle league might be to make it.

The millions that have been put in their hands could not have been authorized or manipulated for honest purposes, but for plunder and dishonest gain. It is in vain that the public is appealed to with statements that this frightful discovery "is a groundless misrepresentation and gross fabrication." The American Bank Note Company gives us the figures; they speak for themselves, and tell us that there has been printed the following bonds and stocks, viz :

Bonds and coupons to pay the interest on the public debt.....	\$2,000,000
Bonds and coupons to redeem bills receivable	500,000
Bonds and coupons to redeem bills of Bank of State of South Carolina....	1,590,000
Bonds and coupons for the relief of the treasury.....	1,000,000
Bonds and coupons for the conversion of State securities.....	8,200,000
Bonds and coupons for the land commission.....	700,000
Bonds and coupons for sterling funded debt.....	6,000,000
Registered certificates of stock.....	2,550,000
Total	22,540,000

Of this amount there has been sent by the American Bank Note Company to the governor, \$2,350,000; to the treasurer, \$17,490,000; to the comptroller general, \$200,000, and there remains in the hands of the Bank Note Company, subject to order, \$2,500,000. It has been said by the authors of this enormous fraud, as if to blind the true intent of the extravagant issue, "that although such an amount of bonds had been printed that all had not been issued nor signed, nor had they been printed with the intention of increasing the State debt, but are in possession of the State authorities."

Such a declaration, like a desperate confession, is the strongest evidence of guilt; it is too transparent to convince even the most credulous. "What was the object of printing these bonds," has been asked, "if it was not the intention to use them?" If there is no informality in the transaction, why let the credit of the State be hazarded by withholding the actual amount of these bonds now upon the market? Why need such a sum be in the hands of the State authorities? What object have they in possessing more than the laws authorizing the respective loans have called for? Is there any statute authorizing an indefinite printing of bonds "to be in the possession of the State authorities" to be used at will? Can the acts of the legislature to pay the indebtedness of the State, or for the conversion of its securities, be construed into such a wholesale prerogative? Is there a necessity to provide more bonds than there are needs for them? Plainly, must we declare we cannot believe other than the fearful truth that stares us in the face that the bonds and stocks printed by the American Bank Note Company represent the liabilities of the State, for which the faith and credit of the State, however unlawfully presented, has been pledged for the payment. That instead of the debt of the State of South Carolina being, as the comptroller general in his report for the fiscal year ending October 31, 1871, says, \$7,665,708 98; or as Mr Trenholm, of the tax-payers' convention, gives it, viz, \$9,869,108; or as the governor in his statement to the congressional committee, makes it, viz, \$9,523,964 10; or as the present committee, from the investigation of erroneous accounts, have, in the previous pages, shown, viz, \$9,865,908 98; it is, allowing all the deductions to be made, that in October last, while in New York, were claimed should be not less than \$14,040,000 without the addition of the present contingent liabilities of the State, viz, \$6,787,608 20, which would represent a debt of \$20,787,608 20.

In order that those who are implicated may be fairly dealt with, the committee will give the benefit, in their report, of their claims for deductions.

It is said the sterling loan bonds should be deducted, as they have been returned by the treasurer to the American Bank Note Company, viz..... \$3,500,000

Also, bonds for the conversion of State securities printed by mistake of the Bank Note Company, with green backs instead of blue, (the uniform color,) to the amount of..... 500,000

Also, the first issue of the bonds for the payment of the interest on the public debt, which, having those words printed on their face, would, the financial agent thought, if issued, injure the credit of the State; therefore, by his recommendation, an equal amount, with the words, "Authorized by act approved August 26, 1863," upon their face, were printed; this deduction claimed is..... 1,600,000

Also, the conversion bonds delivered the treasurer October 4 and 11, 1871, which the governor refused to sign, viz..... 1,000,000

Also, the balance of sterling loan bonds waiting signature and orders for delivery, already printed and in the hands of the American Bank Note Company, viz..... 2,500,000

Total of deduction claimed..... \$8,500,000

which, from the \$22,540 already given, reduce the bonds and stocks for which the

authors say the State is accountable, and the governor, in his unluuid moments, while in New York, intimated might be correct, viz, \$14,040,000.

They concluded their report thus, beginning on page 266 and ending on 269:

Since the foregoing was prepared for the press, the state treasurer, as well as "citizens' investigating committee," made their statements, and the governor, in his last message to the general assembly, November 28, 1871, reiterates them, in order to relieve the public mind "and correct the gross exaggerations that are being diligently circulated in reference to our finances and the entire administration of the State." Allowing all they have claimed in their printed report, viz, that there has been destroyed, canceled, deposited for safe-keeping, and on hand in the State treasury, bonds to the amount of \$13,026,000, then the entire bonded debt, actual and contingent, is \$21,708,914 47, from which deduct contingent railroad bonds, viz, \$6,787,608 20, and the real bonded debt is \$14,921,306 37; from which also deduct the old bonded debt, or the debt as it existed when the present financial managers came into power, viz, \$5,407,306 27, and they reveal the extravagant and unwarranted issue of bonds and stocks (since their mismanagement of the finances) of no less than \$9,514,000, which is just the amount represented to have been delivered to the financial agent in New York. An issue of nearly two millions more than the whole bonded debt, old and new, as exhibited in the comptroller general's statement, October 31, 1871, and within \$355,108 of the entire debt, as stated by Mr. George Trenholm to the tax-payers' convention, and only \$14,964 10 less than Governor Scott declared to the congressional investigating committee in September last, was the total issue of bonds and stock from June, 1838, to September 20, 1871, after deducting the bonds and stock issued for military defense. It will be remembered that the various acts authorizing loans since the inauguration of the present government admit of an issue of \$3,000,000; and that the act for the conversion of the State securities was not supposed to be an authority to increase the debt already legalized, but a provision of law to convert all outstanding issues into one uniform class of bonds, the old bonds to be canceled when the conversion bonds were issued. Such a course, however, has not been pursued. The managers were seemingly determined not to keep the liabilities of the State at their legal standard, but by the new process of conversion to create a larger amount of bonds as collaterals, while they mendaciously declared that the debt was not enlarged. The bonds converted were not canceled, but still used and hypothecated, and by the financial agent, whose instructions or directions could come from no other source than the financial board. If we, then, from the \$9,514,000 of bonds placed in the financial agent's hands, deduct the legally authorized bonds, viz, 3,200,000, we find an illegal overissue of \$6,314,000.

Here then we have the indisputable evidence that all the financial officers of the State, as well as the governor himself, in their State and official papers, have hitherto disguised the true condition of the debt, as well as the issue of bonds, and we have the executive confession that he too was deceived, and that all his debt statements, up to September last, "were made according to the best of his knowledge at those dates."

But the fact which now presents itself shows that his excellency's knowledge in September last was sadly deficient, or the excess in bonds and stocks over his statement at that date, now apparent, has been created since. However, as no bonds or stocks could be authorized or issued without his knowledge, the conclusion must be, that while "charging upon others any just share of their responsibilities for the evil consequences of their acts," he has somewhat "hesitated fully to admit his own." Nor can his final "severe personal scrutiny" convince us that the treasurer's last exhibit of the actual debt of the State is full and correct.

It is admitted now, which never would have been done had not the joint special financial investigating committee discovered the fact, about the last of October, that the governor and treasurer of the State authorized the American Bank Note Company to print various bonds and stocks, amounting to \$22,540,000, all of which, at the time of the discovery, had been delivered to the governor, treasurer, and comptroller-general, except \$2,500,000 of the sterling loan bonds, which were waiting the orders of the proper officials.

The actual debt, then, if the "severe personal scrutiny" of the governor "is correct," is as follows, viz:

Debt of the State, July, 1868, less \$9,000 old bonds redeemed.....	\$5, 398, 306 27
Bonds issued in 1869, for funding bills of Bank of the State of South Carolina	1, 259, 000 00
Bonds represented to have been delivered H. H. Kimpton, financial agent, New York	9, 514, 000 00
To which must be added the bonds for which the college land scrip sold, now in the hands of the financial agent, which cannot be less than.....	200, 000 00

And we have a total confessed debt of..... \$16, 371, 306 27

To this can be safely added the sterling loan bonds "deposited for safe-keeping," subject to order, \$3,500,000, of which have been signed and made ready for issue, and the arrangements perfected for the negotiation of the entire loan, unless the law authorizing the said bonds is immediately repealed, and the bonds canceled before they can be negotiated, viz

Which would give an aggregated old and new bonded debt of.....	\$6,000,000 00
To which add the contingent debt, viz.....	22,371,306 27
	6,687,608 20
And the entire indebtedness of the State is.....	\$29,158,914 47
Of this amount it is said there are in the hands of the financial agent, as collateral security for loans, \$3,773,000 of new bonds, and a deduction of that amount is claimed from the whole amount of new bonds in use; but, as collaterals, they are virtually a part of the debt, until the loans for which they are held are redeemed or paid. From which deduct authorized bonds, including sterling loan, viz	22,844,914 47
And the fraudulent issue is.....	\$6,314,000 00

The committee assure the general assembly they are confident no one could have labored more assiduously or thoroughly than they have done in the work of investigation of the various financial departments of the State, as well as other avenues of discovery. They do not feel, however, that they can safely say they have given the whole extent of extravagance or criminal indulgence with which the management of the funds and credit of the State has been characterized. There is an unknown "floating debt;" the financial agent is still unpaid; he is to present his "honest claims" proportioned to his "faithful service." And, as millions have been tossed about in the multiplied transactions of this "experienced and competent" financier, small considerations will be no "compensation" to him; *liberal satisfaction* must be awarded; and if the lithograph-electrotype printing-press has not piled up, in bonds or stocks, sufficient already to cancel his, with other illegitimate demands, and his greedy hold upon the State is not loosened, then millions more must be added to the gigantic dimensions of "what we are responsible for," so far as printed illegalities can make us. The committee, in view of the atrocity of these disclosures—the work of the present administration, or, rather, a ring composed of leading officers of the government of the State, unhesitatingly say that the republican party, which has elevated them to power, must show its condemnation of such treachery and knavery by an immediate and united effort—by legislative enactments, as well as by every other deliberate measure—to bring to justice those who have prostituted the authority with which they have been clothed, and so flagrantly and criminally imperiled the trusts to them confided.

In conclusion, if, through what has been revealed herein, the innocent, by their intimate or official relationship which they have held with the perpetrators of these wholesale frauds suffer an equal condemnation with the guilty, let the arraignment of the robbers be speedy, and their punishment as sure. The terrible wrongs committed demand that judgment shall be meted out at once. Position nor place should delay the work of strict accountability. Let the ax fall upon the heads of corrupt officials, however high their perogatives. The credit of the State, its honor, its future respect, everything that makes the people of a commonwealth worthy esteem or commendation—her trusts betrayed, her pledges violated, the frauds committed in her name, by reckless, shameless traducers and plunderers—*all cry out for justice*. Let no moment be lost in the exercise of duty. The dominant party must recognize the responsibility now resting upon its shoulders, and deal with bad men, though they may be their acknowledged leaders, as exact justice demands, or witness the scepter of their power pass from their hands amid the execrations of an outraged and indignant people.

The accounts, books, and vouchers of the financial agent, for the fiscal year ending October, 1871, have not been examined, as has been already stated, nor was there time so to do, and perfect the report which is now presented; nor were the committee allowed to see them. While this declaration may be denied by the agent, it is sufficient to say that, while no direct refusal of books, &c., was made, his continued and purposed delays—his own absence from his office under false assurances of sickness, and the fidelity of the confidential clerk to his master, exhibited in his frequent declaration, "I cannot let you see the books, or accounts, or vouchers, unless Mr. Kimpton gives me the order so to do"—all these multiplied pretenses and designs were equal, in their results, to a forbidden examination, and prevented investigation.

Although we are now told that his books and papers are open to the inspection of those who doubt or who are inclined to verify "the last statement of the management and condition of the finances of the State," yet, from the knowledge the committee has gained, they do not hesitate to say that such an advertisement is like the spider's parlor invitation to the fly, and whoever accepts the invitation will find himself

"caught at last" with promises never to be fulfilled, by one who is an adept at trickery, if nothing more.

The committee desire to impress upon the general assembly the necessity, by further legislation, of clothing them with an immediate authority, unquestioned in detail and prerogative, to examine the books and papers of the financial agent for the fiscal year ending October, 1871, that they may be enabled to complete their supplemental report, which is in an advanced state of preparation, and necessary to perfect the work assigned them, viz: "A complete and thorough examination of all the accounts of the State treasurer, comptroller general, and financial agent, since their induction into office."

In the face of such proof as we have set forth, it would be idle to indulge in comment. Bankruptcy stares that people in the face, and if the authorities at Washington sustain their emissaries there much longer, starvation or emigration will be the only alternatives between which the people of South Carolina will have to choose.

The debts and liabilities of the State, however, are not the greatest of their grievances. It is the corruption and extortions of the local officials, the unjust assessments of property, the enormous county and local taxation, and the plunder which is practiced by every petty township official, coupled with the insolence and arrogance of ignorant and dishonest local officers, together with the absolute insecurity of life and property, that makes the cup of their afflictions overflow.

TENNESSEE.

We presume the statement of the comptroller furnishes a complete and correct exhibit of the debts and liabilities of the State of Tennessee in 1861 and at the close of the year 1870, as well as of the value of property and the rate of taxation in 1860 and 1870; we therefore make it part of this report.

A.	
State debt proper, 1861	\$3,894,606 66
State bonds loaned to railroad companies.....	13,909,000 00
Railroad bonds, city of Memphis bonds indorsed by State, all for railroad purposes.....	2,207,000 00
State bonds loaned to turnpike companies.....	65,000 00
State bonds loaned to agricultural bureaus	30,000 00
	<hr/>
Entire State liability October, 1861.....	20,105,606 66
	<hr/>
The value of property, real, personal, and slaves, 1861.....	\$361,477,746 00
	<hr/>
Rate of taxation, 15 cents in the \$100 and 35 cents on each poll.	
State debt proper, with interest to July 1, 1870.....	\$4,781,549 24
State bonds loaned to railroad companies.....	27,618,500 00
Bonds indorsed by State.....	2,172,000 00
Funded interest on railroad bonds.....	3,244,690 50
Interest due January 1, 1871	4,197,861 95
Bonds to agricultural bureaus and interest.....	37,200 00
Bonds to turnpike companies and interest.....	705,000 00
Claim of United States vs. E. & Ky. and M., C., and L. Railroads.....	511,560 22
Loan from Fourth National Bank, New York, (Ward & Briggs).....	113,717 00
Outstanding issues Bank of Tennessee, estimated	1,500,000 00
Outstanding warrants to October 1, 1870.....	606,123 95
Unexpended appropriations, estimated	200,000 00
	<hr/>
Total State debt, as estimated, for 1870.....	45,688,263 46
	<hr/>
The valuation of property, real and personal, for 1869, was.....	\$223,862,244 00
	<hr/>
Rate of taxation, 60 cents on the \$100 and \$1 50 on polls.	

Respectfully submitted.

ED. R. PENNEBAKER,
Comptroller of Tennessee.

COMPTROLLER'S OFFICE, Nashville, June 5, 1871.

The Hon. John C. Brown, now governor of Tennessee, has lately sent us his message to the legislature, with the correspondence between the comptroller and himself, and a statement of the financial condition of the State on the 20th of October, 1871, annexed, by which it will be seen that the debt of the State is being diminished. The bonds and coupons paid in since the last report of the comptroller amount to \$6,873,340, and other items of considerable magnitude go to reduce the debt of the State. The governor speaks hopefully of the future in his message; in short, the State of Tennessee is, at last, after years of trouble, under the management and control of her own people. The governor and legislature are democrats, carpet-baggers have disappeared, and the finances of the State are assuming a more healthy aspect.

The following is the correspondence and statement of the comptroller, above referred to:

EXECUTIVE OFFICE,
Nashville, Tennessee, October 19, 1871.

SIR: I respectfully call your attention to the official report, as submitted to the general assembly, of date 1st October, 1871, and ask you to review the credit side of the account, in the statement making up the indebtedness of the State. It appears to me there is an omission to give credit by the proper amount of interest upon the bonds retired, and upon the indebtedness of the purchasers of solvent railroads; and there are, perhaps, some clerical or typographical errors in the account. After a revision, if you find any alteration necessary, please submit me an amended report of that statement.

Respectfully, your obedient servant,

JOHN C. BROWN, Governor.

ED. R. PENNEBAKER *State Comptroller.*

COMPTROLLER'S OFFICE,
Nashville, Tennessee, October 20, 1871.

SIR: I find that an estimate of interest on the retired bonds since the date they were delivered to me, as well as an estimate of interest on the balance due from purchasers of delinquent railroads, was inadvertently omitted in stating the account of the State's indebtedness. I find, also, some clerical errors in the statement; I have carefully revised it, and have the honor herewith to submit an amended report, including also a statement of railroads sold since the date of my report, which I am satisfied is correct, and respectfully ask that it be transmitted by you to the general assembly.

Respectfully, your obedient servant,

ED. R. PENNEBAKER,
Comptroller.

His Excellency JOHN C. BROWN, Governor

SUMMARY.

1.

Total railroad and turnpike indebtedness, with interest estimated to January 1, 1871.....		\$31,300,417 14
State debt proper.....	\$4,083,991 26	
Interest funded on same.....	735,553 00	
	<hr/>	4,819,544 26
Bonds indorsed by State.....		2,172,000 00
Interest funded since June 1, 1871.....		25,000 00
	<hr/>	38,316,961 40
Interest to January 1, 1872.....		1,878,028 02
	<hr/>	40,194,989 42
Tennessee money outstanding.....	710,000 00	
Warrants.....	752,417 27	
Loan account.....	206,000 00	
	<hr/>	1,668,417 27
	<hr/>	41,863,406 69

Less indorsed bonds that will hereafter pay interest.....	\$2,172,000 00	
Interest for twelve months.....	130,320 00	
Bonds and coupons paid in since last report.....	6,873,340 00	
Interest for eighteen months on the bonds paid in—only		
\$5,951,000.....	535,590 00	
Estimate for balance revenue due January 1, 1872.....	1,200,000 00	
		<u>\$10,911,250 00</u>
Less balance due by railroads.....		30,952,156 69
		<u>10,990,565 76</u>
		<u>19,961,590 93</u>

2.

Amount of debt of railroads.....		\$5,776,533 76
Balance due from railroads sold:		
Memphis, Clarksville and Louisville.....	\$489,800 00	
Interest, 18 months.....	76,482 00	
Edgefield and Kentucky.....	675,000 00	
Interest, 18 months.....	60,750 00	
McMinnville and Manchester.....	225,000 00	
Interest, 18 months.....	20,250 00	
Winchester and Alabama.....	225,000 00	
Interest, 18 months.....	20,250 00	
Knoxville and Kentucky.....	350,000 00	
Interest, 18 months.....	31,500 00	
Knoxville and Charleston—not sold.....	150,000 00	
Rogersville and Jefferson—not sold.....	30,000 00	
East Tennessee and Western North Carolina—not sold.....	20,000 00	
Nashville and Northwestern.....	1,700,000 00	
Interest, 18 months.....	153,000 00	
Cincinnati, Cumberland Gap and Charleston.....	300,000 00	
Interest, 18 months.....	27,000 00	
Tennessee and Pacific—not sold.....	300,000 00	
		<u>5,214,032 00</u>
		<u>10,990,565 76</u>

The last census report shows that the assessed value of	
the taxable property of Tennessee amounted in 1860 to.....	\$382,495,200
Amounted in 1870 to.....	254,673,792
State taxation in 1860.....	455,192
State taxation in 1870.....	514,364
County taxation in 1860.....	330,034
County taxation in 1870.....	1,302,836

The laws under which elections have been held in Tennessee are too numerous, and have been too often changed and modified so as to enable the radical rulers to hold power, to enable us to do more than make the following statement concerning them.

Under the authority of the military governor of Tennessee, a convention was called, which amended the constitution of the State, in February, 1865, by which amended constitution the first legislature elected thereafter was empowered to regulate the election franchise. This legislature was elected by general ticket, the voters in which election were mostly of one of the grand divisions of the State, (East Tennessee,) and at the military posts in the State, and at these latter places were principally soldiers and camp-followers. The legislature so elected, at its first session, to wit, in June, 1865, enacted a law, limiting the elective franchise, so as to confer this privilege upon the so-called loyal white men of the State, and excluding all who had not voted in the elections ordered by the military authority, and who were not Union men, and who had

aided, by counsel or otherwise, in the rebellion, and providing for a registration, by and with the clerks of the county court, who were authorized to issue certificates. Under this law it was early seen that the original and conservative Union men of the State would be in the ascendant. This class of men, while decided in their opinions, were composed of the solid, substantial men of the State, and who were identified with all the material interests of her people, with whose misfortunes they sympathized. The prospect of success to this party did not suit the partisan views of those then controlling the State, and hence, at an adjourned session of this legislature, to wit, May 3, 1866, (see acts of 1865-'66, page 42,) the franchise law was amended, principally with a view of taking the power of registration away from the clerks of the county courts, and conferring upon commissioners of registration in each county, to be appointed by the governor, annulling the former registration made by the clerks.

Even under this law, so amended, it was found that certain commissioners were conscientious enough to register Union men, whose politics differed from the ruling regime, and it was apprehended that power might escape from them, to prevent which Governor Brownlow arbitrarily removed commissioners, and at another and subsequent session of the legislature, the power to remove such commissioners was conferred upon the governor, and a legislative indorsement of his previous removals secured. (See acts of general assembly, 1867-'68, page 68.)

Thus it will be seen that the power to say who should vote (although the great body of the people, who had admittedly sympathized with the rebellion, were already excluded by positive legislative enactment) rested entirely with one man, and he a violent partisan.

Turning a step back, in order fully to comprehend the state of things in Tennessee, and to see how far the rights, liberties, and privileges of the people of that commonwealth were at the mercy of that man, it is shown that, while the general law of the land prohibited the carrying of concealed weapons, yet, by special law passed immediately upon the close of the war, to wit, June 6, 1865, (see acts of 1865, page 41,) it was allowed and permitted that loyal men should carry arms. Let it be remembered that, in two grand divisions of the State, (Middle and West Tennessee,) the almost entire body of the so-called loyal men were negroes. In this juncture of affairs, a State guard was authorized, (and subsequently in part organized,) to be composed of so-called loyal men, understood as intended to be composed of negroes, for service in these two grand divisions, said guard or militia to be officered and controlled by the same partisan who controlled the ballot-box. By the record it is also shown that convictions for offenses against the property and persons of the men, and against the persons of the women of the State, were almost useless, since a ready pardon awaited the offender, as shown by the record of pardons. And corruption prevailing everywhere, was rapidly accumulating a heavy debt, and augmenting the burden of increasing taxation. (See table of debt, &c.)

The great mass of the people of Tennessee felt that they were outlawed and denied the protection of government. They felt they had no right of person or property respected by the ruling powers. They believed that they were purposely disarmed, and that, being so, whatever they loved or prized was at the mercy of an ignorant race, whose ignorance and whose passions were being played upon by corrupt parties, with sinister purposes, and an internecine warfare was painfully apprehended. Under these circumstances, and at such a time, produced by this most unhappy legislation and rule, many impulsive men felt that their only means of

personal safety and protection to themselves, their wives, their daughters, their mothers, their sisters, and their helpless ones, was in secret organization. While all history attests their mistake, all history attests that it is the resort of the oppressed against the oppressor. And while we may and do condemn secret political organizations, we condemn with equal severity the tyranny of the oppressor out of which they have their birth. Had there been no wanton oppression in the South, there would have been no Ku-Kluxism. Had there been no rule of the tyrannical, corrupt, carpet-bagger or scalawag rule there, there would have been no secret organizations. From the oppression and corruption of the one sprang the vice and outrage of the other.

TEXAS.

This is another of the States which the majority of the committee refused to visit, or permit any investigation to be had concerning. It was recognized as reconstructed in the early part of 1870, at which time the comptroller certifies that the State debt was \$362,166 17, with a cash balance in the treasury of \$350,683 90. Now the comptroller, November 21, 1871, says:

Exclusive of contingent debt, it is safe to say that, at the close of the present fiscal year, the outstanding debt of the State, represented by treasury warrants and bonds of the State, will not be less than \$3,000,000, exclusive of the action had at the present sitting of the legislature.

But we give the statement of the comptroller of the debt entire; it shows how rapidly the State, under radical misrule, is drifting into bankruptcy and ruin.

COMPTROLLER'S OFFICE, *Austin, November 22, 1871.*

SIR: I have the honor to furnish, in reply to your request therefor, the following information relative to the financial history of the State:

The indebtedness of the State of Texas in February, 1861, was \$384,569 50, represented by 10 per cent. interest-bearing warrants, issued in payment of services rendered in protection of the frontier. At the surrender it was \$328,866, being the uncanceled balance of above 10 per cent. warrants.

At the inauguration of the present State government the State debt was \$362,166 17, with a cash balance in the treasury of \$350,683 90, almost sufficient to have liquidated the entire outstanding State debt. The increase of debt from the surrender to the inauguration of the present State government, (\$40,000,) consists of claims against the penitentiary, audited during that time.

On the 1st day of January, 1871, the above debt was still outstanding, while provision had been made by the legislature for the issuance of \$750,000 7 per cent. bonds of the State, act 5th August, 1870. The cash balance in the treasury had been reduced from \$350,000 to about \$30,000, which before the close of the month was entirely exhausted, and act of May 19, 1871, provided for the issuance of \$400,000 in 10 per cent. bonds of the State, to cover deficiencies in revenue receipts.

No part of this increase of the indebtedness since 1865 arose from any contingency or event enumerated in query, &c.

During the rebellion a large portion of the school fund was appropriated and used for other purposes, and bonds of the State and certificates of indebtedness substituted therefor. But since the rebellion no such claims have been recognized against the State, nor has any legislative action been had looking to the validating of such or payment of accrued interest. No such items are included in the above statement of debt.

The county tax in 1860 was one-sixteenth of one per cent., or 6 $\frac{1}{4}$ cents on the \$100 worth of property; it was 7 $\frac{1}{2}$ cents in 1870, and in 1871 it is 25 cents for county purposes proper, and in addition a special tax for like amount for roads and bridges, and 12 $\frac{1}{2}$ cents for school purposes. In all, 62 $\frac{1}{2}$ cents on the \$100 worth of property, and a poll-tax of \$1.

The State tax for the year 1871 is 50 cents on the \$100 worth of property, and five per cent. additional on such tax, and a poll-tax of \$1. In addition to this, the board of school directors have levied seven-eighths per cent. on property valuation throughout the State. Total State and county tax, \$1 77 $\frac{1}{2}$ per \$100 of property. Poll-taxes, \$2 per

capita, and a State and county occupation-tax equal to about 18 cents on the \$100 worth of property in the State.

At this date it is impossible to estimate with any degree of accuracy the deficiency for the year ending 31st August, 1872. It is safe, however, to say that it will not be less than \$1,500,000.

The amount appropriated during the year 1871, exclusive of what has or may be done during the present sitting of the legislature, is \$2,141,005 85.

There are large deficiencies for 1871 to be provided for. In addition to this, the State is pledged to the issuance of her bonds, bearing interest at seven per cent., to the International Railroad Company, at the rate of \$10,000 per mile of its road. The amount likely to be completed during the present year is not known. Exclusive of such contingent debt, it is safe to say that at the close of the present fiscal year the outstanding debt of the State, represented by treasury warrants and bonds of the State, will not be less than \$3,000,000, exclusive of the action had at the present sitting of the legislature.

I am, very respectfully, your obedient servant,

A. BLEDSO, *Comptroller*.

Hon. JOHN HANCOCK and Major WILLIAM M. WALTON.

The bonds of the State, estimated by the tax-payers' convention at about \$14,000,000, issued in aid of railroads, are absolute gifts, and the local taxation for all sorts of purposes which the governor and his retainers for their own purposes have seen fit to impose, exceed even the worst imposition of any of the other States. It is obvious that everything like civil liberty and even republican form of government is being overthrown by the State officials, backed by the military forces of the United States, for the sole purpose, so far as we are able to observe, of perpetuating radical supremacy. After the reports of the tax-payers' convention are read and understood, it will be readily comprehended why the majority of the committee, by a strict party vote, refused to allow the condition of affairs in Texas to be inquired into; it did not suit the purposes of the party on the eve of a presidential campaign to allow an inquiry as to how the laws were executed, and life, liberty, and property protected there.

But we forbear comment at present, and ask a careful consideration of the reports which were prepared by men of both political parties.

Report of sub-committee on violations of constitution and laws.

SUB-COMMITTEE ROOM, Austin, September 25, 1871.

To the Hon. A. J. HAMILTON,
Chairman of General Committee of Twenty-one:

SIR: The sub-committee appointed to take into consideration and report to the general committee the several violations of the State and Federal constitutions, and other flagrant violations of law by the present administration of the State government, beg leave to submit the following report:

The violations of constitutions and disregard of law have been very frequent and are very numerous; but, frequent as they have been and numerous as they are, we have been unable to find a single one, of either class, based on an honest desire to accomplish good to the people of the State, or to secure prosperity to the country. On the contrary, their apparent cause seems uniformly to spring from one grand purpose, viz, to concentrate power in the hands of one man, and to emasculate the strength of the citizens of Texas as a free people.

However hopeless such a design might have appeared, and however little feared by the reasoning and intelligent mind eighteen months ago, yet at this day, we must confess, the scheme has far progressed toward consummation, and the people stand stripped of many of the inalienable rights of freemen, while he who is now clothed with these lost rights of the people gloats on their humiliation and congratulates himself on the possession of kingly power.

We may safely state that the practical effect of each of the acts we shall name has been, and is now, to abridge the rights of the citizen, and to enlarge, solidify and confirm the power of the executive.

Aud, 1. Duly elected and qualified members of the legislature, in both houses, have been expelled or denied seats, to give place to persons who were not elected by a majority of voters, and who were not in law entitled to seats. (Case of Alford in the Senate. Case of Plato in the House, *et al.*)

2. At a time when measures of grave importance of themselves, and of vital interest to all the people, were under discussion in the Senate and not matured, the majority in the State senate, arbitrarily and without authority of law, placed nearly all the minority under arrest and deprived them of a voice in behalf of the people, and so held them in arrest and silent until the militia law, the police bill, the enabling act, the registration act, and the election law were passed, and until nominations for judicial and other important officers were approved of; all of which measures go to the oppression of the people; and many of the officers confirmed were unqualified as to capacity, corrupt as to morals, and entirely unfit for high position in any State.

3. A multitude of new offices have been created, and officers appointed to fill them, without the consent and against the will of the people.

4. Important and useful legislation to the country has been postponed and delayed at great expense, until odious and oppressive laws were fastened upon the people.

5. Without authority of law, and in violation of the constitution, the term of office of the present members of the legislature has been extended one year. They were elected on the 30th day of November and 1st, 2d, and 3d days of December, 1869; and now, under an act passed and construed by themselves, claim to hold until a general election in the year 1872, notwithstanding section 4, article 3 of the constitution.

6. The executive has omitted and failed to order elections to fill vacancies in the legislature, caused by death or otherwise, within the time prescribed by law, and has thus, for many months, denied representation to large bodies of the people, although they were taxed, and have been forced to perform militia duty. (Section 19, article 3, constitution; section 11, p. 130, laws of 1870.)

7. The present State administration bases its authority on the claimed results of the general election held on the 30th of November and 1st, 2d, and 3d days of December, 1869, and yet has omitted and refused to order and provide for a general election until the first Tuesday after the first Monday in November, 1872; thus throwing the second general election nearly three years from the first. (Section 4, article 3, constitution; laws of 1870, p. 129, section 7.)

8. The State of Texas is practically left without a legislature from December, 1871, until November, 1872, and that, too, while the executive is clothed with despotic power.

9. Newspapers have been established in the several judicial districts of the State to bolster up the present despotism, and to familiarize the people with executive usurpation, and, through forced patronage, to gain great profit, and thereby help to impoverish the citizens. (Laws of 1870, p. 74.)

10. The courts of the State are effectually closed against the approach of the citizen, and prohibited from extending relief for an existing wrong—in this, that though the judges of election may willfully and corruptly refuse to permit a qualified elector to vote, yet the courts are forbidden to compel such officers to do their duty, or refrain from the commission of a wrong by injunction, mandamus, or otherwise. (Laws of 1870, p. 132, section 22; constitution, section 11, article 1.)

11. An election law has been passed, and is now enforced, which breaks down in practical effect all the safeguards of the ballot, and places in the hands of those who receive and count the votes, the unrestrained power to defeat the will of the electors, and to substitute their own instead; it authorizes those who have the handling of the votes, on one pretext and another, to cast out large proportions of the votes and to announce partial and untrue results; it, by the non-identification of tickets voted, prevents fair and full investigation in cases of contested elections; it requires electors to travel long distances, to undergo heavy expense, and to consume much time needlessly to exercise the right of suffrage, thus compelling the citizens to forego the exercise of the elective franchise, or else to submit to exactions, oppressions, and wrongs to person and property. (Laws of 1870, p. 130 *et seq.*)

12. The enabling act places great power in the hands of the executive, in palpable violation of the constitution, in that it authorizes him to appoint various important officers, who are charged with responsible duties, who under the constitution are elective by the people, and to remove others, who are alone removable by due course of law. (Laws of 1870, pp. 17, 18; constitution, section 12, article 5.)

13. The terms of the police bill constitute of themselves an authorized violation of nearly every private right of the citizen. The police force is chosen by the executive, and placed under his command without restriction or responsibility; it is always ready for action, with arms in hand, having for its duties the part of spies, informers, and detectives, circulating through the whole community. The very vocation of such a force renders them odious to the people, and unprincipled of themselves; they are dangerous as hirelings to the reputation and lives of the people. The practical workings of this force, raised under the pretense of securing peace and quiet, and to arrest violators of the law, has demonstrated, beyond doubt, that it is a body of armed men,

massed to overawe the citizen and to give an active arm to the executive, to uphold and sustain him in his usurpations and exercise of the unlawful power concentrated in him. Its work has been a succession of wrongs, mingled with blood; its continuance is death to every private right, and, in innumerable instances, to life itself. (Laws of 1870, p. 19.)

14. Large amounts of money have been subjected and appropriated to the use of the executive, obtainable on requisition, and on the sale of State bonds, to be held and used by him without any of the restrictions and safeguards which the laws require of all others who handle public moneys. (Laws 1870.)

15. Under the authority of the militia law, now in force, and being daily executed, the executive is vested with unlimited power. He may organize a standing army in a time of profound peace; in the face of heavy pains and penalties, the citizen is required to perform military duty, and to form part of such standing army. A State guard is provided for, the men and officers of which are chosen and selected by the executive, thus creating a special organization of great strength, composed of the pets, favorites, and tools of the governor, whose interest is to maintain him in his usurpations, and to enforce his orders, whatever they may be. This is an armed body of men, who may be thrown into any city or county of the State, and there, with rapidity and unscrupulousness, execute any order the executive may give. He is clothed with the power to declare martial law on the most paltry pretexes. He may, to all intents and purposes, suspend the writ of *habeas corpus* when there is no rebellion, no invasion, and when the public safety does not require it. With martial law declared, and the writ of *habeas corpus* practically suspended, the executive becomes dictator in Texas, and his will the sole guide to his action; he may take property or life, and be responsible to no tribunal of justice in the State, so long as he remains governor under existing laws. (Laws 1870, p. 11; constitution, sections 10, 17, article 1.)

It might possibly be said that, though such unlimited power is with the executive, yet that all the probabilities are that he will not call it into exercise; but already, under the arbitrary power conferred, he declared martial law in the county of Hill, and through machinery rapidly extemporized, gathered by the hands of his adjutant general, large sums of money from citizens while under duress, and without a judgment of any court of competent jurisdiction; and under the same arbitrary power, martial law was declared in Walker County, and then, under like machinery, gathered large sums of money from the people, and, in addition thereto, incarcerated a freeman of the State of Texas in the penitentiary; and all this in a time of profound peace, when there was no rebellion, no invasion, when the public safety was not threatened, and when the civil officers in the respective counties were fully able to execute all process and to arrest all violators of the law. And again, in the county of Bastrop, martial law was time and again threatened, and held in *terrorem* over the people thereof, with intent to force the grand jury of said county to indict, by false indictments, the good people thereof, and thus forge a reputation for that people of being a lawless and criminal people.

These things have grown into history and are now recognized as authentic occurrences of the times.

16. The executive is now enforcing the execution of a repealed law, and thereby greatly increasing the taxes demanded of the people, and gaining the possession and control of enormous sums of money, the distribution whereof is subject to his will, in connection with those about him who hold position by his appointment, and whose terms of office depend on his pleasure.

I.—1. The act entitled "An act to organize and maintain a system of public free schools in the State of Texas" (laws of 1871, p. 59,) was presented to the governor for his approval 12th April, 1871. (Senate Journal, p. 748.)

2. In absence of approval, the bill so presented would become a law in five days if not returned. (Constitution, section 25, general provisions.)

3. The bill so presented was not approved, nor was it vetoed; so on the 17th of April, 1871, it became a law.

4. The fifth section of said act provides that, "The directors of each school district shall have the authority to levy a tax not exceeding 1 per cent., for the purpose of building school-houses and maintaining schools in their respective districts."

II.—1. The act entitled "An act to give effect to the several provisions of the constitution concerning taxes," (laws 1871, p. 51,) was presented to the governor for his approval on the 20th day of April, 1871. (Senate Journal, p. 847.)

2. Said bill was approved on the 22d of April, and from that day became a law, five days after the act first named had become a law under section 25 of the constitution, before cited.

3. The eighth section of the last act named provides that "A direct *ad valorem* tax for the year 1871, of one-fourth the amount of the direct *ad valorem* State tax on all real property situate, and all personal property owned in each school district in this State" * * shall be levied and collected "to provide the necessary school-houses in each district, and insure the education of all the scholastic inhabitants of the several districts."

4. The twenty-second section of this act repeals all laws and parts of laws in conflict therewith, "except such as authorize special county taxes and other special taxes."

5. Section 5 of the first law, and section 8 of the last law, are in conflict, or, at least, the one supplies the other, both being intended to raise a fund by taxation for one and the same identical purpose.

6. The repealing clause repeals section 5 of the act first named, and thereby reduced taxation for school-house purposes from one per cent. to one-eighth of one per cent.

But notwithstanding the record shows the foregoing facts, yet the governor appended his approval to the law first named on the 24th day of April, 1871—seven days after it had become a law—and thus, of his own will, sought to change the dates of laws, and to give them force and effect in a reversed manner, and by his signature to revive a law which had been repealed.

This repealed law is now being enforced, and under its provisions a tax of seven-eighths of one per cent. on all the property in the State of Texas, real and personal, sought to be collected.

17. The people have been disarmed throughout the State, notwithstanding their constitutional right "to keep and bear arms." (Constitution, section 13, article 1. Laws 1871, p. 25.)

The police and State guards are armed, and lord it over the land, while the citizen dare not, under heavy pains and penalties, bear arms to defend himself, unless he has reasonable grounds for fearing an unlawful attack on his person, and that such grounds of attack shall be immediate and pressing. The citizen is at the mercy of the policeman and the men of the State Guard, and that, too, when these bodies of men embrace in them the most lawless and abandoned men in the State, many of whom are adventurers—strangers to the soil—discharged or pardoned criminals, forgetful of law—unrestrained by the customs of society, and without interest in, or ties to the State.

18. The election order, under the operation of which the near approaching election will be holden, is a monstrosity, and could only emanate from a mind deliberately determined to insult and humiliate the people to the last extreme on the one hand, while on the other it willfully orders the violation of the constitution by the agents who are to carry said order into execution. It forbids the assembling of the people on the days of election; it prohibits free speech; it forbids the free and lawful movement of the citizen in person; it forbids the citizen the right to advocate the election of the candidate of his choice; it authorizes the judges of election to close the polls on the merest pretexts; it subjects the citizen's motives and purposes to the judgment of policemen; it authorizes policemen to disperse bodies of citizens without warrant of law, and when they have been guilty of no violation of law; it subjects the citizen to arrest and detention while in attendance at an election, when he has not been guilty of treason, felony, or breach of the peace; it is ordered to be executed as a criminal law of the State, when it has not a single feature of a law; it is the unlawful will of the executive, enforced by him through the power of an armed police upon an unarmed people; it is the will of a despot and the act of a tyrant overriding the supreme law of the land. (Section 2, article 3, constitution.)

19. By orders executed through his armed bodies of police, the executive has taken control of peaceable assemblies of the people, called together for peaceful and lawful purposes, and there suppressed free speech, under threats of arrest and subjection to punishment as criminals. (Galveston case.)

20. The executive has deliberately disregarded the solemn judgment of the district court, and ordered his policemen to condemn the court, and by force, with arms in their hands, to defy the court, and to execute his will in a question of law where the court had decided the case and entered his judgment of record. (Brownsville case.)

21. For the purpose and with the intent to retain the power they now hold, and to avoid having the free will of the people expressed in the enactment of laws, the executive and others in authority contemplate (and are now actively engaged to accomplish their object) so apportioning representation in the legislature as that only the voice of a small proportion of the people shall be heard. It is proposed to give some localities much larger representation than the population thereof lawfully authorizes, and to take from other localities representation to which their population entitles them. It is proposed to ignore local representation and to make large areas of territory representative districts, to the end that the sentiment of the population of a few localities may control the voice of the State in the enactment of laws. (Bill in both houses.)

While, sir, we have not specified all the acts of the present administration infracting the constitution, in violation of law, and in willful disregard of the rights of the people, nor entered minutely into the features of those named, yet we think we have shown enough to call upon all men for the most serious reflection, and to show the tendencies of the present administration of the State government.

Without enlarging, we may say that the power which in republican government is supposed to rest in the people is fast departing from the people of Texas and concentrating itself in the hands of one man—the executive; that the people of this State no longer govern themselves, but are governed by E. J. Davis, as completely as if there

were no constitutions, State or Federal. While in form we have a republican government, in substance and in fact we have a despotism, which constantly becomes more and more absolute, and will certainly end in unqualified enslavement of the people, unless some check is interposed.

Respectfully,

W. M. WALTON, *Chairman.*

Second. The report of the sub-committee on taxes and the report of the committee on statistics, appointed by order of the convention, which, for convenience, have been consolidated, is as follows:

Report of sub-committees on taxes and statistics.

SUB-COMMITTEE ROOM, *Austin, September 25, 1871.*

To the Hon. A. J. HAMILTON,
Chairman of Committee of Twenty-one:

SIR: The committee on statistics beg leave to submit the following report as the result of their deliberations:

Previous to the adoption of our present State constitution the legislature met biennially, and the appropriations for State expenditures were made for two years.

We find, from an examination of the laws, that the seventh legislature appropriated, to be paid from the State treasury, for the ordinary expenses of the State government, for the years 1858 and 1859, the sum of \$545,740. This gives one-half that amount, or \$272,870, as the ordinary expenses for each of the years 1858 and 1859.

The entire appropriations of that legislature, for all purposes, for the years 1858 and 1859, including the above, also for the old debt of the republic, frontier defence, &c., amounted to only \$809,592 49. We find from the same source that the eleventh legislature appropriated for the ordinary expenses of the State government, for the years 1867 and 1868, the sum of \$481,300. This gives one-half that amount, or \$240,650, as the ordinary expenses for each of the years 1867 and 1868.

It will be recollected that there was no session of the legislature during either of those years. The entire appropriations made by the eleventh legislature, that met in 1866, for all purposes for the expenses of the years 1867 and 1868, for the legislature of 1866, and in addition thereto the expenses of the government from the 13th of August to the 31st of December, 1866, amounted only to the sum of \$956,850 77.

We find from the same source that the appropriations made by the legislature of 1870, for the ordinary expenses of the State government for the fiscal year from the 1st of September, 1870, to the 1st of September, 1871, was \$756,383.

The entire appropriations of that legislature, for all purposes except the subsidy to the International Railroad, amounted to the sum of \$1,632,270 50. The appropriations of the legislature that met in the early part of this year, (1871,) for the ordinary expenses of the government for the fiscal year beginning on the 1st of September, 1871, and ending on the 31st of August, 1872, were \$1,072,662; for schools the same years, \$504,500; for deficiencies for fiscal year ending 31st August, 1871, \$364,743 45; for all other purposes, except subsidies to railroads, \$178,699 83; making the entire appropriations by that legislature, exclusive of subsidies to railroads, \$2,120,605 28.

It will be recollected that the legislature of 1870 also voted a subsidy of \$10,000 a mile to the International Railroad, which will impose upon our people a debt of at least \$3,000,000, if the company complies with the terms of the law; and the legislature of 1871 granted an additional subsidy of \$6,000,000 to the Trans-Continental and Southern Pacific Railroads.

We find that the cost of the legislature of 1857 was \$159,760; that of 1866 was \$167,000; that of 1870, \$307,000; and that of 1871, \$285,000, exclusive of the expenses of the adjourned session, which will probably be several hundred thousand dollars more, while the number of members, the per diem and mileage were the same for that of 1866 as for the legislature of 1870 and 1871.

We find that the *ad valorem* tax upon property in the years 1858 and 1859 was for the State one-eighth of one per cent.; for the county one-half of that rate.

In 1866 the rate of taxation was increased, for the State to fifteen cents on each hundred dollars, and for county purposes, not exceeding one-half of that rate. The legislature of 1871 increased the taxes as follows, viz:

Ad valorem State tax upon property, one-fourth of which is for schools, one-half of one per cent.; *ad valorem* county tax, one-quarter of one per cent.; *ad valorem* road and bridge tax, one-quarter of one per cent.; *ad valorem* tax for school-houses, one-eighth of one per cent.; tax for building school-houses and maintaining schools, one per cent.; a poll-tax of one dollar for schools; a poll-tax of one dollar for roads and bridges; besides the occupation and license taxes, and the tax for the frontier bonds, which is understood to have been fixed by the comptroller at five cents on each hundred dollars, from which it will be seen that our present rate of taxation for State and

county purposes is about two dollars and seventeen and a half cents (\$2 17½) on each hundred dollars, besides the poll-tax and occupation and license taxes.

The following is an estimate of the taxes levied from the people the present year. The estimated value of the property subject to taxation is \$212,000,000:

One-half of one per cent. on above, as <i>ad valorem</i> State tax, will produce.	\$1,060,000
One-quarter of one per cent. <i>ad valorem</i> county tax	530,000
One-quarter of one per cent. <i>ad valorem</i> bridge tax	530,000
One-eighth of one per cent., as one-quarter of State tax for school purposes	265,000
One-half of one per cent., as tax to pay frontier bonds	106,000
One per cent. tax for school-house purposes, &c.	2,120,000
Poll-tax for roads and bridges, estimated	150,000
Poll-tax for schools, estimated	150,000
License and occupation for State, estimated	300,000
License and occupation for county, estimated	150,000
Total	5,361,000

In addition to the above each tax-payer has to pay for the commission for assessing his *ad valorem* tax, which it is supposed will amount to about three per cent. on his *ad valorem* tax.

By a series of revolutionary acts a vast military active force is placed under the immediate command of the governor, to be used *whenever, in his opinion*, necessity requires it; a part of which may be used in uniform or without it, for the ostensible purposes mentioned in the acts, to wit, of arresting fugitives, or as detectives; and may at will be sent throughout the limits of the entire State, to act with or independent of all peace officers, being obedient to the governor alone. The general police force, with their rewards and extra pay and commissions for traveling, cost the State over \$300,000 per annum; the special policemen, during the term they were called out, in 1871, cost the several counties over \$200,000, and if the State Guards are, or should be called out, the cost would be increased in proportion to the number ordered into service. A sum of \$50,000 was assessed for payment of the force the governor called out and placed in Limestone County. A large part of this sum was wrung from the citizens of Limestone County by taxation in 1871.

By these acts all security for life and property is placed in the hands of one man. He not only can declare martial law, suspend the writ of *habeas corpus*, and render useless all civil tribunals, but erect military commissions for the trial of such offenders as may be brought before them; he can designate the officers to act as judges, and prescribe the regulations that are to govern them in their action. *This recklessly places the lives of the citizens at the mercy of the governor.* Property is held by a still more uncertain tenure. The governor can, for resistance of civil process, breach of the peace, or imminent danger thereof, (mere shams and pretenses that may occur at any hour throughout the State,) march his army into a county or counties and force the payment of the expenses of the same, and there is no limit to the amount to be fixed, except *his will*. It is collected by his own officers and disbursed by them, and nothing in the law requires an account of the manner of its expenditure, no bond being required of the officers collecting.

The concentrating of such power in one man has produced the result that every thinking man foresaw. None but the most subservient tools are appointed, and these generally selected from that class who have no material interest in the country, many of them mere floating non-residents and illiterate negroes, who have everything to gain and nothing to lose by disturbances. The chief purpose of this force was not what it pretended to be; the real but secret object of it was to control the elections in the interest of the governor and his party. This was seen

in the late election for congressmen, which occurred October, 1871, when twenty special policemen were called out for each county, at a cost of \$1,440 to a county, besides the general police force distributed through the State at large, and the usual peace officers of the county acting as policemen under the act. All these things were done under the instructions of the governor's proclamation of August 9, 1871, which need not be repeated, as its contents will be remembered by all. By that proclamation he assumed command of all these forces, and placed his bayonets around every ballot-box in the State. The effect of putting such a military force in possession of the ballot-box, with the citizens disarmed, is easily seen, and renders comment unnecessary.

By the registration act, page 24, section 1, &c., a registrar is appointed, with powers of a district judge during the term he is acting in his official capacity. All persons entitled to vote must register their names, under such oaths as may be prescribed, in his office at the county-seat, and pay him 25 cents therefor. He has power to reject voters for cause named; he sits ten days before election; appeal may be taken from his decision to the board of appeals, composed of himself and three others, who afterward become the judges of election, all appointed by the governor. These officers receive \$5 a day while sitting as boards, and during the days of election; of course they are all under the control of the governor. Thus it will be seen that the registrars appointed by the governor may reject voters for many causes named in the act. The voter may appeal to the board of appeals, and here he must go before the same registrar that rejected him and the three judges of election, who are to decide whether he shall vote or not, and from this board there lies no appeal, and is only held five days before the election.

By the election act, page 128, section 6, all elections must be held at county-seats of the several counties, and continued four days. Section 11. Judges of election have power to issue warrants, and commit to prison persons charged with breach of the peace.

Section 19 prohibits any mark or number placed on the ballot, thus preventing the identity of the ballot from being ascertained.

Section 21 requires judges of election to send up to the governor affidavits of fraud, intimidation, and violence that occurred during the election, with the returns.

Section 22 prohibits any judge from interfering, by injunction or mandamus, with the judges of election.

Section 32 requires that the ballot-box be sealed and given in charge of the registrar each evening at the close of voting.

Section 35. Power given to governor and secretary of state to reject the vote of whole counties, on the statements, furnished by the registrar and judges of election, sent up with the election returns.

Section 52. Governor is given chief command of all the military and peace officers of the State during the days of election.

Section 53 makes it a felony for any one except the registrar to take or handle the ballot-box after the close of the voting, or during the counting of the votes.

Section 55 prohibits the carrying of arms within half a mile of election place, during days of election, except by the peace officers and military.

Section 58 gives the governor supreme control over all elections, with power to call out militia and the State Guards, and use the entire forces of the State.

It will be seen from these acts, in connection with others mentioned,

that the governor has the appointment of all the officers of registration and election; that the election is held at the county-seats, instead of the precincts, as heretofore, and during four days, instead of one, as formerly; that the entire military forces of the State are placed at his command, to be used at the election; that by his own officers he can reject voters in almost any number, and they are deprived of any appeal; that the citizens are disarmed and not allowed to come within half a mile of the ballot-box with any weapon, while the military are placed around the ballot-box at the county-seat to control it; that no number or any other marks are allowed to be placed upon the ballot, so as to identify it, or purge the ballot-box of illegal votes, or to ascertain who are the illegal voters. That a majority of legal voters may be denied a vote under such a system, with no means of detecting it, the whole election is conducted by the governor's own appointees, with no check or safeguard around the ballot. And thereupon, on the statements of the registrar and judges, sent up to the governor and secretary of state, they may reject whole counties in State elections, and deny them a voice in the election, and all this under the pretense of keeping the ballot-box pure. In many counties voters have to go over fifty miles to the county-seat to vote, instead of voting at their old precincts near home; but the object of voting at the county-seat is to place it under the control of the military, more easily than heretofore, when the voting was held at several voting places. And the voting for four days instead of one, as formerly, is to enable voters to vote in four different counties at the same election, (as has often been done in this State,) and this without the risk of detection.

The cost of holding an election for the State at large, under former administrations, never reached \$5,000, whereas the holding of the election for four members of Congress in October, 1871, cost the State for special policemen alone near \$200,000, besides large sums for registration and election officials, &c.

The free-school bill and amendments, page 113 of the acts of 1870-71, provides for a superintendent at \$2,500 per annum, and thirty-five supervisors at \$5 per day, and about 4,000 teachers, receiving from \$75 to \$150 per month, all appointed by the board, the governor being the chief. The officers of the county court of each county are *ex-officio* school directors, (these officers are appointed by the governor,) and they appoint school trustees and school examiners, all to be paid out of the school fund. These directors are authorized to levy not exceeding one per centum tax to build school-houses, and these schools, by the plainest interpretation, are intended to be mixed schools, and consist of colored and white pupils, with a penalty of \$25 for failure to send every pupil between six and eighteen years of age to these schools at least four months in each year. And this board, to wit, the governor and superintendent, require a uniform system of text-books to be studied; they have prescribed this system and furnished the books at the expense of the State. The tax levied for this purpose alone is about \$2,500,000. To carry it out will require more than five millions per annum.

The effect of all this is easily seen. It is a *one-man system and a political machine*; the great nursery in which to educate advocates of the party that has built it up and fosters it at the expense of those who have no confidence in its educational value. It is calculated to arouse, and has done so, the bitterest hostility to it as a system, because it is the very opposite to everything like a sound scientific system of education. By the frontier act, page 5, the governor was authorized to call out and organize twenty companies of Texas Rangers, equip, supply, and arm

the same at State expense, to protect the frontier of Texas from the Indians. This was done at great cost to the State. The total cost of the organizations of this act was about \$700,000, which was an unnecessary burden upon the State. In fact, it was the duty of the United States to protect the frontier of Texas from the attacks of the Indians, and she would have done so upon the proper representations made by the State government. But this was not the object that influenced the action. It gave the appointment of all these officers to the governor, as well as the command of them, and largely increased his patronage and political power.

Without mentioning any more acts it is sufficient from these to observe that there has been a systematic plan of legislation to take away from the people, in violation of the Constitution, almost every right guaranteed to them under that instrument, and to concentrate nearly every power that ought to be exercised in the various departments of state, and by the numerous officials, under the laws, in the governor. And by this system of concentrating all the power in one man, and legislating so as to enable him to carry it out and perpetuate the power of his party; it has increased the taxes of the State enormously.

The State Guards act, police bill, school bill, frontier act, printing bill, election act, and registration act are each administration measures, new and without precedent in this State. All these when in full action would require a tax little short of three millions per annum. They are not only useless but dangerous to the peace and prosperity of the State, and must, if not repealed, lead to its financial ruin. They have already, with the railroad subsidies, plunged the State into a debt of not less than fifteen or sixteen millions of dollars. The administration of the State government of Texas, prior to that of Davis, never required a sum reaching \$500,000; but now, by reason of those laws, at a cost of nearly, if not quite, six millions per annum, a loss of credit to the State, and an alarmingly increasing debt, which threatens all departments of business, is the result; and by reason of the governor's veto and a subservient legislature refusing to pass any election law, there is no legislature, nor can be until elected in November, 1872, which will leave the State government (*and it was so intended*) in the hands of the governor during the year 1872, to be run under the strong military power placed in his hands, which will be used, no doubt, to carry the next elections in November, 1872, for the radical wing of the republican party, of which the present President will be the selected leader of course. Many of the counties in Texas have 6,000 or 8,000 votes, with one voting-place in a county, and a one-day election for President. Of course not exceeding 1,000 can vote; the cry will be, if the democrats get to the polls first and vote, that all the loyal men were kept away by intimidation, or, what is more likely, 1,000 negroes will be allowed to vote by the militia and the others all excluded. Texas, in short, will be counted out by Congress in February, 1873, if her vote is democratic, and will be counted in if it is radical. The refusal to amend the election law, or allow a new legislature to be elected before the Presidential election, has that that object in view, and was done to have that effect, and furnish that pretext.

VIRGINIA.

The debt and liabilities of the State of Virginia may be stated thus:

Debt in 1861, \$31,938,144 59. (See auditor's report.)
 Debt in 1865, \$41,061,316 00. (Governor Pierpont's message.)
 Debt in 1870, \$45,872,778 00. (Governor Walker's message.)

Debt in 1871, \$47,390,839 96. (Auditor's report.)

The cost of conducting the State government, indeed all the other facts we are in possession of, relative to the financial condition of Virginia, appear in the official statement of W. F. Taylor, auditor, which we insert as part of this report:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
Richmond, Virginia, November 7, 1871.

STR: A circular from the joint select committee to inquire into the condition of the late insurrectionary States has been placed in my hands by the Hon. R. T. Daniel, with a request that I would give to the interrogatories herein contained as full and explicit answers as can be furnished from the records of this department.

To give a specific reply to each question, I regret to say, would involve an amount of labor which I really have not the time now to perform. I think, however, the same results will be attained by a more general statement, which I will very cheerfully endeavor to make.

From a report made to His Excellency Governor Walker by J. L. Shackelford, esq., second auditor, in December, 1870, it will be seen that the public debt of this State, after making sundry additions herein specified and explained, was, on the 17th day of April, 1860, \$31,938,144 59. The principal of this debt remained the same on the 1st day of January, 1871, up to which time the auditor adds the accrued interest, to wit, \$5,312,185 43, making an aggregate of principal and interest on the 1st day of January, 1871, \$37,250,330 02. To this must be added the "debt issued and that may be issued" under an act of general assembly passed the 2d day of March, 1866, authorizing the funding of interest..... \$7,692,310 38

Interest due and unpaid thereon.....	2,018,208 50
Debt on old James River Company stock.....	95,000 00
Interest due and unpaid thereon.....	19,800 00
Debt on James River and Kanawha Company bonds issued by the State	201,130 00
Interest due and unpaid thereon.....	114,060 97

Total amount of principal and interest 1st day of January, 1871 .. 47,390,839 96

All the items of this statement will be made readily understood by reference to the report aforesaid, a copy of which I beg leave to submit herewith, marked A.

It will thus appear that there has been no increase in the debt of this State since the 27th day of April, 1861, except from the accumulation of interest thereon, the greater part of which was funded, first, under the act of 1866 aforesaid, and more recently under the act of the 30th of March, 1871, entitled "An act to provide for the funding and payment of the public debt." These acts were not regarded at the time of their passage as at all party measures. They were passed under the belief, honestly entertained, I have no doubt, that such legislation was necessary to establish and maintain the credit of the State. It may not be out of place here to remark that in both the acts to which I have referred one-third of the debt of the State, including interest, was regarded by the general assembly as proper to be assumed by the State of West Virginia, and that, therefore, no provision was made to pay any part of the principal of, or interest on, that one-third. (See copy of the Funding Act of the 30th day of March, 1871, which accompanies this letter, marked B.)

I think I have now reached the seventh of your questions in order. In reply to this question I beg leave to submit a printed statement, marked C, furnished by me under a resolution of the house of delegates of Virginia, which shows the number of sheriffs and collectors who were defaulters to the State, both of military and civil appointment. The aggregate of losses under the appointments has been large. How large, it is almost impossible to tell, as in many cases suits have been instituted against the sureties of these defaulting officers, some of which have not yet been finally determined. (See page 10 of the foregoing statement.)

The bonds of many of these appointees, I regret to say, proved to be utterly worthless. In justice to the military commanders, however, by whom a great majority of these appointments were made, I feel free to say that, in my opinion, they could not have done much better, considering the range of their selection, which was exceedingly limited, and the material out of which their appointments could only be made; for, under the several acts of Congress, commonly known as the reconstruction acts, all persons holding office in the State, executive, legislative, and judicial, were removed therefrom by military authority, and none could be appointed to fill the vacancies except such as were not reached by operation of the acts aforesaid, or such as would consent to take the test oath. The number of the former was very small, and none except the most worthless among us, with some few exceptions, would do the latter.

8th. I regret to say that it is impossible to give an answer to this question, for the reason that no report of county taxes is made to this Department. The increase, however, has been very great, as in almost every county heavy expenditures were incurred, growing out of the devastations of war, which, of course, involved the necessity of largely increased taxation. The number of county officers, too, has been greatly increased under our present constitution, which, of itself, constitutes an element of expense not to be overlooked in arriving at a correct estimate.

9th and 10th. It is proper to remark, before giving an answer to these inquiries, that a division of the State of Virginia was authorized by an act of Congress in the year 1863, by which a third of the territory and about a fourth of the population were formed into a new State, known as the State of West Virginia. In comparing, therefore, the expenses of the State government in 1858, 1859, and 1860 with those of 1863, 1869, and 1870, the fact of this division must be constantly borne in mind, else it will be impossible to arrive at any just and proper conclusion.

It may not be out of place to remark, in this connection, that our aim, since the conclusion of the war, has been to economize our expenditures, as far as is compatible with the necessary wants of a decent and respectable State government; that the rate of taxation, under what is known as the Alexandria government, was 14 cents in the \$100 value of land and property. Upon the assembling of the State legislature in Richmond, elected in 1865, to wit, at the session of 1865-'66, the rate of taxation was continued at 14 cents, and subsequently increased to 30 cents, and then to 50 cents, the present rate, 10 cents, one-fifth, of which is appropriated especially to the support of the public schools of the commonwealth.

The cost of conducting the State government for the fiscal year commencing on the first day of October, 1858, and ending on the 30th day of September, 1859, was.....	\$4, 222, 449 65
For the fiscal year commencing the 1st October, 1859, and ending the 30th September, 1860.....	4, 147, 917 92
The cost of conducting the State government (the present) for the fiscal year commencing the 1st October, 1868, and ending 30th September, 1869, was.....	1, 819, 634 87
For the fiscal year commencing the 1st October, 1869, and ending the 30th September, 1870.....	<u>1, 505, 650 68</u>

11th. There were no material changes made in the manner of conducting our elections from 1861 to 1865, and none until after the adoption of our present constitution. The changes were, first, a registration of all the voters, with the oath, &c., prior to an election; and second, that all elections should be by ballot, &c. These are constitutional requirements. Under these provisions, a much larger number of checks, &c., were necessarily required than under our former laws.

12th. In answer to this question, I beg leave to say that the reason assigned by the advocates of reform was that the vote by ballot was necessary to protect the negro in the exercise of his rights of franchise, it being supposed that at mere elections *in voce*, as formerly, intimidation might be used which could interfere with the free exercise of his rights as a voter.

13th. In respect to the matter of fairness or unfairness in our elections, I cannot speak with any personal knowledge. Charges of unfairness have been made, and I suppose will be constantly made, by a defeated party everywhere, whenever an election occurs. In this State, however, I have no doubt elections are as fairly conducted and with as little disorder as in any State in the Union.

I take great pleasure in stating that Governor Walker's administration has been eminently successful, and that there is but one thing wanting to put our State again on the high road to prosperity. I refer to a general amnesty bill. This would restore to our councils many of our wisest and best men who are now laboring under political disabilities, and inaugurate an era of good feeling which can never otherwise be attained.

I trust I may be pardoned for expressing the hope that such a bill may be promptly passed when Congress assembles.

I am, very respectfully, your obedient servant,

WM. F. TAYLOR,
Auditor Public Accounts.

Hon. J. B. BECK.

We concur fully in the foregoing.

ASA ROGERS,
Second Auditor
GEO. RYL,
Treasurer of Virginia.

Governor Walker, in his message of December, 1871, page 15, shows recent sales of State stock, which reduces the State debt, as follows:

Sales of Richmond and Petersburg Railroad stock.....	\$575,480 00
Sales of Richmond and Danville Railroad stock.....	1,034,924 22
	<hr/>
	1,610,324 22
	<hr/>
Deducted from State debt, leaves it now.....	45,480,542 21
	<hr/>

The census report shows that the State taxation in 1860	
was	\$2,298,875 00
In 1870 was	2,475,742 00
County taxation in 1860	448,091 00
County taxation in 1870	841,970 00
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It will be observed that the only increase in the debt of the State of Virginia arises from the non-payment of interest on the old debt. As this is one of the States as to which no evidence was taken, and is the only one in which no charges of fraud or corruption in the management of its finances is alleged, it may not be improper to remark it is the only one that did not fall under radical carpet-bag rule.

We have endeavored to give somewhat in detail the result of the reconstruction policy of Congress on the financial condition of the Southern States, together with the character of their registration and election laws, and we feel warranted in asserting to Congress and the country that the whole system has been one of plunder and oppression; whenever and wherever schemes could be concocted to enrich the officials, they were consummated by bribery and corruption at the expense of the tax-payers; whenever and wherever it was necessary to destroy or abridge the right of suffrage, or to stuff the ballot box for party purposes, it was resorted to; when it was best to stir up strife so as to furnish a pretext for oppression or a subversion of the popular will, it was done; in short, every means was applied and every device was resorted to which the worst and most unscrupulous class of adventurers could invent, to enrich themselves and impoverish the people over whom they were placed, by the most wicked and cruel system that human ingenuity could devise. A glance at the men whom Congress imposed as governors of these States, illustrates the character of the whole machinery and the materials of which it is composed. The subordinates, whose obscurity afforded them protection, were, on an average, worse than the governors, who, being more exposed to public gaze, had to observe a certain decent respect for public opinion which their inferiors did not feel; the subordinates, therefore, indulged their lust for wealth and power more unscrupulously than those who were governors dared to do.

The public records of the country show that Governor Holden, of North Carolina, has been successfully impeached for high crimes and misdemeanors, republicans uniting in so doing. Reed, of Florida, has just been impeached by his own legislature. Bullock fled from Georgia to escape certain conviction. Smith, of Alabama, was guilty of issuing at least \$500,000 of the bonds of that State fraudulently to the managers of the Alabama and Chattanooga Railroad. Brownlow, while in Tennessee, tyrannized over that people in the most shameless manner, being equaled in that regard only by Davis, of Texas. Scott, of South Caro-

lina, barely escaped impeachment even from his corrupt legislature. We will forbear in this report from speaking of the present status of Warmoth, of Louisiana, and Clayton, of Arkansas, as they are now undergoing investigation before committees of the Senate and House. Virginia escaped, and Mississippi elected one of her own large property holders, which partially saved her.

With such leaders and such examples, it was inevitable that the subordinates would be corrupt. The fountains of justice were poisoned, and the streams were of course impure. Punishments for offenses, especially for bribery, corruption, or extortion, became impossible when nearly all in authority were equally guilty. They agreed in one thing, and that was to silence all complaints by professions of loyalty and devotion to the party in power, and by denunciations loud and deep of those complaining as rebels and traitors, who were persecuting them because of their loyalty. For a time they succeeded, but they occasionally quarreled over the division of the spoils, and then the facts would leak out, as they are now doing in Louisiana and South Carolina.

Truth is mighty, and public justice in the end certain. The mills of the gods grind slowly, but they grind exceedingly fine. The water is being turned on, hence the piteous howls for protection which these miscreants are sending up from all quarters to the Government at Washington to save them from the just condemnation which awaits them.

A substantial recapitulation of the debts and liabilities, actual and contingent, of the several States as States, is perhaps necessary.

No idea can be given of the amount of their local burdens.

ALABAMA.

Debts and liabilities, July 1, 1861	\$5, 939, 654 87
Debts and liabilities, July 1, 1868	7, 904, 396 92
Present indebtedness, actual and contingent, including railroad aid bonds.....	38, 381, 967 37
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ARKANSAS.

Debt and liabilities in 1861, not exceeding	\$4, 036, 952 87
Debts and liabilities, actual and contingent, including railroad and levee bonds, now	19, 761, 265 62
	<hr/> <hr/>

FLORIDA.

Debt in 1860.....	\$221, 000 00
Debt in 1868, June 8	528, 856 95
Debt now, including railroad bonds, issued and author- ized.....	15, 763, 447 54
	<hr/> <hr/>

GEORGIA.

Debt and liabilities in 1860, about	\$3, 000, 000 00
Debt and liabilities, June, 1871, including railroad bonds, issued and authorized. (See Mr. Angier's statement).....	50, 137, 500 00
Railroad bonds, with \$6,000,000 having been deemed fraudulent. (See Angier's report)	44, 137, 500 00
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LOUISIANA.

Debt and liabilities, January 1, 1861	\$10,099,074 34
Debt and liabilities, January 1, 1868	14,347,051 62
Debt and liabilities, June 1, 1871	41,194,473 91
Excess of expenditures over receipts, 1871	9,345,733 00

NORTH CAROLINA.

Debts and liabilities, July, 1861	\$9,699,500 00
Debts and liabilities, July, 1868	15,779,945 00
Debts and liabilities now, (governor's message).....	34,887,467 85

SOUTH CAROLINA.

Debt, 1861, about (exclusive of some \$6,000,000, of contingent and prospective liabilities, most of which were settled in some way, not very clearly explained).	\$4,000,000 00
Debt, 1871, including bonds to railroads and bonds in dispute as fraudulent.....	29,158,914 47

MISSISSIPPI.

In 1860 she had no debt, but January 1, 1870, her State debt was	\$1,796,971 30
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TENNESSEE.

Debts and liabilities in October, 1861	\$20,105,606 66
Debts and liabilities in January, 1871.....	45,688,263 46

This has been reduced several millions since the democrats obtained power. (See governor's message to the legislature, October, 1871.)

TEXAS.

Texas had no debt before the war.	
The comptroller states it, November, 1871, at not less than	\$3,000,000 00
Debts and liabilities, including railroad bonds, now. (See proceedings of tax-payers' convention).....	17,000,000 00
While the taxation imposed in 1871 was, as stated by the committee of that convention	5,361,000 00

VIRGINIA.

Debt and liabilities in 1861	\$31,938,144 59
Debt and liabilities in 1871	47,390,839 95

Gov. Walker, in his late message, shows that \$1,610,324 22 has been paid on the debt lately; it is now \$45,480,542 21.

The aggregate increase of the debts and liabilities of these several States will be found greatly to exceed \$200,000,000. The fact that, as soon as any of these States escape from the clutches of these vultures, they begin to reduce their debts and husband their resources, ought to convince all men interested in the welfare and prosperity of the country that a change of rulers is not only necessary but indispensable. Tennessee has lately reduced her debt many millions. Georgia has already stopped the payment of \$6,000,000 of her fraudulently issued bonds, and

put her great railroads in a shape to bring some revenue. Even Blodgett, although he had, in little over a year, stolen, in his management of that road, at least \$1,500,000, and had obtained a report from the republican majority of the Committee of Privileges and Elections of the United States Senate, that he ought to be sworn in as Senator from Georgia, had to be given up, thanks to the people of Georgia, whose prosecution of him was so vigorous and well-sustained that he would have been assuredly sent to the penitentiary instead of the Senate, or taken out of it on a requisition, but for the pardon granted him as the last act of the last radical governor of Georgia.

Virginia last year paid \$1,600,000 of her indebtedness; Alabama has stopped payment of the fraudulent bonds issued by her late radical governor; in short, each State, as she falls into democratic hands, stops plunder and curtails expenses.

We have taken no notice of any part of the debt contracted during the war. All indebtedness created in aid of the rebellion in any way was repudiated, both in the constitutions which were adopted by order of Congress, and by the fourteenth amendment to the Constitution of the United States; so that the present enormous debt is in no way increased by any burdens thus imposed; the creditors of the States lost all that; it did not impoverish nor diminish the resources of the States as such. Nor have we in the recapitulation above set forth taken any account of the local taxation and personal plunder of that people, which was infinitely worse and more onerous than all their public debt. The amount of cotton alone which was illegally seized by pretended and real agents of the Federal Government, and taken from the people of the South in palpable violation of law, as the Supreme Court has declared, amounts to not less than \$200,000,000, while millions on millions have been squandered by school and other boards, to whom it was paid by the local tax-gatherers, and no report or account of which even appeared on the books of the treasurer or any other State officer. Independent, however, of all these, the local taxation, as exhibited, and the corrupt manner in which it was squandered when collected, as shown by the testimony, is absolutely appalling.

This character of larceny committed in neighborhoods caused more disturbances than all the wholesale plunder of the States; it came home to every man's door; it was seen and felt every day and every hour; it was a festering sore on the body politic; and the offenders were sometimes pretty roughly dealt with, while sometimes they professed to have been "Ku-Kluxed" to hide their own villainy. We don't propose to discuss that now, but will give an instance of each sort out of many that might with equal propriety be selected to illustrate what we mean.

Mr. E. W. Seibels, of South Carolina, on pages 96, 97, states these cases:

For instance, the three county commissioners in one district—in fact, that is an almost universal thing—have raised money and appropriated it to their own purposes. For instance, one of them has taken the poor-house himself—

Question. Taken the poor-house?

Answer. Yes, sir; taken it himself at \$500. The poor-house is let out by the county commissioners to the lowest bidder; this one took it himself at \$500, and then sub-let it at \$200, and then gave an order for the payment of the money for both amounts.

Question. Has he been dealt with?

Answer. I should think he has.

Question. What county is he in?

Answer. In Newberry County.

Question. Is that the reason given for inflicting punishment upon him?

Answer. O, yes, sir; there is no doubt about that. He bought a horse and buggy, and charged it to the poor-house, but it was found that the horse and buggy had never been at the poor-house; he used them himself.

Question. Was he a white man or a colored man?

Answer. He was a colored man. He bought all the goods and supplies for the poor-house, and charged about three prices for them.

Question. What was the name of that county commissioner?

Answer. His name was Young; it was quite a noted case there; it made a great deal of fuss for a while. In nearly all the cases where parties have been visited by Ku-Klux—well, I will venture to say, in every solitary case—when the thing is sifted down to the truth, you will find that politics has nothing to do with it; it is because the parties have been guilty of some outrage in some shape or form, either stealing or misappropriating the public money, or guilty of some house-burning, or something of that kind.

The other case is thus stated:

For instance, there is the county treasurer of York County. A great deal of this Ku-Klux is got up by the radical party themselves, strange as it may seem, but it is so. We have every reason to believe that in several instances that has been the case, just as in the case I am going to tell you about. The county treasurer of York had collected about \$12,000, and I suppose he wanted the money. He did not know how to get it in a legitimate way, and he caused a raid to be made upon his office. That is, it is the general belief now; I think everybody believes that, both black and white. Some parties came into his office one night and shot at him, so he says; that is his version; he jumped out of the window and run off, and they broke open his safe and stole all his money. It has since turned out that they did not steal any money at all, and they did not disturb a paper; but he has the money himself, and has fled the country, and his bond is now being sued.

Question. Is he a white man?

Answer. No, sir. His father is a senator.

The census taken by the officers of the United States, while of course it fails to obtain all the taxation imposed upon the counties, presents the matter in a sufficiently strong light to enable any person to see what enormous local taxation these people are burdened with.

The table is as follows:

States.	ASSESSED VALUATION.		STATE DEBT, 1870.		TAXATION.	
	1870.	Including value of slaves, 1860.	Funded.	Floating.	State.	
					1870.	1860.
Alabama.....	\$156,770,387	\$432,198,762	\$5,382,800	\$3,095,218	\$1,477,014	\$530,107
Arkansas.....	94,168,843	180,211,330	3,050,000	409,556	950,894	241,633
Florida.....	32,480,843	68,929,635	1,012,372	276,325	234,672	80,538
Georgia.....	227,219,519	618,232,387	6,544,500	None.	875,154	381,671
Louisiana.....	254,371,890	435,787,265	17,731,300	7,300,434	2,160,959	2,436,312
Mississippi.....	177,238,892	509,472,912	1,796,230	None.	1,118,057	368,851
North Carolina.....	130,378,622	292,297,692	29,900,045	None.	1,160,413	543,623
South Carolina.....	153,913,337	489,319,138	7,665,909	None.	1,316,943	512,719
Tennessee.....	254,673,732	382,495,200	38,533,802	None.	514,364	455,192
Texas.....	149,734,929	267,792,335	453,741	95,336	589,363	299,839
Virginia*.....	365,439,917	657,021,336	39,926,555	7,464,284	2,475,742	2,228,875

States.	TAXATION.				COLORED POPULATION.		
	County.		Town, city, &c.		Total.	Free.	Slaves.
	1870.	1860.	1870.	1860.	1870.	1860.	1860.
Alabama.....	\$1,122,971	\$309,474	\$403,937	\$11,590	475,510	2,690	435,639
Arkansas.....	1,738,760	255,773	177,236	107,987	122,169	144	111,915
Florida.....	168,389	74,425	79,009	3,758	91,689	826	61,745
Georgia.....	904,890	283,365	775,365	132,533	543,142	3,591	42,138
Louisiana.....	4,109,999	440,138	279,630	2,033,710	364,210	18,647	331,521
Mississippi.....	2,299,696	384,908	127,078	171,077	444,201	773	438,331
North Carolina.....	923,694	255,417	225,351	245,672	391,650	30,463	331,531
South Carolina.....	575,065	55,506	870,833	706,081	415,214	9,914	402,445
Tennessee.....	1,392,836	330,034	1,022,482	317,567	322,331	7,300	255,711
Texas.....	311,480	208,053	227,879	26,353	253,475	355	182,763
Virginia.....	841,090	488,091	924,094	995,723	512,841	55,299	472,494

* 1870, returns exclude West Virginia.

It will thus be seen—even by the foregoing imperfect statement, which does not approximate the amount of the present local taxation, that being in Mississippi alone \$6,000,000 and in Texas nearly \$6,000,000, about equal to all set forth in the table—that while the assessed value of the taxable property in the eleven States of the South has been reduced from \$4,333,757,942 in 1860 to \$2,026,440,971 in 1870, being a loss of \$2,307,306,971, or over \$300,000,000 more than now remains, the State taxation on what those people now have was, in 1870, \$12,813,615, while it was \$8,165,486 in 1860, when their affairs were managed by their own people; and the county taxation, in 1860, on all the property they then owned, was only \$3,115,184, while now, under carpet-bag and negro rule, it is \$14,298,630, or \$11,183,446 more on the remnant still in existence than it was on the whole property they owned when the war began.

In view of the enormous debt which we have shown has been wantonly, corruptly, and fraudulently heaped upon a people as poor as the census reports, taken by United States officials, show the people of the South to be, with five-eighths of their property gone, and the taxation on the remnant nearly fourfold as much as it was on the whole when the affairs were honestly managed, is it to be expected that the people of these States will have either love or respect for the men or the party by whom they have been thus plundered?

Republican officials and Congressmen, as well as the press and politicians of that party, have tried to impress upon the country how magnanimous they have been to the people of the South, how mercifully they have treated them, and point with triumph to the fact that no men were executed for any of the acts of war. We think no man can look over the testimony taken before this committee without coming to the conclusion that no people had ever been so mercilessly robbed and plundered, so wantonly and causelessly humiliated and degraded, so recklessly exposed to the rapacity and lust of the ignorant and vicious portion of their own community and of the other States, as the people of the South have been for the last six years.

History, till now, gives no account of a conqueror so cruel as to place his vanquished foes under the dominion of their former slaves. *That was reserved for the radical rulers in this great Republic.*

To-day, in South Carolina, Texas, and Arkansas, (and in 1866-'68 it was so in Tennessee and elsewhere,) the emancipated-slave regiments parade in State or Federal uniform, armed cap-a-pie with the most approved weapons, paid for by taxation imposed on their former masters; while the white men are denied the right to bear arms or to organize, even as militia, for the protection of their homes, their property, or the persons of their wives and their children.

When the testimony taken before us is analyzed, and the ignorance and degradation of the southern negro is understood; when, as General Grant shows, in his report, in December, 1865, they believed that the property of their former master of right belonged to them, and was not entitled to any protection; when, as all the testimony shows, the carpet-baggers, Bureau agents, and loyal-leaguers who went to these States made the wrongs the negroes had suffered and the right they had to take whatever they pleased of the property they had labored to acquire for their masters the theme of their harangues; when, in secret, sworn organizations, hatred of the white race at the South was instilled into the minds of these ignorant people by every art and wile that bad men could devise; when the negroes were formed into military organizations and the white people of these States were denied the use of arms; when arson, rape, robbery, and murder were things of daily

occurrence; when the great mass of the most intelligent whites were disfranchised and the ballot was put into the hands of the negro by the Government at Washington; when every promise made and every law enacted was broken and disregarded by the Federal authorities whenever it suited their purpose to do so; when even the courts were closed, and the Federal officers, who were made by Congress absolute rulers and dispensers of what they called justice, ignored, insulted, and trampled upon the rights of the ostracized and disfranchised white man, while the official pandered to the enfranchised negro, on whose vote he relied to obtain a seat in Congress, or to be made governor or other high official in the State over which he ruled; in short, when that people saw that they had no rights which were respected, no protection from insult, no security even for their wives and little ones, and that what little they had saved from the ravages of war was being confiscated by taxation and rendered valueless by the debts for which men who owned nothing had pledged it, and saw that all their complaints and remonstrances, however honestly and humbly presented to Congress, were either wholly disregarded or regarded as evidence of a rebellious and unsubdued spirit, many of them took the law into their own hands and did deeds of violence which we neither justify nor excuse.

There is, however, this to say: that, situated and circumstanced as they were, unable, as the evidence shows, to keep anything that could be carried away, their hogs, sheep, poultry, corn, indeed every movable thing being preyed upon as though the owner had no right or interest in it, and when the guilty negro was arraigned, and his guilt proved, the carpet-bag or military official who wanted his vote (which required him to have his good will, else some other Bureau agent or other pander would get it) either discharged him with little or no punishment, or, if he was convicted, he was at once pardoned by the so-called governors who had taught the negroes in their harangues that the property was of right theirs, there was but little left for them except to stop these things as best they could. All history shows that bad government will make bad citizens, and when the corruptions, extortions, and villainy of the governments Congress has set up and maintained over the Southern States are thoroughly understood and made known, as we trust they will be some day, the world will be amazed at the long suffering and endurance of that people.

We can understand how the political managers at Washington, who are working for the interest of New England and the great protected monopolists, should be willing to sacrifice the people and States of the South in order to keep men in the Senate and lower House of Congress who will obey their orders and legislate to put money in their pockets, no matter how much the people of the country may suffer. But we are, and always have been, amazed at the course of the republican Representatives from the Western States.

By the robbery, oppression, and impoverishment of the southern people, under the legislation of the last five years, nine millions and a half of people, who are the national customers of the West and the consumers of its products, have been rendered wholly unable to buy what they really want and are almost compelled to have; and the wheat, corn, horses, mules, hogs, and other products of the West, which the planter of cotton, rice, sugar, tobacco, and other southern staples, needs and would be willing to buy, if he could, cannot be sold, because all the means of the purchaser have been stolen or squandered by a set of harpies at home, who are ready to pick up their carpet-bags and leave for more favored regions as soon as the plunder is exhausted. The markets

of the South are to-day almost as effectually closed against the products of the West, by reason of the poverty and destruction of the resources of that people, as they would be if an embargo was laid on all commerce between the sections. If the hundreds of millions of dollars, which we have shown to have been seized and appropriated by these congressional emissaries in the South, had been saved, and applied as honest, prudent men, striving to rebuild desolated homes and retrieve ruined fortunes, would have applied it, the States of the West and the Northwest, instead of having their products rotting in their barns, would have had nine millions of cash customers ready to buy all they could produce; even the negro then would have been a better, happier, richer, and more contented man than he is. He has been ruined, simply that bad men might make money and obtain power by using him as a stepping-stone or a lever. And what have the men of the West made in any other way by the destruction of the South? Simply robbed themselves a second time by excluding genuine Representatives of the great agricultural States—which have a common interest with them, and of course would have united in such legislation as would best promote the interest of their people—from the Congress of the United States, and by substituting a class of men who have no interest in the people and States they pretend to represent, but came, with some honorable exceptions, pledged to sustain and uphold all the great monopolies of the East at the expense of the people of the West, thus doubly robbing the great agricultural regions. We speak of the West more especially, but the whole country feels the shock. The great commercial cities, New York for example, see their commerce ruined by the poverty of those who ought to be, and would be, if they had the means, their best customers.

The enormous oppressions, extortions, and the flagrant misrule of the local governments set up and maintained over these people are not by any means the only grievances which they have been compelled to submit to; even while the Federal Government was administering their affairs through direct agencies from Washington, they were oppressed and plundered by the Freedmen's Bureau agencies, by the cotton thieves, and the military, to an extent only exceeded by the carpet-bag local government which superseded them.

First, as to the Freedmen's Bureau and its operations. By this act, four millions of negroes became the pupils, wards, servitors, and pliant tools of a political and extremely partisan agency, inimical and deadly hostile to the peace, order, and best interests of southern society. Under the workings of the reconstruction and Freedmen's Bureau acts the foundations of social and political order were uprooted and overturned; the former master became the slave, and the former slave became the master, the elector, the law-maker, and the ostensible ruler. The agents of the Freedmen's Bureau were, as we have shown before, generally of a class of fanatics without character or responsibility, and were selected as fit instruments to execute the partisan and unconstitutional behests of a most unscrupulous head. Thus, the negroes were organized into secret political societies, known as Loyal Leagues, in which organizations they were taught that their former owners were their worst enemies, and that to act with them, politically or religiously, would certainly result in their re-enslavement. A regulation of this Bureau required all agreements for service between whites and blacks to be signed and witnessed in the presence of, and left in the custody of the agent. It was a common practice, after a planter or farmer had contracted in the required form with the freedmen for the year, had his crops planted and in process of cultivation, that his negro laborers

would suddenly *strike* for higher wages. Nothing but the intervention of the Bureau agent could induce them to return, and that *inducement* could only be effected by the planter or farmer paying to the agent from ten to twenty dollars per head. This sum was simply a *perquisite* of the agent, and when paid, the negro always returned to his labors, though not receiving a cent of additional compensation. It was frequently the case that the same planter or farmer would have to compensate the Bureau agent from *two to three times during one year, or lose his crops*. This system of ingenious blackmailing produced no little irritation, and frequently total bankruptcy of the planter. These Bureau agents had authority to order the arrest and imprisonment of any citizen on the single statement of any vicious negro; and if any resistance was made to the *mandates* of the Bureau agent, the post commandant, or military governor, was always ready to enforce it with a file of bayonets. Many of the agents of the Bureau were preachers, and had been selected as being the most devout, zealous, and loyal of that religious sect known as the Northern Methodist Church.

The negroes were told in the Leagues that, although they had been married according to the plantation custom for forty or fifty years, as freedmen they must procure a license from the court and be remarried. This injunction was most scrupulously obeyed, and by this means the missionaries and preachers made large sums of money, which was thus frequently extorted from old, poor, and ignorant negroes, who had grandchildren and great-grandchildren.

With the reconstruction and Freedmen's Bureau acts in full force; with time-honored charters and constitutions abolished, and *new* constitutions framed by venal adventurers and illiterate negroes—instruments in every respect repugnant and distasteful to the sentiment and wishes of the white people owning the property and paying the taxes; with legislatures in some instances composed in part of pardoned felons and penitentiary convicts enacting laws; the judiciary in the hands of charlatans and bribe-takers; every office, from the highest to the lowest, filled with ignorance, vice, and unblushing corruption; with the land swarming with libelers and malignant slanderers; the country divided into military districts and garrisoned with troops, whose officers were ever ready, at the slightest bidding, to annoy and oppress an unarmed people, and with myriads of Treasury agents and persons with Government contracts seeking, or pretending to seek, for Confederate States property, seizing everything movable, like leather, rice, sugar, cotton, and tobacco, with such a combination of concentrated cruelties and unparalleled outrages, and without recourse or redress, the people of the South were compelled to endure, until the perpetrators, surfeited with robberies and gorged with plunder, have, in many instances, slunk from the sight of honest men.

As the last hope of redress for such grievances the southern people appealed to the Supreme Court of the United States; but Congress, by special enactment, prohibited that court from taking jurisdiction of any case challenging the constitutionality of the reconstruction acts. The evidence taken before the committee in the last Congress in the investigation as to General Howard shows how the money obtained by the Bureau, or such portions of it as the agents paid over, was managed.

Second, as to the cotton frauds. When the war ended there were on hand in the South at least five millions of bales, worth, in Liverpool, five hundred millions of dollars. Of this five millions of bales, the Confederate States owned a *mere fraction*, the bulk of which was turned over to General E. R. S. Canby by General E. Kirby

Smith May 24, 1865. The confederate government had cotton stored at Montgomery, Alabama, and Columbus, Georgia, but it was all burned—with other cotton, the property of private individuals—on the approach of General Wilson's cavalry raid in the latter part of April, 1865. What became of this *five million bales of cotton*? Who got it, and where did it go? The Treasury Department filled the entire South with its agents, informers, and spies, in search of confederate cotton, tobacco, &c. The Treasury Department had also given contracts to numerous parties, who were to receive from a *quarter to half* of all confederate cotton discovered. These agents, spies, informers, and contractors went to work and seized indiscriminately everybody's cotton. They pretended in all cases to have proof that what they seized was confederate cotton. Proofs piled mountain high rarely convinced them to the contrary. But when the proof of ownership was accompanied with an offer to surrender a part of the cotton for the return of the balance, the proposition was always accepted. The owner of a hundred bales of cotton on the first seizure would be *tolled* not less than *twenty bales*, and if the cotton was being moved from an interior place, it was not infrequently the case that the owner would have to submit to a *second* and often to a *third* and *fourth tolling* before reaching market. Instances are numerous in New Orleans and New York where cotton was seized after it had reached those cities, by orders from the Treasury Department, although the cotton thus seized had run the gauntlet of *tolling* from the plantation to its place of destination. When seized in the large cities, enormous *tolls* were demanded either in cotton or money. But when terms were *arranged* by which the share demanded by the official was given up, the proof of private ownership was always satisfactory. The owners of the cotton had no redress, and they were compelled to either surrender a part or the whole. A Treasury regulation required all cotton seized in the Atlantic and Gulf States to be shipped to Simeon Draper, United States cotton agent in the city of New York; and cotton seized on the waters of the Upper Mississippi—North Georgia and North Alabama—to be shipped to William P. Mellen, United States cotton agent at Cincinnati. Much of the cotton seized was found on plantations before the owners could get home after the surrender of the southern armies. In such cases the agent making the seizure, after retaining from a *quarter to a half*, would ship the balance to his supervising agent, and this supervising agent would levy *his* contribution, when the remnant would be shipped either to Mellen at Cincinnati, or Draper at New York. When the cotton reached Draper or Mellen it was again manipulated, and when offered for sale, it was always by *samples*; and the *samples* were invariably *greatly* inferior to the cotton represented. Such usually was the inferiority of the *samples* exhibited (frequently grades representing a quality of cotton known as *low middlings*) that the quality offered would only sell for *ten or fifteen cents per pound*, when in reality the cotton thus sold was worth in the market from *sixty cents to one dollar and twenty cents per pound*. The purchasers on such occasions were always the special friends of Draper, as well as partners in the swindle. Bales of cotton weighing from five to six hundred pounds, were always reduced by *plucking* from one to two hundred pounds before being offered for sale. This was called "*waste cotton*," and was carefully gathered up and sold as "*trash*" to the eastern manufacturer. When the owners of cotton traced their property to Draper, (if a thousand bales had been taken from them,) he would report that of the *thousand bales seized* he had only received *two hundred*; and that the "*two hundred bales received was of very inferior quality, and*

only sold for ten or fifteen cents per pound, and that transportation, storage, and commissions were so and so, which left only a small sum in his hands." Thus was cotton manipulated by Simeon Draper, United States cotton agent at New York. When Draper became cotton agent of the United States at New York, he was known to be a bankrupt. It is a well-known fact that he settled his debts and died leaving property estimated at millions. Draper only did on a large scale what was universally the practice of Treasury agents on a lesser scale.

A history and report of cotton transactions, in obedience to a resolution of Congress, was made by the Secretary of the Treasury February 19, 1867, and can be seen in Executive Document No. 97, House of Representatives, Thirty-ninth Congress, second session. On page 10 of this report Simeon Draper reports that he received *ninety-five thousand eight hundred and forty and a half bales*.

This vast amount of cotton only *net* the Government about *fifteen millions* of dollars, when it could have been sold in the city of New York for *fifty millions*. According to a recent statement published in the New York Journal of Commerce, on the prices of cotton from 1825 to the 31st of December, 1871, the lowest and highest prices are given, in the market of New York, for *middling upland* cotton, and the lowest price in 1865 was thirty-three cents, and the highest *one dollar and twenty-two cents per pound*. The cotton seized by General Sherman in his Atlanta campaign, in 1864, and sold in Cincinnati, *net* the Government *one dollar per pound*, which sum has been returned to claimants proving loyalty, on judgments had in the Court of Claims. Executive document No. 113, House of Representatives, Forty-first Congress, third session, the Secretary of the Treasury informs Congress that the amount of cotton-money then on hand amounted to a fraction over *nineteen millions*. The cotton seized at Savannah, Charleston, and Mobile was sold for *coin*, and the premium on this *coin*, the Secretary says, amounted to two millions and a half dollars, which has been "erroneously covered into the Treasury." The twelfth section of the act of Congress approved July 23, 1866, authorizes and directs the Secretary of the Treasury to "*refund any money*" "erroneously received, and erroneously covered into the Treasury." This has been obeyed in but few cases, so far. On the 10th of May, 1865, the President of the United States issued a proclamation declaring the war at an end; and the treaty of Washington recognized the 9th of April, 1865—the date of General Lee's surrender—as being the end of the war; and on the 29th of May, 1865, the President, by proclamation, directed the *restoration* of private *property*, except "as to slaves;" and on the 24th of June, 1865, restored commercial intercourse between the States; and on the 27th of June, 1865, the Secretary of the Treasury, in obedience to the fifth section of the act of Congress approved July 13, 1861, issued a circular letter of instructions, which forbid Treasury agents to seize any cotton after the 30th day of June, 1865.

In defiance of the President's proclamations and Treasury instructions, Treasury agents *continued* to seize cotton as late as December, 1865. Although the Supreme Court of the United States, Chief Justice delivering the opinion, in the case of *McLeod vs. Callicott*, decided that any cotton seized after the 30th of June, 1865, was *unauthorized and therefore illegal*, and that the claimants of cotton seized after that date were entitled to recover from the United States what the cotton was worth in the markets at the time of the seizure, with lawful interest from date, these claims are generally unpaid.

Of the five millions of bales of cotton in the Southern States at the

close of the war, in the spring of 1865, the agents and Government of the United States appropriated not less than *three million bales*.

On the 30th of March, 1868, Congress passed a joint resolution covering into the Treasury the proceeds of all "captured and abandoned property;" and when that resolution was passed the banking firm of Jay Cooke & Co. had *twenty millions* of the proceeds of cotton in their possession, on which they had been banking for years. "Rings" are now in existence in Washington City, as we are advised, to prevent congressional legislation in behalf of impoverished cotton claimants, and every device is resorted to to prevent the settlement of such claims by the Government, with the hope of forcing the claimants to sell their claims for some insignificant amount.

In confirmation of the statements just made, we insert portions of a communication from F. S. Lyon, esq., of Demopolis, Alabama, to Hon. F. P. Blair, of the committee. Mr. Lyon is known to be one of the most intelligent and respectable men in the State; he was a witness before the sub-committee that visited Alabama, but we are deprived of the use of his testimony as taken, and therefore substitute this statement:

DEMOPOLIS, ALABAMA, November —, 1871.

DEAR SIR: As you are a member of the joint committee of Congress appointed to inquire into alleged disorders in the South, I make no apology for addressing you.

After the armies of Generals Lee, Johnston, and Taylor had surrendered and disbanded, General Canby issued a military order requiring all persons who had sold cotton to the Confederate States to surrender the same to the United States authorities, under pain of having their property confiscated to make good any failure to deliver. From this commenced a struggle for the possession of cotton which it would be difficult to describe, and, when accurately described, hard to deliver. The country was suddenly filled with United States Treasury agents, or persons claiming to be such, some with and others without authority to take possession of cotton.

United States wagons, guarded by United States soldiers, roamed over the country in the day-time, and sometimes in the night-time, protecting Treasury agents, and sometimes persons not Treasury agents, in seizing cotton. Seizures were sometimes made under the pretense of enforcing General Canby's order of confiscation, and sometimes cotton was seized which had never been bargained by the semblance of any legal authority to the Confederate States. When such was the fact and the most conclusive proof was made to the chief cotton agent at Mobile, that officer would refuse to admit or reject the claim, so that his decision might be revised at Washington, and the consequence was that the owners of cotton had to submit to a compromise by giving up part of the cotton, and neither that part nor its proceeds, in my judgment, ever found a place in the books of the Treasury Department. It was seen from the character and conduct of the agents and pretended agents engaged in the business that *plunder*, and not the increase of funds in the public Treasury, was the object, and a scramble for the possession of cotton ensued in which others than cotton agents took part. The consequence was that the cotton agents, or pretended agents, backed by the military forces, obtained most of the plunder, but how much of what was obtained went into the Treasury I am not informed, but from circumstances suppose hardly one-tenth. The Treasury Department, pending these scrambles, made an order allowing the holders of cotton bargained to the Confederate States one-fourth of it for safely keeping it during the war and delivering it, but I have reason to believe, and do believe, that the fact of this order was fraudulently withheld by the Treasury agent at Mobile, and that instead of complying with it he gave his assistants the one-fourth of all the cotton they obtained as compensation for their services. I have reliable information that quite a young man, sent to this town as a cotton agent, who was without experience in business and of but little business capacity, received for about one month's services four hundred bales of cotton, worth at the time at least \$80,000.

Frequent changes were made in Treasury agents. As fast as one would fill his pockets another would make his appearance equally hungry for money.

The same cotton was seized as often as two or three times. One agent would seize and discharge it on proof; his successor would re-seize it, and subject the owner to a second trial, and sometimes a third agent would come in and seize it again.

There was at the close of the war a very large amount of cotton in the country, some of which had been bargained to the Confederate States, and a good deal had not. In the scramble for it, the rights of very few were respected; no distinction was made between those who were regarded as rebels and those who were known to be Union

men. Two old citizens of this county, Mr. John Collins and Gaius Whitfield, were avowed Union men and opposed to the war, from the beginning to the end of the controversy, and no favor was shown them; their cotton was seized and taken from them. I will not fatigue you with a recital of individual cases of wrong and outrages growing out of cotton seizures.

At the close of the war the people were left in an impoverished condition. Their supplies were pretty well exhausted; they had nothing left but the character they had maintained, their lands, some stock, and the remnant of cotton saved from the wreck of their fortunes. This cotton was subject to a discriminating tax of three cents per pound, when other productions of the soil elsewhere were exempted, and the collection of the tax enforced to the last pound.

Another outrage upon the rights of the people occurred here since the war, to which I feel it my duty to refer. The congress of the Confederate States, while that power existed, had imposed a tax in kind upon all provisions raised by planters and farmers—one-tenth of all grain, meat, &c. After the war the collection of this tax in kind was enforced by United States military orders in this part of the country. The agent on my plantation was notified by an officer that the tax in kind due from me to the extinct Confederate States amounted to over one thousand bushels of corn, some two barrels of sirup, and perhaps other small articles. These articles were demanded and paid. My nearest neighbor informed me that Government wagons went to his corn-crib and took what they regarded as his tax in kind, without even inviting him to see his corn measured. I heard of many other cases where this tax was demanded and collected, and believe the amount collected in the country between this and Selma was quite large.

While these things were going on, I represented what I considered as an outrage to Governor Parsons, then the provisional governor of the State, and urged him to communicate the facts to the then commanding general at Montgomery. Governor Parsons informed me he had complied with my request; that the general stated the collections were without his orders; that he would immediately order such collections to cease, and require proper vouchers to be given to those whose property had been taken; but such an order from the general was never made public, no vouchers were given within my knowledge, and no steps taken to arrest the enforcement of a confederate law which had died with the confederacy.

While on the subject of military government among us, allow me to state to you a few cases not calculated to inspire our people with affection for their rulers. At Eatow, in the adjoining county of Greene, a difficulty occurred between two individuals, one a carpet-bagger, the other a citizen, the latter charging the former with stealing his father's wood. The occurrence took place in the day-time, on a public street in the town. An attack was made by the citizen without the use of any weapon except the fist; a number of persons rushed to the scene and some riotous demonstrations occurred; something was said about riding the assailed party on a rail, but no such thing was done, and no blow struck except by the party who brought on the controversy; no blood was drawn and no material damage done. For this offense some six or seven young men of Eatow were arrested by military order, carried to the then military post of Selma, confined for a time in the guard-house, tried by court-martial, convicted and sentenced to confinement at hard labor at the Dry Tortugas for periods varying from six to two years. After conviction they were carried in chains and under military guard by way of Jackson, Mississippi, New Orleans, and Pensacola, to the place of imprisonment. A Pensacola paper announced the fact that six Alabamians were seen on a vessel which touched at that port, in chains or handcuffed, under the guard of some seventeen soldiers, on their way to the Dry Tortugas. Their friends were not permitted to supply them with pocket-money when they left. After the confinement for some time of these young men the public authorities perhaps discovered that the punishment inflicted was excessive and out of all proportion to the offense committed, and remitted the sentence or pardoned the offense. The men were set at liberty at the Dry Tortugas, where no transportation home was to be had except such as belonged to the Government. They were compelled to ship on a credit to a distant port, Galveston, Texas, whence they could appeal to their friends for aid.

Another case of military outrage occurred in the arrest of Mr. Barker, a worthy and industrious carriage-maker of Livingston, in Sumter County. He was arrested in his own house, in the night-time, placed in irons and sent to Selma under a military guard, and confined for a time in the military prison, the officer making the arrest refusing, as I was informed, to tell him or his friends the cause of arrest. In a short time he was discharged without a trial, when the fact was made public that he was arrested upon the supposed information of a servant in his employment. The servant, upon being examined, denied utterly having made any report or communication charging Barker with any crime whatever.

Another taste we had of military rule in time of peace grew out of the fact that the Episcopal Church edifice in this town was set on fire in the night time by United States soldiers and destroyed, without cause or provocation. After the burning of the church

it was ascertained that a number of articles stolen from it were in the possession of certain soldiers of a regiment stationed here. The fact was communicated to the colonel commanding the regiment, and he was requested to cause the soldiers to be arrested and the facts inquired into. This request was declined by the colonel, for the reason, as it is said, that the men were dangerous, and might, if arrested, commit other offenses. While the regiment to which these men belonged was stationed here, it was reported that they threatened, when they left here, to burn the town. To avoid this, a colonel from another regiment came here, took command of it, placed sentinels around the quarters, and marched the men off without their knowing they were taking final leave. Such was the report at the time, and to a Colonel Hunt, of the United States Army, we ascribe the credit of saving the town from destruction in time of peace without cause or provocation. About the same time, the town of Greensborough, in the adjoining county, was fired in several places by United States soldiers, with the avowed purpose of destroying the place.

Another specimen of military government occurred in the arrest and robbery of an old gentleman in this neighborhood, Mr. Hatch, who is over seventy years of age. In passing on a public street in this town, I saw a soldier stop Mr. Hatch. I approached the parties, and was informed by Mr. H. that the soldier had arrested him. I inquired of the soldier what charge existed against Mr. Hatch. He said he was not bound to tell me. I asked him to show me his authority to make the arrest. He declined to do this, but said he was ordered to carry Mr. Hatch to Selma, some fifty miles distant. I called at once at the office of Colonel Bowyer, who commanded here, informed him of the occurrence, and asked him to have the soldier and Mr. Hatch brought before him. He did so. The soldier stated to the Colonel he proposed carrying Mr. Hatch to Selma that day. Mr. Hatch offered to give security for his appearance in Selma next day, as he wished to return home to see his family, some of whom were sick, before going to Selma. The colonel advised the soldier to accede to this, which he did, and upon Mr. Hatch's arrival in Selma in the evening he was arrested by a guard of soldiers, who proposed to march him off to a dirty guard-house. He was told he could deposit \$500 as security for his appearance next morning. He made the deposit, took a receipt for the same, and appeared next morning. He could hear of no charge against him, was told he might go home, and that to return his \$500 required the order of the commanding general, who was absent, but that the order would be made. From that day to this Mr. Hatch has never received his \$500, or any part of it. No one was arrested or punished for the robbery, although the facts were well and generally known at the time.

Some of these things the people here regard as acts of war after peace, and others they consider as robbery. Such acts are not calculated to increase one's respect or attachment for the administration of military law.

Yours, &c.,

F. S. LYON.

HON. F. P. BLAIR,
Senate of the United States.

Mr. Aldrich, of South Carolina, (see p. 170,) also illustrates how military justice was administered. He says:

Question. When your people were being tried, and the offenses came before the military tribunals, how was justice administered there, and how were costs taxed and collected, and what effect did that sort of administration have upon your people?

Answer. Upon that point I am able to state very fully, because I practiced in those courts. The rule for taxation of costs was a printed rule of the court; but that rule was construed by them and made to operate in this way: if the losing party was able to pay the costs, why, they collected the costs out of him; if he was not able to pay them, then they collected the costs out of the other party.

By Mr. VAN TRUMP:

Question. The whole costs?

Answer. Yes, sir; and they were governed by no fixed rule whatever; each case was a law to itself on the subject of costs.

By Mr. BECK:

Question. How did the costs compare with costs in other courts?

Answer. They were much greater than I ever heard before. For instance, I knew a client of mine to pay \$80 costs for a case of larceny.

By Mr. VAN TRUMP:

Question. Was there any tax-bill?

Answer. No, sir; they just handed out a bill of costs. It appeared to me that they just sized a man's pile and took it all. If they thought he had a horse, they would

charge him costs for \$100; if he had no horse, but had a cow, they would charge him \$25.

By Mr. BECK :

Question. If he brought a prosecution, and was successful, was he made to pay the costs ?

Answer. If the other party was not able to pay it. I defended a man charged with larceny; he was acquitted, and he was made to pay a bill of costs for eighty-odd dollars. He had no money to pay it, and they sent the sergeant-at-arms out and seized upon his horse that he had upon his place, so as to collect the amount.

By Mr. VAN TRUMP :

Question. What rank did that military chief of the court hold in the Army ?

Answer. The one in my county I think was a brevet major of volunteers and a lieutenant in the Army.

By Mr. BECK :

Question. Do you know how much was collected from your people, and how much was reported to the Government ?

Answer. I do not know how much was collected. Those courts were self-sustaining; the Army officers, of course, received their salaries, and the other officers received their \$3 a day; and these costs were taxed for the purpose of sustaining the courts.

By Mr. VAN TRUMP :

Question. Who were those other men ?

Answer. Citizens of the county.

Question. White or black ?

Answer. White men, but generally of very low character.

Question. Had that court jurisdiction over a county ?

Answer. Over three counties.

Question. How often did it sit ?

Answer. It would sit every month, a week at a time, and try four or five cases a day.

Question. Was the effect of that sort of jurisdiction calculated to drive people away from the courts ?

Answer. They would not go there, because they could not afford it; for if they put themselves in the power of the court they would be likely to be wronged. As regards the man to whom I referred who was tried for larceny, he was acquitted, but came near having the last horse he had, with which to make his living, sold to pay his costs.

Question. No matter what the offense was, if the defendant was acquitted, and the other party could not pay, he had to pay the costs ?

Answer. Yes, sir; if I indicted a man for burglary or larceny, and he was found not guilty, I had to pay the costs; but if he was found guilty, I would have to pay the costs if he could not do it.

Question. Did that have the effect of making people take the law in their own hands more than they would otherwise have done ?

Answer. My clients have asked me what they had better do to redress their grievances. I told them they had better go to the courts; and they told me that if I had no other advice than that to give them, they would turn round and go home, as they had no further use for me.

We think, from the glimpse we have enabled Congress and the country to obtain of the condition of the Southern States, there will be but little difficulty in understanding how Ku-Kluxism sprang up there. It was the legitimate offspring of misrule; it follows and disappears with its parent. Bad men, learning the strength and power of secret and disguised organization from the operations of Loyal Leagues and Ku-Klux Klans, have, in regions where both have been abandoned for years, when they were determined to commit outrages, assumed their form and garb, and, under cover of darkness, by means of their secret organizations and disguises, have done deeds that demons would be ashamed of. These atrocities have not been confined to either political organization, and have very rarely had any political significance. Thirst for plunder; the gratification of private revenge or of brutal passion; the protection of illicit distilleries, or the security from detection in often extensive horse stealing operations, have been the most prominent developments since the breaking up of the organizations which existed

prior to the general establishment of the forms, at least, of civil government, which took place in 1868.

Perhaps the men who knew more about the formation of what has come to be familiarly known as the Ku-Klux organization than any others were General N. B. Forrest, of Tennessee, and General John B. Gordon, of Georgia, extracts from whose testimony we propose to incorporate into this report, as illustrative of its origin, objects, and dissolution.

General Forrest, when examined, said :

I say to you, frankly, that I think the organization did exist in 1866 and 1867.

Question. In what portions of the country ?

Answer. I do not think it existed anywhere except in Middle Tennessee. There may have been some in a small portion of West Tennessee; but if there was any, it was very scattering.

Question. Under what name is it your belief it existed at that time ?

Answer. Some called them Pale Faces; some called them Ku-Klux. I believe they were under two names.

Question. Had they an officer known as a commander ?

Answer. I presume they did.

Question. Was their organization military in its character ?

Answer. No, sir; I think not.

Question. Were they subject to command and drill in any military form ?

Answer. They were like the Loyal Leagues, and met occasionally and dispersed again. The Loyal Leagues existed about that time, and I think this was a sort of offset gotten up against the Loyal Leagues. It was in Tennessee at the time; I do not think it was general.

Question. Had it a political purpose then ?

Answer. I think it had not then; it had no political purpose.

Question. You say it was organized like the Loyal Leagues, or in opposition to them ?

Answer. I think it was in opposition.

Question. Was the purpose of the Loyal Leagues political ?

Answer. I do not presume it was; I do not know what it was.

Question. What did you understand to be the purpose of the two organizations ?

Answer. I can tell you what I think the purpose of the organization that you first spoke of was; I think it was for self-protection.

Question. You mean now what is called Ku-Klux ?

Answer. Yes, sir; I think that organization arose about the time the militia were called out, and Governor Brownlow issued his proclamation stating that the troops would not be injured for what they should do to rebels; such a proclamation was issued. There was a great deal of insecurity felt by the southern people. There were a great many northern men coming down there, forming Leagues all over the country. The negroes were holding night meetings; were going about; were becoming very insolent; and the southern people all over the State were very much alarmed. I think many of the organizations did not have any name; parties organized themselves so as to be ready in case they were attacked. Ladies were ravished by some of these negroes, who were tried and put in the penitentiary, but were turned out in a few days afterward. There was a great deal of insecurity in the country, and I think this organization was got up to protect the weak, with no political intention at all.

Question. Do I understand you to say that the Loyal League organization in Tennessee contennanced or promoted crimes of the kind which you have mentioned ?

Answer. I do not know that they promoted them; but those crimes were not punished; there was very little law then.

Question. Was this before the organization of the State government, or did it continue afterward ?

Answer. Well, it continued so for a year afterward.

Question. How long, according to your information, did this Ku-Klux organization exist ?

Answer. I think it was disorganized in the early part of 1868.

Question. Did it continue until after the presidential election ?

Answer. No, sir; I think it was in the latter part of 1867, or the early part of 1868; I do not know the exact date.

Question. Where can we get the information as to the manner of its dissolution and the time of it ?

Answer. I do not know where you can get it. I never got any positive information except that it was generally understood that the organization was broken up.

Question. Who were understood to belong to it ?

Answer. Men of the Southern States, citizens.

Question. Did they speak to you without hesitation of the organization, as if it required no concealment?

Answer. No, sir; they did not.

Question. Did they deny or admit its existence?

Answer. They did not do either; they did not deny it or admit it. It was understood, though, among the southern people, that this organization had disbanded about the time of the nomination of candidates for President of the United States.

Question. When they proceeded to carry out the objects of the organization, did they do it in numbers, by riding in bands?

Answer. I do not know; I never saw the organization together in my life; never saw them out in any numbers, or anything of the kind.

Question. Were you trying to suppress the organization, or the outrages you speak of?

Answer. I was trying to suppress the outrages.

Question. Outrages committed by colored men?

Answer. By all people; my object was to keep peace.

Question. Did you want to suppress that organization?

Answer. Yes, sir; I did suppress it.

Question. How?

Answer. Had it broken up and disbanded.

Question. What influence did you exert in disbanding it?

Answer. I talked with different people that I believed were connected with it, and urged its disbandment, that it should be broken up.

Question. In the light of that statement, is it not probable that this part of the account of the interview with you is correct?

"Since its organization the Leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces, and rode over the country, frightening negroes; but orders have been issued to stop that, and it has ceased."

Answer. I never uttered such words; I did not talk to that man twenty words.

Question. You say you were trying to stop the proceedings, and that they did stop.

Answer. Yes, sir; and I think they completely stopped. I do not hear of anything of that kind now—of difficulties there—any more than I hear of them here. I think that since 1868 that organization has been disbanded. I do not think there has been any organization together; if there has been, it has been by irresponsible parties, without any organization at all.

Question. What was your understanding of that proclamation of Brownlow? I have forgotten all about it.

Answer. I have not read the proclamation since it first came out. I was very actively engaged, and have been since that time, in trying to build railroads and establish factories and founderies in the country. I have been traveling and working all the time, and I have not thought anything about these things. My recollection of his proclamation is, that the militia should not be punished, or would not be punished, for any depredations they might commit upon rebels; that the people there would be treated as rebels, &c.; intimating that if a man killed a man who had been in the southern army, there would be nothing done with him.

By Mr. VAN TRUMP:

Question. That proclamation was issued after the close of the war?

Answer. Yes, sir; in 1866 or 1867, I believe; about the time of this organization.

Question. Do you not know the fact that these Leagues were organized before the Ku-Klux was heard of?

Answer. I do not know whether it was or not; but that was my understanding—that this organization was organized after the proclamation and after those Leagues.

By Mr. BECK:

Question. What was the effect upon the people of Tennessee as to their sense of security of life and property, and the safety of their wives and children, after that proclamation of Brownlow; whatever may have been the language of it, what impression was produced upon the people of Tennessee by it?

Answer. It produced a great deal of fear and trepidation on the part of the people; they feared the militia would undertake to carry out the idea of the proclamation.

By Mr. VAN TRUMP:

Question. It was a kind of amnesty for any future depredations this militia might commit.

Answer. Yes, sir; that was the intent of the proclamation; at least the southern

people so looked upon it. If a man belonging to the militia should shoot you and me down, if we were southern men, there would be nothing done to him.

By Mr. BECK :

Question. That was the impression made upon the people ?

Answer. Yes, sir ; and then the Loyal League coming in about the same time, and these rapes being committed, and the impudent colored people constantly toting about arms, firing in the night-time, created a great deal of uneasiness in the thick neighborhoods, where there were negroes ; but in the poorer neighborhoods I do not think that insecurity was felt.

Question. Were the white people disarmed by Brownlow's orders, and forbidden, in organized bodies, to carry arms ?

Answer. I think so ; I do not recollect now.

Question. Was that the fact ?

Answer. That was the understanding.

Question. Were the militia composed mostly of colored men ?

Answer. No, sir ; not in that part of the State ; I think that in the middle portion of the State the most of them were white men, but I think some colored troops were out.

Question. That militia was organized under that proclamation, and substantially took possession of the police of the country ?

Answer. Yes, sir.

Question. While they were in power, was it the fact that there were cases of rape, arson, house-breaking, and other crimes ?

Answer. There were cases of that sort reported throughout the country ; I do not know to what extent ; and there were cases where they were tried and put in the penitentiary, and the governor pardoned them at once ; they were turned loose ; I merely heard of one or two cases, but I do not recollect them now.

By Mr. VAN TRUMP :

Question. Was not the very name of Brownlow at that time a terror to the people of Tennessee ?

Answer. It was ; they were very much frightened.

By Mr. BECK :

Question. So that his militia were not regarded as being put out in good faith for the protection of the people, but to put down one party and elevate the other for his own political aggrandizement.

Answer. That was the understanding, and a great many men had to fly the country in East Tennessee ; and a great many have not gone back yet. A great many who had been in the southern army were killed when they returned home by Union men. There was more bitterness there than in any other part of the country.

By Mr. VAN TRUMP :

Question. East Tennessee was Brownlow's residence before he was governor ?

Answer. Yes, sir.

By Mr. BECK :

Question. You say that whatever organization of Ku-Klux, or anything else, took place in the region of country with which you are familiar, it was gotten up through fear of depredations by the militia, and was the result of that state of things ?

Answer. That is my understanding of it.

Question. And for the protection of themselves where the law was considered powerless ?

Answer. According to my understanding, the organization was intended entirely as a protection to the people, to enforce the laws, and protect the people against outrages.

Question. Without any regard to whether they were perpetrated by democrats or republicans ?

Answer. Yes, sir ; I do not think that would make any difference ; that is, that is my impression, while I do not know that it is so ; that was the general understanding in the community.

Question. So far as you had any understanding or information, was it to act upon elections in any shape or form ?

Answer. No, sir ; I never heard it said it was to have anything to do with elections.

By Mr. VAN TRUMP :

Question. In Tennessee you did not care much about elections then ?

Answer. A large portion of the people in the State were disfranchised, and they did not attempt to make any effort to carry elections.

General Gordon, when questioned on the same subject by the committee, said :

Question. What do you know of any combinations in Georgia, known as Ku-Klux, or by any other name, who have been violating law ?

Answer. I do not know anything about any Ku-Klux organization, as the papers talk about it. I have never heard of anything of that sort except in the papers and by general report; but I do know that an organization did exist in Georgia at one time. I know that in 1868—I think that was the time—I was approached and asked to attach myself to a secret organization in Georgia. I was approached by some of the very best citizens of the State—some of the most peaceable, law-abiding men, men of large property, who had large interests in the State. The object of this organization was explained to me at the time by these parties; and I want to say that I approved of it most heartily. I would approve again of a similar organization, under the same state of circumstances.

Question. Tell us about what that organization was.

Answer. The organization was simply this—nothing more and nothing less: it was an organization, a brotherhood of the property-holders, the peaceable, law-abiding citizens of the State, for self-protection. The instinct of self-protection prompted that organization; the sense of insecurity and danger, particularly in those neighborhoods where the negro population largely predominated. The reasons which led to this organization were three or four. The first and main reason was the organization of the Union League, as they called it, about which we knew nothing more than this: that the negroes would desert the plantations, and go off at night in large numbers; and on being asked where they had been, would reply, sometimes, "We have been to the muster;" sometimes, "We have been to the lodge;" sometimes, "We have been to the meeting." Those things were observed for a great length of time. We knew that the "carpet-baggers," as the people of Georgia called these men who came from a distance and had no interest at all with us; who were unknown to us entirely; who from all we could learn about them did not have any very exalted position at their homes—these men were organizing the colored people. We knew that beyond all question. We knew of certain instances where great crime had been committed; where overseers had been driven from plantations, and the negroes had asserted their right to hold the property for their own benefit. Apprehension took possession of the entire public mind of the State. Men were in many instances afraid to go away from their homes and leave their wives and children, for fear of outrage. Rapes were already being committed in the country. There was this general organization of the black race on the one hand, and an entire disorganization of the white race on the other hand. We were afraid to have a public organization; because we supposed it would be construed at once, by the authorities at Washington, as an organization antagonistic to the Government of the United States. It was therefore necessary, in order to protect our families from outrage and preserve our own lives, to have something that we could regard as a brotherhood—a combination of the best men of the country, to act purely in self-defense, to repel the attack in case we should be attacked by these people. That was the whole object of this organization. I never heard of any disguises connected with it; we had none, very certainly. This organization, I think, extended nearly all over the State. It was, as I say, an organization purely for self-defense. It had no more politics in it than the organization of the Masons. I never heard the idea of politics suggested in connection with it.

Question. Did it have any antagonism toward either the State or the Federal Government ?

Answer. None on earth—not a particle. On the contrary, it was purely a peace police organization, and I do know of some instances where it did prevent bloodshed on a large scale. I know of one case in Albany, Georgia, where, but for the instrumentality of this organization, there would have been, beyond all doubt, a conflict, growing out of a personal difficulty between a black man and a white man. The two races gathered on each side, but this organization quelled the trouble easily and restored peace, without any violence to anybody, and without a particle of difficulty with either the black race or the white. They stopped one just as much as they did the other. This society was purely a police organization to keep the peace, to prevent disturbances in our State. That was the motive that actuated me in going into it, and that was the whole object of the organization, as explained to me by these persons who approached me. I approved of the object.

Question. You had no riding about at nights ?

Answer. None on earth. I have no doubt that such things have occurred in Georgia. It is notoriously stated—I have no personal knowledge of anything of the kind, but I have reason to believe it—that disguised parties have committed outrages in Georgia: but we have discovered in some cases that these disguised parties did not belong to any particular party. We have demonstrated that beyond all question in some cases, by bringing to trial and conviction parties who belonged, for instance, to the radical

party, who had in disguise committed outrages in the State. There is not a good man in Georgia who does not deplore that thing just as much as any radical deplores it. When I use the term "radical," I do not mean to reflect upon the republican party generally; but in our State a republican is a very different sort of a man from a republican generally in the Northern States. In our State republicanism means nothing in the world but creating disturbance, riot, and animosity, and filching and plundering. That is what it means in our State—nothing else; there is no politics in it. In the North the thing is very different. There men can differ in politics, and yet have the kindest relations; in Georgia we cannot do it unless we are willing to countenance all sorts of outrages upon our people. There are genteel republicans in Georgia, who are just as safe as any one else; who travel all over the State; who occupy high positions, and are never insulted in the street, the cars, or anywhere else. If there is any organization in Georgia for the purpose of putting down republicanism there, why does it not attack the leaders of that party? It strikes me as the very highest commentary upon the law-abiding spirit of the people of Georgia that such men as I could name—men in high position who have plundered our people by the million—still live and are countenanced on the streets, have no insults offered to them. The truth is simply this: that individuals in Georgia of all parties and all colors have, I suppose, committed outrage; but such affairs have been purely personal, just as they are when they occur anywhere else in the United States. I do not believe any more crimes have been committed in Georgia than in any other community of the same number anywhere else in the country. That is my honest conviction. I do not believe that any crime has ever been committed by this organization of which I have spoken, and of which I was a member. I believe it was purely a peace police—a law-abiding concern. That was its whole object, and it never would have existed but for the apprehension in the minds of our people of a conflict in which we would have had no sympathy and no protection. We apprehended that the sympathy of the entire Government would be against us; and nothing in the world but the instinct of self-protection prompted that organization. We felt that we must at any cost protect ourselves, our homes, our wives and children from outrage. We would have preferred death rather than to have submitted to what we supposed was coming upon us. At this time I do not believe any such organization exists, or has existed for a long time. I have not heard of it for two years, I am certain.

Question. Why did it cease to exist; why did it pass away?

Answer. Well, sir, it just dissolved because the courts became generally established; and though the courts were in the hands of the opposite party, our people believed they were trying to do justice; that a general protection was extended over us. Our people thought we could get justice at the hands of these judges; though they were of the opposite party, and though negroes were on the juries, we were satisfied that in the existing condition of things we were safe. Since Governor Bullock's election I have not heard anything of that organization. I am not sure that it did not pass away with his election. It certainly has not existed since within my knowledge; and I think I would have known it if it had. I think that my position would have brought it to my knowledge if any such organization had existed for several years past. As I have stated, the only reason it has passed away is, I think, because the people felt safe. Courts were established and police regulations were generally instituted.

You must remember that we were in a state of anarchy there for a long time. We had no law but drum-head courts-martial. Our people were entirely powerless to do anything. We always felt that if the Federal troops were kept in our midst we would be protected. I want to state that with great emphasis. Our people have always felt that if the white troops of the Federal Army could have been stationed in our midst in those negro belts we would have been safe. But the troops were perhaps two hundred miles away; and before they could have been brought to our relief the whole neighborhood might have been slaughtered. We then believed that such a thing might occur on almost any night. Such was the condition of things in Georgia at that time. I do not believe that it exists now, or has existed for two years. To my certain knowledge this organization never did exist as a political organization. I do not know what may have been the case elsewhere; but very certainly there was no politics in this thing in Georgia, so far as I had anything to do with it; and I think that the organization was of the same character all over the State—probably over the South wherever it existed. We never called it Ku-Klux, and therefore I do not know anything about Ku-Klux.

The statements of these gentlemen are so full and explicit that comment would only weaken their force. The evidence taken before the committee fully sustains them as to the other States relative to which evidence was heard, and it is only necessary to turn to the records and official documents of the State of Tennessee to show that all General Forrest said about the alarm which prevailed in Tennessee during the

administration of Governor Brownlow was strictly true. No State was ever reduced to such humiliation and degradation as that unhappy commonwealth during the years Brownlow ruled over her. Her constitution was imposed upon her by a fraction of her people and the people of other States; her legislature, under the dictation of her governor, as early as 1865 began a series of acts of outlawry and oppression which drove her people almost to desperation; whatever was necessary to maintain in power the men who had seized the reins of government was ordered and executed with a high hand, and, when necessary, at the point of the bayonet.

An act restricting suffrage was passed, which disfranchised three-fourths of the native population of Middle and West Tennessee; commissioners of registration were appointed and removed at the caprice of the governor; votes of counties by the dozen were rejected when they did not vote as ordered; acts ratifying the illegal edicts of the governor were passed by an obsequious legislature; the men who decided who should and who should not vote, who controlled the registration and elections, were the tools of the governor, when he was himself a candidate.

The sedition law was revived, freedom of speech and of the press was overthrown, and a militia force was organized, which was responsible to the governor alone; composed principally of ignorant and debased men, under the lead of the most unscrupulous partisans, of course. The rulers and their adherents were loud in their professions of loyalty, which simply meant there, as everywhere else, subserviency to the dominant party. Everybody was loyal who voted for and maintained Brownlow and his friends, and everybody was disloyal who dared to oppose them. But we prefer to set forth extracts from the records and official papers, and leave Congress and the country to see whether or not there were reasonable grounds for the apprehensions which General Forrest says prevailed all over the State, and whether such a state of things would not naturally produce the counter-organizations of which he speaks.

Many of them are set forth in the contested election cases of *Thomas vs. Arnell*, Mis. Doc. No. 72, second session Thirty-ninth Congress, and in that of *Sheafe vs. Tillman*, Mis. Doc. No. 53, second session Forty-first Congress.

On the 3d of June, 1865, the sedition law was revived, it being deemed unsafe to allow men to tell how the party in power obtained and used it. Gentlemen who have read of the effect produced by the old law will readily comprehend how the people of Tennessee felt when it was imposed on them. As it is to be hoped that it will be the last specimen of that sort of legislation, we will set it forth here. The law is as follows:

CHAPTER XV.—*Thirty-fourth general assembly of Tennessee.*

AN ACT to repeal an act passed on the 19th day of March, 1860, to repeal section 4766 of the code, and to re-enact section 4766 of the code.

SECTION 1. *Be it enacted by the general assembly of the State of Tennessee,* That whoever shall be guilty of uttering seditious words or speeches, spreading abroad false news, writing or dispersing scurrilous libels against the State or General Government, disturbing or obstructing any lawful officer in executing his office, or of instigating others to cabal and meet together to contrive, invent, suggest, or incite rebellious conspiracies, riots, or any manner of unlawful feud or differences, thereby to stir people up maliciously to contrive the ruin and destruction of the peace, safety, and order of the government, or shall knowingly conceal such evil practice, shall be punished by fine and imprisonment, at the discretion of the court and jury trying the case; and may be compelled to give good and sufficient sureties for his or her good behavior dur-

ing the court's pleasure, and shall be incapable of bearing any office of honor, trust, or profit in the State government for the space of three years.

SEC. 2. *Be it further enacted*, That it shall be the duty of the judges to give this act in charge to the grand jury, and no prosecutor shall be required to an indictment under this act.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage. Passed June 3, 1865.

WILLIAM HEISKELL,
Speaker of the House.
JAMES R. RODGERS,
Speaker of the Senate.

Emerson Etheridge, having ventured to speak disrespectfully concerning the "loyal" government of Tennessee, was arraigned before a military commission, on charges set forth on pages 24 and 25 of the document referred to of *Thomas vs. Arnell*. We cite charge 1 as a specimen of the way men were then treated.

[General Orders No. 34.]

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
Nashville, Tennessee, November 6, 1865.

I. Before a military commission, convened at Columbus, Kentucky, in pursuance of Special Orders No. 91, paragraph III, from these headquarters, dated Nashville, Tennessee, September 26, 1865, and of which Brevet Colonel N. A. Dudley, United States Army, is president, was arraigned and tried Emerson Etheridge, citizen of Tennessee.

CHARGE 1. Encouraging resistance to the enforcement of the laws.

Specification 1. In this, that on or about the 1st day of July, 1865, at the town of Dresden, Weakley County, Tennessee, Emerson Etheridge, citizen of the State of Tennessee, was present at a public assembly, and acted and united with other disloyal men in publishing and adopting the following treasonable and incendiary resolutions, to wit: "And whereas during the early part of the present year 1865, a few desperate political and pecuniary adventurers," (meaning thereby the loyal and lawfully constituted constitutional convention of the State of Tennessee,) "assembled mainly from the military camps in and out of the State of Tennessee, met in the city of Nashville, and inside the fortifications which had been erected by the Federal Government professedly for the purpose of maintaining and enforcing the laws; and whereas said persons, so assembled, fraudulently, and without the knowledge or consent of nineteen-twentieths of the people of said State, then and there proceeded to subvert and abolish the most important provisions of the constitution of said State, (including the main provisions of the bill of rights, which are excepted out of the general powers of government;) and whereas William G. Brownlow, since that time, has usurped the office of the governor of said State, and certain other persons have usurped the places of senators and representatives in the legislature, and claiming to be the general assembly of said State, have declared themselves 'a permanent body until October, 1867,' although the constitution and laws of said State, in full force for more than thirty years, provide for an election for a governor and a legislature the first Thursday in August, 1865; and whereas said legislature have promulgated certain illegal, unconstitutional, revolutionary, and despotic decrees, in the form of statutory laws, and its members are now boasting that they can successfully invoke the military power of the United States to enforce these pretended laws upon the loyal people of the State, without their consent, in opposition to their wishes, and in palpable violation of the laws of the United States and of the State of Tennessee, therefore

"*Resolved*, That the persons composing said self-constituted convention and legislature, and said Brownlow, in the judgment of the Union men composing this meeting, are scarcely less treasonable, revolutionary, and lawless than were the original authors and instigators of the rebellion; and that should the Federal Government use the Army placed under its control for the sole purpose of suppressing the rebellion in aid of the scheme of these usurpers, who have thus attempted the overthrow of the constitution and laws of the State, then, and in that event, the Federal Government will have met a bold rebellion by a cowardly usurpation, and will have sanctified the treason of the rebels by the dastardly despotism inaugurated by itself."

The said Emerson Etheridge and his disloyal associates thereby endeavoring to bring reproach upon the State and National Government, to create among the people a rebellious and revolutionary spirit, and to incite them to armed resistance to the enforcement of the laws.

Specification 2. In this, that at the time and place herein below written, Emerson Etheridge, a citizen of the State of Tennessee, did write and forward a communication, of which the following is an extract, to wit:

"DRESDEN, Tennessee, June 27, 1865.

"These things alone (law, order, &c., &c.) can bring us an old-fashioned Fourth of July; and when that period does come, we will, I am sure, be much happier than we now are, with no law but force, and no semblance of civil government, State or Federal, but usurpation enforced by the bayonets of negroes.

"Very truly, yours,

"EMERSON ETHERIDGE.

"To F. HALE, Esq., Union City."

On the 5th of June, 1865, an act to limit the franchise was passed by the Tennessee legislature, which was, by subsequent acts, made even more stringent and exclusive. The first and third sections of it will enable Congress and the country to comprehend the character of legislation resorted to :

SEC. 1. *Be it enacted by the general assembly of the State of Tennessee*, That the following persons, to wit:

1. Every white man twenty-one years of age, a citizen of the United States, and a citizen of the county wherein he may offer his vote six months next preceding the day of election, and publicly known to have entertained unconditional Union sentiments from the outbreak of the rebellion until the present time; and

2. Every white man, a citizen of the United States, and a citizen of the county wherein he may offer his vote six months next preceding the day of election, having arrived at the age of twenty-one years since March 4, 1865, *provided* he has not been engaged in armed rebellion against the authority of the United States, voluntarily; and

3. Every white man of lawful age, coming from another State, and being a citizen of the United States, on proof of loyalty to the United States, and being a citizen of the county wherein he may offer his vote six months next preceding the day of election; and

4. Every white man, a citizen of the United States, and a citizen of this State, who has served as a soldier in the Army of the United States, and has been or may be hereafter honorably discharged therefrom; and

5. Every white man of lawful age, a citizen of the United States, and a citizen of the county wherein he may offer his vote six months next preceding the day of election, who was conscripted by force into the so-called confederate army, and was known to be a Union man, on proof of loyalty to the United States, established by the testimony of two voters under the previous clauses of this section; and

6. Every white man who voted in this State at the presidential election in November, 1864, or voted on the 22d February, 1865, or voted on the 4th March, 1865, in this State, and all others who had taken "the oath of allegiance" to the United States, may be known by the judges of election to have been true friends to the Government of the United States, and would have voted in said previously-mentioned elections if the same had been holden within their reach, shall be entitled to the privileges of the elective franchise.

SEC. 3. *Be it further enacted*, That all other persons, except those mentioned in section one of this act, are hereby and henceforth excluded and denied the exercise of the privilege of the elective franchise in this State for the term of five years from and after the passage of this act.

The managers thought they could surely retain power under such sweeping disfranchisements as that act contained, but soon found they were so odious that even that would not save them. Accordingly, on the 10th of July, 1865, the governor issued a proclamation, which closes thus :

And I do proclaim that no person is entitled to vote at any election by the people of this State unless he shall first actually prove by testimony, under oath, that he comes within the provisions of the first section of said law, and shall obtain a certificate of registration as prescribed in said law, upon such proof in fact made; and that the votes of all persons and all counties, contrary to the strict provisions of this law, will be thrown out, and will not be taken into account in the office of the secretary of state.

And I do further proclaim that said law requires that every candidate for office shall take the oath prescribed by the seventh section of said act; and no person is or can be a candidate until he shall have properly taken and subscribed said oath; and I do declare that any person pretending to be a candidate for Congress, or other office, who shall fail to take and subscribe said oath, and file the same in the office of the secre-

tary of state, on or before the third day of August next, will not be treated as a candidate, and all votes for such person will not be taken into account.

And I call upon the civil authorities throughout the State to arrest and bring to justice all persons who, under pretense of being candidates for Congress, or other office, are traveling over the State denouncing and nullifying the constitution and laws of the land, and spreading sedition and a spirit of rebellion.

I also command all clerks of the county courts and judges of elections faithfully and strictly to perform and not evade the responsible trust confided to them by said law; and I solemnly warn them that they will be held to a strict account for any failure in this respect.

In testimony whereof I have herunto subscribed my name and caused the great seal of the State to be affixed, at the department in Nashville, this 10th day of July, A. D. 1865.

[SEAL.]

By the governor:

WILLIAM G. BROWNLOW.

A. J. FLETCHER,
Secretary of State.

Two days afterward he issued an address to the people, threatening them with the military if they did not comply with his construction of the law. The election was held in August. Enough men had been allowed to register to thwart his plans, and he threw out the entire vote of twenty-eight counties, as shown by his message to the legislature of November 25, 1865, a portion of which reads as follows:

Believing that an applicant for registration must either be known to have been a man of publicly known Union sentiments, at all times, or must produce proof under oath that he comes within the provisions of the law, I have, in the application of this construction, "thrown out, and not taken into account," the votes cast in the following counties as illegally registered, viz: Hawkins, McMinn, Mouroe, Meigs, Grundy, Van Buren, White, Putnam, Jackson, Macon, Coffee, Franklin, Marshall, Benton, Williamson, Davidson, Sumner, Robertson, Cheatham, Maury, Humphreys, Montgomery, Stewart, Lawrence, Gibson, Weakley, Madison, and Lauderdale.

The entire vote of the State is 61,783; omitting the vote illegally registered, it is reduced to 39,509. But I must repeat that there can be no doubt but a large portion of the voters in the counties I have been constrained to reject, were justly entitled to certificates if the law had been complied with. I sincerely regret that loyal men should be deprived of their votes by the fault or mistake of others.

Registrars were removed; registration set aside; counties put under martial law; the negro militia put over the people whenever it was necessary to maintain power; the legislature would legalize the acts of the governor whenever it was necessary to do so, until even the men who had started out with the governor and his colleagues could not keep pace with them, and had to abandon the field.

For a time the right of the negro to vote was strenuously denied by the governor and his friends, but when it was found that their white supporters were dropping off they changed their tactics. If gentlemen will turn to the Annual Cyclopaedia for 1865-'66-'67-'68, they will find a true but melancholy picture of the progress of radicalism in Tennessee. In the volume for 1866 this statement is made:

A bill was introduced in the house to repeal the franchise law and give suffrage to the negroes; in other words, to couple universal suffrage and universal amnesty in one act. This was laid on the table by a vote of 39 to 29. At a subsequent session the governor sent a special message to the legislature, in which he again called attention to the negro-suffrage question. He said: "I must, therefore, be permitted to express the hope that this general assembly will not cease its present session without the passage of the bill granting suffrage to all loyal males properly qualified by age and citizenship. 'Onward' is the watchword which shields and inspires two continents! Now is the time for Tennessee to show to the world that she belongs to the advance-guard on the great question of equal suffrage! With the loyal men of the State allowed to vote, the government thereof will remain in loyal hands. Without their votes, the State will pass into disloyal hands, and a reign of terror not so easily described as realized will result."

[From the American Annual Cyclopaedia for 1868, page 721.]

TENNESSEE.—This State continued throughout the year to be the most discordant one in the Union. The legislature was unanimously republican in both branches, and the governor was one of the extreme representatives of the same party. The great source of irritation and of the consequent troubles and disorders has been the disfranchisement of a large majority of the white citizens for participation in the cause of the southern confederacy in the late civil war.

The question of organizing a militia, to be at the command of the governor, "to suppress insurrection and enforce the laws of the State," came up most prominently, and, in the house, was referred to a military committee, who reported a bill giving the governor authority to arm and equip as many regiments as he saw fit. Petitions against the passage of this bill poured in from all quarters, and several members entered a protest against it, but it passed the house without modification, and went to the senate, where it met with more determined opposition. After much discussion, the senate re-enacted the law of 1867, establishing a "State Guard," as a substitute for the house bill. This the lower house would not concur in, and the original bill was finally agreed upon, with some changes. The law authorizes the governor to organize, equip, and call into active service a volunteer force, to be known as the "Tennessee State Guards," to be composed of "loyal men, who shall take and subscribe an oath to support the Constitution of the United States and the constitution of the State of Tennessee."

The militia, under such control, spread terror over the State of Tennessee. Men felt that they had no security for life, liberty, or property; disfranchised and unrepresented, persecuted if they dared even to complain, they resorted for protection to secret organizations, such as General Forrest describes. We might show the flagrant outrages perpetrated in the impeachment of Judge Frazier because he dared, in obedience to his sworn duty, to issue the writ of *habeas corpus* on the petition of a citizen; how polls were closed in Nashville and elsewhere; how the most shameless and unblushing acts of tyranny were perpetrated by the governor; and we propose to give a few extracts from the testimony of one or two of the leading witnesses in the case of *Sheafe vs. Tillman*, to prove our assertions. Before doing so, however, we will lay before Congress and the country the proclamations and orders of the governor, declaring martial law, closing the courts, depriving the citizens of the counties named of all protection for life, liberty, and property, except such as his militia might give. Their treatment of the people was generally such as is illustrated in the fable of the wolf and the lamb, ordinarily on equally frivolous pretexts.

It must not be forgotten that the declaration of martial law was after Governor Brownlow had received assurances from the Government at Washington that the military arm of the United States would sustain the civil authorities of the State to any extent required in the preservation of peace and order. But that did not suit the governor. His East Tennessee militia and the negroes were more reliable for the purposes of the radical party; hence the proclamations and orders we now propose to set forth, without further comment, followed:

EXECUTIVE DEPARTMENT,
Nashville, Tennessee, September 16, 1868.

I, William G. Brownlow, governor of the State of Tennessee, in pursuance of the provisions of the act of the general assembly of the State of Tennessee, do call upon the good people, white and colored, of every county in the State, to proceed without delay to raise companies of loyal and able-bodied men, and report the same to me at Nashville. Whether any of the companies, white or colored, so called, will be actually called into the service and field, will depend entirely upon the conduct of the people themselves in the several counties. I earnestly hope that there will be no occasion to call out these troops, but that the efforts of all the citizens to preserve and maintain the peace will succeed, and thus obviate the necessity of this stern resort, but if, unhappily, better counsel do not prevail, and order is not restored, and I am compelled to put down armed marauders by force, I propose to meet them with such numbers and in such a manner as the exigency may demand, whatever may be the consequences I will not be deterred from the discharge of my duty herein by threats of violence

from rebel speakers or rebel newspapers, nor by any other means of intimidation. When companies are made up and reported to me, and I am compelled by outrageous exhibitions of criminal lawlessness, as before recited, to put them into the field a single company, and I earnestly invoke the co-operation of all citizens of the State to endeavor to maintain the laws and preserve order without military force. Claiming the right to select and commission the officers of the State militia, I will say, once for all, to gentlemen who undertake to make up companies, that if their commands are received by me, and they themselves are commissioned, I must have satisfactory evidence that they are thoroughly competent. The companies proposed to be raised shall be infantry, and shall consist of not less than eighty nor more than one hundred effective men to each company. Those desiring to form companies can proceed at once to do so, under the warrant of this proclamation, without other or further correspondence with me on the subject.

Aware that a pretext will be eagerly sought by the rebels, who are bitterly hostile to the elevation of the colored man, to precipitate a war of races, and desiring to avoid all occasions for such a pretext, and not at all as doubting the courage or soldierly qualities and abilities of the colored man, I shall first call into the field only white troops, holding the colored companies, when organized, as a reserved corps, to be called out, if it should be found necessary, to suppress insurrection. If the two should be found unequal to the work, I will call on the United States Government to assist me, until armed resistance against the State authorities shall be entirely overthrown.

Since writing the foregoing, a committee from the legislature of Tennessee has arrived at Washington, and held a conference with the President of the United States, the result of which is as follows:

“ WASHINGTON, September 12, 1868.

“ To His Excellency, William G. Brownlow :

“ Our mission is accomplished. The President will sustain the civil authorities. Orders have been issued to the department commanders to sustain and aid the civil authorities, and sufficient force will be furnished to accomplish such a purpose.

“ W. H. WISNER,
“ T. A. HAMILTON,
“ J. H. AGEE,

“ Committee.”

Should the department commander be furnished sufficient force to keep order, I will cheerfully co-operate with him, and, in that event, the State Guards may not be called into service. I again express the hope, most sincerely, that neither the United States troops nor the State Guards may be called into actual service; still, I deem it my duty, under the foregoing act of the general assembly, to go on and organize companies and regiments, and to be in readiness for any emergency that may arise. Inasmuch as I prefer that these troops be raised in East Tennessee, no limit to the number of companies shall be required from any one county.

In testimony whereof I sign the same this 16th day of September, A. D. 1868, and direct that all the journals of the State, authorized to publish legal advertisements, shall give this proclamation one insertion.

WILLIAM G. BROWNLOW,
Governor of Tennessee.

Across the face of the proclamation-book in the executive office is written :

This proclamation appeared in the Knoxville Whig, but was never sent to my office for the great seal, nor was it ever countersigned by me. The original is not on file in my office. Its authenticity is not officially proven to my office. It cannot therefore be certified as authentic. No mere newspaper proclamation will be received in this office.

A. J. FLETCHER,
Secretary of State.

PROCLAMATION.

EXECUTIVE OFFICE,
Nashville, Tennessee, October 19, 1868.

Whereas by an act of the general assembly of the State of Tennessee, entitled “ An act to legalize the acts of the governor,” passed February 26, 1868, it is made the duty of the governor, when frauds and irregularities have intervened to the registration of any county, to set aside said part or whole of said registration by proclamation; and whereas it has been made known to me that frauds and irregularities have occurred in the registration of the county of Lincoln: now, therefore, I, William G. Brownlow, governor of the State of Tennessee, by virtue of the authority in me vested, and in the discharge of the duty imposed upon me by the first section of the aforesaid act of the general

assembly, do hereby set aside and declare null and void all that part of the registration of our county of Lincoln made by A. H. Russell, late registration commissioner.

In testimony whereof I, William G. Brownlow, governor as aforesaid, have hereunto set my hand and caused the great seal of the State to be affixed, at the department in Nashville, on this 19th day of October, 1868.

[SEAL.]

By the governor:

A. J. FLETCHER, *Secretary of State.*

W. G. BROWNLOW.

PROCLAMATION BY THE GOVERNOR.

Whereas there are now sixteen hundred State Guards at Nashville, armed and equipped, under the command of General Joseph A. Cooper; and whereas these troops are intended to preserve the peace and enforce the laws in counties heretofore partially in rebellion.

Now, therefore, I, William G. Brownlow, governor of the State of Tennessee, do hereby proclaim martial law in and over the following-named counties, to wit: Overton, Jackson, Maury, Giles, Marshall, Lawrence, Gibson, Madison, and Haywood.

And I further direct that General Cooper distribute these troops at once, and continue them in service until we have unmistakable evidence of the purpose of all parties to keep the peace.

It is further ordered in this proclamation that the general in command shall enforce the most rigid discipline among his troops, requiring them in every particular to conform to strict military discipline, showing no quarters to either officers or privates who shall be found guilty of habitual drunkenness.

In testimony whereof I have caused the great seal of the State to be attached hereunto, this 20th day of February, 1869; and I order that the same be inserted three times in each of the newspapers entitled to public legal advertisements.

WM. G. BROWNLOW,
Governor of Tennessee.

STATE OF TENNESSEE, OFFICE OF ADJUTANT GENERAL,
Nashville, Tennessee, February 10, 1872.

I, John S. Wilkes, adjutant general of the State of Tennessee, hereby certify that the annexed is a complete and perfect copy of General Order No. 4, issued from headquarters Tennessee State Guards, Nashville, February 23d, 1869, as the same appears of record in my office:

[General Order No. 4.]

HEADQUARTERS TENNESSEE STATE GUARDS,
Nashville, February 23, 1869.

In obedience with the proclamation of his excellency the governor, dated February 20, 1869, Lieutenant Colonel L. B. Gamble, commanding First Regiment Tennessee State Guards, is hereby ordered to move the five companies composing the right wing of his regiment, to the town of Pulaski, in Giles County, where he will establish his headquarters. His district shall comprise the counties of Maury, Giles, Marshall, and Lawrence; he will suspend civil law in the limits of said district. Any person or persons disturbing the public peace will be tried by a military court and summarily dealt with. Colonel Gamble will hold his command under strict discipline, and will severely punish any officer or enlisted man who may be detected in any violation of the rules and articles of war.

All supplies of quartermaster and commissary stores will be furnished, when practicable, by the quartermaster general of the State.

Should it be necessary, in any instance, to send out a forage party, they must be accompanied by the regimental quartermaster, who will receive written instructions from the officer commanding the battalion.

Any officer or enlisted man detected in pillaging, marauding, or in any manner whatever disturbing any peaceful citizen pursuing the ordinary avocations of life, will be tried by a drum-head court-martial, and promptly punished. The general commanding, feeling the responsibility of his position, earnestly exhorts each officer and enlisted man to aid him in preserving the peace of the country and restoring law and order.

The quartermaster department will furnish the necessary transportation.

By command of Brigadier General Jos. A. Cooper:

JOHN COOPER,
Lieutenant and Aide-de-Camp.

In testimony whereof I hereunto set my hand and affix my seal of office at Nashville, February 10, 1872.

[L. S.]

JNO. S. WILKES,
Adjutant General, Tennessee.

A number of witnesses testified as to the lawless, tyrannical, despotic character of the governor and his subordinates in the case of Sheafe *vs.* Tillman. We will only make a few extracts from two of them. First:

A. A. STEELE, being first duly sworn, deposes as follows:

Question. Mr. Steele, will you be good enough to state your age, residence, and occupation or profession?—Answer. My age is thirty-nine years; live in Lewisburgh Marshall County, Tennessee; was born and raised in this county; am a lawyer by profession.

Q. If you have been a member of the Tennessee legislature since the war, please state when you were elected, and to which branch, the senate or house.—A. I have been a member of the house of representatives of the Tennessee legislature before and since the war; was elected since the war in March, 1865, and was re-elected on the 29th day of March, 1866.

Q. Were you at the election in Lewisburgh in August, 1867, at the time Governor Brownlow was last a candidate for Governor, and when Messrs. Mullins and Cooper were candidates for Congress; if so, state how that canvass and election were conducted?—A. I was in Lewisburgh all day during the August election, 1867. Mullins and Cooper were candidates for Congress and Brownlow for governor. This was the first State election in Tennessee under the franchise law, enfranchising the negroes and disfranchising a large majority of the whites; the first time the negroes were voted. Most of the negroes in this county were first sworn into the radical Leagues by white leaders, and then certificates to vote were given to those qualified by law, and in some cases to negroes under twenty-one years of age, or not residents of the county. It was very difficult, if not impossible, for any colored man or white man to get a certificate to vote unless he either belonged to the League, was vouched for by men of the radical party, or had voted in the February and March elections in 1865. I know that several good Union men were refused certificates by our register of voters solely, as I believed, because he thought they would not vote for Brownlow; at least, it was very difficult for any of them to get a certificate, and quite easy for any man, even of rebel antecedents, to get a certificate to vote if he voted right, as it was called; that is, was "loyal," and for Brownlow. The radical party in this county held a convention in Lewisburgh, and the negroes came to it from the different Leagues, with their arms. There was no occasion for this. At the election in Lewisburgh the negroes generally voted the "red" or republican ticket, handed to them by their white friends. They reminded me of a drove of sheep buddled to be driven into an inclosure, or a flock of partridges into a net. Very few, if any of them, could read their tickets. They voted in a body, like soldiers deliver their fire under orders. There was then stationed here in town a company of Brownlow militia, under the command of Captain Rickman. They were all at the fair-grounds on that day, except a squad of fifteen men, sent that day to the third district of this county. The militia were under the control of partisan influences, and had much to do, as well at the Loyal Leagues, in persuading, overawing, and securing the colored vote for the radical ticket, and, in effect, intimidating or keeping away from the ballot-box many white voters. The election was not what I would consider a free one; it was a burlesque on republican government, and conducted entirely in the interest of the dominant faction and its candidates.

Q. You say you were elected twice to the Tennessee legislature of 1865-'66; were you not elected the first time in March, 1865, as a radical Unionist, on a general ticket headed by Brownlow, and voted for all over the State?—A. I was elected as a Union man; there was then, in 1865, no such term known and used as "radical Union," at that time. The term "radical" got up after the war ended, and I think is and was applied to such men as were in favor of disfranchising the whites of Tennessee, and elevating the negro politically above the majority of white men; and is a term used to call all by who are in favor of the congressional plan of reconstruction in contradistinction to Union men opposed to the plan of Congress, or the Brownlow policy, in Tennessee. The term radical I apply to mean the men who compose a new political party formed since the war. I was elected on the general ticket, a majority of which ticket afterward changed and turned to be radicals.

Q. Did you not resign your seat in the legislature to defeat the radical measures of colored suffrage and the fourteenth amendment to the Constitution of the United States?—A. I did not resign for any such purpose, and you ought to know it. At the time I resigned my seat, February 26, 1866, the fourteenth amendment to the Constitution had not been proposed or adopted by Congress; it was adopted in June, 1866, and first proposed to the Tennessee legislature in July, 1866. At time of my resignation, the radical party in the legislature refused the proposition offered them by the conservative Union members, which was universal suffrage for black and white in Tennessee. The radical members refused this. At that time there was not a vestige of a chance to pass a colored suffrage bill in the legislature; three-fourths of the radicals were then

opposed to it, although they had a large majority in the legislature, and it was not till a year after, in February, 1867, they passed the colored suffrage bill. I resigned my seat because I was satisfied that the radical measures of disfranchisement of the white people would ruin or greatly injure the peace, happiness, and prosperity of the State, and to try to prevent the government of Tennessee from becoming an oligarchy and military despotism, which it has been ever since.

Q. You are charged, in the foregoing exception to your cross-examination, with a desire to advance the claims of contestant to a seat in Congress; please state precisely what your desire is in this regard.—A. I desire Congress to do justice to the claims of Tillman and Sheafe, and give the seat to the one entitled, whether Tillman or Sheafe. Like all the rest of the voters of my county, under the franchise law, democrats and republicans, I feel sensitively when the vote of this and other counties are set aside or thrown out after an election by the governor, in disregard of their constitutional rights, when the people don't vote to suit him, and do not elect the candidates that are his political friends. It is robbing me and the other voters of this county of our vested rights and votes as loyal citizens of the United States, and I wish and hope Congress to put an end to such usurpations here in Tennessee, whether in behalf of republicans or democrats, black or white. I feel that the governor of Tennessee has no right to throw out votes at his pleasure, to elect or defeat either Sheafe or Tillman, or anybody else. This is the extent of my desire, and nothing more; I would not knowingly do either gentleman any injustice.

Second. Hon. Edward Cooper, who said :

I was a warm, zealous, and unflinching advocate of the Union of the States, and of the Government of the United States. I was one of the few men in Tennessee west of the mountains who, at the risk of my life, defended and maintained, on the stump and in public speeches, our duty to be loyal to the Government of the United States. The flag of the United States, during the severe struggle that occurred in this State previous to the adoption of the ordinance of secession, floated from a pole in my front yard, and as often as its halyards were cut and torn down by those who differed with me in opinion, I again flung it to the breeze until the secession ordinance was adopted; then it was taken down, and folded away, and preserved until the return of the Federal forces, when it was once more unfurled to the breeze.

I was the Union candidate for the convention called to assemble in Tennessee, in January, 1861, from the county of Bedford, and was elected by an overwhelming vote, having no opposition. The convention, however, at that time, was voted down. At no time, after the State seceded, was I a candidate for office, until the State was rehabilitated by the loyal citizens, and restored to its practical relations with the Government. I was imprisoned, or rather arrested, by the confederate military authorities, and held by them as a political prisoner, until I was exchanged by cartel between the Government of the United States and the military authorities of the rebellion. I was exchanged for Hon. James S. Foster, of Nashville, Tennessee. I was never in the military service of the United States.

Q. In the summer of 1867 were you a candidate for re-election to the Congress of the United States?—A. I was.

Q. Please state the circumstances under which you made that canvass. If the registration of voters in any of the counties composing your district was interfered with, please state all you may know about it, particularly in the counties of Lincoln, Franklin, and Coffee. If any military force was sent into the district, please state, if you remember the counties to which they were sent, what sort of troops they were, and how they behaved, and, in short, all that you may know, if anything, of the causes which prevented a free and fair canvass and election at that time.—A. At the outset of the canvass, I felt that if the registrations were not interfered with, and the voters, qualified under the law, had the opportunity to vote, my election was certain. About eight thousand of the twenty-three thousand voters of the State of Tennessee who, on the 22d day of February, 1865, adopted the amended constitution abolishing slavery, and of the voters who, on the 4th day of March, 1865, elected William G. Brownlow governor, were found in the counties composing my congressional district. Under the law they were qualified voters. Shortly after the canvass opened, the registrations of the counties of Lincoln, Franklin, and Coffee were, by proclamation of the governor, set aside, and new registrations ordered, and new registrars appointed. After the registration of Lincoln was set aside, the poll-books, upon which the names of the voters who had voted in the elections of the 22d February, 1865, and of the 4th of March, 1865, and a copy of which, properly certified, was evidence on which the register, under the law, was authorized to issue new certificates, were stolen, so that they could not be produced, and hence, under the ruling of the register, he would issue to said voters no certificates, unless they would prove by "two unconditional Union men, known by him to be such," that they had always been loyal to the Government. This could not be done in that county, although, under the law, there were not

less than two thousand qualified voters. I remonstrated with Governor Brownlow about his exercise of power in the case, and asked him to permit the registration of Captain Ship, who was his appointee, and who had been loyal to the Government of the United States and a captain in the cavalry regiment, commanded by Hon. W. B. Stokes, at present a member of Congress from this State, to be reinstated. This the governor declined to do, using this language, as near as I recollect, "that our friends say that Captain Ship has married into an influential rebel family, and although he may not have acted wrong in the previous registration, they feared that he might thereafter do wrong." This letter was accompanied by verbal information, through a friend, that, if setting aside the registration of Lincoln, Coffee, and Franklin was not enough to defeat me, the governor would set aside a few more. This made my case a hopeless one. Under the law, if properly carried out, I felt that I would have received not less than two thousand votes in Lincoln, one thousand in Franklin, and eight hundred in Coffee; but my vote in all of them was so small that I really do not now remember it. Connected with the fruits of the refusal of the registers to do their sworn duty in said counties, and the willful omission to register, my district was, just before the election, flooded with troops—Tennessee militia—mostly made up of troops from East Tennessee. They were stationed at Tullahoma, in Pulaski, at Lewisburgh, at Fayetteville and Murfreesborough, and squads were sent out to each precinct. I know of no action on the part of the militia, except they were strongly opposed to my election, and strongly in favor of Governor Brownlow and my competitor, and they had no hesitation in so stating at public speakings or elsewhere. They were particularly demonstrative at Tullahoma, where I spoke, in company with Captain C. A. Sheafe, who was a candidate for the senate on the democratic side. It is due from me to bear testimony to the kind treatment I received from the company of militia located at Lewisburgh and Pulaski, commanded by Captain Mankin, of this county, who always treated me courteously, although differing from me politically. In my opinion, the conduct of Governor Brownlow was unjustifiable; he used the power of his office for my defeat; there were no charges against either of the registers of having acted wrongfully, illegally, or fraudulently on file in his office at Nashville, or that of the secretary of state. I looked to see; none could be found. It was the act of a partisan, for party purposes, and it succeeded.

With such a government, it is easy to see how men thus driven to desperation would do almost anything.

There is no doubt about the fact that great outrages were committed by bands of disguised men during those years of lawlessness and oppression. The natural tendency of all such organizations is to violence and crime; hence it was that General Forrest and other men of influence in the State, by the exercise of their moral power, induced them to disband. Circumstances favored them; Governor Brownlow determined to go to the Senate of the United States; of course his legislature sent him. His partisans, Stokes and Senter, quarreled as to who should be his successor as governor; each promised to enfranchise the white men of the State, if elected. Senter succeeded; more liberal legislation followed, the radicals lost the State, the people of Tennessee were set free, peace and order at once prevailed, Ku-Klux disappeared, and now, although a special sub-committee was authorized to visit Tennessee and examine her condition, the majority, well knowing what a damaging contrast her peaceable condition under democratic rule and universal suffrage would present to her deplorable condition under radical domination over an insulted, down-trodden, and outraged people failed and refused to go and give the country the benefit of the facts which such an investigation would have developed.

It is so everywhere; like causes produce like results. Sporadic cases of outrages occur in every community. The Scranton riots in Pennsylvania, the Ku-Klux (which now seems to be the fashionable name for all disguised bands) in Indiana, illustrate that. But, as a rule, the worst governments produce the most disorders. South Carolina is confessedly in the worst condition of any of the States. Why? Because her government is the worst, or—and what makes it still worse—her people see no hope in the future, as Texas and other States do. There never was a Ku-Klux in Virginia—nobody pretends there ever was. Why?

Because Virginia escaped carpet-bag rule. Why are the States of Alabama and Georgia to-day in an infinitely better condition than they were two years or even one year ago? Simply because they have got rid of their oppressors; and, in spite of the wanton malignity of the radical wing of the republican majority in Congress, which persists in keeping their most intelligent men under disability, excluding them, in order to produce discontent, from all power to hold even local offices, they are, as States, as peaceable and orderly to-day as any States in the Union.

When this committee commenced its labors last spring, a number of prominent cases of Ku-Klux riots were paraded as undoubted evidence of extended general political organizations for the purpose of intimidating loyal men, controlling elections, putting rebels in power, and for subverting the State, if not the Federal Government. Conspicuous among them were the riots at York, Laurens, and Union, in South Carolina, which we have shown conclusively, in the minority report from the sub-committee sent to that State, were all radical outrages in their commencement, and that politics had nothing to do with the retaliation which followed. In Alabama the riots (so called) at Eutaw, Paytona, and Huntsville; in Georgia, the killing of Dr. Darden; in Mississippi, the Meridian riots, and in North Carolina, the troubles in Rutherford with the Biggerstaffs, were confidently pointed to as conclusive evidence that the rebel element was determined to exterminate loyal men in all these States. Other isolated cases were referred to, but these were the great events with the enormity of which the people were to be appalled, and by reason of which the President was expected to make himself military dictator over these States under the Ku-Klux bill, and thus secure his re-election. Each of them was investigated, probed to the bottom. We will notice the evidence as to each, and we assert in advance that there was nothing in any one of them which shows anything that sustains a single allegation made against the people of these States.

Beginning with Alabama and taking up the Eutaw matter first, relative to which a mass of evidence was heard, and all sorts of opinions given by men of all shades of politics, it may be stated thus: In October, 1870, while an excited political contest was progressing in Alabama for governor, members of Congress, &c., both parties had advertised that they would hold political meetings and have public speaking in Eutaw on the same day. Distinguished gentlemen on both sides were present. An effort to hold a joint discussion failed, and the democrats commenced speaking in the court-house yard an hour or more before the republican speeches began. Instead of going to some other point, the republicans determined to hold their meeting in the court-house yard, also on the opposite side of the court-house; whisky was circulating freely. After the democratic meeting closed many of them went to the republican meeting. Mr. Warner and Governor Parsons had spoken. Major Hays, the republican candidate for Congress, was about to take the stand for some purpose, when a shot was fired from the crowd of negroes which went through the leg of Major Pierce's pantaloons above his knee. That was the signal for a general firing, and a stampede of the negroes, several of whom were wounded. Mr. J. J. Jolly and John G. Pierce, esq., both lawyers in Eutaw, men of character and intelligence, thus describe it:

Mr. Jolly said, (see page 268:)

Question. Were you present at the meeting in October last at which the riot was said to have occurred?

Answer. Yea, sir.

Question. Please go on and give to the committee in detail, without further question, your history of that occurrence as you saw it.

Answer. Both parties, the democratic and the republican parties, had announced meetings for that day; their notices were stuck up, informing the public of that fact. On the morning of the 25th of October some gentlemen, authorized by the republican party, addressed a note to the president of the democratic council of that county, proposing a joint discussion. Our council was called together to pass upon the propriety of a joint discussion; and we agreed not to hold a discussion, and so notified them, for the reason, in the first place, that we did not consider there was anything to be discussed; and in the next place, for the purpose of avoiding even the probability or the possibility of a difficulty, if it could be avoided; those were our reasons. I was one of the committee which was instructed to inform the committee of the republican party of that fact, and the note is in their hands. We addressed them just such a note as we were instructed to address them by the democratic council, Major Pierce and myself. After we declined the discussion, the democratic party immediately assembled their meeting on the north side of the court-house square.

Question. The discussion was declined before either party had commenced their meetings?

Answer. The democratic meeting was called together just about the time that we declined to enter into a joint discussion. The meeting on our side, the democratic side, passed over very quietly. After the meeting had closed—

By Mr. VAN TRUMP:

Question. Right there state how long the democratic meeting lasted, and how many speeches were made.

Answer. I think there were three speeches made, and, I suppose, it lasted about two hours.

By Mr. STEVENSON:

Question. Did you go right on with your meeting after the council resolved not to discuss; did you proceed to organize?

Answer. Yes, sir.

Question. Simultaneously with sending the notice?

Answer. Yes, sir; and when we returned, our meeting had assembled and one of the speakers was on the stand. After our meeting closed, several of our young men, young men from the democratic side of the square, went around to the republican meeting. Senator Warner and Governor Parsons made speeches. During Governor Parsons's speech the noise became a little louder than we thought it ought to be. There was simply a fusillade of questions going on; and one of our old citizens came to my office and asked me to walk around with him and see if there was any prospect of trouble, and to aid in stopping it. The sheriff also asked me to do so. We went around there and saw one or two young men who had been drinking. We took them away and carried them to my office. Governor Parsons concluded his speech, and at the conclusion of his speech Major Hays attempted to speak, or got upon the stand; whether his intention was to speak or not, I do not know; I have understood since that he did not intend to speak; but he got up on the stand. Just at that time there was a colored man who was a democrat trying to get up on the stand also to speak. He was among his colored friends, and, I suppose, he thought he had as much right to speak there as anybody else. During the rush for him to get up on the stand, and immediately after Major Hays got upon the stand, there was a rush from the crowd of colored people in front, (there were about a thousand there,) and in the rush he was either pulled off or he fell off the stand; I do not know which, for I did not see him.

Question. Who was pulled off?

Answer. It was said that Major Hays was either pulled off or fell off the stand. I did not see it, and I do not know it, for I was not in a position to see it. Just before that occurred, however, Major J. G. Pierce, knowing that Major Hays was extremely obnoxious to our people there, as he is, and we think deservedly so, went up to Governor Parsons and requested him to try and persuade Mr. Hays not to speak, for he feared it might lead to trouble. Just at that time, when he was talking to Governor Parsons on the subject, and Major Hays was upon the stand, Major Pierce was shot at from his rear by a negro in the crowd to his rear; he was shot through his pants, and then the firing became general.

By the CHAIRMAN:

Question. Were you in a position to see that?

Answer. I saw the smoke from the pistol. I did not see the man who shot it, but it was in the crowd of colored people, very near the main entrance or door which goes into the main entrance of the court-house building, just to the right of the door. Then, of course, the firing became general. There was firing from our side, and after a little, after the immediate stampede was over, there was firing back from the colored side. The Federal troops were then called on. They came into town, and being seen

by the negroes and the white people, too, the difficulty was over, soon stopped, almost instantly.

By Mr. VAN TRUMP :

Question. Was the smoke from this pistol you speak of from that part of the crowd composed entirely of negroes, or was it a mixed crowd, white and black ?

Answer. There were no white people at that point at all; the white people were in the door of the court-house, and in the clerk's office. The clerk's office was immediately behind where the stand was placed.

By Mr. BECK :

Question. That was the first fire ?

Answer. Yes, sir.

Question. Did any of them die from their wounds ?

Answer. No, sir; not one.

Question. You say, then, that there was no design on the part of anybody to bring about a difficulty on that day, but, on the contrary, your design was to avoid one ?

Answer. Yes, sir; the design expressed and felt by us all was to prevent any trouble whatever.

Question. Had you no apprehension of trouble from calling the two meetings on the same day ?

Answer. Well, sir, I do not know that we had, except in the excited state of the public mind. Our impression about the matter was that the best way to prevent a difficulty was to have our meeting in a different part of the town and apart from the republican meeting, and we endeavored to hold all of the democrats, the young men particularly, away from there, and keep them at our own meeting and apart from the others. Our people, the white people, are not exactly satisfied with the condition of things there, and we thought it was best to keep them apart.

Question. Did you think the best way to do that was to call the two meetings on the same day ?

Answer. I do not know that there is any more reason for supposing—indeed, I do not think there would be any less probability of a difficulty with a republican meeting called in Eutaw alone than there would be to have two meetings in different parts of the town; and an effort made to keep them apart; I think there would be more reason for difficulty.

Question. Why did you not keep them in different parts of the town ?

Answer. We did; we called ours together first, and on the north side of the court-house; they had a right to hold their meeting where they pleased.

Question. The two meetings were held with only the court-house between them ?

Answer. Yes, sir.

Question. Did you not advertise for that meeting as speakers gentlemen who you knew could not be there on that day ?

Answer. No, sir; we did not.

Major Pierce said, (see page 301 :)

Question. Mention has been made here of your presence at a meeting in Eutaw, where the riot or disturbance occurred in October last, and you have been subpoenaed in consequence of your name having been connected with that proceeding. Give to the committee, as briefly and clearly as possible, your account of that occurrence. State in the first place the date of it.

Answer. The riot at Eutaw occurred in October last. I was present on that occasion, and saw what was going on, and know pretty much about it. I do not know exactly where to commence. I must commence, I suppose, at the commencement of the riot, or "route," as it was called. General Warner had about finished his speech when I got to the place where he and Governor Parsons and Mr. Hays and others were to speak. I wanted to hear Governor Parsons speak. I knew that he had made several good democratic speeches, and I never had heard him speak since that time; and I had a curiosity to go round there and hear him speak. I went round. Just about the time that he finished his speech I walked up to him. I knew him, as I thought, very well, and I thought he knew me. I was in the legislature when he was provisional governor of Alabama. I approached him and told him there were several drunken men about there, and that we desired there should be no disturbances; that he and Warner had made their speeches, and I thought it was nothing but due that if he had any control over Hays, who was very obnoxious to the people of that county, and had made himself so deservedly, he should not let him speak if he had any influence with him, or else break up the crowd and go home. He then turned around, without answering me at all, to speak to General Warner, and I presume upon that subject. Just about that time, as he turned around, Hays came upon the stand. I was standing with my back to him, and in front of Governor Parsons. Almost in half a second, as soon as Governor Parsons

turned round to speak to General Warner, somebody fired a pistol. I do not know who it was, but was informed afterward who it was, and I was told it was a negro, who had shot at me. I saw three witnesses who told me it was fired directly at me. My back was turned. The ball went through my pants. After that there was a general firing in the air by young men, and a general stampede among the negroes. I do not know what became of Hays or Governor Parsons or General Warner. They went off. I got up on the table after they went off. I thought it was all fun; I had no idea anybody was shooting at anybody. I got on the table and laughed extravagantly at the way the negroes were flying and running about; they broke down the court-house palings jumping over. My office, from the position I was occupying, was right in front. The negroes rallied across the street, and fired back several pistols, right toward the court-house, and then they broke and ran down the street.

By Mr. BLAIR:

Question. You were not aware at that time that the ball had penetrated your pantaloons?

Answer. No, sir; I was not aware of it until I got across the street.

Question. What part of your pantaloons was pierced by the ball?

Answer. Just about the thigh, about four inches from the crotch; it entered the back part and went through.

It was just such a scene as might occur anywhere under such circumstances. It was magnified and exaggerated in every possible form; reports of the death of thirty or forty negroes were circulated in all the papers of the North. The cry was raised that no loyal man was safe in Alabama. The Federal courts intervened; a large number of the young men of Eutaw were carried to Mobile for trial; every device was resorted to in order to magnify it into a great conspiracy. It has proved a failure; the country understands it at last, and unless something better can be trumped up, the men of the North and West will hardly consent to see Alabama put under martial law because of the Eutaw riot.

The next great event was the Cross Plains or Peytona Ku-Klux affair, which Governor Parsons, a recent convert to radicalism, sought to use as a means of putting the State of Alabama under martial law, and thus ingratiate himself with the President because of his "loyalty." William H. Forney, a distinguished lawyer of Jacksonville, Alabama, and a brother of Hon. John W. Forney, of Philadelphia, explains it so thoroughly, and exposes the infamy of the attempt to blacken the character of the people of Alabama on that account so completely, that we are content to submit it on his statement without a word of comment, as he was perfectly familiar with all the facts:

WILLIAM H. FORNEY sworn and examined.

The CHAIRMAN, (Mr. POLAND.) As this witness has been called by you, Mr. Blair, you will please commence his examination.

By Mr. BLAIR:

Question. State where you reside, how long you have resided there, and any official position which you may occupy at the present time.

Answer. I am from Alabama, the town of Jacksonville, in the county of Calhoun; I have resided there for over thirty-five years. I do not hold any official position at this time, but I am engaged in the practice of the law, and practice in five or six counties.

Question. In that circuit?

Answer. Yes, sir; I practice in all in that circuit and one county more.

Question. Among the objects that this committee has in view, one is to ascertain as far as possible the condition of affairs in the Southern States in respect to the protection and security of life and property, and the enforcement of the laws generally. Please to state as far as you have any information or knowledge upon that subject.

Answer. As I have stated, I am frequently in some five or six counties, and attend the courts regularly. I am satisfied that any person who visits that country is safe in his person, and that the law is rigidly enforced there; I might say that all are safe in their persons and property.

Question. What are those counties in which you practice?

Answer. Cleburne, Calhoun, Cherokee, Etowah, and St. Clair in my circuit; and then I practice in De Kalb and Talladega, but not so much as in these other counties; these are the counties composing the twelfth judicial circuit.

Question. Is there any secret organization of disguised persons whose purpose is to resist the law?

Answer. There is no organization there to resist the law. In my county bands of disguised men have appeared on several occasions, in numbers ranging from five or six to probably as high as fifty; they appear in disguise; but I do not believe that they are organized for the purpose of resisting the law; it is merely to take the law in their own hands, and chastise parties; it is more in the nature of a patrol. With the exception of one case, I never knew them to do anything outside of whipping parties; and those that they whipped were offensive to the people from the fact that they regarded them as drones in society, and thieves, rascals, persons who paid no attention to or took no interest in the care of their families; persons who visited bawdy-houses, and rather kept that kind of people. Those places have been visited and the people chastised. Negroes who made their living entirely by thieving have frequently been whipped. This organization does not seem to pay any respect to persons. Wherever a man of that character appears, whether white or black, they would whip him; but they do nothing more than to whip him.

Question. It had no political consequence?

Answer. None in the world. The last one they gave an order to was a democrat. I do not think the parties who compose the organization know much about politics, and they do not care much about politics. I do not think the politicians of the country have anything to do with it; leading politicians of the country are opposed to it.

Question. We have had here the testimony of Mr. Parsons in reference to a case of violence that occurred in Calhoun, at Cross Plains; the occurrence took place in 1870, and there was subsequently an inquiry by one of the judges of the State?

Answer. Yes, sir; that is the one I alluded to as the exceptional case where there was violence done.

Question. I wish you would give us an account of that case, and what connection you had with it.

Answer. I was an attorney for some eight or ten young men who were arrested upon a warrant issued by Judge Peters. Judge Peters was selected by the governor of the State to investigate that matter thoroughly; he is one of the associate justices of the supreme court. The justices of the supreme court have jurisdiction all over the entire State; the circuit judges have jurisdiction only in their respective circuits. It was thought necessary to have a judge whose jurisdiction extended over the State, in order to bring up witnesses from any portion of the State. That was the excuse given for selecting a judge of the supreme court. The investigation commenced in August, and lasted two months; during that investigation I suppose one hundred and twenty or one hundred and thirty witnesses were examined, and at least seven hundred or eight hundred foolscap pages of testimony were written down. Governor Parsons represented the State; he is regarded as one of the first lawyers in the State. I was there present all the time. The evidence tended to establish this fact, that on the 10th of July—

By the CHAIRMAN, (Mr. POLAND:)

Question. In what year?

Answer. The evening of the 10th of July, 1870; a difficulty occurred between a young white man, who is about seventeen years of age, of the name of Patrick Craig, and a negro boy, about some trivial boyish matter; they got into a difficulty and had a fight. There were a great many white persons and colored persons around, but no one participated in the fight. About the time it was all over the southern train came up, and the firemen on the southern train, black men, made some demonstration to take part in the fight. That was resisted by the white men around there, but nothing grew out of it. It was a small matter, nothing serious; I do not suppose the white boy or the negro was very seriously injured; they got up near a wood-pile and threw some billets of wood at each other. No one paid any attention to it. The boy ran off toward Paytona; that is a depot of the Selma Railroad, and is about three-quarters of a mile from Cross Plains. At Paytona there is a large number of employés belonging to the railroad, mostly negroes. I suppose there would be one hundred and fifty negroes there, probably of all ages and sexes, and perhaps fifty men. Nothing more was thought about the matter until about 9 o'clock at night. There is a negro there by the name of Oliver Duke, who was regarded in that country as a democratic negro, and not very popular with his color on that account. Near the village of Cross Plains is a little place called Tobetown, but really a part of the town; it takes its name from the chief negro who lives there. I suppose there are five or six cabins there, all occupied by colored people. This Oliver Duke came from that place, very much frightened; he met a daguerrean artist there, who was out hunting for his family physician, and said to him that he had seen a number of armed negroes in Tobetown, and he was satisfied they were bent on devilment, that they intended to do some mischief that night. He then went on to the hotel where he was staying, and told the same to his employer. This daguerrean artist went to the church and communicated

it to some persons outside there. As soon as the congregation was dismissed, of course it was rumored around that the negroes had congregated in Tobetown, with a view of making an assault. The women became very much frightened, and a great many of them remained in church; some few started on home, not believing there was anything in it. This boy, Patrick Craig, who had had the difficulty the evening before, in company with two boys of the name of Keith, and another friend, took a back alley that goes to the house of Mrs. Keith, and there they found a shot-gun and two or three pistols, and with them came out into the street. About the time they got into the middle of the street, the congregation from the church was passing along, but there were no negroes then in sight. In a moment eight or ten or fifteen negro men came out from behind a blacksmith's shop, and a negro called out, "Here they are," and fired his pistol into the crowd. Then another one fired, the wadding falling among the women; there were men, women, and children going along together. Of course, there was a panic then. One of the boys hallooed out, "Charge them," and rushed through the crowd of church-going people and fired his pistol. From that they had a skirmish; I suppose there were twenty or thirty shots fired. The negroes retreated and went in the direction of Paytona. After getting about two hundred or three hundred yards they rallied, got into a parley, and discussed whether they should return. They were rather boisterous; some were for returning and fighting it out, cursing some of the others for being cowards. After holding a council of war they resolved to "go down to Paytona and get seventy-five well armed men"—that was the expression the witnesses say they used—"and return and whip out and burn up the damned town." That was said in the presence of a man by the name of Steveuson; he was a carpenter and had the reputation of being an honest and industrious man. He went to the village and there he found the people in considerable stir, but not armed. He announced what the negroes had decided upon, that they would go to Paytona, return with seventy-five armed negroes, whip out the town, and burn it up. As soon as that was announced, of course they commenced to organize. It was then determined by the people that they would organize merely for defense. After that was agreed upon they found there was some twenty-five or thirty congregated, people from different parts of the village. The town is named Cross Plains because of the crossing there of two public roads. Some one said they should select some old man that would keep the youths of the town from doing any mischief. They called upon an old man by the name of Johnson, who is a merchant there, a very respectable citizen, probably as much so as any man in the village. He declined on account of his age. Finally they succeeded in selecting Major A. D. Bailey, who is the principal of the male academy there. Bailey agreed to assume command of the force upon condition that all would obey him. Well, it was understood that they would, and that they should act entirely upon the defensive, that they should not leave the village. He assumed command, and sent out and posted his pickets. After remaining there some length of time and hearing nothing from the enemy, he sent out some scouts; they returned and reported all quiet. After the thing had calmed down and become quiet they sent a party of young men up to Tobetown, to ascertain who the negroes were who were in the place. From a negro woman living there they got the names of about ten who were up there that night. They took a list of the names, and about 2 o'clock, as the northern train was going toward Paytona, Major Bailey thought it best to go on the train and go down the road, in order that no one of those ten whose names were on the list should escape. He took eight or ten men, and stationed them along, and gave them directions to let no one get on the train whose name had been furnished them. It turned out that no person of any kind attempted to get on the train that night. After the train left, one of the employés, or the attachés, of the railroad, came to Major Bailey and told him that there was a wounded negro in one of the cabins. Bailey went there with his friends and found out that the negro had been wounded with squirrel shot. The negro finally admitted that he was with the party who had made the attack on the town there, and Bailey then told him that he must go with them. It was then getting about 4 o'clock in the morning, I suppose. Bailey told the negro that he would not be hurt, but they wanted him up there, as he was one of the party that was in the attack; and, in addition to that, they wanted to get information as to who really were the other persons. The citizens had met and had sent a runner to Jacksonville, where the sheriff resided, with a request for him to come up in the morning and have the matter investigated. About the time Bailey was sending off this wounded negro some of the boys of his party came to him and told him that there were a number of negroes advancing upon them. He ran out and halted them; he could hear the click of their pistols. Bailey announced to them that they must not advance any further, and they made no further attempt to advance. Soon thereafter two other negroes came from another direction; they were ordered to halt, but before doing so they clicked their pistols and snapped. A boy by the name of Keith, I think, shot at them, and hit a negro, who turned out to be a negro by the name of Jacob Moore. They took him and carried him back to the village, Bailey stopping those who were approaching and giving orders to his men not to fire, that there must be no

shooting. He brought up the rear, driving his own party ahead, and hallooing to the negroes near by, some five or six as it was reported, not to come any further. They did so, and there the matter ended. During the night they had sent runners in various directions, asking the people to come in and protect them. One man had gone I suppose ten or fifteen miles, and by daybreak he had come back with twenty white men. Runners were sent in other directions, and by sunrise the next morning I suppose there were from fifty to seventy-five persons from the country who had come in armed. They believed there had been an attack on the town, and they thought it was necessary for them to come in and protect the people. The bailiff of the beat and the justice of the peace were sent for; regular affidavits and warrants were issued. The party there returned to Paytona for the purpose of arresting the negroes whose names had been furnished them. A white boy by the name of Keith said that there was a white man in the crowd, that he thought he had seen him. When they got to Paytona, as they were passing along by the house of a white man by the name of William C. Luke, a Canadian, who was teaching school there, this white boy pointed him out as the man that he thought he saw the night previous. They had no warrant for him, but they told him of the fact, and he said he was willing to go with them and have the matter investigated; and he went on to the village; I suppose a great many negroes were carried up as witnesses, and some ten or twelve as prisoners. They had an investigation before Justice Neighbors; a large number of people had congregated to hear it. The investigation ended a little before sundown, and they adjourned over until the next morning. The sheriff was directed by the justice to get a sufficient guard to hold the prisoners until next morning. Some believed that they might be rescued from them; that the negroes would rescue them that night. The sheriff summoned some eight or ten persons for that purpose. About night-fall it was announced that one of the negroes who was considered as a party engaged in the affair of the night before was down at Paytona; and the deputy sheriff ordered some young men to go down there and arrest him. In doing so, when they got near Paytona, they discovered a little negro boy running down to a place called the tank; they overtook him and asked him where he was going; he said he was going to tell Jim Hughes, the negro they were after, to leave. They asked him who told him to do that; and he said that William Hall told him so. By that time they came to William Hall's house, and the white men arrested him.

By Mr. BLAIR:

Question. Was he a negro?

Answer. Yes, sir; a negro. They delivered him to the sheriff, and said, "This is not one of the party that we were sent for, but he gave information to Jim Hughes, the party we were after, to leave, and we thought he ought to be taken up for doing that." The deputy sheriff said, "Put him upon the stand with the balance," and they did so. That night, about 12 o'clock, some disguised men came into the town and took off William C. Luke, and three colored men, and William Hall, carried them out some distance from the town, and hung them. After that, the governor sent Judge Peters to ascertain who the parties were. Governor Smith was there, and General Crawford was there, with a squadron of cavalry and a company of soldiers, to see that the matter should be thoroughly investigated.

Question. In this attack by the negroes upon the congregation that came out of the church was there anything serious?

Answer. No one was hit; I noticed where I could see some of the shot on the opposite side of the street from where they were. After examining all sides, both parties, the impression made upon my mind at the time was that eight or ten negroes had gone up into that town with a view of getting into a difficulty with Craig and his friends; that in passing down the street—it was a bright moonshiny night—they saw Craig and recognized him, and made that reckless assault by firing over the men, women, and children passing along the street.

Question. Their intention being to attack this boy Craig?

Answer. To attack him and his accomplices; there is no doubt about that; and in doing so, they fired over the people. The impression made upon the citizens of Cross Plains was that they had fired right into the crowd. I am satisfied they never would have been hung if the people had known it was a mere fight between the colored men and the white boys. But that day, in the investigation, there were no attorneys there; Mr. Luke, the white man, examined the witnesses. The impression was still left upon the minds of the people, for I know it reached me, that the negroes had made a reckless assault, a murderous attack, upon white people returning from the church.

Question. Women and children?

Answer. Yes, sir; men, women, and children. And no doubt the persons who were there that day just resolved that they would take the law in their own hands and hang them; they believed that in doing so they were protecting themselves in their person and property; that this was an outrage, and it was looked upon as a murderous attack uncalled for and reckless; and that that kind of conduct should be met in the same.

way; and so they hung them. I do not suppose that any person in the village, or, at least, I will say that nineteen-twentieths of them honestly believed it was an attack upon the people promiscuously, and not intended merely for those boys.

Question. In the preceding which was had before one of the judges of the supreme court, did he make any finding or come to any conclusion in reference to it?

Answer. Yes, sir. We commenced on three or four at first, and by the time we closed I think they had nine arrested for murder.

Question. Nine citizens of the town?

Answer. Yes, sir. Most of the persons they arrested were there that night, were present when the disguised men carried off these persons; three or four of them were guards. Governor Parsons took up the idea that they were *particeps criminis*; he thought that all the guards were *particeps criminis*. Judge Peters discharged five and admitted the balance to bail for a very small amount, which was enough to show that he did not believe that they had anything to do with it. But during this investigation it was shown that some of them had probably whipped negroes; that was really proved on them; that they had been seen in disguise, and had chastised some negroes. I never was able to ascertain whether the judge bound them over, although they drew up the bond, to answer to the indictment in regard to William C. Luke and others; I think he bound them over to answer to some of the other charges, for in writing up his opinion he embraced some eight or nine offenses they had been guilty of. The grand jury afterwards ignored the bill, except against one man.

Question. Was he ever tried?

Answer. No, sir; he is represented as being in Georgia. There was only one witness who testified relative to him, and upon inquiry it was found out that he was in the State of Georgia at the time, and could prove that he was, and they made no attempt to arrest him.

Question. Upon whose testimony was this bill found?

Answer. This bill was found upon the testimony of Lewis M. Force, who came down there during the investigation for the purpose, as he said, of getting some troops to have a man, who had been arrested for a rape upon his daughter, removed from the county of Cherokee to the county of Calhoun, as they regarded the Calhoun jail as the safer one. Being examined, he said that this Georgian, by the name of Johnson, had told him that he did it. We made inquiries about Force, and found out that he was a man of no standing; that he told this great tale upon Johnson, and that he left Georgia after shooting Johnson, had gone into Johnson's town and shot him; Johnson was then in a dangerous condition. He did not testify against any parties who were on trial.

By Mr. BECK:

Question. That Force himself had shot Johnson?

Answer. Yes, sir; I suppose, as that is mentioned, I had better explain how Force came to shoot Johnson. Force was anxious to arrest a party by the name of West, whom he accused of having committed a rape upon his daughter.

By Mr. POOL:

Question. Was West a white man?

Answer. Yes, sir. Force called upon Johnson to assist him; Johnson represented to him that he belonged to the Ku-Klux Klan, and that he would aid to arrest him if he would pay him; Force agreed to pay so much to any person who would arrest this man West, probably \$100 or \$150. West, I think, had been arrested and had escaped, and he wanted to rearrest him; this is what I learned from Force, and from an investigation into the matter to see whether the State of Alabama should make a requisition for Johnson. Johnson and Force met several nights; Johnson was to get this man to a particular place, and force was to be there and seize him. Well, they met on two or three nights, and of course Johnson did not bring him up, but would always make some excuse. Finally, Force says that he agreed to join the organization; he said that Johnson then told him about the nature of the organization; that he himself belonged to it; that there was headquarters at Atlanta, with a large number of men in Georgia, and with headquarters in Alabama; he pretended to say that they had signs so that they could recognize each other, but he did not give them; Force agreed to join, and as Johnson did not have the power to initiate, he was to meet at Alpine, in the State of Georgia, and take the oath that was required. Johnson then told him that he must go out on a raid with him; so they got some sheets to cover themselves with, and went out on a Ku-Klux raid—I think there were Force, Johnson, and another person—and whipped two or three negroes in the night, according to Force's statement. Force said that he got enough of it; that they had traveled him all around; that all had got drunk; he was asked how much they drank, and I think he said they got a quart at three different places; and that about-daybreak they got through with their tramp; he then said he declined to take their oath; that he went up to Alpine, but never took the oath at all. He afterward, through the assistance of Johnson, I think, got on the track of this man West, who had started into the northern portion of Ala-

bama, and West was arrested, brought back, and lodged in jail in Cherokee County Johnson, I understand, called on Force for his pay, and by some means or other got possession of a mule belonging to Force, and went with it to Alpine, in Georgia; Force followed him, coming up with Johnson at Alpine, shot him down in the street with a double-barreled shot-gun, and then left and came down to Paytona, where the troops were, and saw Governor Parsons, and told him all that had occurred. Governor Parsons then put him upon the stand as a witness. I noticed him there some two weeks, and had some suspicion that he would probably be made a witness. I inquired of one of my clients if they had been talking to Force, and one fellow said he had; I told them that there was danger in Force, and that they must not talk before him or give him any excuse to say anything about them. He had some friends to write up in the section of country where Force resided, near Alpine, in Georgia, and we ascertained that he was a man not entitled to any credit. When he was placed on the stand he gave no evidence against our men; I never cross-examined him, for I looked upon it as nothing. I did not believe at that time that Judge Peters regarded what he said as anything; because if they had believed that this man Johnson had shot one of the negroes, as Force said he told him, that he was present, saw the man shot and hung, and was a party to it, they had a squadron of cavalry there, and the governor of Alabama could easily have made a requisition upon the governor of Georgia, and have Johnson brought there. But there was nothing of that sort done, no one, as I conceived, having any confidence in the statement of Force. They sent this squadron of cavalry into Randolph County and brought witnesses from there, while Johnson was not over thirty miles from there, and the governor of Georgia was within less than ninety miles, and the governor of Alabama was there, and could have made the requisition and the troops could have enforced it.

Question. No one gave any credit to Force's statement?

Answer. I do not think any one did.

Question. I understand you to say that Force testified directly and pointedly to the fact that Johnson was at Cross Plains at the time of this riot, and had himself killed one of the negroes?

Answer. Yes, sir; Force pointedly testified that Johnson told him that he was present at Cross Plains when Luke and the negroes were hung, and that he gave one of them a "damned good load through the head." Now, one of the negroes was shot. Johnson had gotten into a difficulty up there, and came down to Cross Plains on a drunken spree three days afterward, and of course knew exactly what had been done; and somebody said that he probably got one of the hats of the negroes, and went back to Georgia and made this big talk. It was proved before Judge Peters, and Governor Parsons, and all; that testimony was thrown before the grand jury, and Force was carried before the grand jury. And I have understood that they found a bill against him, but I do not know that.

Question. Found a bill against Johnson?

Answer. Yes, sir, upon Force's testimony; but there has never been anything done with it.

Question. Force made disclosures in his testimony, or purported to do so, as to the organization of the Ku-Klux Klan, did he not?

Answer. Yes, sir. I do not recollect all he said; one thing was that the organization was to have something to do with the elections; he said to try and control the elections; but I am not clear about that.

Question. And he undertook to divulge the secrets of the organization throughout?

Answer. Yes, sir; he undertook to show that there was an organization in the State of Alabama numbering thousands, and an organization in the State of Georgia numbering thousands, and that their object was of a political nature, to keep the negro in subjection; just a great, long-winded tale.

Question. Was there any proof elicited before the examining judge as to the character of this man, or did you content yourself with just ascertaining his character?

Answer. Force in giving his testimony did not testify against the men I represented; I was not representing the Ku-Klux organization, only men who professed to be innocent; we were not defending the organization, and he did not give any testimony against the man I represented. I did not cross-examine him, and did not introduce any testimony to show what kind of a man he was, for I did not conceive it necessary. I must confess I saw the investigation was rather taking a political turn, and I did not feel disposed to go into that. We probably would have done so, as I belong to the opposite side, but we did not for a long time; I saw what Governor Parsons was up to; I discovered that.

Question. His object was to implicate—

Answer. Governor Parson's object was, as I conceived—of course he wanted to find out who were engaged in hanging those men, but at the same time he wanted to show to the North that there was a secret organization down there, having for its object to control the negro vote, or to prevent them from voting. In other words, he wanted to get up something, as I conceived, for the northern mind to feed on; to have something

to keep up the excitement. My courts were going on, and the fact is, I did not have time to go into it. As an evidence of that, at the end of each week, I proposed that the investigation should stop, and we would enter into a bond for any amount his honor might indicate for our appearance at court. Governor Parsons invariably declined, and insisted that the investigation should go on.

Question. Nobody placed the slightest reliance upon the evidence of this man Force?

Answer. No, sir; I do not think Judge Peters did. Judge Peters was sent there for the purpose of investigating this matter, and bringing to justice the men who had committed that outrage. He was assisted by the sheriff of the county and by General Crawford's troops; he had a squadron of cavalry and a company of infantry. If he had believed that this man Johnson had been a party to it, why, of course, it was his duty to see that the necessary requisition was made upon the governor of Georgia, or to have sent this cavalry up there and brought Johnson down, for he was not more than five or six miles across the line.

Question. There was no direct evidence implicating any of the persons on trial in the crime?

Answer. None in the world—yes, there was this negro, Oliver Duke, who testified that he was in the hotel, and that the leader of the Klan was riding a chestnut-sorrel horse with a white face; that he gave a loud war-whoop, and said, "Now for Paytona," or something of that sort; I do not know that that was it. He said he believed the man who gave that whoop was a man by the name of Estes; I do not remember his given name; he was one of the parties on trial.

Question. He was one of the parties under arrest?

Answer. Yes; well, we showed that when they returned they went by the hotel under whip and spur.

Question. That no such scene as the negro described—

Answer. That his halting in front of the hotel and hallooing did not take place. Well, I have got it into my head that he was going to swear, "Now for Paytona;" but I do not know whether he did or not. At any rate, he said he recognized Estes's horse, and that he knew the loud, shrill halloo of Estes, and that he believed the man in front, one of the parties on the trial, was Estes. To offset that we showed that when they returned from the hanging they went by the hotel at a fast gallop.

Question. The result was that no bill was found against any of these parties?

Answer. None against any of them.

Question. And none against any other party, unless against this man Johnson, on the testimony of Force?

Answer. He was the only party implicated directly.

Question. And notwithstanding that, no effort was made to secure his person, or to bring him to trial?

Answer. None at all.

By Mr. BECK:

Question. Just there a moment; how long before the time Force testified was it that he had shot Johnson?

Answer. It probably might have been three weeks before that; but I think he came down immediately after he shot Johnson, and represented, as it was supposed, that it was necessary for him to have protection, that he did not know but they would go for him for shooting Johnson.

Question. Did he suppose at the time he left there that he had killed Johnson?

Answer. Yes, sir; he no doubt thought he had killed Johnson.

Question. And he reported that to the troops?

Answer. I do not think he told them anything about his shooting Johnson; he came down there and reported to the commander of the troops that he wanted troops to arrest West, the man who had been guilty of a rape upon his daughter, and against whom a true bill had been found; he wanted to carry him from one jail to the other; that can be done by making an affidavit that the jail is insecure.

Question. He came down there and got into communication with Governor Parsons?

Answer. Yes, sir.

Question. What I want to get at is this, whether or not Force, after shooting Johnson and believing that he had killed him, thinking that a dead man could tell no tales, came on down and manufactured this story on Johnson; and told it to magnify himself?

Answer. It was rumored when he got down there that Johnson was not expected to live; and he went to Governor Parsons and, of course, told him these tales.

By Mr. BLAIR:

Question. You say you did not attempt to show his character in court, because it was unnecessary to save your clients?

Answer. Of course.

Question. Did you not provide yourself with testimony in regard to his character?

Answer. Yes, sir; I had a letter written to where he resided for the purpose of ascertaining who he was, fearing that he would testify to something against my men; and I was informed by one of my clients, whose name was Keith, and who feared he would say something about him, as he had been in conversation with him, that he could get plenty of witnesses to prove that he was a man of no standing in the community, and that his testimony was entitled to no weight. But as he testified nothing in regard to our men, of course we do not care about assailing his character.

Question. Simply because it was unnecessary?

Answer. Yes, sir.

Question. If it had been necessary, his character, as you understand, was assailable?

Answer. Yes, sir. Since that I have also understood from other men besides my client that he is a man of no standing in the community at all.

Question. Do you know anything in reference to whether there is any opposition among the negroes to any of their race voting the democratic ticket?

Answer. Yes, sir.

Question. How is that opposition evinced?

Answer. Where I live the white population is about three to one; in the town itself it is about equal. There are a few negroes in our section of the country who seem inclined to vote the democratic ticket, but they do not announce it publicly. They will come to us and say that they want to vote that ticket, but that they do not want to have it known; that they are afraid of those of their color. I only know of one democratic negro in the county getting into difficulty; I think they whipped him there; but that was a fair fight, that is about all. They are afraid of each other about that; there is no doubt about it. In our county, in the last election, I think that we got probably from twenty-five to seventy-five colored men to vote with the democratic party, upon the ground that they were tired with the way things were going on—that their expectations had not been realized. Then, in addition to that, there was quite a number who did not vote at all. It was something novel and new to them at first, and they were prompt to vote; they would order them to go up to the village and vote, and they would go in there, three or four hundred of them; nearly all in the county would center there to vote; they would obey the orders of their chiefs promptly. But we have had a great many elections, and they do not reap any results, they do not gather any fruit from it, and now they do not attend the elections as well as they formerly did, and they do not attend public meetings as they did formerly.

The great Ku-Klux raid at Huntsville, which was paraded before the country as conclusive evidence of the extent and political character of the organization, proved to be a tissue of gross exaggerations. It was pretended that a republican meeting was broken up by a band of disguised men; that Judge Thurlow and a large number of others were killed by them. In short, all sorts of horrible tales were told to inflame the mind of the people of the North against the States of the South, in consequence of the atrocities committed by the Ku-Klux at Huntsville. A sub-committee was sent there, and while the majority have seen fit to submit their report without waiting for the evidence taken there to be printed, we assert, without fear of successful contradiction, that there was not a shot fired by the Ku-Klux, nor was there a disguised man at or in sight of the place where the shooting was done. The republicans were holding a meeting in the court-house, the Saturday before the November election, in 1868, more than three years ago; there was a large crowd of colored men in attendance; most of them were armed. There was at that time a band of disguised men in that region. The negroes had announced in their speeches that if any Ku-Klux dared to show themselves in town on the day of their meeting they would shoot them down. About sundown, the Ku-Klux rode into town, and, without halting or saying a word, rode past the court-house square; no shot was fired, and nothing was said till they had passed and gone out of sight, when a gun or pistol was fired, perhaps accidentally, from the crowd of negroes at the court-house. A panic ensued; many shots were fired; Judge Thurlow and several others were killed and wounded. Order was soon restored, and the matter ended. General Ruger, the then military commander at Huntsville, investigated the facts carefully. Judge Haroldson, the district judge, caused a thorough

investigation to be made by his grand jury, and the result was, that the whole matter was dropped, because it was evident the killing and wounding was done by accidental shots fired in the panic, by the armed blacks in the court-house yard.

Judge Dox, the present member of Congress from Huntsville, when called before the committee sitting in Washington, speaking of this affair, said :

In 1868, in Huntsville, there was a large meeting of the republicans, colored people, and it was said (I was not there; I live eight miles from Huntsville) that the Ku-Klux went into town, and at the very apprehension of them, without seeing them or without being interfered with, those fellows at the meeting began to fire, and they killed one another indiscriminately; some seven or eight were killed by the firing among themselves. The Ku-Klux had nothing to do with the killing; they were away off in another place. But they were terrible-looking fellows. I have heard people say that they never saw persons who could drink so much water; that one of them could drink a whole bucket of water. In other words, they touched upon the superstition of the colored people by making it appear that they were the spirits of the confederate dead.

While the affray, riot, panic, or whatever it may be called, was witnessed by a large number of the most intelligent republicans in Huntsville, the majority of the sub-committee saw fit, for reasons not very obvious, if a truthful statement of the facts to lay before Congress and the country was desired, to decline to call any of the intelligent gentlemen who saw it all, and could have told it all as it occurred, preferring to rely on the statements of an ignorant old negro, a portion of whose testimony we quote, to show what sort of evidence is relied on to blacken the character of a whole community :

Extract of testimony of George Roper, colored.

By Mr. BECK :

Question. George, I understood you to say last evening, on direct examination, that you were one of the men making speeches here on the Saturday evening of the riot?

Answer. I didn't make speeches on that Saturday evening, but before that, at the time General Callis and Captain Applegate were running for Congress; that is the time I was making speeches. The time when the general speeches were made here I was listening.

Question. Did you not say you were making speeches in the court-house the evening that the riot took place?

Answer. No, sir, not that night. I said I was making speeches here, and the people owed me a grudge for the speech I made to the colored people outside of the court-house.

Question. That speech had been made nearly a year before?

Answer. It was made just before General Callis was elected.

Question. Was he not elected in February, 1868—in the early part of the year?

Answer. Well, sir, I could not recollect.

Question. At the time the constitution of Alabama was voted on?

Answer. Yes, sir; that is the time I made the speech.

Question. Was not Grant's election in November, 1868?

Answer. Yes, sir; and that is the time I came and listened.

Question. You did not make a speech that day?

Answer. No, sir.

Question. Nor that night?

Answer. No, sir.

Question. Who was it offered you your hat full of money to vote the democratic ticket?

Answer. Nobody. I told the boys around: "Boys, have good principles; hold your head up right, for if I was offered to-day my hat full of money for my principle, I would not sell it."

Question. You said, "I wouldn't tell a lie for nothing, for I refused my hat full of money to vote on the other side." Why did you make that statement yesterday?

Answer. Well, sir, you misunderstood me fairly. I said to the colored people that I wouldn't take my hat full of money. I refused my hat full of money for my princi-

ples; that is what I say. You misunderstood me entirely, and misunderstood me so far as to say I made a speech up here in the court-room. I was speaking outside the day General Callis and Mr. Applegate was running, and then I said, "Hold up your head, for I wouldn't take it, and I refuse my hat full of money for my principles;" but no man offered me that.

Question. Can you read or write?

Answer. No, sir.

Question. How do you get your information sufficient to be a political teacher?

Answer. Well, sir, from going and seeking to God for what little wisdom I have—mother's wisdom; I have got no learning. I haven't learning as much as a school-boy, but seeking to God night and day for what little I have got, and I wouldn't tell you nor no man a lie, for I have been tried; and the reason I said so, was because the boys were doubtful, and didn't know what way they were going, and that is the time my mother's wisdom came in, and I said, "Boys, come here and vote the ticket right, for this morning I wouldn't take my hat full of money for my principles."

Question. Being unable to read or write, and having none of the ordinary sources of obtaining information, you looked to the Lord for it and got it?

Answer. Yes, sir.

Question. The Lord heard your prayers?

Answer. Yes, sir; I can tell you where he fetched me.

Question. Where?

Answer. He fetched me from hell's dark door to the marvelous light, so that things I thought in sinful days, when I came to the light of God I said all that is fallen back of me, and now I start myself right before everybody.

Question. Do you know any other cases of colored people in this land where the Lord has instilled political knowledge into them?

Answer. Yes, sir. Many has come through the way and some of them said, the Lord sent them to preach the Gospel, but they can't read or write.

Question. I can understand how he interferes with preaching, but what object did you think he had in interfering with politics, and filling your mind with political wisdom?

Answer. Because why. I fought for my liberty and have been all through the Army, and what did my captain and colonel tell me? "George," he said, "the day you are turned out of service be right, be pure to God, and just to all men. Hold up your head, touch not and handle nothing of the unclean thing."

Question. Do you not think Colonel Callis was the Lord that put the political wisdom in your head?

Answer. No, sir; I don't think that Colonel Callis did; but mostly I was with Colonel Johnson that fought our Army.

Question. Whatever you know outside of what the Lord gave you, you picked up from other people's talk?

Answer. Not much from other people because they can't learn me.

Question. You cannot read or write?

Answer. But the pureness of heart must come from God.

Question. Do you understand why you, a person unable to read and write, and indicted as you were, should be selected here now after all that investigation, in preference to everybody else, to tell this committee what occurred on that night?

Answer. No, sir; I can't read or write.

Question. Do you know any reason why you should be selected to inform Congress and the country in relation to that affair, in preference to all the intelligent men of this community?

Answer. To tell the truth about it.

Question. Do you know why you should be selected in preference to everybody else?

Answer. Well, sir, you are rather high on that; selected how?

Question. Why you were selected or chosen to come here and enlighten Congress and the people on that riot.

Answer. Because I think it stands in need of every man, even you, if you have a child, and you see he is not going right, to correct him to do right; and just the same if the people is not right, and I know a little more than they do, I tell them.

Question. You think you know a little more than other people?

Answer. No, sir. I know a little more of our race, and many of them don't know nothing. It is no more than any gentleman would do, seeing a child in the streets and not knowing its way, would go and tell it.

Question. Was not Mr. Figures here, the editor of your paper, who might have been called?

Answer. Yes, sir.

Question. Was not Colonel Nicholson Davis here present at the meeting on that day?

Answer. Yes, sir; Nick Davis is here.

Question. Was not a large number of very intelligent republicans present at that meeting—white men?

Answer. Yes, sir.

Question. Men who could read and write, and advise themselves from the sources of information from which you were cut off?

Answer. Yes, sir.

The only case that occurred in Georgia which created much general excitement was the killing of Dr. Darden, of Warren County, by a band of men in disguise. That was charged to have been a political assassination. Great excitement prevailed for some time. Immense rewards were offered by the governor for the discovery of the perpetrators. One John C. Norris, who had been sheriff of the county, appeared before the committee in Washington, and testified to gross outrages having been perpetrated on himself because of his loyalty, as well as to the political feud which caused the assassination of Dr. Dardin by the Ku-Klux. In his testimony, however, he developed that he had been guilty of shameful extortion as an officer, and had been arrested for misconduct of the grossest character, by order of General Terry, and we determined to investigate that matter further. We accordingly summoned General A. R. Wright, of Augusta, editor of the Sentinel, a gentleman of high character and great intelligence. When questioned as to the killing of Dr. Darden, and the character and the conduct of Norris, he said:

Question. We have had before us a witness who was at one time the sheriff of that county, and he gave us a number of cases of outrages committed there. The witness named was J. C. Norris.

Answer. I know him very well, and I have known him twenty years. He was a shoemaker in Warrenton before the war.

Question. He spoke particularly of Dr. Darden. I want you to give us the facts relative to the killing of Dr. Darden, the causes that led to it, his political status, and all you know about it.

Answer. I think it has been three years since Dr. Darden was killed; if I am not mistaken, it was in 1862. That was not a political difficulty at all; the facts of that case are about these—

Question. Was not Dr. Darden a republican?

Answer. No, sir; Dr. Darden was a democrat.

Question. Was Wallace an editor?

Answer. Yes, sir; an editor of the newspaper there.

Question. What means have you of knowing that Dr. Darden was a democrat?

Answer. I knew him very well; I have his own word for it. I was in correspondence with him just before his death; he was a subscriber to my paper.

Question. If Mr. Norris spoke of him as a leading republican, he was very much mistaken?

Answer. I cannot suppose that Mr. Norris would have said that Dr. Darden was a leading republican.

Question. If he did say so he was mistaken?

Answer. O, most decidedly he was.

Question. Go on with your statement of the case.

Answer. That was not a political difficulty; there was no politics in it at all; they were both of the same party. As I understand the facts, Dr. Darden had applied to join a Masonic lodge in that town, of which Wallace was a member, a little over a year previous to the killing, and had been rejected; two black balls had been thrown against him. He waited until a year had passed; I believe, by the rules of that fraternity, a person has to wait a year after rejection; I am not familiar with it. At least he waited until some of his friends, and conspicuously Dr. Neeson, informed him that the opposition to him on the part of those two members who had black-balled him before had been overcome; they disclosed to him that Wallace was one; the other name has escaped my mind, I cannot recollect it. But they represented to him that both had withdrawn their opposition, and that if he would renew his application, he would be admitted. The application was renewed, and with the same result as in the case of the original application; he received two black balls.

Question. Dr. Darden was again black-balled?

Answer. His second application received the same result, two black balls.

Question. I want to call your attention to this to see if you may not be mistaken. My recollection is, that Mr. Norris testified before us that Wallace had applied to the lodge for admission, and that he had been black-balled, as he believed, by Dr. Darden;

that thereupon he swore that he would kill Darden for black-balling him. That is not true, is it?

Answer. I think Norris is mistaken.

Question. It was Darden who was black-balled and not Wallace?

Answer. That is my recollection. And then Darden became very violent, supposing he had reason to be, having been assured that this opposition to him had been withdrawn. He thought he had been exposed by the duplicity of Wallace, to having his name again rejected; he thought he had been outraged, and he was very indignant and very abusive. Wallace edited a little paper in town, and there was some correspondence between them on the subject, and a very bitter feeling was gotten up on account of the rejection of Dr. Darden, and his conception of the bad treatment he had received from the hands of Wallace and this other gentleman. That went on for some time, and the controversy was very acrimonious and very bitter. Finally Dr. Darden shot Wallace.

Question. State the circumstances of that, because we have had some controversy about the circumstances connected with that killing, and we want to know them as you understand them.

Answer. The facts, as I understand them, are these: that early in the morning, as Wallace was standing on his stoop, at his office-door, Darden walked down the street apparently in search of him, with a double-barreled gun in his hand; that before Wallace saw him or knew of his presence, Darden fired on him, and then fired the second time, killing him. It was a cold-blooded assassination, and so considered by the people there.

Question. Was it generally believed by the people to be an assassination?

Answer. Yes, sir; a cold-blooded, premeditated assassination.

Question. The shot was fired without Wallace seeing him?

Answer. Yes, sir. There had been that provocation which I have stated to you, that feeling of Darden that he had received an outrage at the hands of Wallace.

Question. Consequent upon that killing, what was the condition of the people there; what was their feeling about it?

Answer. The people were very much outraged. It is a very peaceable community, and the people were very much outraged. Darden was put in jail for his protection, but that night some people there went and took him out of jail, and killed him, to give it to you in a few words.

Question. Was there any particular attempt made that night to kill Norris?

Answer. None that I ever heard of.

Question. Did you ever hear of disguised men going to his house, and hunting for him that night, in order to murder him?

Answer. No, sir.

Question. What is the general character of Norris in your community?

Answer. Well, before the war, Chap was a pretty good boot-maker; he lived in the town, and made shoes for the people. I remember that on one occasion there was a case in court, in which he was a material witness, and his credibility was attacked and successfully attacked by the leading citizens there, who swore that they would not believe him on his oath. He has never been a man of any standing or respectability there whatever.

Question. Was he successfully impeached as a man not to be believed on oath, even before the war?

Answer. Yes, sir; this case occurred before the war, or perhaps about the beginning of the war—no, I think it was as far back as 1858 or 1859. He has been considered rather a worthless sort of character about town.

Question. Is that his general character now?

Answer. O, yes.

Question. That he is a man not worthy of belief on his oath?

Answer. I do not think you would find a dozen men in his county who would say they would believe him on his oath. I do not say that because of the fact that he belongs to the republican party; I think that was the case before the war.

While the killing of Dr. Darden by Ku-Klux or disguised men was a great outrage, it had no political significance; it was simply a violent popular outbreak, caused by the cold-blooded, deliberate assassination of a respectable citizen by a member of his own political party. The only thing in it is the committee managed to find a witness who was willing to distort the facts, in the person of Chap Norris, who, being more intelligent, was more culpable than the poor ignorant old fool, George Roper, who tried to pervert and distort the Huntsville affray into a great political conspiracy. When the testimony taken before the

sub-committee in Georgia is printed, we may have more to say as to that State. We will now pass to the great riot at Meridian, Mississippi, which, having been the subject of both legislative and judicial investigation, can no longer be tortured or perverted into a democratic conspiracy, as it was for a long time asserted to be. It proved to be just the reverse. By reason of the infamous teaching of a set of unscrupulous adventurers, the negroes in that region of the State were induced to insult, threaten, and plunder the whites, until at last they were suspected of attempting to burn the town of Meridian in the night. They shot at and wounded the white people while endeavoring to extinguish the flames; and when several of them were arrested and brought before the court charged with riotous conduct, one of their leaders shot the judge on the bench, which, of course, was followed by retaliation.

William G. Ford, a lawyer from Meridian, was called before the committee, and testified as follows :

Answer. Well, to go back to the origin of it, General Ames, while provisional governor of the State, appointed a man by the name of William Sturges mayor, and in doing so removed a man named William Cathey. Cathey is an old citizen—a man noted for his integrity as a man. He was of the same politics as Sturges; both were republicans. Cathey was removed, as has always been understood, at the request of the colored population. Sturges, by his general conduct as mayor, seemed to regard himself as the peculiar guardian of the colored population, and administered the duties of his office apparently in their interest more than that of the white persons. It is said by the citizens—I do not know the fact personally, but it has always been charged—that he furnished the negroes with arms; that he kept a quantity of guns and ammunition in his store; and I know from my own knowledge that very soon after the time he was mayor, up to the time he left, there was a use of fire-arms at night about the town that I never knew before. The citizens were kept constantly uneasy by the firing of guns at night; it was a very common thing. Sometimes a dozen guns would be fired in rapid succession. The firing was located to a great extent about his own house or his brother's house, where he lived. The policemen and the aldermen were appointed by him. The policemen were half, or more than half of them, colored men. Well, that thing kept the citizens uneasy. After he had been mayor a year, perhaps, more or less—I cannot recollect precisely—a man came there by the name of Price, from Sumter County, Alabama. He came there and commenced teaching school among the colored people. From that time up to the riot, on account of the conduct of the colored population, and the influence, as it was charged, (and that is my opinion,) that was exerted upon the people by Sturges and Price, their conduct so far as order was concerned was very much changed. On the 4th or 5th of last month, one of them, by the name of Clopton, had been to Jackson to see Governor Alcorn; I do not know what he went for, but soon after he came back they called a meeting in the court-house. I was not present at the meeting. It is said there were two or three hundred persons there. Clopton, another colored man named Warren Tyler, and one by the name of Aaron Moore, made speeches. It was said by the witnesses in court, at the trial of Clopton, Tyler, and Moore, that their speeches were of an incendiary character; that they were very violent and abusive, and that some of the speakers threatened to burn the town. The meeting adjourned about dark, or a little before, and about dark, it may have been a little after dark, the town caught fire. I reside just outside the corporation, and I did not come into town until perhaps half or three-quarters of an hour after the fire began. When I rode into town, I rode down to where some buildings were burning, and some goods were being taken out of the store of a young man named Hurlbutt, and the store of Theodore Sturges, a brother of William Sturges. While standing there, I heard some one cursing behind me, saying he would haul Sturges's goods whether he got pay or not; that if they wanted to fight he was ready to fight; that, damn it, they had been wanting a fight long enough. I turned my horse around and looked. It was this colored man named Bill Clopton, or Bill Dennis, as he is called by some persons. He was hauling the goods. Not long after that the district attorney, Mr. Walker, came to me while I was sitting on my horse, and said, from indications he had observed, and from the conduct of the colored population, he thought there was danger of an attack that night, or some trouble. I told him I had not seen anything except hearing this negro make that remark. There was nothing more said, and he went off. About an hour after that, when the fire had been stopped, I was looking down the street. I saw the flash of a pistol three times. The pistol was fired off about one hundred yards from me, in the street, where there were a great many

persons. About twenty or thirty yards from it there was another pistol fired. I saw a negro policeman run over to where the last pistol was fired, and presently the circuit attorney, Mr. Walker, came by where I was, and the deputy sheriff was with him. He remarked to me, "I told you that I thought there would be a disturbance here to-night, and I believe it was Clopton who fired that pistol." He then told me that he thought so, from the fact that while he was standing in the street with the deputy sheriff, Clopton came up to three negroes, and remarked to them, "Come and get your guns; there is going to be trouble here to-night; we are going to be attacked." The freedmen were rather slow to go, and he urged them to go. They started off with him, and the deputy sheriff, as he said, remarked to him that there was one of those negroes whom he knew, a very good negro, and he thought it his duty to call him back. The district attorney told him he thought so too, and he called him back. When they called him back, they asked him what Clopton had said to him. He said that Clopton had told them to go out there and get their arms, that they were going to be attacked. A few minutes after that I went home. I saw nothing more of what occurred. I learned that Clopton was afterward knocked down by somebody, and was under arrest in the hands of the sheriff that night. Next morning, Sunday morning, I came to town. There was a great deal of excitement in town, and I was asked by some citizens to write an affidavit and have Warren Tyler and Aaron Moore arrested and prosecuted. I do not know whether they asked me to have Clopton arrested or not. A man by the name of Dunn, who heard the speeches, came to me and detailed what he heard at the meeting. Others also told me, and I wrote an affidavit charging them with incendiary language in an unlawful assembly, or rather with using such language as would bring about a riot or breach of the peace.

At 2 o'clock Judge Bramlette, who was a justice of the peace, (he was called judge because he had formerly been a probate judge,) opened his court in the court-house, and Warren Tyler, William Clopton, or Dennis, and Aaron Moore were brought in.

Question. Were you present at the hearing?

Answer. Yes, sir; I represented the State prosecutor. The district attorney was off attending court. I read the affidavit and asked them what they had to say. Clopton said that if it referred to anything he did on Saturday night, he was drunk and did not know anything he did on the Saturday of the fire. Aaron Moore said he did not know he had done anything wrong. Tyler just said, I believe, that he was not guilty. The trial had progressed about an hour. I had examined four or five witnesses. Mr. James Brantley was called as a witness. Among other things I asked him what he had heard Tyler say on that day with reference to the meeting that was held in the court-house. He said he heard Tyler say that the white people were getting scared, or something of that kind; he said he had heard Tyler say so to two or three other freedmen in his presence; and I think he said that he told him it was not so. I do not recollect what he said exactly. I then asked the defendant, Tyler, if he had any question to ask him, and I think he asked him one or two questions. I told the witness to take his seat. Tyler asked him to get up, and then he turned his face to the justice of the peace and said, "I want three colored men summoned to impeach your testimony."

Question. Tyler said this to the justice of the peace?

Answer. Yes, sir. In saying it he looked at Brantley. Brantley asked him what he said, and he repeated it. Brantley then started to him with a stick, or he picked up the city marshal's stick, which was lying on the table in front of him, and started to Tyler.

By Mr. COBURN:

Question. Describe the stick.

Answer. It was an ordinary walking-cane. The marshal reached up and caught Brantley. The marshal was sitting on my left.

By the CHAIRMAN:

Question. Did Brantley start as if to strike?

Answer. He took up the stick and started to him. Tyler was as far off as from here to that door, [illustrating.] The marshal reached up and caught Brantley by the arm. Tyler, when Brantley started to him, got up out of his chair, put his hand around, as I thought, to draw a pistol; but somebody then passed between me and Tyler, and I did not see him any more.

Question. From the manner in which Brantley took up the stick and started toward Tyler, were you impressed with the idea that he intended to attack him?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. State, in feet, the distance that Tyler was at that moment.

Answer. About twelve feet.

By Mr. BECK:

Question. Tyler was twelve feet from Brantley when the marshal laid his hand on Brantley and stopped him?

Answer. Yes, sir.

Question. So that Brantley never was within striking distance of Tyler?

Answer. No, sir.

Question. When the marshal laid his hand on him, did Brantley cease making any effort to get closer to Tyler?

Answer. The marshal took hold of Brantley and stopped him. At that instant a pistol was fired from about the door leading from the court-room into the hall which led to the sheriff's office.

By Mr. VAN TRUMP:

Question. Was that the direction in which Tyler was when you last saw him?

Answer. Yes, sir. Instantly there were from twenty-five to thirty pistol-shots, mostly in my rear. The crowd was behind me, except the officers of the court and some persons to my left. I stooped down in front of my seat until nearly all the firing was over. I then went out into the hall and into an office on the opposite side of the hall. When the firing ceased I went back into the court-room. Judge Bramlette was lying near the seat where he had been sitting; he was shot in the left temple and was dead.

Several of the witnesses testified before Judge Leachman that Tyler shot the judge, and all seemed to agree that Sturgis took him out and furnished him with the pistol a short time before the shooting began. Sturgis and a man named Price, who taught a colored school, seemed to be the principal instigators of the strife between the whites and blacks; and before the time of the riot, Price had had a difficulty with a negro, which is thus described by Mr. Ford:

Answer. A deputy sheriff, a negro, came over to Meridian while Price was there and arrested another negro who was indicted in Alabama, and took him and carried him back. It was understood there that that was quite offensive to this man Price, and that the negro himself was objectionable to Price. The negro lived in the same town Price came from. I do not recollect the negro's name.

Question. Which negro?

Answer. The deputy sheriff.

By Mr. VAN TRUMP:

Question. Was his name Aaron Kennard?

Answer. Yes; Aaron Kennard. It was understood that he was a democrat, (I do not know anything about it,) and that he and Price disliked each other very much, or at least Price disliked him. Some time after that Aaron Kennard came over there again—I do not know for what. He was spending the night at the house of a colored man, and, as he charged, Price, with a number of negroes, disguised themselves, went to the house, took him out of it and gave him a very severe beating, and then let him go. The next morning he was in town and went before a justice of the peace and made an affidavit. He went to the district attorney, I think. The district attorney charged Price with going in disguise to this man's house, taking him out and beating him. The charge was made under a statute framed especially to reach the Ku-Klux. I recollect now that the district attorney showed me the affidavit.

Question. And that was in the affidavit?

Answer. That was in the affidavit. He showed me the affidavit and asked if I thought that was sufficient under the statute. Price was arrested and taken before Bramlette, a justice of the peace. They were not ready for trial, and he gave bond for his appearance at some future day—four or five days afterward. On that day a number of men from Alabama came over to Meridian, as they said, to see that Price was tried, and gave as a reason for it that they understood Price had said that if the justice of the peace, after hearing his case, committed him, he intended to resist and make the fight right there. That is what was said.

How far the trouble which grew out of the quarrel between Price and Kennard, and the part taken in it by the Alabamians, aggravated the bad feeling which had sprung up, does not very distinctly appear; but at the meeting of colored men which was held the day preceding the night on which the fire occurred the visit of the men from Alabama was one of the leading topics of discussion.

Mr. Smith, a leading republican, who was clerk of the court, speaks thus of that meeting:

The mayor of our city, Mr. Sturgis, was also displeased with Mr. Price for leaving. He had applied to the governor for a squad of Federal troops. The troops were sent there, and he had commenced proceedings against prominent democratic citizens of the town, accusing them of having invited these Alabamians into the State.

Question. The mayor did?

Answer. Yes, sir.

Question. What was his name?

Answer. William Sturgis. They got up a very bitter feeling toward him in the community. I saw that the feeling was very bitter; I knew the people very perfectly; I have always lived there. I went to Mr. Sturgis and asked him, still in the interest of peace, to resign his position; he declined to do it. We then asked the governor to remove him from the position, not because he was not a good officer, but in the interest of peace. The prudent republicans there and some of the leading democrats were anxious to preserve peace at all sacrifices. He became very indignant at our asking the governor to remove him, and sent one or two of the leading colored men to Jackson to see the governor in his interest, and to counteract the movement for his removal. These colored men returned to our town on Friday, together with the colored member of the legislature, Aaron Moore. I was not pleased with the appearance of things. They called a meeting the next day, Saturday, the 4th of March, in the court-house.

By Mr. COBURN:

Question. Who called the meeting?

Answer. The colored people exclusively. They came to my office, which is in a room adjoining the court-room, and told me the object of the meeting. They said it was only to give expression to their feeling in favor of the mayor being retained at that time. I saw no objection to that meeting. They proceeded with it, and the meeting was continued for some two or three hours; speeches were made there by as many as three of the leading colored men.

By Mr. BECK:

Question. Name the three leading colored men, if you can.

Answer. Warren Tyler, William Dennis, alias Clopton, and J. Aaron Moore, a member of the legislature from our county. They got a pretty good audience together. I was in my room adjoining; I did not go into the room where the speaking was going on.

By Mr. VAN TRUMP:

Question. Were you within hearing of the speaking there?

Answer. I could not understand what was said from where I was; I could hear the talking and the speaking, but not distinguish the words. The audience became considerably aroused and excited, and appeared to take great interest in the meeting. Two or three white gentlemen who were in my office informed me that the speeches were such as were calculated to inflame the feelings of the white people, or the democratic people.

Question. And also to inflame the negroes; was that their idea too?

Answer. Yes, sir; that it was arousing the negroes to a feeling against the white people, or in favor of taking matters in their own hands. That is the way they stated it from their stand-point.

By Mr. STEVENSON:

Question. Were they democrats who gave you this information?

Answer. Some of them were, some were not; one was a deputy clerk of mine. A number of democrats dropped into the audience as the meeting progressed. I stepped to the door at one time, and heard a few sentences of one of the speakers. I was satisfied myself that it would cause some trouble; that the remarks of the speakers were calculated to inflame the minds of the democratic hearers; that, while there was nothing really objectionable in the remarks, nothing but what might have very properly been said, yet, knowing the feelings of the people there, from their stand-point, I was satisfied it would get up considerable feeling.

By the CHAIRMAN:

Question. What was the tenor of the remarks you heard?

Answer. It was to arm themselves and prepare to resist the visits of those Alabama men, who had come over there out of their State and taken away from our State three or four colored men. That was the main point of the sentences that I heard. While they might have had that right, still I knew it was calculated to offend the whites, and to inflame them and raise a very bitter feeling.

Question. Was there any disturbance or breach of the peace at that meeting?

Answer. No, sir. I went to the sheriff and suggested that the meeting ought to be discontinued; that he should suggest its discontinuance. He did not do it, however. The meeting continued until about sundown that evening. About one hour later the alarm of fire was given in an important part of the town, in the business part of the city. The fire originated between the storehouse of the mayor and an adjoining storehouse, in a wooden building. The excitement was pretty high during the burning, until as late as 12 o'clock at night.

By Mr. BECK :

Question. How much of the city was burned ?

Answer. One block of houses, about six or eight stores.

By Mr. VAN TRUMP :

Question. Do you mean by a block a square, from one street to another ?

Answer. Yes, sir.

Some time during the night after the riot at the Court-House, three colored men were killed while under arrest by parties who have never been arrested or discovered. The whole affair was unquestionably attributable to a set of bad men, who stirred up strife between the races in order to keep control of the negroes; in that sense, and in that sense only, was it a political riot. The white men had everything to lose in such a conflict, as all the property in the place belonged to them, and it is clear from all the evidence that the great mass of them tried in every possible way to preserve order and keep the peace.

North Carolina is one of the States in which the outrages of the Ku-Klux are claimed to be most flagrant and most clearly established. Many witnesses were called from that State, and especially from the county of Rutherford, and a condition of affairs were shown to have existed there which every one must admit to be deplorable. The question is who is responsible for the anarchy which has been brought about in that region? In the examination made by the committee of the Senate during the last Congress into the affairs of North Carolina, it was shown that Governor Holden attempted to carry the elections by declaring martial law in several counties and placing them under the control of a military force commanded by Kirk and Bergen, two imported cutthroats, who had graduated under Brownlow, in Tennessee. The effect of this atrocious attempt is well described in the testimony of Mr. H. W. Guion, a respectable lawyer from Charlotte, in that State. (Page 257, North Carolina testimony.)

By Mr. BLAIR :

Question. In reference to the impeachment of Governor Holden: he was impeached, tried, and convicted, a portion of the republicans voting with the democrats for his conviction ?

Answer. Yes, sir; that is in the published journal of the trial.

Question. I knew these facts, but I wanted to get your evidence in regard to the character of those republicans who voted with the democrats for his impeachment.

Answer. Well, sir, they were —

Question. Were they men of standing ?

Answer. Men of standing—good men. I do not see how any of them, under the clauses of the bill of impeachment, could say that he was not guilty.

Question. Most of the senators, who were white men, voted with the democrats for his conviction.

Answer. Yes, sir.

Question. What was the particular charge upon which he was convicted ?

Answer. I presume it was upon the *habeas corpus* charge.

Question. That is, for his refusal —

Answer. It is what we call the *habeas corpus* clause, his bringing out of the State forces, enlisting them and equipping them, and sending them to Alamance to arrest and imprison the parties there.

Question. And refusing them the benefit of the writ of *habeas corpus* ?

Answer. Yes, sir. That was the chief cause of complaint against Holden which led them to institute articles of impeachment.

Question. Was that the specification upon which he was convicted ?

Answer. I do not recollect. I think the specification upon which the largest vote was given against him was perhaps for the arrest of Jo. Turner.

By Mr. BECK :

Question. He was a man who had denounced Holden somewhat ?

Answer. Yes, sir; he was editor of the Sentinel. I think it was on that count that the largest vote was given; I may be mistaken, but that is all published and printed. I do not treasure up those facts.

Question. It has been alleged that the articles upon which he was convicted were not of a very criminal character, but for some formal dereliction of duty rather than for any violation of law in important particulars. How is that?

Answer. Well, sir, I do not think there is any distinction. There were some who voted one way and some another, but I believe they all voted conscientiously. The one that was the greatest cause of trouble was the one I have just mentioned, his assuming the right to enlist a force and arm it, to take money from the treasury without any authority of law, to pay a force to go and arrest some of his old political enemies, men whom it is said he personally hated; to take them and imprison them without warrant. That made a great deal of excitement; if it had not been for the election we would have had civil war. North Carolina stands a great deal, but I think we would have had fun last summer but for the election.

Question. His conviction could not have been had under your constitution, unless several republicans had concurred in voting for that conviction?

Answer. That is so; but the strongest proof of his enormity of his conduct is the fact that his conduct carried the State of North Carolina like a whirlwind; we would not have had a two-thirds majority in the senate at all if it had not been for the indignation felt throughout the length and breadth of the State; that whirled North Carolina over in her politics; there is no question about that.

Question. Did you have a democratic majority of two-thirds in the senate?

Answer. Yes, sir.

Question. Does it require more than two-thirds to convict?

Answer. No, sir; we had a very large majority on some of the votes.

Question. On some of the votes you had the entire senate, with the exception of the negroes, had you not?

Answer. Yes, sir; but the change in the State is the best evidence of the indignation felt and produced by Holden's policy. The conservatives could not have wished for a better lever to have operated in their own cause than Holden's conduct. He made a grand mistake; it was a political move of his, I have no doubt. The people of North Carolina are a very law-abiding people; just let them know what the law is, and they will submit to it, whether they like it or not. But when Holden took hold of the army and of the purse, and undertook to hang and kill his old enemies just as he wished, it aroused a great feeling, like the old Revolution. The people would not have submitted to it; it was with a great deal of difficulty that the thing was arrested. The day when the court met in Raleigh we could have raised, as I understood, five hundred volunteers in the form of a posse to go and take Kirk, who had refused to obey process.

Question. Who is Kirk?

Answer. He is said to be a cut-throat from Tennessee.

Question. What has become of him?

Answer. I do not know; they let him get away from North Carolina among them.

Question. Who let him get away?

Answer. Jo. Turner, and the other men after him; they wanted to pursue him, to prosecute him.

Question. Did they let him get away?

Answer. Well, the circuit judge, Judge Bond, released him from imprisonment.

By the CHAIRMAN, (Mr. POOL:)

Question. The United States circuit judge?

Answer. Yes, sir; he released him from imprisonment, and Kirk made his escape by night.

The indignation of the people of North Carolina having thus foiled the attempt by military force and martial law to maintain in power those who had plundered the people of millions of property, it was hoped that peace would have been restored, and her impoverished people allowed a breathing spell, and an opportunity to restore their ruined fortunes. Vain and delusive hope! Governor Holden had indeed been overthrown and driven from power, but there were other officials in authority elsewhere, armed with greater power and equal malice against the afflicted people of the South. The same witness, Mr. Guion, says, (page 258:)

By Mr. BLAIR:

Question. Does not your law require that the officers of your militia shall be citizens of the State?

Answer. Yes, sir. The constitution and laws of the State authorize the governor to call out the militia to enforce the laws; but we never considered this as militia; they were regularly enlisted troops. The militia are the body of the people, who are called

out as they stand, both parties mixed together, so that it could not be a political army. This is a people's government.

Question. He has no authority to officer this force except with citizens ?

Answer. None at all.

Question. He has no authority to raise an army, and to appoint officers other than citizens of the State ?

Answer. That is all, those who are of the regular militia ; that is what is provided by the constitution. The legislature attempted to give the power, but the legislature had not the authority to give it to him. The legislature attempted to define an insurrection in such a way as to make it mean an entirely different thing from an insurrection as contemplated in the constitution. They undertook to authorize the governor, whenever he judged that life and property were not secure in any county, to declare that county in a state of insurrection, and to raise militia and send them there.

Question. I did not know that our Ku-Klux law had originated in North Carolina.

Answer. You copied it perfectly ; your bill here is almost identical with the Shoffner bill of the legislature of North Carolina.

Question. I am very glad to find out where it originated.

Answer. I have several times remarked the resemblance between the congressional Ku-Klux bill and our Shoffner bill, as we call it.

Question. Heretofore we have been unable to find any precedent for it.

Answer. There is one in North Carolina, and you can find there the results that follow upon it.

It will be seen that although Holden had been deposed, his spirit and his very measures still survive, and are wielded by more powerful hands. The measures which Holden attempted in Alamance County have since been put in force throughout the South. The Ku-Klux law of the present Congress, copied from the statutes of North Carolina, and for the same purpose of maintaining power in the hands of the carpet-baggers in the South, have been put in force in North Carolina, and the result is announced in the following bulletin from the clerk of the United States court to the Hon. John Scott, chairman of this committee :

OFFICE UNITED STATES CIRCUIT COURT,
Raleigh, November 27, 1871.

SIR: I have received your letter of the 25th instant, asking for a "statement of the number of bills found under 'the enforcement act of 1870, and under the act to enforce the provisions of the fourteenth amendment,' by the grand jury at the late term of the circuit court of the United States, at Raleigh, North Carolina, stating the number of defendants embraced in the bills, how many defendants were convicted, how many plead guilty, and how many were acquitted," and in answer thereto I have the honor to submit the following statement :

Under the acts of May 31, 1870, and April 20, 1871, above referred to, there were found, at the last session of this court, 61 bills of indictment, embracing 763 defendants, of whom 24 were convicted, 23 pleaded guilty, 13 were acquitted, *nolle prosequi* was entered as to 9, and the others have not yet been tried.

In some instances the names of some of the defendants appear in several bills, and when convicted in the first they pleaded guilty in the others.

I have the honor to be, very respectfully, your obedient servant,

N. J. RIDDICK, Clerk.

HON. JOHN SCOTT,
United States Senate, Washington, D. C.

Most, if not all, of these indictments against seven hundred and sixty-three defendants were procured in Rutherford County, and one or two other counties immediately adjacent ; nearly all originated in a personal feud between members of a family known as Biggerstaff—a feud which was fanned into a flame that involved nearly the whole county of Rutherford by the misconduct of an ignorant, incompetent, and corrupt radical judge, named George W. Logan. We will let the witnesses who testified before the committee tell their own story of the origin and progress of this quarrel and the manner in which a private and personal feud was made to assume such proportions as to cause the indictment of seven hundred and sixty-three individuals before

the courts of the United States in the district of North Carolina. We give first the testimony of David Schenck, of Lincoln County, a highly respectable and intelligent lawyer. (Page 366, North Carolina evidence.

By Mr. BLAIR :

Question. I suppose you know the history of the Biggerstaff case ?

Answer. There has been a great deal said about the Biggerstaff case, and I presumed I would be asked about it when I left home. I therefore applied to Mr. John F. Hoke, attorney for Mr. Biggerstaff, for the facts, and I can give you the facts as he gave them to me.

Question. Who was he attorney for ?

Answer. He was attorney for Aaron Biggerstaff, the one charged with shooting at Sam Biggerstaff. I know nothing of the facts myself.

Question. Give the facts he stated ?

By the CHAIRMAN :

Question. Is it a written statement made by the gentleman you refer to ?

Answer. Yes, sir. I did not know which side I was summoned by, but I supposed these things would be referred to, and I therefore prepared myself. I can give that statement. My information is derived from Colonel John F. Hoke, who was an attorney in the case. I can state that from memory, but here is the paper.

By Mr. BLAIR :

Question. It has been usual here for witnesses to be allowed to testify to any information they deemed reliable.

Answer. I was so informed. I consulted with Mr. Lyon, of Charlotte, who said I would be asked not only what I knew, but what I had heard. Supposing I would be asked about these matters, and desiring to be accurate, I asked Mr. Hoke to give me some of the facts. He practices in that county; I do not. I never saw the Biggerstaffs in my life.

Question. Give us the statement of Mr. Hoke.

Answer. It is his statement, not mine. I can give it about as he gave it to me.

The CHAIRMAN. I would prefer that you should give your information from your recollection, as we cannot have the author of the written statement here to cross-examine him.

The WITNESS. Then I can only use it to refresh my memory, and will give it in my own words.

Mr. BLAIR. It would be better to have the paper inserted than his recollection of what is in the paper.

The question being upon the motion of General Blair, shall the witness read the statement above referred to ? the motion was agreed to.

The CHAIRMAN. Go on and read the paper.

The WITNESS thereupon read the paper referred to, as follows :

"In the spring of 1870 Judge Logan issued a bench-warrant against Amos Owens, Julius Fortune, William Baber, William Dupriest, Olin Carson, and Alexander McIntyre. In the examination before him, it appeared that a raid was made on Alvin Owens and others some time in February, in the first part of the night. It was snowing. The raiders called at one Magaly's, who was from home. On his return he sent for Aaron Biggerstaff and his sons-in-law, one Ramsey and Holland, and his nephew, and one Webb Tony, and started in pursuit, tracking in the snow by moonlight. The track was followed around to the different places in the neighborhood, until the raiders had separated. Before the Biggerstaff crowd separated, they went to the house of Samuel Biggerstaff, who is a half-brother of Aaron, between whom and Sam there is a feud existing; and Magaly, without notice, broke down the door and fired into the room. Samuel Biggerstaff swore that if he had been lying in his usual bed, he would have been killed; that he, (Sam,) on the gun firing, rushed to the door and cried out, 'What does this mean?' As he showed himself in the door, a gun fired from the corner of the house, next to his kitchen, the ball passing across his breast and near to it, and struck the opposite door-facing. On examination next morning, a track led from the corner of the house, behind the kitchen to an apple-tree, and thence across the fence into the lane; and that all the other tracks passed out at the gate of the yard. It was in proof that Aaron said that he was in the yard, behind the kitchen, by an apple-tree, during the time. His honor bound to court Amos Owens, Alexander McIntyre, William Baber, and William Dupriest each in the sum of \$500, and released Fortune and Carson. The counsel for the defendants then insisted that Aaron Biggerstaff and his crowd should be bound to court for the assault on Sam. His honor bound them in the sum of \$100 or \$200. At the trial in the fall, Aaron and his crowd were convicted and fined by his honor, G. W. Logan, \$30 each. It was said that this disturbance in the neighborhood was caused by some of them reporting on others for illicit distilling."

By Mr. BLAIR:

Question. Then your understanding from Colonel Hoke was that this affair grew out of a personal feud between the parties?

Answer. Yes, sir; that is the most current statement. My understanding of the origin of the difficulty is—and I practice in Shelby, which is the adjoining county to Rutherford—that there were some parties near Cherry Mountain engaged in illicit distilling, who had reported on each other, which produced a feud, and this man McGahey's wife had been ill-treated by them, and he tracked these parties and one of the tracks led toward Samuel Biggerstaff's house. Aaron Biggerstaff was in the party pursuing, and the understanding is that the ball fired from behind an apple-tree was fired by Aaron Biggerstaff as he was going to his house. The balance of the crowd went out at the gate and went somewhere else. It is my understanding that it is fixed in the testimony that Aaron Biggerstaff fired that gun

Mr. Plato Durham, of Cleveland County, a lawyer of eminence, says in his testimony, page 305, and following North Carolina evidence:

In February, 1870, I believe it was, Mr. Aaron Biggerstaff, with two or three other parties, went to the house of his half-brother, Samuel Biggerstaff, and, as I am informed by the attorney who defended the parties, deliberately fired several shots into that corner of Samuel Biggerstaff's house where he usually slept, with the deliberate purpose to kill. This was shown conclusively, as I learned from Mr. Caveniss, the attorney who defended the parties. They were convicted of the crime in Judge Logan's court in the county of Rutherford; and he fined Mr. Aaron Biggerstaff, I believe, \$25; the other three men were fined from \$15 to \$20 each; I do not know exactly the amounts, but they were insignificant. Those men were not imprisoned at all, but were turned loose upon the community.

Question. Almost every witness we have had before us from your section of the country has had more or less to say about this Biggerstaff case. Mr. Justice, I think, testified that a shot was fired into Sam. Biggerstaff's house by a man named McGahey. He spoke of only one shot having been fired into the house. He said the evidence was that McGahey left the party, of whom Aaron Biggerstaff was one, ran ahead to the house of Samuel Biggerstaff, and fired a shot; and that the balance of the party immediately quarreled with him because of his impetuosity, and retired.

Answer. Well, sir, the attorney who defended these parties gave me a different statement. I did not hear the evidence myself.

Question. What was his statement?

Answer. It was that there were three shots fired into the house; that Aaron Biggerstaff, Mr. McGahey, and I think, Aaron Biggerstaff's son-in-law, a man named Holland, all fired.

Question. Were the parties put on their trial for firing into Sam. Biggerstaff's house?

Answer. They were.

Question. And convicted?

Answer. Yes, sir.

Question. And a fine imposed by Judge Logan?

Answer. Yes, sir; \$25 in the case of Aaron Biggerstaff, and \$15 or \$20 each in the case of the others. I forget the exact amounts.

Question. What offense had Sam. Biggerstaff committed?

Answer. I never heard of any.

Question. Was it not alleged that he had been at the house of McGahey and insulted his wife?

Answer. I think that is what McGahey alleged; that he had found tracks in the snow to Sam. Biggerstaff's house that night or the night before, I forget which.

Question. Was that true?

Answer. I really do not know whether it was true or not. At any rate the parties were never indicted.

Question. Was that evidence submitted on the trial to extenuate the crime committed by Aaron Biggerstaff?

Answer. I really do not know. I never heard that it was. At any rate Samuel Biggerstaff was never indicted for going to McGahey's house. There were no indictments against him in the courts.

Question. Was it this raid and the subsequent killing of Decatur De Priest by McGahey that caused the subsequent attack upon Aaron Biggerstaff?

Answer. I really do not know what caused it. But there has been, as I am informed, and have reason to believe, a very bad state of feeling between Samuel Biggerstaff and his brother Aaron, ever since the close of the war—a family feud; and from the time of the shooting into Samuel's house up to this time they have been bitter enemies. They have their friends on each side. Mr. Aaron Biggerstaff is a republican, and Samuel Biggerstaff a democrat. Whether that has had anything to do with the bad feeling, or whether it is merely a family feud, I do not know; but I am informed that it is a family feud which has been kept up ever since the war.

Question. Between those two brothers ?

Answer. Between them and their friends.

Question. Aaron Biggerstaff was attacked by a body of men some time after this ?

Answer. That is what is alleged, and I suppose it is true. That was, I believe, during the present year—some time in March or April.

Question. And a number of men were arrested for that ?

Answer. Yes, sir, a number of men have been arrested.

Question. How many ?

Answer. I believe there had been about thirty-one arrested up to the time I left home, for the attack on Aaron Biggerstaff.

Question. The first arrest was made under process from the State courts ?

Answer. Yes, sir. Judge Logan issued bench warrants on the affidavits of Mr. Biggerstaff and his daughter, Mrs. Norville.

Question. Were the parties all held for trial ?

Answer. They were arrested and taken before Judge Logan and imprisoned two or three days at Rutherfordton. It was about the 12th of April when they appeared before Judge Logan in Rutherfordton. They were ready for an examination ; but he did not investigate their cases, but bound them over to appear in June.

Question. June of this year ?

Answer. Yes, sir ; he required them to enter into bonds of \$500 each to appear before him in May or June of this year. When they appeared before him at that time he still was not ready to investigate their cases ; and he required them to enter into bonds of \$500 each to appear before him again on, I think, the second Monday in July ; I forget the exact date, but it was some time in July. They have been bound over three times. What disposition has finally been made of their cases in the State courts I do not know.

Question. These parties were also arrested by the United States authorities ?

Answer. Yes, sir. The same parties, or a number of them, have been twice arrested by the Federal authorities. The affidavits upon which the processes have been issued have been different every time. I think Mrs. Norville has made three or four affidavits in the matter, and Aaron Biggerstaff three or four. At least I understand it in that way.

Question. I wish you would give the committee as distinct an account as you can of the whole of this Biggerstaff feud from beginning to end.

Answer. I am not prepared to give, from my own knowledge, an account which can be relied upon ; I can only state what I have heard.

Question. The committee does not require you in every case to state facts within your own knowledge ; you are at liberty to state any information upon which you rely.

Answer. The facts, as I understand them, were given to me by the attorney of Mr. Aaron Biggerstaff—the gentleman who defended him in his trial—and I think my information is reliable. I understand that about the close of the war Mr. Aaron Biggerstaff was piloting the Federal cavalry around among his neighbors' farms, &c., hunting up their horses. I think that is, perhaps, what gave rise to the feud between himself and his brother—that, perhaps, he took the Federal cavalry to his brother's plantation, and that his brother's horses were taken. I think there has been a bitter feud between them ever since, one thing leading to another. I only state this upon information of parties who profess to know the facts. It is understood in the country, by all parties whom I have heard speak of the matter, that it is a personal, family quarrel—a family feud. As to the assault upon Mr. Aaron Biggerstaff, I know nothing. Aaron Biggerstaff swears that he was assaulted in his own house on or about the 8th or 9th of April, I believe, by a band of disguised men, and that those men were his immediate neighbors—Samuel Biggerstaff and others. These parties have been indicted in the circuit court of the United States for the district of North Carolina, and the indictment is now pending. A special term of that court is appointed to be held the second Wednesday of September for the trial of their cases and others.

Question. This McGahey affair has been testified to here as the first affair of that kind which occurred in the county of Rutherford ?

Answer. It is the first that I heard of. You mean the killing of De Priest ?

Question. Yes, sir ; the killing of De Priest and the previous alleged assault upon McGahey's family, which it seems led to the killing of De Priest.

Answer. Yes, sir ; that is what is alleged—that a party of men went to McGahey's house the night before young De Priest was killed.

Question. Did you hear the evidence in regard to this visit to McGahey's house ?

Answer. No, sir ; I did not.

Question. Do you know the circumstances in regard to it from reliable information ?

Answer. No, sir ; I know nothing except that McGahey alleged that a party of men went to his house, and the next morning he went to the home of young De Priest, called him out and shot him, alleging that he believed he was one of the party that was at his house the night before.

Question. Was he arrested for this ?

Answer. No, sir ; he was not.

Question. He made his escape ?

Answer. Yes, sir.

Question. And he is not now in the country ?

Answer. No, sir ; I have not heard of him since about a month or two months after this thing occurred. He was seen in the county several times afterward.

Question. Was it this murder of De Priest, and the attack about the same time upon Samuel Biggerstaff which led to the attack upon Aaron Biggerstaff ?

Answer. I think it was that and other things. Mr. Aaron Biggerstaff was also accused of burning the barn of one of his neighbors. Mr. William P. Carson had a barn burned some time previous, and Mr. Aaron Biggerstaff was openly accused in the county of burning it.

Question. Is there any other reason or motive alleged for the attack on Aaron Biggerstaff than those circumstances ?

Answer. Yes, sir ; the republicans of that county say it was on account of Mr. Biggerstaff's political course—on account of his politics.

Question. Is there any evidence showing that to be the fact ?

Answer. I know of none.

Question. What is your belief on the subject, from the circumstances attending the matter ?

Answer. I am very strongly impressed with the belief that it is simply a family feud which has been kept up ever since the close of the war. About that time Mr. Biggerstaff is alleged to have gone around with the Federal cavalry picking up his neighbors' horses. I think it grew out of that—nothing else in the world. I think so because Mr. Biggerstaff is a man of no prominence whatever. I can see no reason, if these parties intended it for political effect, why they should have gone to such an obscure man as he. There were hundreds of other republicans in the county more prominent than Mr. Biggerstaff.

Question. More influential ?

Answer. More influential. He is, I suppose, a man of no influence at all. I look upon him in that way.

Question. Did this Biggerstaff difficulty give rise to any other of the troubles in that county ? Did it extend itself to other parties ?

Answer. I do not know, sir. I learn that there have been other troubles in that county ; but whether they grew out of this particular case or not, I cannot say. I think, though, that about that time—February, 1870—was the commencement of the troubles there ; and I heard of no other troubles in that county until the assault upon Mr. Biggerstaff, about April of this year.

Question. The second assault ?

Answer. Yes, sir. I will qualify the statement I just made. Before that second assault I did hear of the whipping of some negroes on the South Carolina border.

Question. Since the second assault upon Biggerstaff, is it alleged that there have been many other cases of the same character in Rutherford County ?

Answer. Well, I have my idea about the origin of all those things, and it is the opinion, I think, of all the good people of that country—all the intelligent men who have observed the course of things there. I believe that all of these troubles spring from corrupt and incompetent State and Federal officials. I think that if Mr. Aaron Biggerstaff had been punished by the court for his assault upon Samuel Biggerstaff, with deliberate purpose to kill, there would have been nothing of this assault upon him. But he was not punished ; he was turned loose upon the community, as many others have been ; and the most intelligent portion of that community, as well as other communities in North Carolina, have come to the belief that justice cannot be had in the courts in the western part of North Carolina, in that district and some others.

Question. That is the reason, as you believe, that parties took it upon themselves to punish Biggerstaff's assault ?

Answer. I think it was. I think that led to it. I think that if Aaron Biggerstaff had been punished for his assault upon his brother, with deliberate purpose to kill, as there is every reason to believe it was made with that purpose, these troubles would not have arisen. I have been told by Mr. Caveniss that the bullets and slugs were in the bedstead of Samuel Biggerstaff, and that he would have been killed but for the fact that he was lying down before the fire that night, on account of sickness, or something of the kind ; that they fired into the corner where he usually slept, not knowing that he was lying before the fire.

Question. There was no lack of vigor in the attempt to punish the assault upon Aaron Biggerstaff ?

Answer. None at all. Bench warrants were issued the next day after it was committed.

Question. Were all the parties held to bail ?

Answer. Yes, sir ; all the parties accused by him were held to bail.

Question. They were also proceeded against in the Federal courts ?

Answer. Yes, sir.

Question. Under the recent act of Congress ?

Answer. Under an act of Congress of 1870, I believe. This thing occurred before the passage of the last act of Congress on the subject.

Question. Those parties were arrested and carried to Raleigh ?

Answer. They were carried to Raleigh, and put in jail.

Question. How far is Raleigh ?

Answer. It is about two hundred and fifty miles from the homes of these parties.

Question. Is there no Federal court sitting nearer ?

Answer. Yes, sir ; a Federal court sits at Marion, within twenty-five miles of the homes of most of the men. It sits in August.

Question. Why, then, were those parties dragged down to Raleigh, instead of being carried before the court which was so near ?

Answer. I have my own idea about that, and it is the opinion of all intelligent men who have observed the matter. I believe it was done for the purpose of annoyance and persecution. Many prominent republicans admit that it was an outrage on justice that those men should have been carried to Raleigh, when a Federal court was about to sit within twenty-five miles of their homes. Almost all of the men are poor ; and it is impossible for them to take the witnesses for their defense to Raleigh. It seems to me that the result of such a course must be a denial of justice in the courts.

Question. What is the evidence against the parties who have been arrested for these offenses ?

Answer. I do not know what Mr. Biggerstaff or his daughter will swear. All I know is that they were before the grand jury at Raleigh, and upon their testimony true bills of indictment were found. I suppose they will swear that they knew the parties. I have understood they say that some were disguised, and some were not ; that they knew some by their voices, and others by their bulk, their bearing, &c.

Question. Do they implicate their neighbors ?

Answer. Yes, sir ; they implicate their neighbors generally. Almost all the parties implicated are their neighbors, residing, I suppose, within about five miles around Mr. Biggerstaff's home. One man implicated resides in Cleveland County, perhaps eight miles distant.

Question. Are you counsel for these parties ?

Answer. I am counsel for all of them.

Question. Are you familiar with the evidence for the defense ?

Answer. Yes, sir ; I have examined it pretty thoroughly from time to time.

Question. What is your opinion in regard to the truth of the allegation that these men who have been arrested are the parties who were concerned in that affair ?

Answer. If the testimony on the part of the defense be true, not more than two of the parties at present indicted are guilty. Those two may be ; it is a question of doubt in my mind ; I mean if the testimony of the defendants be true.

Question. Mr. Justice, who appeared before the committee and testified in regard to this and other outrages in that county, was himself, as he declared here, attacked by these disguised parties. Do you know anything of the circumstances attending that affair ?

Answer. I know nothing except what I have heard. I understand that a disguised party of men, or a party partly disguised, went to the home of Mr. Justice, in Rutherfordton, took him out at night, struck him on the head, perhaps, with a pistol, and threatened him a good deal.

Question. They struck him when he made resistance ?

Answer. Yes, sir ; that is what he said, I believe.

Question. They inflicted no other injury upon him, did they ?

Answer. I think not. That was all I heard of. I think Mr. Justice states himself that they did not hurt him except to that extent.

Question. Is it believed that it was the object of these parties to inflict any injury upon Mr. Justice ?

Answer. The general opinion is that they went to Rutherfordton for the purpose of finding Mr. Biggerstaff, who had been living in Rutherfordton, but who had left his home, I think, after the assault upon him in April.

Question. Mr. Justice testified that they required him to inform them where Biggerstaff was, telling him that it was their intention to kill him, and that they agreed to release him if he would give them that information ?

Answer. I suppose those facts are true. They correspond with the statement I have heard. The impression is that they went to Rutherfordton for the purpose of finding Mr. Biggerstaff. Mr. Justice himself swears, I believe, that two of Samuel Biggerstaff's sons were among the party ; and it is the general impression that they went there for the purpose of finding Aaron Biggerstaff.

Question. State to the committee what in your opinion is the cause of the troubles

in the South, and especially in that part of North Carolina in which you reside—Rutherford and Cleveland Counties.

Answer. Well, sir, I can very readily state, as a general answer, that in my opinion the cause of the troubles in the whole southern country is bad government. I do not think there can be any question about that. I am fortified in that belief by the fact that up to the time that these governments and State constitutions so obnoxious to the people of that country were imposed upon them, nothing of this sort was occurring. From the close of the war up to 1867, affairs were perfectly quiet in the South; there were no occurrences of this kind. I attribute the whole thing to bad government, corrupt and incompetent officials, and bad advice to the ignorant negro population.

H. W. Guion, from whose testimony we have already quoted, says, (page 252 :)

Question. Is that the general understanding of the community ?

Answer. I suppose this Biggerstaff matter was wholly a personal matter, and had nothing to do with politics; I never heard it suggested that it was anything else. The understanding was that Aaron Biggerstaff was a particular political friend of Judge Logan, and that he had taken up his part very warmly, and given him the aid of his judicial powers.

Question. Is it not the understanding that much of the difficulties which have followed this Biggerstaff affair, which I think was among the first difficulties in Rutherford County—is it not the belief and understanding that most of them have arisen out of this Biggerstaff difficulty ?

Answer. I think that is generally understood.

Question. That persons taking part on the one side and on the other, it has led from one outrage to another ?

Answer. I think so. I understood that it had inflamed the minds of the people very much, especially the dragging them down to Raleigh, which was a very harsh act. I understood that they had been arrested some three or four times, bound over, imprisoned, and at last carried to Raleigh. They were very poor people, and it was in crop time. The people in Rutherford were highly incensed, and I think that if there were no United States troops there at this time in all probability there would be bloodshed; it has gone to that length in Rutherford County.

Question. And it arose entirely, or almost altogether, out of this Biggerstaff difficulty ?

Answer. I think so.

Question. And that, in fact, was a personal affair between the parties ?

Answer. Altogether so.

Question. And it had no reference to politics ?

Answer. No, sir.

Question. It has been stated here in testimony that this organization, and these particular demonstrations, were intended to bring about a condition of intimidation upon the part of the republicans in that county, and to enable the democrats to carry it in this election; that testimony has been given here.

Answer. Well, I never supposed there was any such necessity, because I think the republicans were about two to one in that county. They had all the power themselves; they had all the force there; and it would hardly look probable that the weaker party would endeavor to intimidate the stronger.

This, then, is the sum and substance of the Biggerstaff case, of which so much has been said, and which has led to so much disorder in the County of Rutherford. Sam Biggerstaff's house is broken open at night by a party of armed men; three shots were fired in the house in the attempt to take his life. The marauders were arrested, tried, and fined \$20 each by Judge Logan. This inadequate punishment of an atrocious attempt to commit murder naturally enough induced the assailed party to take the law into his own hands. Aaron Biggerstaff, who was proved to have participated in the attack on his half-brother, was in turn attacked and beaten once or twice by an armed band of men. Judge Logan is then roused to great vigor, and causes the assailants of Aaron Biggerstaff to be arrested and held to bail in the State courts. The same parties are also arrested upon process from the United States courts and dragged to Raleigh, a distance of two hundred and fifty miles, although at or about the time the United States court was sitting within thirty miles of the place where the offense was committed. The whole neighborhood is inflamed and aroused, and the friends of the arrested par-

ties committed other outrages in retaliation for the harsh measures taken against their side by the officials who had been so lenient to Aaron Biggerstaff, and the others who attempted the life of Sam. Biggerstaff. This quarrel, originating in illicit distilling, horse-stealing, or some other misconduct entirely personal, and having no reference to politics, was thus, by the corrupt conduct of Judge Logan, blown into an affair of magnitude. Everybody is arrested in Rutherford and the adjoining counties who differed in politics with the judge, and dragged to Raleigh to be tried before the Federal courts; United States troops are sent to Rutherford to make arrests, and the scenes enacted by Holden's militia in Alamance, and Holden's courts in Raleigh, are re-enacted by the Federal Army in Rutherford, and before the United States courts. To make the likeness complete, both of these performances took place while an election was pending, and had the same object in view—to carry the election for the radical party. Holden declared martial law in Alamance under the Shoffner bill, executed it with his militia under Kirk and Bergen, and tried his prisoners before the State courts. In the Rutherford case, the congressional Ku-Klux law (copied from the Shoffner bill) was called into operation, the United States troops carried it into execution, and Judge Bond, United States judge, presided at the trials; and, in order that there might be no mistake of the political purpose for which this personal feud of obscure criminals was seized upon by the Government of the United States, the Attorney General of the United States, Mr. Akerman, went to the State and proclaimed in a public speech that if the people of North Carolina dared to call a constitutional convention to amend their constitution, and rid themselves of the odious provisions fixed upon them by the carpet-baggers to plunder and rob them, the Government of the United States would refuse to recognize their action, or permit them to frame their own organic law.

This is the explanation of the seven hundred and sixty-three indictments found by the packed grand juries in the Federal courts presided over by Judge BOND! Ominous name! He is the same judge who opened the prison doors at night to the "Cut-throat Kirk."

We might take up very many (not all) of the isolated cases of outrages proved before the committee, and trace them to personal or local feuds, to combinations—regardless of party—organized to resist the breaking up of illicit distilleries, or to the pilfering, often to the plundering, disposition of the negro race under the teachings of their leaders, which General Grant expressed very well when he said: "It was almost impossible to make the negroes understand that the property of their former masters was entitled to any protection," it being often assumed by them that, as they worked to acquire it and were "loyal," they had an absolute right to it as against their former masters, who were held up by the authorities everywhere as "disloyal" and unworthy of protection in any of their rights.

We could show that the system of granting pardons by the wholesale when convictions were obtained, coupled with the ignorance and corruption of the judicial officers, had made legal proceedings, even when allowed, almost a farce, and that much of the lawlessness which existed was the result of the absence of everything like justice in the administration of what was called law.

But we will not elaborate any of these questions; our object now is to call attention to the character of the witnesses who have been the swiftest to malign their people. It will be found that those men who proved most belonged to a worthless class, who think that they can best retain power or acquire position by blackening the character of

the community in which they happen to live; and the most remarkable thing is that the committee, professedly searching for truth, should receive and rely upon and ask Congress and the country to believe the statements of such creatures. Chap. Norris, in Georgia, is a type of one set; Hargrove, of Rome, Georgia, a chronic office-seeker, represents another. Old Roper, of Huntsville, Alabama, whose testimony we have submitted an extract from, is but a type of the intensely ignorant, degraded, and prejudiced, but not naturally malicious class. In one form or other these swift witnesses hung round and obtruded themselves upon the committee, note-book in hand, when they could write, ready to tell all they had been able to gather from all sources in a busy search for months—often for years—for slanderous reports; rolling every bit of scandal as a sweet morsel under their tongue, doubtless expecting the important information they gave would entitle them to a collectorship at least, if not a foreign mission.

The Church contributed its quota of slanderers. Perhaps the most remarkable of them was Parson Lakin, of Alabama, a Methodist minister who traveled over Northern Alabama, and came to Washington brimful of gall, bitterness, and falsehood, which he poured out before us in such a way that it was hardly possible to determine which of the ingredients predominated. There was hardly a statement made by him that was not either wholly false or grossly exaggerated. The man seemed to be incapable of speaking the truth in a plain, unvarnished way. The neighbors of Parson Lakin were called, one of them in Washington, most of them before the sub-committee at Huntsville, and without exception they spoke of him as a man utterly unreliable in his statements. The kindest thing said was that he was a man of fertile imagination, upon which he drew freely. Many of his positive statements were flatly contradicted; statements directly the reverse of what he swore to were proved by the most respectable citizens to have been made by him before he came, and the crimes and misdemeanors with which he had been charged, and for which he was suspended from his church before he went to Huntsville, were shown to be of the most atrocious character. His tales of horror were greedily swallowed by the majority, and will, perhaps, in spite of the character of the man, and of the contradictions of him, be held up as true before Congress and the country. We therefore propose to give a specimen, as illustrative of the whole.

He told of a Ku-Klux baby which he examined carefully and minutely. When his statement, and the affidavit of the physician who attended at the birth of the child, are read, Lakin will be understood.

Lakin swore as follows:

By the CHAIRMAN:

Question. If it will throw any light on this investigation, go on and give it.

Answer. A lady, whose father, mother, brothers, and sisters were attending on the ground, the father a local preacher, and all of them members of our church—

By Mr. VAN TRUMP:

Question. White persons?

Answer. Yes, sir; they were all white; there were no colored persons on the ground at all; were not during the meeting, that I now remember of. This lady, on Sunday morning, gave birth to a child that was a perfect representation and fac-simile of a disguised Ku-Klux.

Question. In a tent on the ground?

Answer. No, sir; at her home, about a mile and a half from the ground. The head of the child was about three times the size of an ordinary child's head, with a soft, spongy, fungous growth over the skull.

Question. Are you describing now from your own observation?

Answer. Yes, sir; I examined the child very carefully and very minutely. The forehead was flat and square, and about perpendicular, about three times the height of the

forehead of an ordinary child. In a straight line from the crown of the head to the front of the forehead, commencing at each cheek bone, there was a sort of fringe, flaring very little to near the top, and then full around the top. It was about an inch wide and about half an inch thick at the base; a gristly fringe, of a dark purple color. At two points near the temples were two gristly horns of the same consistency, about an inch and a half or an inch and three-quarters long, projecting out from the forehead.

Question. Fleshy horns?

Answer. Gristly. The eyes and mouth were about one-third smaller than those of an ordinary child. The face was nearly flat, with but little nose. The eyes and mouth were of a scarlet red. The chin sloped off on a plane with its body. Around the neck was a scarlet red band; and from the point of each shoulder, extending down each side to about the center of the abdomen, was all a scarlet red. The child was brought on the camp ground and exhibited to from a thousand to fifteen hundred persons.

Question. By the mother?

Answer. No, sir; by the friends of the family. It was demanded by the people; they seemed to clamor for it to be seen.

By the CHAIRMAN:

Question. Was it living?

Answer. No; dead.

By Mr. VAN TRUMP:

Question. Dead then?

Answer. Yes, sir. The mother was a member of our church, a very delicate, pious lady, of very strong sensibilities. Her husband was an outspoken man, and the Ku-Klux had visited them. They had forced her husband into the Ku-Klux ranks, and they had stopped there at an improper time. And she, fearing for the safety of her father, the child was marked in that way. They seemed to be perfectly wild and exasperated at the exhibition.

The affidavit of Dr. Garlington Coker is as follows:

STATE OF ALABAMA, *Blount County*:

Personally appeared before me, J. W. Moore, judge of the probate court of said county, Garlington Coker, who is personally known to me, and who is a practicing physician of good character and of undoubted credibility, who, being duly sworn, says that he has resided in this county ever since the 18th day of April, 1861, as a physician; that in the fall of 1870 he was called to visit Mrs. B. B. Horton, in a case of obstetrics. Her labor was tedious, and on inquiry I learned from the mother that she had experienced no quickening sensations of the child for several days previous, which led me to suspect that the child would be born dead. My suspicions were well founded, as the child was born not only dead but somewhat putrid, so much so that at the slightest touch the skin would slip from the flesh. The skin of the forehead had slipped down over the face in part so as to make an unsightly appearance. After the child was laid out, some ladies suggested that it was a Ku-Klux child. I examined the child again, told them that it did not resemble any Ku-Klux that I had ever seen, and asked the mother if she had been frightened by Ku-Klux. She told me that she had never so much as seen a Ku-Klux in her life. The unsightly appearance of the child did not resemble Ku-Klux, and was but the result of partial decomposition. This same child, I learn, was after this on exhibition at Gum Grove camp-meeting.

Public opinion has always been against Samuel Horton, he being regarded as a quarrelsome and troublesome man. I do not personally know anything against him. As to Mr. Shepherd, his character was such when I first came to the State, that I rather avoided an intimate acquaintance with him. I have for the last ten years been practicing medicine in this county. I travel in night, through dale and over hill, without ever being disturbed, or in any apprehension of it. The peace and quiet is about as good now as at any time within said period. No difficulties or homicides that I now remember have been the result of political feeling.

The negroes, so far as my knowledge extends, behave themselves, and are allowed to vote undisturbed. Men of all parties are allowed to express their political opinion without fear of being called to account. I have, ever since the war, been known as a conservative man—freely objecting to the extreme measures of both great political parties. Rev. A. S. Leakin staid two or three nights with me and was perfectly welcome and unmolested. He frequently passed through the county, and I never knew of his being disturbed. The bitter feelings in this county, resulting from political differences, is less now than it has been at any period since I have been in the State. If there is now any existing in the county I am not aware of it.

GARLINGTON COKER.

Sworn to and subscribed before me this November 1, 1871.

J. W. MOORE,
Probate Judge.

Hon. Peter M. Dox testified in Washington. We have his testimony; that of the witnesses who testified in Huntsville has not yet been printed, and we have been unable to obtain it.

Question. Tell us all you know about Lakin.

Answer. I do not know him personally. I never spoke to him in my life. I have met him once or twice.

Question. What is his general character among your people? Let us have all you know about him from any information on which you rely.

Answer. All I know about him from information is that he is a man who is very reckless in his statements, a man exceedingly careless in his utterances. We saw only the brief abstract of his testimony as given by telegraph, but I do not think any people were ever so much astonished as the republicans of Huntsville were when they read that abstract. Mr. James Ware, who is I believe a republican, (at any rate he is chief clerk in the office of the probate judge, a republican,) and Mr. Gill told me they never were before so astonished as they were at Lakin's statement that he had not been kindly treated there. It seems that recently, during the last spring, there was a report (so Mr. Ware told me) that Mr. Lakin had been killed; and simultaneously with the reception of that report he appeared in the probate judge's office. "Why," said Mr. Ware to Mr. Lakin, "I am very much surprised and gratified to see you; we heard you were killed." "Killed?" said Mr. Lakin, "who would kill me? I never have been treated more courteously and kindly anywhere than I have been while traveling all over this district." And so he recently told Mr. Day, the clerk of the United States district court. He told Mr. Reed, a republican, (so Mr. Reed informed me,) that he had been shot at somewhere on the mountains, at least he thought he was shot at; he heard the report of a gun and thought he heard the whistle of the ball passing his head, and he was rather inclined to think the fellow intended to kill him. Mr. Reed told him "They shoot a great deal straighter than that here; when they want to kill anybody they are generally apt to do it." This was before we had seen the telegraphic report of Mr. Lakin's testimony. Reed told me, however, just what he would swear to; and I think his remark was that he had a very powerful imagination, would fancy things and believe to some extent what he fancied. I should like very much to have some of those men brought up here, as they know more of Mr. Lakin than I do. I have never spoken to him in my life, and have seen him only twice according to my recollection.

Question. What is his general character, as you have heard it from his neighbors there, as a man of truth and veracity?

Answer. I have not gone about making any inquiries directly as to the truthfulness or veracity of the man, so far as regards whether he would intentionally tell an untruth. But as to his statements I have not seen anybody of either party who says he can be depended upon. I asked Mr. Figures, the editor of a republican newspaper at Huntsville, "Is Mr. Lakin an honest man?" He said he thought he was honest, but that he was a terrible fanatic. Another man came to me and told me that there was a colored minister (whose name I think was Hamer) of the colored Methodist Church South, who was trying to reorganize that church. This man who spoke to me was a freedman, a Methodist, a man of character, a merchant there; and he stated that Mr. Lakin had driven this colored minister off; that Mr. Lakin had addressed the colored people, telling them there was a "wolf in the fold;" and the man had notice a short time after from several of his colored brethren that he must leave; that it would not be safe for him to remain.

One of the most malignant libelers of the South was a fellow by the name of Taliaferro, who claimed to hail from Noxubee County, Mississippi. He came with his pockets filled with memoranda which he had gathered up and reported them as facts, and they will doubtless be relied on as such by the majority of the committee. His neighbors were called, and when gentlemen know what manner of man he is shown to be they will understand to what consideration his evidence is entitled. The testimony of Charles Baskervill is all that need be quoted as to the character of Taliaferro:

Question. A man by the name of John R. Taliaferro has testified before us to a great many violations of law. Do you know such a man?

Answer. I do. He labored last year on a plantation adjoining mine.

Question. He stated to the committee that he was the owner of a plantation in Noxubee County.

Answer. Well, sir, if you desire me to speak of that man I will do so.

Question. I want you to state what you know of him.

Answer. I will speak only of what I do know. In the first place, he was for a long

time a great drunkard, though sometimes he remains sober four or five months. To sum up the matter, Taliaferro is a miserable drunkard, an incorrigible liar, and a consummate thief. These terms are strong; but each one of them can be substantiated; I will bring proof of each.

Question. Does he bear that character in your community?

Answer. He does bear that character and no other. He ran away from there for stealing a mule, which he sold—a mule belonging to an attorney in Macon. Taliaferro borrowed the mule on this man's plantation, rode him to Macon, and sold him at a livery stable. The owner found the mule at the livery stable next morning and took possession of him. Taliaferro ran away.

Question. Has he ever returned there since?

Answer. Not that I know of. Taliaferro has had no interest or occupation in the State of Mississippi since last December. His word is not believed in regard to the most trivial matters, and certainly would not be on others by either white or black. I think I can say that with truth.

Question. I have here an extract from a newspaper published, I believe, in your State, which speaks of Taliaferro in this way:

"When we read the evidence of this *lying* Mississippian before the outrage committee, the murderer of the prisoners in 1864 flashed before us, and we certainly had not thought of him in three or four years. We are confident that he is the same fellow, and only hope that the punishment that ought to have been visited upon him long ago, and which he justly deserved, will yet overtake him, and that from his own mouth, by his lying upon the people of his section, he will be condemned. If so, we will certainly have another instance that Providence moves in a mysterious way.

"We had an intuitive feeling—why, we know not—when we read the evidence of Taliaferro given before the outrage committee, that he was the Taliaferro that we saw during the latter part of the war, who was a Ku-Klux, a coward and a murderer. For we helped to bury, one Sabbath afternoon in the fall of 1864, at our old home in Madison, Georgia, five Yankee prisoners, whom he and two other assassins like himself had foully murdered. Well do we remember his telling us of how four of the men had plead for their lives, telling him that they were his prisoners, that they were soldiers, that they had their wives and little ones at home, and that they ought not to be killed for doing nothing else than defending their flag; then we remember how one brave spirit told him to kill, that he was an infamous hound, destitute of all heart and soul, of courage and manhood, and that he could kill whenever he got ready, that a man had but one time to die, and that the *tied* prisoner, without any chance for his life, would show him how a man could die. The infamous Taliaferro placed a pistol to the heart of the brave fellow and fired; not satisfied with killing the prisoner, he mutilated him by firing three or four shots into his head and face. Taliaferro told us this himself, before we went to where the prisoners were dead; and the facts of the killing sustained his statement of the butchery."

Is that the same man?

Answer. It is the same man.

Question. Does that article truly express the reputation he bears?

Answer. Yes, sir. I know nothing of the circumstance mentioned in that article, but he is the man referred to. He is the only Taliaferro in that country; and I have heard him boast of his great deeds of daring—how many Yankee soldiers he had killed, &c.; but I do not remember the particular case mentioned in that article.

Question. This man, you say, was a near neighbor of yours?

Answer. He was not a neighbor of mine. He worked on the farm of a neighbor simply as a laborer on the plantation. He plowed, he hoed, he went out in the morning, and came back at night, as a common laborer with the negroes.

Question. How long since he has left that neighborhood?

Answer. His contract with that party expired in December. I do not think he has been in the neighborhood since. If he has, he has been there secretly, and the neighbors did not know of it. He may have been there a little in January, perhaps; I do not recollect precisely; but I know he has not been there since April, because, I think, it was early in April that he committed this theft.

By the CHAIRMAN, (Mr. POOL:)

Question. Last April?

Answer. Last April. After going down to Columbus he came back in that neighborhood, and borrowed this mule to ride to Macon. I do not think he has been in my neighborhood since last December; nor do I think he has been much in that portion of the State. It was some time during the spring that he committed this theft; and since that we have heard nothing of him.

Another of the most remarkable witnesses of this class was Henry B. Whitfield, of Columbus, Mississippi. He was called and testified before

the committee in Washington City; his testimony covers nearly fifty pages of printed matter. He evidently had prepared himself before leaving his home to give evidence of everything that had occurred in the State, far and near, which could inculpate the white people of the State in the alleged Ku-Klux outrages. He had *crammed himself* for the occasion and emptied his well-filled wallet in the ears of the committee. He professed to have reliable information of every occurrence not only in the county of his residence and the adjoining counties, but also in distant counties. Indeed, he seemed to have posted himself very thoroughly in regard to every rumor of the Ku-Klux in the State of Mississippi. It was chiefly upon his testimony and that of Taliaferro that a sub-committee was ordered to go to Mississippi. According to their testimony the State of Mississippi was in a condition little short of insurrection or anarchy, and the prompt and immediate intervention of the Federal Government was necessary for the protection of the lives and property of the loyal people of that State.

The sub-committee visited the State, and their advent was saluted by the news of the murder of an inoffensive white man at Artesia, Lowndes County, twelve miles from Columbus, the home of Whitfield, by an infuriated mob of negroes, led by two carpet-bag candidates for office, in open daylight, without the slightest provocation and almost without a pretext. The murderers were arrested by the State officers and preliminary steps were taken to bring them to justice, but this movement was encountered by a negro mob in the city of Columbus, and the Federal officers intervened to arrest the sheriff and his *posse* for presuming to serve process upon the negro murderers, and they were taken by the marshal of the United States to Oxford, Mississippi, more than one hundred miles distant, and compelled to give bail to appear and answer before the United States court at its next term for presuming to arrest the negro murderers and their carpet-bag instigators.

This was not exactly the condition of affairs the committee had been led to anticipate by the testimony of Whitfield, Taliaferro, and others of the same kidney.

This is not all; witnesses were produced and sworn by the minority who unraveled the tangled skein of testimony of this man Whitfield and putting an entirely different face upon every transaction which he had so skillfully perverted to inculpate the white people of his State. It was shown that he had distorted and falsified every incident of every transaction he attempted to narrate before the committee. His character for truth and veracity was then attacked by the evidence of gentlemen of the highest character, and he was shown to be utterly unworthy of belief upon his oath. One of the witnesses said that "as some horses are natural pacers and some dogs natural setters, so Whitfield might be said to be a natural liar." It was his natural gait; he lied without effort, and with an ease and grace which excelled the best efforts of art and experience. An attempt was made to bolster his character, but his own witnesses, called at his own instance—the pastor of the church of which he was a member, his political and personal friends—while they said some kind things about him, could not deny that his infirmity in this respect was notorious to the whole country, and admitted to be chronic and constitutional. As this man took upon himself the office of defaming his neighbors, many of whom had been his friends and benefactors, in order to justify the oppressions heaped upon them by their political enemies, we have only performed our duty in making this exposure in order to render his malice harmless hereafter.

We had a man before us who professed to be a republican leader in

Atlanta, Georgia, by the name of Rockafellow, who, in the face of all the testimony on both sides, swore to disturbances and riotous proceedings on the part of the democrats at the polls in Atlanta. That was so evidently false that we only inquired into the character of Rockafellow to see if he was, as we supposed, of the same stripe as Taliaferro, Chap Norris, Lakin, Howle, &c; and he proved to be so.

General A. R. Wright, of Augusta, thus speaks of him :

Question. Were you, in your business, in frequent communication with Atlanta ?

Answer. Yes, sir.

Question. Did you hear of any serious wrongs being done at the polls there, of a large number of persons being excluded from voting there, at Atlanta ?

Answer. No, sir; I believe on the first day, perhaps, there was some collision between individuals outside of the polling-places, in the town; but nothing more than there always is in the South at elections. I believe there was a difficulty in Savannah, but the particulars of that I have forgotten. I think that is the only place where there was any serious difficulty, that I remember.

Question. Mr. Rockafellow was here yesterday and stated a great deal about serious troubles at Atlanta, where he was, and said that four or five hundred men were not allowed to vote. I mention that name to call your attention to the case.

Answer. Well, this Rockafellow is a stranger there; he is a carpet-bagger, and has been down there but a little while. He first went to Savannah, and, I think, aspired to a place in the custom-house there; he maneuvered there a while, but did not get it. He went to Macon and tried to get into office there, and failed; and then he went on to Atlanta, and has made a dead set to get Mr. Dunning, the postmaster there, out of office. That man Rockafellow was denounced three or four months ago by the Atlanta Era, the leading republican paper in the State, in the most unmeasured terms.

Question. Did not the Atlanta Era, the republican paper there, in a number of its issues, denounce him as a man wholly unworthy of a position of any sort ?

Answer. Yes, sir; I think so. I take the Era, but I did not think him worthy of notice, and was surprised that the Era should waste its time upon such a character.

Question. It did keep up a fire upon him ?

Answer. It did, sharply, for some time.

Question. The Era is an acknowledged republican paper ?

Answer. Yes, sir; the organ of Governor Bullock, and published at the capital of the State.

Question. Rockafellow failed to get the postmaster removed ?

Answer. Yes, sir.

Question. And he now claims to have a mail agency promised him from Washington, by the way of Chattanooga and New Orleans ?

Answer. I do not know about that.

Question. Do you believe he would be a good man to get up Ku-Klux outrages along that road if he gets that position ?

Answer. From what the republicans say of him, I should suppose that he would be a good man for that purpose.

One of the most notorious because one of the most dangerous of that class of false witnesses, was one William R. Howle, from Chatham County, North Carolina. He swore before the committee to the Ku-Kluxing of men and women, white and black, because of their loyalty; detailed his sufferings on account of his political principles; showed how bravely he had resisted, and how fearlessly he had brought to justice, the rebel Ku-Klux; he was a rare combination of the hero and the martyr. Unfortunately for him an old republican, Elias Bryant, from his neighborhood, was called to testify on other matters, but it leaked out incidentally that he knew all about the outrages as to which Howle had sworn. We quote from his evidence :

Question. You have spoken of this Howle case; what kind of fellow is Howle ?

Answer. I do not like to say much about him. Mr. Howle came to my house about eleven months ago. I looked upon him as a gentleman. He said he wanted to stay with me for three or four days. I let him stay. After staying three or four days he paid me up like a gentleman.

Question. What do people generally say about him? What is his general character ?

Answer. They generally speak very badly about him.

Question. That is his general character in the neighborhood ?

Answer. Yes, sir. Mr. Howle has always acted very gentlemanly with me; but his

general character through the country is very bad. I am bound to say that. One of the engineers came to me and told me not to trust him; that he never paid up, and that he was a man of no truth.

Question. His character for truthfulness is bad?

Answer. Yes, sir; that is what was stated to me. I liked Mr. Howle myself. He always treated me very gentlemanly. He is a citizen of Richmond now. He left our neighborhood about the latter part of April, and went to Richmond about the time the Buchanan case came up.

Question. In the Buchanan case, were both men and women whipped?

Answer. Yes, sir.

Question. What kind of a house was that kept down there? What was the general character of the house and the people who lived there?

Answer. She is an old woman who married and had a good many children. About fifteen years ago she had a black child. About three or four years ago she was very poor. She came to me and I gave her a pair of cart-wheels to work her oxen. They did say, (I do not know it to be so,) that she drove off her husband—a weak, pitiful kind of a fellow. She put up a kind of a distillery, making about a gallon of whisky at a time. Her visitors are mostly colored men.

Question. Her house was frequented mostly by colored men?

Answer. Yes, sir.

Question. She drove her husband off?

Answer. Yes, sir.

Question. She was a woman of a very bad character?

Answer. Yes, sir.

Question. What was the character of the girls she had about her?

Answer. I reckon they were about the same.

Question. Do you think it made much difference whether white or black men came about there?

Answer. No, sir.

Question. Are not those women generally considered as strumpets?

Answer. Yes, sir, certainly.

Question. The house is a house of ill-fame and a drinking-house, frequented mostly by colored people?

Answer. Yes, sir, that is what the neighbors say. Her neighbors are generally what we call "one-horse plowers"—honest, straight-forward citizens. She is right in the center of them.

Question. Is there not a good deal of complaint of pilfering and of things going to her house, from the neighbors all around?

Answer. Yes, sir, a good deal.

Question. Do you think her politics had anything to do with her being whipped or interfered with?

Answer. No, sir.

Question. Is it not one of those houses where there is drinking, whoring, and such things as get up disturbance in your country?

Answer. As you call me out on that point, there is one circumstance I will mention. There was a woman named Godfrey who went to live with this woman. I saw her in Raleigh the other day, in a wagon with Mr. Howle. She had a little daughter about fifteen or sixteen years old, I suppose. She hired her out to a man named Dave Wicker. I am told that she is a very nice little girl. Her mother went after her to go there.

Question. To take her to this old strumpet's house?

Answer. Yes, sir. The little girl refused to go, and told her she could not; that she had hired herself to this man, Wicker, for a year. Wicker refused to give her up. The mother of this girl, who is a poor woman, lives about two or three miles from the house. I think it all grew out of that.

Question. Out of this woman wanting to take that child to the old strumpet's house, and the man refusing to give her up?

Answer. Yes, sir.

Question. That was certainly no place to take a young girl to?

Answer. No, sir, it was not.

Question. The character of that house was notorious all around that neighborhood?

Answer. Yes, sir; the neighbors all said so. I have been to the house repeatedly when passing.

Question. You saw her at Raleigh the other day?

Answer. Yes, sir.

Question. What did Howle bring her there for; what were they doing together?

Answer. Do you want to know all about it?

Question. Yes, we do.

Answer. Mr. Howle came to my house, and said he and Mr. Hull were going back; that they could not be protected. Said I, "Mr. Howle, you and Mr. Hull come to my

house." Mr. Howle owed me about \$34. He let Mr. Barnum have his contract. Mr. Barnum was to pay his debts, and if anything was left he was to pay me. They went to the chief engineer of the company, and he turned the contract over to Mr. Barnum. Mr. Howle went on to Raleigh. He left my house, I suppose, about dark, and it was raining. I said to him, "I would not go if I were you; I will protect you; nobody will trouble you." Barnum said, "Come with me to Locksville, and I will protect you." Howle said, "No, my life is in danger." So he put out. Mr. Howle went to Raleigh; and the next day he came out with ten soldiers, and caught those men whose names I have given you. I saw the men in the wagon with him, except one. He had Clark and Mitchell with him; I forget the name of the other. He had those three in the wagon with him, and a boy. He took them down to Raleigh under arms. He had taken with him a captain and lieutenant and ten soldiers, with muskets. He had also with him "Old Sal," two girls, and this Godfrey woman. They carried them down to Colonel Shaffer, who put them in jail. When he put them in jail, I stood security for young Clark; the others were in jail when I left. Those two are bad boys. One of them, I think, married the daughter of this man Dave Wicker, with whom the girl I spoke of is living. I think his name is Mitchell. All I know of it is that I saw these parties in Raleigh.

These are the sort of men upon whose testimony, or rather on whose statements of what they profess to have heard, Congress is expected to hold eleven States and nearly ten millions of people under the provisions of the Ku-Klux bill, at the mercy of the President and his subordinates, when he is a candidate for re-election. The whippings paraded by Howle, to avenge which he was put in command of United States troops, by whose aid he filled the jail in Raleigh with his enemies, or those he desired to prosecute in order to ingratiate himself with the Federal authorities, were such as any honest people would have inflicted under similar circumstances. No man can read the evidence of Elias Bryant without feeling that Howle and his strumpets, in trying to force the unfortunate daughter of one of these hags into such a den of infamy as Bryant describes, to be the victim of the lust of Howle and his brutal associates, white and black, ought to have been whipped, and if Colonel Shaffer had repeated the dose when Howle, with "Old Sal," the "two girls, and the Godfrey woman" appeared before him, instead of prostituting his office and the Army of the United States to imprison the men who had rescued the innocent girl from the fate to which the brutes sought to consign her, would have elevated himself in the estimation of all honest men, even if he had been dismissed by the authorities at Washington for allowing the opportunity to escape to raise the cry of Ku-Klux, and malign the character of the people of North Carolina. Unfortunately for the country, just such men as Howle have been the trusted agents of the United States in all these persecutions. Talliaferro and Whitfield conducted the arrests in Mississippi, Chap Norris in Georgia, Howle in North Carolina, and the whole machinery of the courts and the military has been run with an eye single to making political capital for the radical party, and to put money into the pockets of the tools used for that purpose. In our special report as to the condition of affairs in South Carolina we show how things are managed there, and we have equally conclusive evidence to show that the same system is pursued in North Carolina and elsewhere. Judge Logan is the Jeffries who presides. Now he is a radical persecutor. He was a member of the confederate congress, and swore before the Senate committee last spring that he took the oath to support the constitution of the Confederate States, with the deliberate purpose of violating it; in other words, that he voluntarily and deliberately committed perjury. He dismissed from the bar a leading member of it, because he wrote a letter to a member of this committee, stating facts which it was important for the committee to know; of course the supreme court restored him but Congress will get a better idea of the man and the officer by

the following extracts from the testimony of David Schenck, esq., than from any statement we can make. The witness says:

Answer. I have a copy here of the memorial that has been presented to the legislature. It is signed by thirty-two lawyers: it is signed by democrats and republicans. I have a copy of it which I should like to file here, in order to show that these lawyers agree with me in my estimate of Judge Logan as to his administration of the law. I will state that this memorial is signed by thirty-two practicing and resident lawyers in the district.

Question. Read it.

Answer. I will state further, before reading it, that in the district there are only three republican lawyers; they are William P. Bynum, the solicitor, General Rufus Barringer, of Charlotte, and William H. Bailey, of Salisbury, who practice in that district. Mr. Bailey and Mr. Barringer both signed the memorial, and General Barringer stated, in the meeting of the members of the bar, that he was authorized by Mr. Bynum to state that he fully indorsed our proceedings, but on account of his position as solicitor of the court, he thought it was indelicate for him to sign the memorial. There are two other gentlemen who declined to sign it, Mr. Hamilton C. John and Mr. J. M. Whiteside, on the ground that they are senators, and if Judge Logan should be impeached, they would have to try him. But I have reason to believe they fully indorse the contents of the memorial. Here is the memorial, a copy of which has been presented to the legislature. I will read it and file it with the clerk, with the permission of the committee. It is as follows:

"At a meeting of the bar of the ninth judicial district, held at Charlotte, and unanimously attended, on the 2d June, 1871, the following preamble and resolutions were adopted:

"Whereas the learning and ability of the judiciary of North Carolina have always been the boast of her citizens and the pride of her bar; and whereas we think that the same high standard of judicial excellence should be maintained if possible, and that the law should be correctly and uniformly administered; therefore,

Resolved, That it is the opinion of the undersigned, members of the bar, that his honor George W. Logan, judge of the ninth judicial district, is not qualified, either by learning or capacity, to discharge the duties of the office he now holds, and that by reason of his incompetency the course of justice has been impeded, and in many cases justice itself virtually denied; public confidence in the efficiency of the government and the laws has been impaired; crimes have been multiplied, and the administration of law rendered needlessly expensive, as well to the public as to the parties litigant.

Resolved, That the secretary of this meeting be, and he is hereby, instructed to forward these proceedings to the speaker of the house of representatives of North Carolina, immediately upon its assembling in November next, with the view that the same may by him be laid before that honorable body as our memorial, for such action as the exigency of the case may demand.

Joseph H. Wilson, <i>Chairman.</i>	Z. B. Vance.
L. E. Thompson.	R. D. Johnston.
John D. Shaw, (Lincolnton.)	A. Burwell, <i>Secretary.</i>
R. P. Waring.	W. M. Smith.
Rufus Barringer.	Robert Graham.
H. W. Guion.	Paul B. Means.
W. J. Montgomery.	Joseph Y. Allison.
W. H. Bailey.	H. Cabiness.
J. Edmonds Brown.	P. Durham.
M. A. Moore.	H. D. Lee.
B. C. Cobb.	Lee M. McAfee.
C. E. Grier.	J. W. Gidney.
R. D. Osborne.	J. C. Mills.
C. Dowd.	J. F. Hoke.
D. Schenck.	W. S. Bynum
R. W. Sandifer.	M. L. McCorkle."

Question. Has that been filed with and acted upon by the legislature?

Answer. Yes, sir; it has been presented to the legislature and referred to a committee of five; so I saw in a paper yesterday; that is my authority for the statement. At that meeting they also passed a resolution, which I will here put in for my own vindication. It is but a short resolution:

"At a meeting of the bar, numerously attended, held at Charlotte, on the 2d day of June, 1871, the following resolution was adopted:

Resolved, That we do unanimously condemn the action of his honor George W. Logan, in disbaring David Schenck, esq., an attorney of this district, as a gross usurpation of power and a willful violation of the plain letter of the law.

Resolved, That a copy of this resolution be sent to Mr. Schenck as an expression of our sympathy with him.

"JOS. H. WILSON,

Chairman.

"Gentlemen present: Hon. J. H. Wilson, General Rufus Barringer, C. W. Dowd, esq., H. W. Guion, esq., H. C. Jones, esq., General R. D. Johnston, Colonel J. E. Brown, R. P. Waring, esq., Armistead Burwell, esq., Robert Osborne, esq., Columbus Mills, jr., esq., W. H. Bailey, esq., W. J. Montgomery, esq., L. E. Thompson, esq., J. D. Shaw, esq., M. A. Moore, esq., C. E. Grier, esq., B. C. Cobb, esq."

That was introduced by General Barringer, a republican, and passed unanimously.

Question. The memorial states, among other things, as to the incompetency of Judge Logan, that there has been a great increase of crime there recently. Is it the opinion of the bar, and the people generally of the district, that his incompetency has led to many of these disorders?

Answer. Yes, sir; there is no doubt about it; his partisan administration of justice is what is referred to in that memorial.

Question. In what respect is his administration partisan?

Answer. It is partisan because he will not inflict any punishment, or adequate punishment, upon members of his own party convicted of crime. His partiality is so gross as to be observed by everybody.

Question. Do you know any instances of this partisan partiality?

Answer. Yes, sir.

Question. State them to the committee.

Answer. I will state two very recent ones that came under my observation just two days before I was subpoenaed to attend this committee, at the Gaston court. His last month. I have not got the date exactly, but it was this last month, at Gaston court. A man by the name of Boyce Weir was indicted for a very violent assault upon a man by the name of Robinson, I think; I may be incorrect about that name. Robinson was introduced as a witness, and swore to the facts. He was at an election; it was in the summer of 1870, while Governor Holden had his militia in the county of Gaston. This man, Boyce Weir, was one of the militia known as Holden's militia, the Kirk militia. He insulted Robinson bitterly; and in the evening this man, Robinson, got behind a man on horseback to go home, and having got some distance from the election ground, Boyce Weir stepped out in front of them with a drawn pistol, and ordered them to stop. The man riding in front stopped the horse. He commanded them to get down. They got down. He told Robinson he had come out there to whip him; and he then beat him very violently, until finally he said he got his head between two saplings, so that he could not strike him any more. Some persons came up and intervened, and he was rescued from this man Weir. Weir submitted. Judge Logan turned to the witness, and asked him what was the cause of the difficulty between him and Weir. He stated that he knew of no cause except that he was a democrat, while Weir was one of the "melish" and a republican.

By Mr. WADDELL:

Question. An officer?

Answer. No, sir, not an officer. Judge Logan just remarked, "Let him be fined a penny and the costs;" and the man was not fined a cent. I mean it was nominal merely; that is, he was fined a penny and costs. The second case was the case of another one with the same militia. That militia was generally composed of very violent bad men. Their place of rendezvous was a point on the Wilmington railroad, known as Pump Station, near the Catawba River. They came there about five or six o'clock in the evening. There was a very respectable girl, by the name of Sanford, who lived some quarter of a mile from this pump, and in the evening she was sent by her aunt down to the cow-pen to milk; and while there, one of the militia company asked her if she was going back to the house when she got through. She said she was. When she started back, she was intercepted by this fellow. She swore that he put his arms around her, and offered her a dollar to submit to his embraces. She refused, and he pinioned her arms behind, and endeavored to trip her up. She screamed and hallooed so as to alarm three neighbors, one as far off as a quarter of a mile. One of them came so near, coming to her assistance, that this fellow saw him and ran. He then took a little dumpy on the railroad, and escaped across the river. He was convicted of this offense, and fined only ten dollars by Judge Logan. Miss Sanford proved a good character as any girl in the neighborhood. There was no impeachment of her character whatever.

The commissioner's courts are equally bad; men are arrested and blackmailed; innocence is no protection. The worst men are set free, provided they will implicate respectable gentlemen, of which Mr. Schenck gives a striking illustration.

Question. Go on with your statement.

Answer. About the same time, a similar letter was written to Mr. Durham, a prominent conservative in an adjoining county. I had a conversation with Mr. Durham at the spring court, in which we talked this matter over, and he told me he was greatly mortified at the conduct of certain parties in his county, and did not know what it would come to unless stopped in some way. I told him I was trying to do all I could, and told him of this letter from Governor Bragg. He said he had received one also. He said he would do all he could to stop this violence. I knew nothing more of it until after Mr. Durham was indicted. The facts I learned from him were these: That just before the Biggerstaff raid, he heard of the raid, and took nine of his friends from Shelby to go out to one of the meetings. He wanted them as witnesses to what he said in regard to it, and he took them along with him, and went out to a meeting of these parties, in order to stop the Justice and Biggerstaff raids. He had heard that these raids were to take place, and he made a speech on that occasion to one of these clans that met at a place called Cherry Orchard, in Cleveland County, in which he told them the danger of these raids and violence, and endeavored to induce them to desist from it. After this speech he went home with these nine men. He was indicted, and all these nine men were put in the same bill of indictment, and for that reason he could not use them as witnesses. That was what he complained of in that indictment, which I suppose is the fact that General Blair wants to get at, that they selected, out of those sixty-five men who were present, persons who would swear that Mr. Durham advocated or at least assented to this violence; that they also selected those who would swear that the objects of the society were to commit violence, while he would not get the benefit of the witnesses he had taken there for the purpose, as his witnesses were put in the same bill of indictment, and that others were selected to suit the prosecution, the mouths of his own witnesses being shut by putting them in the bill of indictment.

By Mr. BLAIR:

Question. It seems, from your statement, that the worst men, when they make confessions, are let off without punishment, in the hope of implicating men who are not criminals?

Answer. Yes, sir; I think that is the charge made, and that it is well founded on the facts.

Question. Within your knowledge it is well founded?

Answer. Yes, sir; I give the instances: Wherever a man will go before the commissioners—they call these courts in our country "puke courts"—and whenever a man will go there and vomit forth all he knows, the viler he gets, and the more he tells upon others, the surer he is to be relieved from punishment; the more he will tell, the more likely he is to get off. The idea is to implicate numbers, because the more arrests they make the more money they make. That is the experience of these men, except the Baxters, who have been punished and imprisoned. The men who have been committing the most violence have been discharged.

Question. You think the object of this is to make money?

Answer. I have no doubt of it.

Question. Have they also any political object in it?

Answer. I cannot say that. I can only tell you the declarations I have of the detective Boshier. He would arrest eight or ten men, and take them down and have them discharged. He would say, "Boys, let's go and take drink now; I have made my money out of you," and then they would all take a drink and have a jollification. He would state, "All my object is to make money and political capital. I am sent here for that purpose. I don't want you to understand that I am here to make trouble with you, only so as to make money and capital for the republican party." He would state that on public occasions—that it was to make money for himself and capital for the republican party. I will say, in regard to Boshier, that his treatment of his prisoners has been very kind. I do not think that he has treated any prisoner unkindly, but he would arrest them. They stated that he wrote a letter—it is stated in the prints—that there was no necessity for military force; that he had already arrested thirty by himself, and that he would go out by himself, go to the corn-shuckings, and arrest four or five, and bring them in and have them discharged, and they would have a jollification after he made his money. The men would come in, numbers of them. The court there has got to be a matter of ridicule; if a fellow will come in and pay enough, he can get out. As to Mr. Vest, I will say for him, as commissioner, that I do not know of his arresting any one except upon proper affidavit.

Question. You spoke about United States marshals and commissioners selling discharges and making money out of it. Has there been any complaint before the appointing power, the United States district judge, of those things?

Answer. No, sir; we do not complain of anything the United States Government

does; we bear it all as patiently as possible. We do not think there is any redress for it.

Question. Have you any doubt that if these facts were brought to the attention of Judge Brooks, he would hesitate to remove them?

Answer. I do not think the United States authorities would believe anything a democrat said.

Other parties acknowledged to having committed outrages. I think I heard that one of them had boasted at a camp-meeting that he had committed twenty-four of these outrages. They confessed to twenty-four, I think, not less than that, and they were discharged; they were not punished at all.

By Mr. POOL:

Question. You mean that was by Judge Bond, the circuit judge?

Answer. Yes, sir; they were discharged, not punished at all.

Question. And that was before Judge Bond, the United States judge in the circuit court?

Answer. Yes, sir. I am giving an account of it historically.

Question. I did not know but you were speaking of something before the commissioner?

Answer. No, sir; they were put on trial and plead guilty, and these parties were turned loose upon condition that they would implicate others. They were supposed to know the members of the order, and when Mr. Vest, the United States commissioner, was sent to Lincolnton those men were all used as witnesses; all of them were brought there, the Baxter crowd and the Anderson Davis crowd were both brought there, to act as witnesses against persons they might swear to as being Ku-Klux. I think that some 80 or 90 persons were arrested upon their testimony that they belonged to the order. These men were summoned as witnesses there; they drew a dollar and a half a day as witnesses and were used there for that purpose. They brought the Baxters out of jail for the purpose; they were at large during the time Mr. Vest was there, some two weeks. I think there were eighty arrests of members belonging to the order, and out of that eighty I think some fifty were bound over upon various pretexts, or rather various charges, because many were guilty. Those who had merely belonged to the order were discharged, but these seven men who had committed these outrages were not punished at all; and that is the point I desire to make in regard to that, because the whole community was indignant at it. Two or three bills were found by the grand jury against this Davis for burglary, and the most heinous offenses on colored people.

By the CHAIRMAN:

Question. What was the community indignant about?

Answer. That these men were not punished.

Question. Was their indignation at the court for letting them off, or was the indignation against them for their testimony against others?

Answer. They were indignant that these men were not punished; it was the general sentiment of the community that they should have been punished. I desire to say I think Judge Bond was too lenient in that case; but I do not desire to be understood as shielding crime in any way. I think they ought to have been punished, every one of them; but what our people complained of, what the conservative party complained of, was that those men who had committed these outrages were turned loose as witnesses, and attempts were made through them to implicate parties who were innocent. So far as I myself was concerned, I believe that they were asked on various occasions and inducements were offered to them to lead them to swear that I had been a party to some of these violences, which was untrue. So, too, they attempted to implicate various other gentlemen who were entirely innocent, merely because they had some prominence in the conservative party. In fact, it was used as a political persecution against these men.

By Mr. BLAIR:

Question. These parties who confessed their crimes and boasted of them, I understand you to say were let off without any punishment?

Answer. Yes, sir; and they are now witnesses at Raleigh.

Question. They were used as witnesses against men of some distinction and prominence as democrats?

Answer. Yes, sir.

Question. An attempt was made through them to implicate democrats?

Answer. Yes, sir.

Question. Were any of these men whom they released radicals?

Answer. Yes, sir; this man Anderson Davis, who had committed more offenses than any of them, had been for a long time a leader of the Union League. He afterward

joined the order known as Ku-Klux in 1870 and 1871, after it had degenerated into a mob of rioters. He joined them and was a common robber. He had committed burglary and robbery, and every other crime known to the catalogue. He had formerly been a leader among the negroes.

By Mr. POOL :

Question. You do not mean that he was a republican after he joined the Ku-Klux ?

Answer. No, sir ; but he is a very loud-mouthed republican now.

Question. You mean since he made his confession and was let off ?

Answer. Yes, sir ; but I do not think, to do justice to that party, that they are desirous to receive him. The last time, a man named Beal was arrested, a very respectable man, and Davis was brought as a witness, and they brought up three negroes and a white man, who swore that they would not believe him on oath ; and Mr. Vest discharged the man.

By Mr. BLAIR :

Question. But they arrested seventy or eighty men on his testimony ?

Answer. Yes, sir ; the State court was in session at the time the Vest court was, and they have found two bills against him for burglary, one committed against a man named Ishmael Roberts, a respectable colored man, from whom he took his sugar, and coffee, and meat, and even the sheets from his bed, taking them to make his wife clothing. He boasts of it on the streets ; that is, this man named Anderson Davis.

Question. It is upon the testimony of men of this character that most of those arrests have been made up there ?

Answer. Yes, sir, I think so, upon these seven men connected with them. Some of them are of better character ; they were not all as bad as he was.

Question. But they were generally such men ?

Answer. They were men who associated with him in these raids.

Question. It appears that Mr. Plato Durham, who testified before this committee, has since been arrested ?

Answer. Yes, sir.

Question. Will you state the circumstances attending his arrest ?

Answer. I can only give them to you as he has given them to me.

By Mr. POOL :

Question. Was he indicted before the circuit court ?

Answer. Yes, sir. I was going to say, as you asked for the conduct of these men, there is another cause of complaint against these marshals at Lincolnton, that they have appointed some very illiterate men as marshals, who were going around selling what they called discharges. They will come to a man and say to him, "Davis has sworn that you belong to the Ku-Klux. We don't want to punish you, but we can make some money out of your arrest. They will issue a summons for the man and bring him before the commissioner, and advise him to get two friends to swear that he never committed any violence, and then he is discharged. Thereupon they get their fees, which amount, in the aggregate, to \$10. I brought a little specimen of one of these discharges with me, which I think will give the committee an idea of the character of the men selling them out, something like the indulgences sold in Luther's time.

Question. Read it.

Answer. It is so badly spelled that I do not know whether I can. It ought to be seen to be appreciated. [Reading from a printed slip as follows :]

"Lincolnton November the 2 day, 1871.

"This is to surtifi That ——— was Rain By Mea Becfore the u. s. comishner R. P. Vest at the coat Hous in Lincoton of Ben Berlongin to the in viserl Emphire and was Di-chard of the vilatin of the acct of cougress charged in the With in Warrent. This 2 day of November, 1871.

"THOS. W. WOMBLE, *D. P. Marshal.*"

By the CHAIRMAN :

Question. Do you wish to be understood as conveying the idea in your testimony that the defendant charged with this offense paid the deputy marshal for such a discharge ?

Answer. Not for that one.

Question. For any one ?

Answer. Yes, sir, I do. I will state the facts. I will state one fact that came under my observation. Squire Potts, a gentleman living in the eastern end of Lincoln County, stated that one of his neighbors had received one of these discharges in Raleigh. He had been arraigned before the court down there and got some discharge, I think from the district attorney. When Mr. Vest and his marshals came to Lincolnton they spoke of rearresting this person, and he brought this discharge and exhibited it to the marshal to show that he had been discharged at Raleigh. The marshal told him

that was not worth—the marshal used a profane expression. He replied that he had paid \$5 for it at Raleigh. The marshal said it was not worth a —, and used a profane expression; and he could give him one that was worth something; and he tore it up and gave him another.

We think we have shown sufficiently that the whole machinery of the courts is being used in the most corrupt manner for the basest party purposes; that the Army of the United States is aiding and abetting in these outrages. In our opinion the soldiers in North Carolina might be more profitably employed in arresting or killing the Lowry gang, the only objection being that they generally kill democrats and vote the radical ticket. Mr. Giles Leach thus speaks of that gang of outlaws:

Well, Henry Berry Lowry, and his crowd of about seven men, were outlawed, but they were unmolested during the whole time. They shot a man in sight of the camp of the United States soldiers, killed him dead, and escaped with impunity.

Question. Who was killed?

Answer. John Taylor. They shot him in sight of the camp of United States soldiers, and then escaped with impunity.

Question. Without any attempt being made to arrest him?

Answer. O, the soldiers formed into line as soon as they could get all dressed right, and see how to go along. They went, but then it did not amount to anything. It was in the edge of the swamp that they shot their man and left him. He was a man who had been very active in trying to effect their arrest, and whom they had threatened before, whom they had notified that if he did not leave the country they would kill him. I suppose they fixed upon a time and place to be as defiant of the United States authorities as they could; I suppose that was their object. They have killed about seventeen or eighteen men, I think, at different times.

Question. Within what time?

Answer. Since 1863; I think they have killed as many as eight men within the last six months; and they have notified a great many men that if they do not leave the country they will kill them. Some leave the country; some will not leave, and they kill those who do not leave. I suppose they have driven off as many as twenty men from the country.

Question. Just notify them to quit?

Answer. Just notify them that if they do not leave the country they will kill them.

Question. What class of men are those they kill or notify to leave the country?

Answer. They are generally men who have heretofore exercised influence and authority in the county—men who are influential in making efforts to arrest them.

Question. Have these outlaws any politics? What ticket do they support? To what political party do they adhere?

Answer. I think that Henry Berry Lowry never had any politics. All his relations, all his color, all his kin, all who are associated with him in any way, are republicans. He has been in one or two processions of the republican party; but having been under a ban in consequence of warrants for his arrest, I do not think he has ever voted. I do not know how that is; some say he has, and some say he has not; but I think myself that he has never voted. I think all the balance of the band have voted the republican ticket. They are of that class that forms and makes up that party in that section of the State.

Question. And who are the men he has killed or made to quit the country? Are they democrats or republicans?

Answer. They are all what are known to us as conservatives. I do not think that any who have quit the country are republicans. He has killed eighteen or twenty men. This one man has killed that many, and I think that two of them were republicans—men who were impressed to hunt them as a part of the posse.

By the CHAIRMAN, (Mr. POOL:)

Question. Do you mean that two of them were democrats?

Answer. I mean that two of the men he killed were republicans. I think, though, it was because they were hunting him.

By Mr. BLAIR:

Question. Because they were in pursuit of him?

Answer. Because they were in pursuit of him. It has got to be spoken of as a fact that they have never slain a republican. My own impression is that they slay the men who are trying to capture them as outlaws.

By Mr. BUCKLEY:

Question. Without respect to party?

Answer. Well, sir, it is one of those things it is almost impossible for me to decide about. I have heard it remarked in that country that of the eighteen or twenty men they have killed, there have been but two republicans, and those they killed accidentally; that is, they did not know they were republicans. But I am inclined to the opinion that they just kill those men who are seeking to arrest them.

It appears, also, that, not satisfied with the usual methods of obtaining testimony to inculpate the people of the Southern States, the executive branch of the Government has resorted to the dangerous and detestable system of hired spies and informers.

By the published testimony of H. C. Whitley, taken before the Senate Committee of investigation in New York a few weeks since, it appears that under the employment of A. T. Akerman, late Attorney General of the United States, Whitley, who describes himself as "chief of the secret service," has had a number of detectives in the Carolinas, Georgia, Florida, and elsewhere, "working up" cases of "Ku-Klux," and in this some \$10,000 has been expended within six or eight months, and the work is still progressing; also that Whitley has been in communication with Mr. Scott, of Pennsylvania, chairman of the joint committee, respecting this business.

Such agencies are certainly dangerous in the administration of justice, and never more so than under the undefined charges of the act of Congress, under which Mr. Akerman supposed he had his warrant for the employment of such characters as Whitley and his gang, of whom Judge Benedict, in the circuit court of the United States for the southern district of New York, in his charge in the late case of the United States *vs.* Miner, personally spoke as follows:

In regard to the detectives, I but repeat what has often been said, that, as a class, their evidence is always to be scrutinized, and accepted with caution. I do not say that detectives never tell the truth upon the stand. I do not say that they always misstate upon the stand. *What I do say is that, from their occupation, from their calling, from their living a life of deceit, constantly engaged in the manufacture of this and that and the other story, their statements upon the stand are not entitled to the same weight as those of ordinary witnesses of good character taken from the mass of the community.*

This strong and emphatic language was used by a judge of ability and experience in a trial for counterfeiting—one of the most dangerous crimes—and in a case where Whitley's personal testimony was chiefly in question. A New York jury acquitted the prisoner because they would not believe Whitley and his compurgators upon their oaths. Yet who shall say to what extent similar or worse testimony has been received and acted upon by the packed juries in the late trials in North and South Carolina, or what portion of the testimony relied on by the majority has an equally questionable basis of fact.

By Whitley's own statement he was once an amateur hunter of fugitive slaves from Missouri, whom, to the number of thirteen, he captured and returned to their masters. And this incident of his dark and discreditable career appears strangely with his present employment under the secret-service fund of the Government which has abolished slavery forever.

We ought perhaps to repeat that while the witnesses on all sides, in every State, proved that it was a standing rule among the negroes not to allow one of their race to vote the democratic ticket if they could possibly prevent it, and while statements similar to the following, made by General Wright, of Georgia, were made by more than twenty witnesses, and not contradicted by a single one, no negro has ever been arrested or punished, either under the enforcement bill or any other law, and, we suppose, never will be. The statement we refer to is—

Answer. I have never seen any attempt on the part of the whites to intimidate the negroes. I know, from personal observation, that negroes were intimidated by their

own race from voting the democratic ticket; I know that was markedly the case at the last election. I witnessed it, where negroes were threatened with the severest punishment for voting the democratic ticket; they were set upon by their own race whenever suspected of having voted the democratic ballot. In the town in which I live the election managers who were appointed by the governor, and were of the republican party, had a ballot-box for the negroes and one for the whites. A negro could not vote at the colored box, as they call it, if he voted the democratic ticket; it would have been worth his life to have made the attempt. The only way in which they could vote the democratic ticket was by being smuggled in among the white people and allowed to vote at the white box, and protected by the whites while going in and coming out from the place of voting. As a matter of course, the negroes do not understand this election business; when they first went into the election, they had an idea that by voting they would get something; it was an indefinite idea in their minds, I presume, but they thought that they would be benefited by this thing of voting. They were very jealous of their rights to vote, so much so that they armed themselves, and went armed to the polls. At the last election, in a county adjoining the one in which I live, in Columbia County, a crowd of about three hundred negroes armed themselves with pistols, and shot-guns, and Joe Brown pikes, and had their regular officers, and marched down to the place of voting with a thorough military organization; I do not think the negroes knew any better. However, they were met at the outskirts of the village, and talked to by some of the leading citizens, and they stacked their arms there and dispersed, and there was no difficulty. The whites determined they should not come into town with guns in their hands.

We have in the foregoing review of the condition of the Southern States, and in the special report on South Carolina, which follows, as part of this general report, endeavored to lay the facts developed by our investigations before Congress and the country in as intelligible a form as we could in the midst of the pressure of other business. As we said at the outset, we have not seen the report of the majority, and not knowing either what they assert or what they recommend, we have been compelled to speak of the evidence taken by the committee more in detail than we might otherwise have felt it necessary to do. We felt that as the evidence was too voluminous to be read in detail, it was proper that we should set forth such portions of it as illustrated what we stated, either as facts or conclusions. We feel confident that we are sustained in the assertion we made in the beginning, that there is nothing in the evidence taken tending to show that there is either any combination, conspiracy, design, or desire on the part of any respectable number of the people of the South to deprive the colored race of any of their civil or political rights, and there is certainly none either to subvert or interfere with the legitimate authority of the Federal or State government.

We again point to the fact, which will not and cannot be denied, that it is not pretended that any Ku-Klux organizations exist either in Virginia, Tennessee, Arkansas, Texas, or Louisiana, and that none ever existed in one-tenth of the counties in any of the other States, as conclusive evidence that there is no general combination; since, if every man in every county in which a band of disguised men was ever seen had been a member of the order, it would not have embraced five per cent. of the men of the eleven Southern States, while no man will be bold enough to assert that one-tenth part of the people in any of the counties in which outrages were committed either belonged to the Ku-Klux bands, or aided and abetted them in any way.

We have shown, General Grant being the witness, that after the close of the war the people of the South were honestly and earnestly striving to comply with all the requirements of the Federal Government; that discontent and disturbances did not begin until after the cotton-thieves, the pretended Treasury agents, and the soldiers were licensed to plunder them—when they were denied representation in Congress, and Freedmen's Bureau agents and Loyal Leaguers broke up and de-

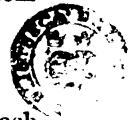
stroyed their labor, taking absolute possession and control of the negro population, whose minds, excited by the novelty of their situation, were taught to believe that the property of their former masters belonged to them. The successful effort to engender bitterness and hatred to the whites, on the part of the colored population, putting the ballot, and often the bayonet, into their hands, while large masses of the intelligent whites were disfranchised and forbidden to use arms, created, of course, hostility to the men and the party by which such outrages were perpetrated, encouraged, or tolerated.

When it became apparent that the object of all this oppression was robbery and plunder; when corruption and ignorance were the passports to power, men in many instances became reckless, and took the law into their own hands. One thing seemed to be agreed on by all the witnesses except those who are making a living by plunder; that is, that an immediate and unconditional removal of all political disabilities from all men would do more to restore order and preserve it than all the pains and penalties Congress could devise. A universal cry comes up on that subject. While these disabilities remain, the wisdom, intelligence, and influence of the States cannot be made available, especially in those portions of the South where intelligence and wisdom are most needed to conduct local governments. It is folly to insist that men shall suppress disorders when the positions are withheld from them in which alone they can do it; and they dare not try it when their private efforts are tortured into evidence that they belong to the bands perpetrating the outrages, for that is the reward usually of successful efforts in that direction. Men cannot fight with their hands tied; they cannot serve the government, State or Federal, when an attempt to hold position is a crime. We trust if the majority of the committee agree with us in nothing else, they will, in view of the overwhelming public sentiment which they have all seen manifested all over the South, at least unite with us in imploring Congress, in the interest of peace, law, and order, to grant universal and unqualified amnesty to the people of the South.

What follows was drawn up by Mr. VAN TRUMP, as the minority member of the sub-committee visiting the State of

SOUTH CAROLINA.

By a vote of the general committee, assembled at the Capitol in Washington, in May last, a sub-committee, consisting of Senator SCOTT and Representatives STEVENSON and VAN TRUMP, were sent to the State of South Carolina to take testimony in what was alleged to be the disturbed portions of that State. The sub-committee was occupied in that business from the 3d to the 27th of July, inclusive, and over one hundred witnesses were examined at Columbia, Spartanburgh, Union Court-House, and Yorkville. Of the witnesses who were examined by and in behalf of the majority of the committee, fifty-three were colored persons of the very lowest grade of intelligence belonging to human beings, thirty-six of whom were examined at Spartanburgh. One noticeable fact about these negroes was, that they were almost constantly herded together in and about the post-office at Spartanburgh, kept by a man of the name of Cannon, one of the most violent partisans in that community. Any one who will be willing to undergo the labor of looking carefully through the testimony—taken without restriction under the most remarkable decision of the general committee, that all mere rumors and hearsay



should be admissible—will be struck with the uniformity in the narration of what the Ku-Klux said and did, especially that they were whipped or otherwise maltreated “'cause they voted the 'publican ticket.” Whether or not they were trained to do this, no unprejudiced mind would doubt for a moment that they were just the kind of material to be molded at the will and command of any unscrupulous white man who had a common purpose with them in establishing any given state of facts. From the very nature of the case, there were and there could be no means of contradicting them, except so far as they might be made to contradict themselves on their cross-examination. Usually, however, there was such a paucity of facts in their narrative, outside of the alleged action of the disguised men, and there was such a sameness in their mode of stating them, that even a cross-examination would fail to elicit the truth, if their evidence was false or feigned. But whenever one of them ventured out of the beaten track of their examination, he would be very likely to be at cross-purposes with the truth. Take the following case as an example :

A respectable looking young white farmer, aged twenty-three years, by the name of La Fayette Chaffin, was examined at Spartanburgh by the majority of the committee as to whether he was a member of the Ku-Klux Klan, and particularly whether he wrote or knew anything about a certain paper, exhibited to him by the committee, purporting to be a Ku-Klux notice to one John Lipscomb, a colored man residing in the neighborhood of the witness. He calmly went through a most searching examination ; denied belonging to the Ku-Klux organization, and that he ever saw said paper before. The negro Lipscomb, of most forbidding personal appearance, but above the intellectual average of the South Carolina negro, was called up to demolish Chaffin. We give portions of his examination-in-chief and cross-examination, relating to this paper, as a specimen of South Carolina negro testimony, and upon which are to hang the property, the liberty, and the lives of the white race of that most unfortunate and oppressed Commonwealth. For this purpose we make the following extracts from his testimony :

By the CHAIRMAN :

Question. Do you know anything about this notice ? [referring to the notice set forth in the testimony of the witness, La Fayette Chaffin.]

Answer. Yes, sir.

Question. Where did you get that ?

Answer. At Goches Meeting-House.

Question. Where did you get that, and how did you come to get it ?

Answer. I was at the church on a Sunday—at the Goches Meeting-House—I was standing looking at the gentleman when he wrote it, and stuck it up at the side of the tree.

Question. Did you see the man write that ?

Answer. Yes, sir.

Question. When ?

Answer. Last August.

Question. Where ?

Answer. At Goches Meeting-House.

Question. How do you know it was that paper ?

Answer. I saw him write it.

Question. When did you get it ?

Answer. I got it two weeks after that.

Question. Who put it up on the tree ?

Answer. He did it himself.

Question. How did Chaffin come to write it while you were there ?

Answer. He wrote it on a paper that he didn't think I should have.

Question. Did Chaffin tell you what it was when he was writing it ?

Answer. No, sir ; not at that time.

Question. Who else was there when you saw Chaffin writing ?

Answer. I was there for one; *in about twenty yards.*

Question. Who else was there?

Answer. A whole parcel of them were.

Question. How do you know it was that paper he was writing?

Answer. Because I saw him writing *SOME*, and saw him stick it up there.

* * * * *

By Mr. VAN TRUMP :

Question. Was this a church where both white and black people went?

Answer. Yes, sir; white and black.

Question. Were there a good many there white and black?

Answer. Yes, sir.

Question. You were standing twenty yards from the door, with a party of white people and colored people?

Answer. Yes, sir, right around me.

Question. Where did you first see Chaffin writing?

Answer. Where did I see him writing that? *I saw him writing off some thirty yards straightforward before me.*

Question. Were there any people out where he was?

Answer. Yes, sir.

Question. How many?

Answer. It looked like some five or six white ones.

Question. What did he write this thing on?

Answer. He looked like he was writing on his knee; I don't know what he was writing on. He carried it around and laid it upon the wagon or buggy; something right on his knee.

Question. Had he a pen and ink?

Answer. I don't know.

Question. Did he write with a pencil?

Answer. I can't say what he wrote it with; all I can say is, he wrote it.

Question. Was it with a pen or pencil?

Answer. They were crowding round so, I could not see whether it was a pencil or not.

Question. How many were crowded around?

Answer. Five or six.

Question. Could you not see with what he was writing?

Answer. Not to see whether it was a pen or pencil.

Question. Did you see the paper?

Answer. I did not see anything but *that*.

Question. I am not speaking of *this* paper, but the paper he had. You think the paper he was writing on was this paper?

Answer. That's the one he wrote on.

Question. How do you know it is?

Answer. The reason I know he wrote it is, so far as I know, *he stuck it up beside the tree.*

Question. How do you know it was this paper?

Answer. Because the people told me my name was there on the paper. It was a man with a pistol drawn in his hand, and I was drawn on it, and my name on the paper.

Question. And because the people told you, *two weeks afterward*, that there was a paper on that tree with figures on it, one like a man with a pistol in his hand, you think this is the very paper that Chaffin was writing that day?

Answer. Why, what does the paper say?

Question. Answer my question. You say you were told of the existence of a paper two weeks after this Sunday, and that you saw Chaffin writing the same paper that was on the tree, with figures on it like a man with a pistol; and, therefore, you think it is the same paper.

Answer. I said in two weeks time I got the paper.

Question. How soon did you hear of it?

Answer. I heard it several days before.

Question. Now, Lipscomb, tell me how many people were in sight when Chaffin was writing that paper and stuck it upon that tree; how many were all around the church, and in the church that could see that?

Answer. I am telling you exactly the way, as far as I know. There was a great many people there that day; but to say who was noticing him particularly with that paper, I could not tell; but I saw it.

* * * * *

Question. And you saw him with this paper, and stick it up there?

Answer. Yes, sir; he wrote that paper and stuck it up to the tree.

Question. You swear to that ?

Answer. Do I swear that he stuck it up to the tree ? I will swear this way, that he wrote the paper.

Question. This paper that is here ?

Answer. Yes, sir.

Question. Did you not swear that he stuck it up there ?

Answer. I swore that he stuck the paper on a tree, closer to the church than he was.

Question. Did you swear that Chaffin wrote this paper on that day at the church ?

Answer. Yes, sir.

Question. Thirty yards from where you were ?

Answer. Yes, sir.

Question. And that he took this paper, after he had written it, and in the face of all the people, went to the tree and stuck it up there ?

Answer. You asked me how much nearer it was to the tree.

Question. Did he walk to that tree, and stick this up on the tree, in the face of the people that day ?

Answer. I don't know whether he did it before the crowd, but he stuck up there that day ; whether he did it right before the crowd I don't know ; but he stuck it up that day.

Question. What time of day was it ?

Answer. I don't know exactly what time ; but it was after dinner-time of day.

Question. Did you say that after he got done writing it, he took it and stuck it up ?

Answer. Yes, sir, I did.

Question. How long was he in writing it ?

Answer. I don't know how long.

Question. You say the preaching was not over when he commenced writing it ?

Answer. Yes, sir.

Question. How long did the sermon continue ?

Answer. I don't remember.

Question. Don't you mean to say that while you and these people were there, that when he got done writing this paper, he walked right up to the tree and stuck it there did you not say that ?

Answer. Yes, sir ; I said he put it on the tree.

Question. Did he not do it just then ?

Answer. Not as quick as he wrote it.

Question. How long afterward ?

Answer. I don't know what time in the day he did it, what hour or minute ; he put it on that day.

Question. Were the people there when he did it ?

Answer. I reckon they were ; and they might have pretty much gone.

Question. You are a pretty smart negro, are you not ?

Answer. I don't know about that.

Question. You think you are ?

Answer. I don't think I am much smart.

Question. How long did you stay there ?

Answer. I staid there until the crowd commenced breaking right smart.

Question. You left, then, before all the crowd left ?

Answer. Some two or three were there after I left.

Question. You say you left when the crowd began to break up ?

Answer. I said I left about the time the crowd broke up.

Question. Before you left, Chaffin put this paper up, for you saw him put it up ?

Answer. I did not see him stick the paper up to the tree.

Question. You did not ?

Answer. No, sir ; but I recollect this much, that I saw him writing this paper.

Question. Who brought you here to swear ?

Answer. I came for the party that called me.

Question. You say, now, you did not see him stick it up ?

Answer. I saw him write the paper.

Question. Is that all you saw ?

Answer. I saw him write the paper ; and a gentleman said he was standing right beside him when he wrote the paper, and saw him write the paper.

Question. Do you say, now, that you did not see Chaffin stick this paper on the tree ?

Answer. I told you that Mr. Chaffin wrote it.

Question. But you said that after he wrote it he stuck it on the tree.

Answer. If he wrote it, I was satisfied he stuck it there ; as long as he wrote it himself, you know.

Question. How do you know, if you did not see him stick it up, but merely saw him writing something on a paper, that he stuck this particular paper up ?

Answer. What makes me say it is, he wrote it. I showed this paper to a gentleman after I got it.

Question. Two weeks afterward ?

Answer. Yes, sir ; and he sanctified that he knew it ; and he sanctified he knew who did it, but would not tell.

Question. That was Whitely ?

Answer. Yes, sir.

Question. That makes you know that Chaffin stuck this up ?

Answer. Yes, sir ; I know he did.

Question. Have you not said half a dozen times that you saw him write this paper, and saw him stick it up on that tree ?

Answer. Yes, sir.

Question. Did you see him stick it up there ?

Answer. Now I am going to tell you. *He goes to the tree ; he had done the writing ; he goes to the tree, and then in the evening the writing was proved to be on the tree.*

Question. Then you did not see him stick it on the tree ?

Answer. I saw him have the paper in his hand going to the tree. That is the way I went. I took the paper a few days after that—about, nearly two weeks.

Question. Do you know how many times I can make you tell that you saw him stick this paper up, before I get through with you ?

Answer. It was the very day he wrote the paper.

Question. Can you guess how many times I can get you to say that you saw him with this paper, and stick it up on the tree, right in the face of the congregation, in broad daylight ? Do you know how many times you will say it before you get through ?

Answer. I have said it often enough.

Mr. VAN TRUMP: I think you have.

We, of course, cannot afford to occupy the valuable space of this report to make any further extracts from the testimony upon this point. We only introduce the above as a specimen of negro testimony in the South ; testimony which is sought to be the means of overthrowing the character and good name, not to say the rights and liberties, if not the lives, of a whole commonwealth of people. We pass, then, the negro testimony for whatever it is worth. But, while we do this, we do not deny that in that portion of South Carolina, commonly known as the Piedmont region, embracing the counties of Spartanburgh, Laurens, Chester, and York, a broken and somewhat mountainous region of country, largely populated by an ignorant, uneducated and, when excited by wrong, a lawless class of white people, there have been within the last eighteen months or two years numerous instances of lawless outrage upon the black population by disguised men, known by the name of Ku-Klux ; but that this state of things, to any considerable extent, grows out of politics, in the ordinary partisan sense of the term, we do most emphatically deny. This fact, we think, is not only fully sustained by the testimony, but every intelligent observer, who has visited this portion of South Carolina since the lawless operations of the Ku-Klux began, entertains the same views. In this connection we make the following extract from the southern correspondence of the New York Herald, written from Spartanburgh under date of November 1, 1871. It is not, it is true, in the legal technical sense of the term, testimony, but it will have, and ought to have, far greater force and weight than a large portion of the negro evidence taken before the committee. It is the production of one of the regular traveling correspondents of that paper, as is manifest in one of his letters, which gives the correspondence between himself and Major Wilkes, commander of the Federal troops stationed there, and also a United States commissioner, in relation to the correspondent's request to visit the prisoners in charge of the military, of which we will speak hereafter. The correspondent says :

A few miles from this place are the mountains, along which runs the imaginary line which separates South Carolina from North Carolina. On this mountain range have lived, from the Declaration of Independence to the present day, a class of men differing in many respects from the majority of the white population of South Carolina. It may, indeed, be truly said that several distinct classes exist, forming, as it

were, an almost distinct people. Among them are not to be found many men of culture. Their highest classes are, for the most part, men of limited education—respectable, intelligent men, undoubtedly, but still men of limited education, with their own ideas of society. There is another class of honest though almost ignorant men, each possessed of his little farm, upon which he labors, unaided by negroes. Then there is a third class of low, degraded white men, many of whom are employed in the illicit distillation of whiskey, finding it, as it is humorously said, more convenient to carry their corn to market in a fluid state than in the grain. A large proportion of the Ku-Klux prisoners belong to this class, and, in fact, they give numerical strength to the organization. So far as the first two classes are concerned, I am satisfied that their object in joining the Ku-Klux was for self-protection. The burning of the barn of one of these small farmers would be temporary ruin to him, and the knowledge that the criminal would not be punished by the State would naturally enough incline him to take the law into his own hands. The motives of the whiskey-distilling element were undoubtedly bad. From time immemorial these men had been a lawless, "low-down" set. It is not denied by the Federal authorities here that all the filthy atrocities credited to the Ku-Klux were committed by them, and I should not be surprised if their "dens" were formed for the purpose of wreaking private vengeance and resisting the revenue officers in their attempts to arrest illicit distillers and destroy their stills. But I feel satisfied that the arrest and punishment of these men could have been effected easily without suspending the writ of *habeas corpus*, stigmatizing entire communities as lawless and insurrectionary, driving the best citizens of these counties into exile, and paralyzing the industry of the State.

But we present a still more significant corroboration of our views upon this question as to the character of the men who compose the Ku-Klux in South Carolina. A number of men living in these upper counties were arrested, tried, and convicted at Columbia within the last two months as members of the Ku-Klux Klan, and were sentenced to imprisonment in the penitentiary for different terms of service. The character of these men is shown from the following extract from the *New York Times*, the special organ of the President, of the 27th January, 1872:

The steamer Charleston arrived in this city last evening from Charleston, South Carolina, having on board twenty-four convicted Ku-Klux prisoners, in charge of a detachment from the Eighteenth Infantry, under the command of First Lieutenant Potter. These prisoners were tried and convicted at the recent term of the United States circuit court held at Columbia, South Carolina, and were on their way to the Albany penitentiary. The sentences vary from one year to five, with fines from \$100 to \$1,000. They were confined in a bulkhead in the forward part of the ship which had been temporarily fitted up for their accommodation. They were all apparently white men, but a more forlorn, woe-begone, haggard-looking crew could scarcely be found. All were furnished with gray blankets, which they wore in the manner of cloaks over the shoulders, fastened with strings. *With one or two exceptions, they bore upon their faces the stolid look of utter ignorance.* The reporter was told that only one or two could read or write. Their rough, haggard faces, ragged garments, and unkempt hair presented a singular spectacle, seen by the dim light of the ship's lantern. Among the former was an old man, over sixty-five years of age, who is the head of a large family. He has received one of the heaviest sentences, viz, five years imprisonment, and a fine of \$1,000. They were taken on to Albany last evening.

The above paragraph, though not intended as such, is a most withering comment upon the policy of Congress and the action of the President in relation to affairs in South Carolina. The Constitution was trampled under foot in the passage of what is known as the Ku-Klux law; a power was delegated to the President which could be exercised by the legislative authority alone; whole communities of innocent people were put under the ban of executive vengeance by the suspension of the writ of *habeas corpus* at the mere whim and caprice of the President; and all for what? For the apprehension and conviction of a few poor, deluded, ignorant, and unhappy wretches, goaded to desperation by the insolence of the negroes, and who could, had the radical authorities of South Carolina done their duty, just as easily have been prosecuted in the State courts, and much more promptly and cheaply, than by all this imposing machinery of Federal power, through the military and judicial departments.

In addition to this, we shall show by the strongest testimony that this state of things is the clearest natural offspring of as corrupt and oppressive a system of local State government as ever disgraced humanity, and utterly unparalleled in the history of civilization. No modern instance of wrong and oppression, of robbery and usurpation, can approach it in wickedness and infamy; nor can any people on the face of the globe, not even the unhappy Poles in their darkest days of suffering, rival the great body of the best citizens of South Carolina, for the patient, we had almost said the abject, forbearance with which they have submitted to the infernal persecution of their rulers. That class described so aptly by the Herald's correspondent did not submit to it; but who will deny the proposition that while we denounce the effect, we should also condemn the cause? That while we punish the crime we should also remedy the evil which produces the crime? It is an axiomatic truth that bad government will produce bad men among the best people on earth; and that has clearly been the cause of Ku-Kluxism in South Carolina. In this we are only "repeating history." It has been so in all ages of the world. It produced the *Carbonari* in Italy; it gave rise to the *Free Companions* in France, in the bad reign of Louis XI; and it filled all England with *Moss Troopers* under the iron rule of the Normans, and who reappeared in Scotland against the tyranny of the English Crown prior to the union. Even *Robin Hood* and his burly followers, whether mythical or real, whether their exploits were matters of mere romance or of veritable history, serve to "point a moral" in the philosophy of government; for they stand both as the representatives and the exemplars of the indisputable fact, that good as well as bad men will band themselves together in resisting the aggression of tyrants wielding political power. So far from this condition of things in South Carolina resulting from party politics, and especially in relation to any question of Federal politics, we are satisfied it is, in most cases, simply a question of labor and social caste between that class of the white population and the negro in that portion of the State; and the testimony wholly fails to show any like condition of things in any other parts of the State. Indeed, it will be well remembered that there was no very amicable state of feeling between these two classes even in the days of slavery. Fully impressed with the truth of this proposition, both by observation and intercourse with some of the most intelligent of these southern people, the minority member of the sub-committee deemed it only a waste of time even to attempt to hunt up countervailing testimony as to the commission of these outrages, though he by no means admits them to the extravagant extent as claimed; he felt that the truth of history would be better vindicated, and that a knowledge of the means would be more successfully furnished to the national legislature, to apply, if so disposed, the true remedy for this great evil, by showing the *cause* and the *process* of robbery, corruption, and outrage which have produced it. These two classes of people, white and black, are, from the necessity of their position, constantly brought into close and sharp contact with each other. They are fierce competitors in the earning of their daily bread; they are competitors in labor in all its varied rural forms, and in the renting of what is now called one and two horse cotton farms; for there exist no longer in South Carolina any great proprietary cotton plantations, at least in that portion of it visited by the committee. The antagonism, therefore, which exists between these two classes of the population of South Carolina does not spring from any political cause, in the ordinary party sense of the term; but it grows out of that instinctive and irrepressible repugnance

to compulsory affiliation with another race, planted by the God of nature in the breast of the white man, perhaps more strongly manifested in the uneducated portion of a people, and aggravated and intensified by the fact that the negro has been placed as a *ruler* over him. This is not the place to discuss negro suffrage or negro equality, even in a government or State where the negro is in a controlling majority; but we cannot refrain from declaring right here that no fair-minded man, we care not what may be his prejudices or his party ties, can go down to South Carolina and see the practical workings of the system there without being driven to the admission that the policy which has made a San Domingo of one of the States of this Union is one of the most terrible blunders ever committed, one of the most reckless and unwise political movements ever inaugurated in a government of fixed laws and constitutions.

As we have just remarked, we do not propose to discuss at large the question of negro government in these pages; but we feel that it would be a dereliction of duty on our part if, after what we have witnessed in South Carolina, we did not admonish the American people that the present condition of things in the South cannot last. It was an oft-quoted political apothegm, long prior to the war, that no government could exist "half slave and half free." The paraphrase of that proposition is equally true, that no government can long exist "half black and half white." If the republican party, or its all-powerful leaders in the North, cannot see this, if they are so absorbed in the idea of this newly discovered political divinity in the negro, that they cannot comprehend its social repugnance or its political dangers; or, knowing it, have the wanton, wicked, and criminal purpose of disregarding its consequences, whether in the present or in the future, and the great mass of American white citizens should still be so mad as to sustain them in their heedless career of forcing negro supremacy over white men, why then "farewell, a long farewell," to constitutional liberty on this continent, and the glorious form of government bequeathed to us by our fathers. The mind of every thinking man is troubled about our future. He knows that a conflict of races must be the inevitable result of such a policy. In a struggle for the political power of the State, this conflict is already as clearly marked as white is from black. The line of separation between parties there to-day is not only one of color and distinctive races, naked and unbroken, but it is a question of supremacy, of exclusive tenure to office, of the right to govern, and a separation of representation from taxation. Such an anomalous state of affairs as one race ruling the other has never existed in any form of government, republican or monarchical, except by force and coercion. There can be neither sympathy nor harmony in any polity where such antagonism is attempted to be overcome by law. God's law is higher than man's law. Man's puny statutes cannot repeal or nullify the immutable ordinances of the Almighty. Those whom God has separated let no man join together. There can be no permanent partition of power, nor any peaceable joint exercise of power, among such discordant bodies of men. One or the other must have all or none. It is the very acme of folly and fanaticism to suppose, in this day of enlightenment and its consequent pride of feeling among the superior race, that there can be a reproduction of the ancient fable of tying the living and the dead together without causing death to both. Who would have dreamed, fifteen years ago, what highest and most far-seeing intellect among the great men who established this Government upon the basis of homogeneity of race and color, could have imagined that in the first century of its existence

African freedmen, of the lowest type of ignorance and brutality, would rule a sovereign State of the Union, and be the arbiters of the rights and property of a race who have ruled the destinies of nations ever since government was known among men? Such a state of things may last so long as the party shall last which had the power and audacity to inaugurate it, and no longer. But whenever that party shall go down, as go down it will at some time not long in the future, that will be the end of the political power of the negro among white men on this continent. Men in the phrensy of political passions may shut their eyes to this fact now, but it will come at any time when the negro shall cease to be a party necessity in the politics of this country. Thousands of republicans, even now, hate him for his insolence and for his arrogance in the ready self-assertion of his new-found rights and privileges. The truly sincere and rational humanitarian looks with sorrow upon the future status of the poor, deluded negro; for in the near state of things which is to come, when the two great parties which now exist shall have passed away, he sees either the exodus or the extinction of this disturbing element in the social and political condition of the more powerful race.

“O that a man might know
The end of this day's business ere it come!
But it sufficeth *that the day will end,*
And then the end is known.”

The condition of things in South Carolina, we dare assert, is without a parallel in the history of any people of any civilization. Even when the Romans were swayed by the keenest lust for conquest and dominion, their legions conquered the outside nations, not to degrade and destroy, but to elevate and improve the people who yielded to their invincible arms, and to attach them to and identify themselves with the Roman institutions. Barbaric vengeance never went so far, never so violated the natural fitness of things, as to place the slave over his former master, the arbiter of that master's rights, by way of retribution for his former servitude, even where master and slave were of the same race, or at least of the same color.

We shall not go into the question as to what effect or whether any effect was produced on the popular mind of South Carolina by Federal legislation since the war. But we take occasion to say that even that inquiry would exhibit patience and forbearance on the one side and at least intolerance and severity on the other. The leaders of public opinion in the North, in what they are pleased to call the “reconstruction” of the Government, seemed to have forgotten the great maxim of true statesmanship, that after an armed conflict between two sections of the same nationality, brought about by a dissimilar construction put upon the organic instrument of government upon questions of sectional policy and local rights, “the offenses of war should be obliterated by peace.” Indeed the whole theory of Federal legislation since the war, in regard to the southern people, is a transposition of the wise and humane observation of the old Roman statesman: *Pacem hominibus habe, bellum cum vitis.* The republican party shut their eyes to the fact that the true purpose of war is to insure peace, and that all the causes of the war should cease with the war itself. If modern civilization has not made that step forward, it has gained but little, outside of its greater strides in grosser things, from what it was centuries ago. It ought to bring the blush of shame to the cheeks of some of our statesmen to know that even in the old monarchies of Europe a higher and broader view of these questions is taken by statesmen surrounding a throne, and more in consonance with public

liberty and constitutional government. Edmund Burke, in his fourth day's speech on the impeachment of Warren Hastings, broke out into the following manly and Christian train of thought upon the relations of the conquered and the conquerors, even where the parties to the war were separate and independent nations, and belonged to different races of men :

If, then, all dominion of man over man is the effect of the Divine disposition, it is bound by the eternal laws of Him that gave it, with which no human authority can dispense; neither he that exercises it nor even those who are subject to it; and if they were mad enough to make an express compact that should release their magistrate from his duty, and should declare their lives, liberties, and properties dependent upon, not rules and laws, but his mere capricious will, that covenant would be void. The acceptor of it has not his authority increased, but he has crime doubled. Therefore, can it be imagined, if this be true, that He will suffer this great gift of government, the greatest, the best, that was ever given by God to mankind, to be the plaything and the sport of the feeble will of man, who, by a blasphemous, absurd, and petulant usurpation, would place his own feeble, contemptible, ridiculous will in place of the Divine wisdom and justice? The title of conquest makes no difference at all. No conquest can give such a right; for conquest, that is, force, cannot convert its own injustice into a just title, by which it may rule others at its pleasure. By conquest, which is a more immediate manifestation of the hand of God, the conqueror succeeds to all the painful duties and subordination to the power of God which belonged to the sovereign whom he displaced, just as if he had come in by the positive law of some descent or some election. To this, at least, he is strictly bound: *he ought to govern them as he governs his own subjects.* * * * No, my lords, this arbitrary power is not to be got by conquest; nor can any sovereign have it by succession, for no man can succeed to fraud, corruption, rapine, and violence; neither by compact, covenant, or submission, for men cannot covenant themselves out of their rights and their duties; nor by any other means can arbitrary power be conveyed to any man. Those who give to others such rights perform acts that are void as they are given, good indeed and valid only as tending to subject themselves, and those who act with them, to the Divine displeasure, because morally there can be no such power. Those who give and those who receive arbitrary power are alike criminal; and there is no man but is bound to resist it to the best of his power wherever it shall show its face to the world. It is a crime to bear it when it can be rationally shaken off. Nothing but absolute impotence can justify men in not resisting it to the utmost of their ability. Law and arbitrary power are in eternal enmity. Name me a magistrate, and I will name property; name me power, and I will name protection. It is a contradiction in terms; it is blasphemy in religion, it is wickedness in politics, to say that any man shall have arbitrary powers.

When the republican party yielded the question of their power, as they did in the case of Jefferson Davis, to punish by *judicial* process the southern people for treason committed in rebellion, upon the ground that they had acknowledged them as belligerents, peace, amnesty, reconciliation, restoration to all political rights, was, *ipso facto*, guaranteed to them by the Federal Government, not only and merely as the dominant power by conquest, but especially and significantly as the great tribunal erected by the Constitution to insure domestic tranquillity and to promote the general welfare of the people of *all* the States; and all subsequent *legislative* punishment, by depriving them of any rights common to all under the Constitution, or imposing upon them any conditions not sanctioned by the organic law, was a naked usurpation of power, unjust, cruel, and oppressive, and utterly unworthy of a great Government securely enthroned in victory over those they were thus grinding into the dust.

The hidden purpose, or at least one link in the chain of this system of legislation, was to punish not so much the immediate authors of the rebellion, although that was the pretext, as to strike the old slaveholding aristocracy, for the great sin of slavery and their *hauteur* and arrogance in their bearing toward the people of the North, and particularly their former northern associates in the halls of legislation. The republican leaders in Congress, as the authors of the reconstruction policy, ought to have known, and perhaps did know, that the large slave-

holders of the South, and particularly of South Carolina, the *avant coureur* of the rebellion, were powerless to influence the course of events which culminated in secession and put slavery "to stand the hazard of the die." Horace Greeley was observant enough to note this fact at an early day. During the war the following appeared in his Tribune:

Throughout all the agitations pending the outbreak of the rebellion, the more extensive and wealthy among the slave-holders steadily resisted disunion, as involving the overthrow of slavery. Governor Aiken, the largest slave-holder in South Carolina, slipped away to Europe, if we mistake not, very early in 1861, and there remains. At all events, he has never had a word of cheer for the rebellion. Governor Hammond, another South Carolina patriarch, rich, shrewd, and a most intense devotee of the institution, has been ominously silent ever since Lincoln's election. The men who had most at stake upon slavery hesitated to play the desperate game to which they were impelled, knowing well that by playing it they risked their all.

Another quotation, but from another source, is quite as distinct upon this point:

Every man acquainted with the facts knows that it is fallacious to call this a "slave-holders' rebellion." A closer scrutiny demonstrates the contrary to be true; such a scrutiny demonstrates that the rebellion originated chiefly with the non-slaveholders, resident in the strongholds of the institution, not springing, however, from any love of slavery, but from an antagonism of race and hostility to the idea of equality with the blacks involved in simple emancipation.

Now, if this be true, it only goes to show that as a code of *ex post facto* criminal law, so to term it in a technical sense, the reconstructive policy of Congress, while it is really aimed at only portions or classes of the southern people, it indiscriminately involves all in its sweeping operation, as a species of unfriendly and unconstitutional legislation. There is as much inconsistency as there is a want of charity and generosity in this disposition to punish by hostile legislation the late southern slave-holders because they had once been the owners of slaves. The history of slavery, before and immediately after the Revolution, has been greatly misunderstood. It was the *colonies* and not the *States* who were responsible for the existence of slavery on this continent. As it could not be abolished in the change of Government, it was, therefore, *involuntary* on the part of the States entering upon their new relations. At the time the States, as such, met in general convention to frame a Federal Constitution, the popular sentiment in the South, among slave-holders as well as non-slave-holders, was clearly in favor of gradual emancipation. And the delegates in that convention from the New England States did more to strengthen and perpetuate slavery on a still broader territorial scale than all the delegates from all the Southern States united. They had a large interest in doing so. The merchant marine of Massachusetts, particularly, were at that time quite extensively engaged in the African slave-trade, and it was in response to their clamorous appeals that the clause was inserted in the Constitution that the importation of slaves should not be interdicted by law, until at the end of twenty years after the Constitution should have been ratified by the several States. It was not until this clause in the Constitution had become dormant by time that the anti-slavery howl was heard from New England; nor was Exeter Hall, in London, heard from while slavery existed as a colonial institution. So true it is that when

"Self the wavering balance shakes,
'Tis rarely right adjusted."

These are facts in our history which should not have been overlooked by rulers or people; they should have had their appropriate consideration and influence in restoring friendly feeling among the sections after the close of a war which was inaugurated upon this very question of slavery. But instead of this the singular fact is presented, that the

descendants of those who demanded that the slave-trade should be recognized and sustained by a clause in the organic law of the governments, at least for a limited period, are now the hottest persecutors of the descendants of those who opposed its insertion, and were the special friends of emancipation! But all this has been patiently submitted to.

Not only the people of South Carolina, but the people of the South generally, if the testimony of General Grant himself is worth anything in that regard, elicited at a time when there was no pressure of party managers upon him, frankly and unreservedly accepted the new situation, negro suffrage and all, as the covenant of peace, and as the assurance of renewed friendly relations between the North and the South.

So clearly is it a fact that the people of South Carolina do not feel hostile to the Federal Government, that even the quartering of Federal troops among them, to stand as sentinels upon their conduct, does not excite any animosity among them. On the contrary, they have hailed their advent among them, especially after that most infamous act of their carpet-bag governor in organizing and arming the negro militia during a political canvass in which he was a candidate for re-election, of which we shall have occasion to speak hereafter. There is not a Federal military officer among them with whom they do not maintain the most cordial personal relations, with but one single exception, perhaps, in the case of Major Merrill, stationed at Yorkville, of whom we may also have something to say hereafter.

There is nothing which marks the object of the Ku-Klux bill passed by Congress, and the appointment of this joint committee of investigation, more clearly and distinctly than the course pursued by some of the Federal civil officers in South Carolina since the passage of the bill and the appointment of the committee. Every effort was made, no stone was left unturned, to make it appear that the Ku-Klux Klan was a strictly political organization. In the examination before the several sub-committees, in discussions everywhere, public and private, in Congress and out of it, this seemed to be the cardinal object. But, so far as the investigation is concerned, in relation to South Carolina, they have utterly and entirely failed, except in the parrot like recitals of some of the negro witnesses as to what was said by the Ku-Klux themselves. Directly after the sub-committee left South Carolina, and, indeed, before they left Spartanburgh, the military commenced arresting men charged with belonging to the organization, almost entirely upon the accusation of negroes. Up to November 1, 1871, they had arrested and imprisoned quite a number in the jail at Spartanburgh, men living in the mountain regions, ignorant and without education to the last degree. Either voluntarily, or through some other means, quite a number of them confessed that they did or had belonged to the Ku-Klux. Now, it will not be denied by any one, we think, that where there is no issue of fact or controversy as to the guilt or innocence of a prisoner charged with the commission of crime, and where he admits the charge by a voluntary confession, there could be no possible objection to a knowledge on the part of the public as to the character of the confession itself. This would be still more apparent and conclusive where the parties confessing are numerous; the knowledge sought to be obtained was as to the motives of their action, and under a proposition that no names were to be used in making public the character of the confessions. In a contest between the people of the locality of the alleged crimes and the ruling party in the Government, both State and Federal, whether such organization was a political one or otherwise, and where the United States commissioner having in his possession the notes or memoranda of these

confessions refused an inspection of them by an accredited correspondent of one of the great leading journals of the country, denying him at the same time an interview with the parties who had made the confessions, it must strike any mind that such officer was acting in accord with some general system inaugurated by some other and higher power. This conclusion would not be weakened if it should appear that whatever was contained in said confessions seeming to favor the peculiar objects of the party in power, somehow or other found its way into the columns of the newspapers in the interests of such party. How much more eminently just and proper would the converse of such a course be, in a case such as now exists, where, by the charges and slanders of the political party holding the administration of the General Government, made through their public press and the debates of Congress, sought to make their political opponents in the North responsible for these disorders in the South! But it is vain to expect any manliness or magnanimity from a party who would, in the mere wantonness of power, deliberately seek to falsify history and destroy the character of a high-minded and intelligent people. Let the following correspondence speak for itself:

SPARTANBURGH, SOUTH CAROLINA,
Monday morning, November 6, 1871.

MY DEAR SIR: Reflecting upon your offer to let me see a few of the confessions of the Ku-Klux prisoners, I have arrived at the conclusion that it will scarcely be fair to the people of this part of the State to pick out a few cases. Commissioned by Mr. Bennett, of the New York Herald, to make a full and impartial investigation into the troubles in these counties, I am desirous of obtaining all possible facts which may enable me to arrive at a just appreciation of the situation. It is charged that the Ku-Klux organization was strictly political, and that it resisted the enforcement of the laws. My duty is to ascertain if such charges are warranted by the statements and papers placed before me for consideration. Now, suppose that you show me five confessions of crimes by the Ku-Klux upon individuals whose only offense was that they were politically obnoxious to their persecutors; and suppose that you have one hundred other confessions in which the reasons assigned for the raids are that the victims had committed crimes, such as robberies, &c.; would it be just to take the five as evidence of the political character of the organization and ignore the one hundred? On Saturday evening last you showed me the confession of a man, which gives the following reasons for outrages perpetrated by his "den:"

First. A negro whipped had beaten his former master almost to death.

Second. Another negro whipped had "shoved aside" a white man at the election, and had given information to a revenue officer.

Third. Two men whipped were charged with stealing meat.

Fourth. One negro whipped had boasted that when "the Yankees" came he would go to "quiltings," sit beside white girls, and have a white wife.

Fifth. One man, whose arrest was ordered, but who the Ku-Klux did not get, was charged with having stabbed a man who had a State warrant for his arrest.

Observe, my dear sir, that of these five cases there is but one in which the reason assigned is political. Of the others one is resentment of declaration of social equality by a negro, while all the others are directed against real or alleged criminals. Upon this confession men have been arrested, and while it may be that they merit punishment, I cannot perceive wherein, except in the one case, their offenses arose from political intolerance. This confession has made so deep an impression on my mind that I have determined to submit the following request: Will you permit me to examine all the confessions in your possession, and extract therefrom the reasons for the several raids confessed? I pledge you my honor as a gentleman and a journalist, neither to publish nor to divulge the name of any individual implicated in any confession, but to confine myself strictly to the fact of the outrage. Since my arrival here I have been favorably impressed with your apparent desire to act fairly and impartially in the investigation now pending and I trust that you will fully confirm this impression by acceding to a request which in no way defeats or even retards justice.

I need scarcely inform you that my object in writing this instead of communicating with you verbally, is to publish this letter in the Herald, should you deem it proper to decline affording me the information I require.

I am, my dear sir, very truly yours,

NEW YORK HERALD COMMISSIONER.

SPARTANBURGH, SOUTH CAROLINA, *November 6, 1871.*

DEAR SIR: In reply to your letter of this date, requesting leave to examine the confessions of Ku-Klux, I have to say that I consider neither public nor private interests would be subserved by it, and hence I decline to accede to your request. The affidavit or confession you refer to was the first one made before me, and was the entering-wedge into the Ku-Klux organization here. Since then other and far more outrageous acts have come to light, which I think ought more properly be placed before the country through the medium of a public trial than through the press.

Let me call your attention to that portion of your letter giving an enumeration of different "reasons" for outrages committed. These "reasons" were alleged as "causes" for the outrages, and you accept them as true; the deponent himself does not go so far, by any means. So the inference suggested that only 20 per cent. of the outrages are on account of politics is not supported by the affidavit. The distinction you draw between "political" and other offenses is ingenious certainly, but is not warranted by a proper construction of the laws denouncing penalties for conspiracies against the rights secured by the Constitution and laws of the United States. I think you fail to apprehend the full intent and purpose of the statutes relative to the suppression of Ku-Klux outrages. These laws propose the punishment of all offenders committing illegal acts in disguise, and conspiracies against the rights, privileges, and immunities which have been secured to citizens of the United States, comprehending the rights of life, liberty, and property as well as of suffrage. (See the fourteenth amendment.) A careful examination of the enforcement act of May 31, 1870, (section 6,) as well as of the Ku-Klux act of April 20, 1871, (section 2,) will, I think, convince you of this.

Please do me the justice to publish this letter, in connection with your own, if you adhere to the resolution expressed in the latter.

Respectfully, yours,

THOS. M. WILKES,
United States Commissioner.

This correspondence is peculiar and quite suggestive. Mr. Wilkes at once assumes all the airs of a diplomat. Had he received instructions from headquarters? If he failed to see, as he says he did, how a compliance with the request of his correspondent could subserve either the public or private interests, why did he submit to his inspection five of these confessions prior to the occurrence of the correspondence? What new light had broken in upon his brain? Had he heard from Washington? And had he selected, under instructions, just such as would suit the purposes of his party? Having done so, did he think it would be more conducive to the party schemes he was placed there to carry out thus to suddenly shut down upon all further inspection of these confessions? If these confessions, as this extremely conscientious commissioner suggests, could be "more properly placed before the country through the medium of a public trial than through the press," why did he not claim that as a justification in regard to the five confessions also, and refuse them too? Did he want to eke out just so many of them, and no more, as would serve the purposes of his masters, and stop only where the danger to his party began? The position which he assumes in his reply is absurd and ridiculous, and is the result, not of *his* judgment, but a mean and unworthy trick of his superiors, whether at Washington or Columbia, to hide the truth from the northern people.

The genus carpet-bagger has been mainly the cause of the present deplorable condition of affairs in South Carolina; he is the demon of discord and anarchy; his infernal schemes and intrigues with the negroes have thrown a whole people into utter and hopeless despair. No clan of knaves and scoundrels who have ever scourged or disgraced humanity was better or more truthfully described than does the pen-picture portray the carpet-bagger of South Carolina, which has been hung up for the scorn and detestation of all honest men by one of the great republican leaders of the North, Horace Greeley, when he describes him as follows:

They are fellows who crawled down South in the track of our armies, generally at a very safe distance in the rear; some of them on sutlers' wagons; some bearing cotton permits some of them looking sharply to see what might turn up; and they

remain there. They at once ingratiated themselves with the blacks—simple, credulous, ignorant men, very glad to welcome and to follow any whites who professed to be the champions of their rights. Some of them got elected senators, others representatives, some sheriffs, some judges, and so on. And there they stand, right in the public eye, stealing and plundering, many of them with both arms around negroes, and their hands in their rear pocket, seeing if they cannot pick a paltry dollar out of them.

To furnish some idea of the character of the white republican leaders of South Carolina, whether “carpet-bagger” or “scalawag,” and to show how miraculously they can change their political opinions for the high and noble purpose of serving their country in some official position derived from the Federal Government or through the suffrage of the negro, we give the following extract from the testimony of the sanctimonious Cummings, whose piety and virtue are so pungently described in a little biographical notice of him by the correspondent of the New York Herald of the 15th November last, and who so kindly furnished to the committee a list of all the negroes he had ever heard, imagined, or dreamed of being whipped in Spartanburgh County :

By Mr. VAN TRUMP :

Question. Do you know Doctor Javan Bryant ?

Answer. I know him.

Question. Is he a republican ?

Answer. Yes, sir.

Question. An active republican ?

Answer. Yes, sir.

Question. A man disposed to assert his rights on all occasions ?

Answer. I think so. He canvassed the county last fall as candidate for the legislature.

Question. He is also understood to be one of the principal leaders in the county ?

Answer. Yes, sir ; he is regarded as among the leading republicans in the county.

Question. He was a member of the legislature ?

Answer. Yes, sir ; before he was a republican.

Question. He has been a democrat, then ?

Answer. Yes, sir.

Question. He is one of these recent changes ?

Answer. I voted for him in 1868, I believe.

Question. He is, like yourself, one of these recent changes from democracy over to republicanism ?

Answer. Yes, sir.

Question. Was he also a member of the investigating committee in relation to the third congressional district of South Carolina ?

Answer. I have heard it stated that he was on an investigating committee, either the third or fourth, I think it was the fourth, but I may be mistaken—appointed by the legislature.

Question. In regard to what you spoke of a moment ago, the reports and the rumors in these wild times in South Carolina, I wish to read to you what is, perhaps, rather a florid specimen of political literature ; but I read it as coming from Doctor Bryant in an official report—I believe it is a minority report :

“No one can fail to be struck, upon reading the evidence taken by the committee, with the many vague, incoherent, and ludicrous accounts given by these poor colored people, many of whom were so ignorant as not even to know their own names, of the herculean size, hideous proportions, and diabolical features of what they called the Ku-Klux. And it affords me great pleasure to be able to report, that, after having ‘thoroughly investigated’ the matter, I am of opinion that the ghosts, hobgoblins, jack-o’-the-lanterns, and Ku-Klux of the third congressional district are but allotropic conditions of the witches of New England, whose larvæ, having long lain dormant until imported hither in the carpet-bags of some pious political priests, germinated in the too credulous minds of their poor proselytes, and loomed into luxuriance in the fertile fields of their own imaginations.”

The CHAIRMAN. What is the date of the report ?

Mr. VAN TRUMP. There is no date given here, but it is headed “Report of the committees on investigations in the third congressional district,” and it is signed “Javan Bryant.”

The CHAIRMAN. What is the date of the paper in which it appears ?

Mr. VAN TRUMP. It is in the Daily Columbia Phoenix, of March 1, 1870.

Mr. STEVENSON. Is it a minority report ?

Mr. VAN TRUMP. I suppose so.

Mr. STEVENSON. He was then a democrat.

The first prominent cause of public disturbance, of which these carpet-bag patriots were the authors, was a most thorough and secret organization of the negroes, in all the counties of the State, into *Loyal Leagues*, in many instances armed and adopting all the formula of signs, pass-words, and grips, of an oath-bound secret organization. Who does not know, who has any knowledge at all of the negro's nature, that in an organization like this, headed by dishonest and unscrupulous white men, that the negro would be a mere blind and dumb machine in their hands? That has been its operation in South Carolina. At Spartanburgh, one of the members of the sub-committee inquired of a negro witness, on the stand, how it was that there was no difference of opinion among the negroes upon political questions, like among the whites, and why it was that they all voted the republican ticket. His reply was, "*Why Lor' bress your soul, massa, we swo' to do dat in de League!*" That simple answer by this newly created suffragist, this mere automaton of the ballot, is a full explanation of the political solidity of the negro race in South Carolina. The dumb mule on whose back he vain-gloriously rides to the polls might just as well vote as his rider, under such circumstances, for there would be scarcely any less volition in the act of the mule than there would be on the part of the negro, at least such as we find him in South Carolina. With such an element to work upon, ignorant and degraded to the last degree, the carpet-baggers rushed down to the South, fierce and rapacious as hungry wolves, marshaled the negroes through the midnight discipline of these *Loyal Leagues*, marching them up to the ballot-box like herds of senseless cattle, and inaugurated a system of plunder and corruption, through negro legislation, so startling and gigantic as to stagger the common belief. Is this stating the case too strong? Let Congress and the people turn to the testimony, and incredulity will yield to conviction. If our space would permit, we could quote abundant republican testimony to sustain the allegation. On page 962 of the printed South Carolina testimony will be found a letter from the present attorney general of the State, Hon. D. H. Chamberlain, of course a pronounced republican and a native of Massachusetts; who, as he significantly says in his testimony, "carried his sword to the South, and, when the war was over, *remained there.*" This letter is dated May 5, 1871, only ten weeks before the sub-committee went to South Carolina, and is addressed to Colonel W. L. Trenholm, late secretary of the treasury of the confederacy. This republican office-holder says:

I propose to lay aside all partisanship, and simply to state facts as I conceive them to exist. Let us look at our State when the reconstruction acts first took effect in 1868.

A social revolution had been accomplished; an entire reversal of the political relations of most of our people had ensued. The class which formerly held all the political powers of our State were stripped of all.

The class which had formerly been less than citizens, with no political power or social position, were made the *sole depositaries* of the political powers of the State. I refer now to the practical results, not to theories. The numerical relations of the two races here were such that one race, under the new laws, held absolute political control of the State.

The attitude and action of both races, under these new conditions, while not unnatural, was, I must think, unwise and unfortunate. One race stood aloft and haughtily refused to seek the confidence of the race which was just entering on its new powers; while the other race quickly grasped all the political power which the new order of things had placed within their reach.

From the nature of the case, the one race were devoid of political experience, of all or nearly all education, and depended mainly for all these qualities upon those who, for the most part, *chanced to have drifted here from other States*, or who, in very rare instances, being former residents of the State, now allied themselves with the other

race. No man of common prudence, or who was even slightly familiar with the working of social forces, could have then failed to see that the elements which went to compose the now dominant party were not of the kind which produce public virtue and honor, or which could long secure even public order and peace.

I make all just allowance for exceptional cases of individual character, but I say that the result to be expected, from the very nature of the situation in 1863, was that a scramble for office would ensue among the members of the party in power, which, again, from the nature of the case, must result in filling the offices of the State, local and general, with men of no capacity, and little honesty or desire to really serve the public.

The nation had approved the reconstruction measures, not because they seemed to be free of danger, nor because they were blind to the very grave possibilities of future evils, but in the hope that the one race, wearing its new laurels and using its new powers with modesty and forbearance, would gradually remove the prejudices and enlist the sympathies and co-operation of the other race, until a fair degree of political homogeneity should be reached, and race lines should cease to mark the limits of political parties.

Three years have passed, and the result is—what? *Incompetency, dishonesty, corruption in all its forms, have "advanced their miscreated fronts;" have put to flight the small remnant that opposed them, and now rules the party which rules the State.*

You may imagine the chagrin with which I make this statement. Truth alone compels it. My eyes see it—all my senses testify to the startling and sad fact. I can never be indifferent to anything which touches the fair fame of that great national party to which all my deepest convictions attach me, and I repel the libel which the party bearing that name in this State is daily pouring upon us. I am a republican by habit, by conviction, by association; but my republicanism is not, I trust, *composed solely of equal parts of ignorance and rapacity.* *Such is the plain statement of the PRESENT CONDITION of the dominant party of our State.*

Thus it will be seen, from this very candid statement of the attorney general, that this is the *present*, not the past, deplorable condition of things in South Carolina; existing at the very time the sub-committee was in session there. It is not a description of the corruptions and abuses of the past, happily reformed and corrected by the honest efforts of the party in power responsible for its existence; but it is the agonized, voluntary wail of a repentant coadjutor, touched at last by the stings of an uneasy conscience, for a state of fraud and corruption which was actually then festering in every department of the State government, and while its infamous authors, white and black, carpet-bagger and scalawag, were rearing their impudent fronts before an outraged people, alike defiant of public opinion and fearless of a just punishment for their crimes.

And yet this repentant and conscience-stricken attorney general of the negro commonwealth of South Carolina is in no small degree responsible for the terrible state of things which he so faintly describes, and now so earnestly deplures. He was one of the early worshippers of this ebony deity, this new exemplar of the statesman and the philosopher. If this *novus homo* in civilization is marked by a black skin, thick lips, and a flat nose, the law officer of this new "Utopia" did not hesitate to confer upon him his apotheosis while living, thus inaugurating a "departure" from the custom of the ancients, who made it a posthumous ceremony to the manes of their departed heroes, statesmen, and philosophers. Mr. Chamberlain and his republican coadjutors have succeeded in placing the negro and the almighty dollar in the sanctuary of the Constitution; and if they are dissatisfied with their work, it is too late now to bewail their action. They performed the sacrilegious ceremony, and cannot now kick over the altars of their sacrifice. They will find it no easy matter in this instance to change from idolaters to iconoclasts. But this dignified carpet-bagger is not the only witness.

Take another instance of republican testimony. On pages 485 and 486 of the printed testimony taken in South Carolina will be found the following passage, taken from the columns of the Charleston Republican.

a radical organ, under date of March 18, 1871, upon the subject of the great Greenville and Blue Ridge Railroad swindle :

One man was promised \$1,000; another made more than ten times that amount in cash; some sold themselves for gold watches; one poor member of the house sold himself for the paltry sum of \$21; some sold the last remnant of their manhood where the judiciary committee's room was turned into a bar-room, &c. Besides this, one of the Greenville party sought to enter into negotiations with Mr. James Brennan, (early in the session our Columbia correspondent, and now trial justice for Charleston County,) for the buying of the Charleston press, and particularly this journal. Mr. Brennan assured the gentleman of the fat pocket-book, that this journal could not be bought. The gentleman had a notion, so he said, that he could buy any newspaper; he is now a wiser man; he has found that there is one he cannot buy—and this gentleman is a member of the legislature! He had declared that the bill could not be passed for \$30,000. We know some of the details of the plan. He said, for instance, \$5,000 to get the bill out of the railroad committee; \$30,000 to pass the senate, &c.

Take the following extract from the *Missionary Record*, a republican religious and political journal published at Charleston, and edited by the Rev. R. H. Cain, a colored clergyman, which extract will be found on page 486 of the South Carolina testimony :

The time has come for every honest man in the republican party to assert his liberty, and declare his opposition to a class of men who have proposed to rule the colored people of this State with a rod of iron of damnable corruption. For the last two years a certain set of unmitigated scoundrels [carpet-baggers] have dictated to the masses of voters of this State what they should do, what they should think, and how they should act. *There has been a certain class who have been picked up out of the prisons and gutters of poverty coming to this State, begging their passage and lifting contributions to start them in business, who have since grown so proud and arrogant that they now wish to dictate to the whole people what their duties are and what they should think.*

Such is a picture, drawn by republican hands, white and black, of the present rulers of South Carolina. Let us look for a moment how they organized themselves into power. It is a subject of interest, and may be of admonition, to the American people, how political institutions, even in an age of the highest civilization, and under the most explicit written constitutions, may be changed or abolished by a process of mere party policy, when inaugurated and pushed forward in a spirit of hate or a thirst for plunder. Will any one doubt, who has personally witnessed its practical working, that negro suffrage and negro government in South Carolina is a hopeless and total failure? Its institution was not only a political crime, but worse than that; it was a most unequivocal and egregious political blunder, as it must ever be where the negroes are in the majority. Pseudo philanthropists may talk never so loud and eloquently about an "equality before the law," where equality is not found in the great natural law of race ordained by the Creator. That cannot be changed by statute which has been irrevocably fixed by the fiat of the Almighty. Wherever the two races exist coequally by compulsory legislation, antagonism will exist also. There can be no peace or harmony in such a condition of political organization, especially when the natural repulsion is intensified by the teachings of recreant portions of the opposite race. It will not be forgotten how these teachings occurred, even in the times of slavery. It is some explanation, outside of the action of the carpet-baggers, of the hostile feeling entertained by the negroes of South Carolina against the white population, that the few most intelligent and influential among them, who in times of slavery were taught to read either by their masters or their masters' children, had their minds poisoned by incendiary publications distributed among them by the old anti-slavery party in the North. That class, however limited in numbers, have been the ready emissaries of the carpet-baggers, to sow hatred and vengeance in the minds of the great mass of the negro population. The sudden transition from slavery to freedom,

their unexpected investiture with political power and social importance in their new relations, the tenure of office which they could not comprehend, naturally made them jealous of their former masters, and to look upon them with distrust and antipathy. They had been taught to believe that, if ever these new rights were wrested from them, it would be done by those who once held them in servitude. But while the negroes of the South have position and power in the administration of public affairs now, who can say, who can look into the future so clearly as to enable him to say, how long this unnatural state of things will last. No one is so prescient as to be able to fix the period of its duration; but that it must end somehow, and at some time not in the distant future, no philosophic thinker will doubt. It is altogether too abnormal, too much opposed to the instinctive feeling, some will say prejudices, of the white race, to endure beyond the peculiar condition of popular opinion, brought about by a war prosecuted in the end for the freedom, if not the enfranchisement, of the negro. Gradually, in time, and under a change of circumstances, this exceptional state of the popular mind will wear out and pass away, and public opinion will vibrate back to its old condition, as it existed prior to the disturbing influences of the war. This will be brought about by one of two things; either by a rupture of the Government itself, or the springing up of some new and all-powerful party out of the ruins of the existing political organizations. When either of these two things shall occur, and God grant it may not be the first, it will be the political death of the negro on this continent. So far as it relates to his future solidity as a race, commingled with the whites within the Union, he will be in a worse condition than he was in a state of slavery; for the inevitable tendency will be to segregate him from the white race, and, if not transported to some other country, he will slowly but surely pass away, like the aborigines, and his place among us, like that of the Indian, will be known no more forever.

The Loyal Leagues were organized in 1867, long before Ku-Kluxism reared its lawless head in South Carolina. In the convention of 1868, which adopted a State constitution under the dictates of Congress, the operations of this oath-bound League were clearly manifested. The convention was composed of one hundred and twenty-one members, seventy-two of whom were negroes and forty-nine were white men. Of the seventy-two negro members, fifty-nine paid no taxes, and were not returned on the tax-books. The gross amount of taxes charged to the remaining thirteen negro members was the sum of \$110 43, of which the sum of \$83 35 was charged to one man, William McKinlay, of Charleston. The gross amount of taxes charged to the forty-nine white members was the sum of \$745 45, of which sum \$508 85 was charged to one man, William Perry, ex-governor of South Carolina, and a democrat. Of the balance, \$236 60, there was charged to seven other of the white members the sum of \$206 58; so that there were forty-one other white members in that convention who were charged on the tax-books the sum of \$30 02, or about 75 cents *per capita*. Now, let us turn to the statesmanslike work of that convention, in the constitution which they adopted, upon the question of taxation, in which *they were so largely interested*, and who formed a body to establish the fundamental law of a people in which the double political anomaly existed of taxation without representation and representation without taxation. We take the following exhibit from "An appeal to the honorable the Senate of the United States, in behalf of the conservative people of South Carolina, against the adoption by Congress of the new constitution

proposed for South Carolina," incorporated into and made part of the testimony of General Wade Hampton.

An estimate of the taxes of South Carolina, under the provisions of the constitution lately adopted.

1 school-house to each sixteen square miles of territory, making 1,800 school-houses in the State, at \$200 each.....	\$360,000
1,800 teachers, each at \$300 per annum.....	540,000
1 State superintendent of education.....	3,000
31 school commissioners, each \$1,000.....	31,000
1 State normal school building and teachers.....	10,000
Deaf and dumb and blind institutions.....	10,000
State reform school.....	10,000
Conversion of citadel in Charleston into an institution of learning.....	30,000
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Educational estimate.....	934,000
Current expenses of State, according to General Canby's tax-bills, is.....	445,000
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	1,439,000
Add 5 per cent. expenses of collection.....	71,950
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	1,510,950
Interest on \$6,000,000 State debt from July, 1866, to July, 1868.....	720,000
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Total amount of taxes.....	2,230,950
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The assessment of the real property of the State, made prior to the sitting of that convention, showed a valuation of \$70,507,075, on which it would have required a fraction over 3 per cent. taxes to pay the expenses of the State government under the provisions of that constitution, to say nothing about county and Federal taxation, or negro and carpet-bag robbery as an outside institution. Prior to the war, the current rate of taxation was about one-half per cent. But when the whole complex element of change is fully understood and appreciated, as to the depreciation of real property in South Carolina since the war, and the constantly lessening resources of the people to meet this increasing annual exorbitant drain upon them, the difference is still greater and more striking; as, for example, take an item of real estate worth before the war \$20,000. The one-half per cent. of taxation before the war would be the sum of \$100. Under the rate of taxation fixed by the constitution instead of by statute, it would require the sum of \$600 to pay the taxes on the same property. The relative proportions for the two periods would stand as one to six. But even this statement does not cover all the contingencies of value and taxation. The property valued before the war at \$20,000 has now only a value of \$6,000. Before the war a tax of one-half per cent. upon its latter valuation would produce the sum of only \$30; but to realize the \$600 demanded by the negroes and carpet-baggers now, would require a taxation at the rate of ten per cent., so that, taking into joint consideration the depreciation of the property, and the great increase in the rate of taxation, the proportion will, in fact, stand as one to twenty. True, indeed, is it that the best way to bring the white man down to the level of the negro is to *tax him down*. How long will the people of South Carolina be able to endure this intolerable burden? Would any other people on earth tolerate it? Excessive and wrongful taxation, imposed with the wanton purpose of oppression, always touches the most sensitive chord in the public heart. It was a trifling tax upon tea, and a stamp duty, which stands dwarfed beside the one which now exists by our own enactment, that set the colonies, South Carolina among the foremost, ablaze with the fires of

liberty, and inaugurated the first Ku-Klux known in our history; for every school-boy knows that it was disguised men who threw the tea overboard out of an English ship in the harbor of Boston.

The operations of the Leaguers did not stop here. They were potent in the composition of the first legislature. The legislature of 1869 consisted of thirty-two senators and one hundred and twenty-three representatives. In the senate there were twenty whites and twelve blacks. In the house of representatives there were thirty-seven whites and eighty-six blacks. Of the twelve black senators, eight of them were not on the tax-books and paid no taxes. The aggregate amount of taxes charged on the tax-books to the four remaining black senators was the enormous sum of \$2 10; so that, by averaging that sum among the whole twelve, each paid the sum of about *seventeen cents* per annum toward the support of a government in which they had supreme power and dominion! Of the eighty-six black representatives, fifty-eight were not on the tax-books. As to the twenty-eight remaining black representatives, the aggregate amount charged against them was the sum of \$135 82, of which one colored representative, from the city of Charleston, and who was the same person mentioned heretofore as a member of the constitutional convention, paid the sum of \$83 35, leaving the balance, \$52 47, distributed among the twenty-seven remaining colored representatives. Of the twenty white senators, six were not on the tax-books, and the remaining fourteen white senators were charged on the tax-books with the sum of \$286 72, of which amount there were executions lodged against them in the sum of \$76 75. The whole amount of taxes, poll, personal, and real, charged against the one hundred and fifty-five senators and representatives, white and colored, was the sum of \$629 13, or a fraction under \$4 07 *per capita*, and of which aggregate amount, \$629 13, the sum of \$277 61 was paid by four members, three white and one black.

The result of such a mongrel composition, such a combination of ignorance and rapacity, was soon manifest. Robbery and public plunder were rampant in the capitol at Columbia. The expenses of government were at once increased more than 300 per cent., as the following statement, which we extract from the proceedings of the tax-payers' convention, incorporated into the testimony of Hon. James Chesnut, will abundantly show:

Comparative statement of offices and salaries in the years 1866 and 1871.

	1866.	1871.
Governor	\$2,500	\$3,500
Private secretary	1,200	2,000
Messenger	100	300
Rent	300	.....
Secretary of state, clerk and fees.....	500	4,000
Adjutant and inspector general .....	.....	2,500
Comptroller and clerks	3,700	4,500
Treasurer and clerks	3,200	5,800
Auditor of State and clerk .....	.....	4,000
Superintendent of education and clerk .....	.....	3,500
Chief justice.....	3,500	4,000
Associate justices .....	.....	7,000
Judges	30,000	28,000
Attorney general and clerk	1,100	4,000
Clerk of court of appeals	800	1,500
Attendant court of appeals	250	800
Solicitors	4,500	8,000
County auditors.....	.....	31,500
School commissioners.....	.....	31,500

Code commissioners		
Legislative expenses	\$45,850	\$400,000
Contingent fund, executive and other departments.....	25,000	24,150
Total	123,500	581,040
Difference.....		457,540

But if the body or department of government in which is lodged the great power to impose taxes did not pay any of the taxes thus raised by millions out of a patient and suffering people, that other department which has the management and disbursement of the taxes thus imposed and collected was equally happy in its exemption from contributing to the public revenues, as the following statement will show :

Office.	Name.	Amount of taxes.
Governor	R. K. Scott *	None.
Lieutenant governor.....	S. Boozer.....	\$15 99
Adjutant and inspector general.....	F. J. Moses, jr.....	1 00
Secretary of State.....	F. L. Cordoza.....	No taxes.
Comptroller general.....	J. L. Neagle.....	Do.
Treasurer.....	N. J. Parker.....	Do.
Attorney general.....	D. H. Chamberlain.....	Do.
Superintendent of education.....	J. K. Jillson.....	Do.

* To show that Governor Scott's financial condition has, in some mysterious manner, very much improved since that early period in the history of his mission to South Carolina, it is proper to state here, by way of note, that the testimony is he now pays a city tax alone in the sum of \$500. How much property he may have in the public bonds of the country, not taxable, we have no means of knowing. It is said, however, that he is now building at his old home, Napoleon, Ohio, a splendid palatial residence, to which he will retire when fully gorged with the "spoils" of South Carolina.

Thus this startling fact is presented, that in South Carolina, purporting to be in form a *representative* government, under the Constitution of the United States, which solemnly and specifically declares, for itself and for all the States, that taxation and representation shall go together, the persons who impose the taxes do not pay them, and the great body of citizens who are compelled, by a corrupt and non-tax paying junta miscalled a legislature, to raise the public revenues of a State are practically denied any voice in their imposition. The very men who now own the battle-fields of Cowpens, of King's Mountain, and of Eutaw, and the descendants of the heroes who fought and bled there in defense of representative liberty, are now taxed in this way by this miserable conglomerate legislative ring of carpet-baggers and negroes.

We shall now proceed to give some official statements, taken from the public records of the State, to exhibit the extravagance of radical rule in South Carolina. First, we show by the following tables the contrast between the cost of government before the war and since, in the way of public salaries:

Salaries in South Carolina for the fiscal year ending October 31, 1870, as per report of comptroller general for 1870:

Paid for November, 1869	\$15,620 99
Paid for December, 1869	7,146 64
Paid for January, 1870.....	12,825 65

Paid for February 1870	\$20,603 65
Paid for March, 1870	20,761 64
Paid for April, 1870	25,883 08
Paid for May, 1870	18,096 62
Paid for June, 1870	14,851 96
Paid for July, 1870	24,344 42
Paid for August, 1870	11,706 40
Paid for September, 1870	9,285 06
Paid for October, 1870	4,144 03
Salaries of State constables	20,603 84
Total	205,439 18

Salaries in South Carolina for the fiscal year ending September 30, 1855, as per report of comptroller general for 1855.

Governor	\$3,500 00
Governor's private secretary	500 00
Governor's messenger	250 00
Chancellors and judges	30,000 00
Attorney general and solicitors	5,600 00
Clerks, &c., court of appeals	1,700 00
Libraries of court of appeals	400 00
State reporter	1,500 00
Comptroller general	2,000 00
Two treasurers	3,600 00
Commissioner of public works	150 00
Adjutant and inspector general	2,500 00
Quartermaster general	500 00
Arsenal keepers and physician	1,900 00
Secretary of State	800 00
Port physician	800 00
Comptroller's clerk	750 00
Assessor of St. Philip's and St. Michael's	800 00
President and seven professors South Carolina College	20,500 00
Officers South Carolina College	1,700 00
Total	79,450 00

Salaries year ending October 31, 1870	\$205,439 18
Salaries year ending September 30, 1855	79,450 00
Difference against carpet-baggers	125,989 18

The management of the State penitentiary is also a characteristic specimen of the new order of things in South Carolina, under her new masters.

The whole expenditure of the establishment for the year ending October 31, 1870, was the sum of..... \$91,708 29

From which deduct the following credits:

Convict labor	\$365 80
Sale of shoes, &c	3,437 21
	<u>3,803 01</u>
Balance against the State	87,903 28

There is one curious item of account in the annual report of the superintendent, not usually found in the statistics of State prisons, to wit, amount paid for *hired labor*, \$12,536 71! There is no explanation made of this item; but it is certainly a most remarkable fact that among the average number of two or three hundred convicts, seven-tenths of whom are negroes, enough of able-bodied persons could not be found to do the

common daily labor about the prison. But why should not these black prisoners, convicted of rape, murder, arson, and burglary, live at their ease in the home provided for them at the expense of the "rebels" outside? It is one of the processes of "reconstruction," and no one has any right to complain. It would be "disloyal" to do so; for is it not one of the new rights of the "man and brother?"

Gross amount of taxes assessed and collected in South Carolina for five years prior to the war, to wit, from 1851 to 1855, inclusive.

Gross taxes, under act of 1850, for year 1851.....	\$515,673 88
Gross taxes, under act of 1851, for year 1852.....	349,331 28
Gross taxes, under act of 1852, for year 1853.....	361,775 57
Gross taxes, under act of 1853, for year 1854.....	429,975 99
Gross taxes, under act of 1854, for year 1855.....	399,739 67
Total for five years.....	<u>2,057,101 69</u>

This was a levy upon a property basis of \$490,000,000, including slaves at a low valuation. The special tax upon slaves for the year 1855 was the sum of \$231,117 60—about two-thirds of the entire duplicate. Now, in the year 1870, upon a property basis, at a high valuation, excluding, of course, the value of the emancipated slave population of \$174,000,000, there was levied and collected, for that single year, the sum of 2,265,047, or \$107,945 31 more than the aggregate taxation, on more than double the amount of property, for *five consecutive years* prior to the war; and, as by a law, not passed *by* but *against* the tax-payers, it was ordered, for the purpose of changing the fiscal year, that a double tax should be assessed and collected in 1871, the consequence is that the white people of South Carolina, impoverished, worn down, and exhausted by excessive taxation, would have to pay, if that law has been or is to be carried out, the enormous sum of \$4,730,094 in a single year! Verily, the preguant suggestion of the carpet-baggers, that the only way to bring down the white men of the South to a level with the negro was "to tax them down," is here carried out with a most sweeping vengeance! It is in proof that for the year 1870, in the single county of Kershaw, with a population of only 11,695, there were 3,600 tax-executions issued against parties who had not paid their taxes!

These thieves and robbers who have fastened themselves like vampires upon the public treasury, and, unlike the leech, do not let go their hold when they have sucked themselves full; but they are even now gorging themselves, under the dictation of Governor Scott, by new modes of stealing, as the following telegram to the New York Tribune, only a few days ago, will abundantly show :

COLUMBIA, SOUTH CAROLINA, February 11, 1872.

A series of financial bills has been introduced in the legislature declaring valid all State bonds of South Carolina included in the treasurer's report of October 31, 1871, and pledging anew the faith and credit of the State for their redemption, providing for an immediate registry of all such bonds in New York and Columbia, and prohibiting any further issue of bonds for any purpose whatever, unless sanctioned by a direct two-thirds vote of the people of the State; also, to adjust and liquidate all loans heretofore effected for the State by the financial agent in New York. It is expected that the passage of these measures will complete the work of the session. A most stringent act has passed the senate, and is pending in the house, enforcing the collection, within ninety days, of over-due taxes amounting to *one million one hundred thousand dollars*, and a new tax of *four millions of dollars* is to be levied to pay the interest on the State debt!

Poor South Carolina! "Grievous has been your fault, and most

grievously have you suffered for it!" No such rate of taxation, upon the same basis of property valuation, has ever occurred in the history of the world. A tithe of this rate of taxation lost to the Crown of England her thirteen colonial jewels. It is simply beyond human endurance. Let us aggregate it, to show how much money the impoverished and down-trodden people of South Carolina will have to raise the current fiscal year :

The ordinary annual tax, as estimated for the present year, is the sum of..	\$2, 265, 047
Add the same amount, under the law to collect the taxes to change the termination of the fiscal year	2, 265, 047
Amount of overdue and unpaid taxes of last year	1, 100, 000
New tax to pay interest on State debt.....	4, 000, 000
Total.....	9, 630, 084

The bill mentioned in the above dispatch to the New York Tribune, to render valid the bonds reported by the State treasurer (which is a legislative acknowledgment that they were, *ab initio*, invalid) will be made to cover the enormous sum of \$6,314,000, as found by a legislative committee of republicans, white and black, who made their report to the last legislative session, prior to the one now in session at Columbia. From that report on this subject we make the following extract :

It is admitted now, which never would have been done had not the joint special financial investigating committee discovered the fact, about the last of October, that the governor and treasurer of the State authorized the American Bank Note Company to print various bonds and stocks, amounting to \$22,540,000, all of which, at the time of the discovery, had been delivered to the governor, treasurer, and comptroller general, except \$2,500,000 of the sterling loan bonds, which were waiting the orders of the proper officials.

The actual debt then, if the "severe personal scrutiny" of the governor "is correct," is as follows, viz :

Debt of the State July, 1866, less \$9,000 old bonds redeemed.....	\$5, 398, 306 27
Bonds issued in 1869, for funding bills of Bank of the State of South Carolina	1, 259, 000 00
Bonds represented to have been delivered H. H. Kimpton, financial agent, New York	9, 514, 000 00
To which must be added the bonds for which the college land scrip sold, now in the hands of the financial agent, which cannot be less than.....	200, 000 00

<i>And we have a total confessed debt of</i>	\$16, 371, 306 27
To this can be safely added the sterling loan bonds, "deposited for safe keeping," subject to order, \$3,500,000, of which have been signed and made ready for issue, and the arrangements perfected for the negotiation of the entire loan, unless the law authorizing the said bonds is immediately repealed, and the bonds canceled before they can be negotiated, viz	6, 000, 000 00
Which would give an aggregated old and new bonded debt of.....	22, 371, 306 27
To which add the contingent debt, viz	6, 687, 608 20

And the entire indebtedness of the State is	29, 158, 914 47
Of this amount it is said there are in the hands of the financial agent, as collateral security for loans, \$3,773,000 of new bonds, and a deduction of that amount is claimed from the whole amount of new bonds in use; but as collaterals they are virtually a part of the debt until the loans for which they are held are redeemed or paid. From which deduct authorized bonds, including sterling loan, viz	22, 844, 914 47

And the fraudulent issue is..... 6, 314, 000 00

The committee assure the general assembly they are confident no one could have labored more assiduously or thoroughly than they have done in the work of investigation of the various financial departments of the State, as well as other avenues of discovery. They do not feel, however, that they can safely say they have given the

whole extent of extravagance or criminal indulgence with which the management of the funds and credit of the State has been characterized. There is an unknown "floating debt;" the financial agent is still unpaid; he is to present his "honest claims" proportioned to his "faithful service." And, as millions have been tossed about in the multiplied transactions of this "experienced and competent" financier, small considerations will be no "compensation" to him; *liberal satisfaction* must be awarded; and if the lithograph-electrotype printing-press has not piled up, in bonds or stocks, sufficient already to cancel his, with other illegitimate demands, and his greedy hold upon the State is not loosened, then millions more must be added to the gigantic dimensions of "what we are responsible for," so far as printed illegalities can make us. The committee, in view of the atrocity of these disclosures—the work of the present administration; or, rather, a ring composed of leading officers of the government of the State, unhesitatingly say that the republican party, which has elevated them to power, must show its condemnation of such treachery and knavery by an immediate and united effort—by legislative enactments as well as by any other deliberative measure—to bring to justice those who have prostituted the authority with which they have been clothed, and so flagrantly and criminally imperiled the trusts to them confided. In conclusion, if, through what has been revealed herein, the innocent, by their intimate or official relationship which they have held with the perpetrators of these wholesale frauds, suffer an equal condemnation with the guilty, let the arraignment of the robbers be speedy, and their punishment as sure. The terrible wrongs committed demand that judgment shall be meted out at once. Position not place should delay the work of strict accountability. Let the ax fall upon the heads of corrupt officials, however high their prerogatives. The credit of the State, its honor, its future respect, everything that makes the people of a commonwealth worthy of esteem or commendation; her trusts betrayed, her pledges violated, the frauds committed in her name by reckless, shameless traducers and plunderers—all cry out for justice. Let no moment be lost in the exercise of duty. The dominant party must recognize the responsibility now resting upon its shoulders, and deal with bad men, though they may be their acknowledged leaders, as exact justice demands, or witness the scepter of their power pass from their hands amid the execrations of an outraged and indignant people.

This is the way even carpet-baggers have got to talking about each other in South Carolina. Scott, in the high tide of prosperous rascality, got arrogant, and perhaps stopped the supplies on Whittemore, a name not unfamiliar in the halls of Congress, and who was chairman of the committee who made the report.

Power given to and the amounts disbursed by the several departments of the government of South Carolina, as contingent funds, for the year ending October 31, 1870.

Executive department.....	\$49,512 87
Secretary of state	1,000 00
Comptroller general	992 70
Auditor of state	1,309 45
State treasurer	926 60
Superintendent of education	900 00
Attorney general.....	992 84
Adjutant general.....	2,500 00
Chief constable	500 00
Legislative library	395 50
Contingent accounts.....	31,434 65
Supreme court	1,035 15
Total	<u>91,430 90</u>

What becomes of all this immense amount of money, and how is it disposed of? No man can tell outside of the radical "rings" at Columbia; nor do the books of the money officer of the State show a clean sheet in regard to its disbursement. From the report of a late committee appointed by the legislature to investigate his accounts, we compile the following statement of monthly expenditures, running through a period of two years, *for which no vouchers could be found in the treasury*. Now, we do not pretend to assume that the treasurer is a defaulter for or has stolen the large sum which is here exhibited; but we do aver that it is just one of those political meal-tubs of modern times in which

such things are done in regard to transactions of a character not easily found out, if wrong:

October, 1868, not vouched for	\$1,072 15
November, 1868, not vouched for	16,215 50
January, 1869, not vouched for	238 92
March, 1869, not vouched for	8,722 05
May, 1869, not vouched for	89,112 00
June, 1869, not vouched for	100 04
July, 1869, not vouched for	131,733 35
August, 1869, not vouched for	262,025 91
September, 1869, not vouched for	79,199 13
October, 1869, not vouched for	204,482 32
November, 1869, not vouched for	10,473 00
December, 1869, not vouched for	1,940 21
January, 1870, not vouched for	74,374 16
February, 1870, not vouched for	13,403 86
March, 1870, not vouched for	43,755 43
April, 1870, not vouched for	174,195 92
May, 1870, not vouched for	19,636 80
July, 1870, not vouched for	64,775 90
August, 1870, not vouched for	3,225 04
September, 1870, not vouched for	4,792 34
October, 1870, not vouched for	5,104 65
Total	1,208,577 67

In some countries this would be called a pretty brash way of keeping public accounts. The people are taxed by millions; millions are paid out, and no vouchers can be found.

We have made up from the official records the following tabular statement of the unauthorized disbursements of the money of the people, over and above the specific appropriations for the several purposes enumerated, showing an excess of disbursement over appropriation in the sum of \$170,683 89:

For what disbursed.	Appropriation.	Disbursement.	Excess.
Contingent fund, adjutant general	\$4,000 00	\$4,175 00	\$175 00
Civil contingent fund	110,000 00	120,392 44	10,392 44
Dieting prisoners	20,000 00	38,954 32	18,954 32
Deaf, Dumb, and Blind Asylum	11,000 00	11,164 80	164 80
Executive contingent fund	50,000 00	87,745 68	37,745 68
State militia	70,000 00	93,341 07	23,341 07
Expenses supreme court	3,000 00	4,436 58	1,436 58
Free schools	100,000 00	135,946 14	35,946 14
Fitting up porticos, new State-house	5,500 00	55,009 51	47,509 57
Insurance and repairs, university building	11,800 00	17,281 95	5,481 95
Legislative library	500 00	588 50	88 50
Maintaining quarantine	7,000 00	9,417 27	2,417 27
Orphan Asylum	15,000 00	18,885 65	3,885 65
Permanent printing	13,600 00	43,441 17	20,841 17
Penitentiary account	167,300 00	180,931 47	13,631 49
Quarantine hospital	8,000 00	8,266 76	266 76
Salaries	306,700 00	331,488 45	24,788 45
School commissioners	20,000 00	32,617 66	12,617 66
Total	923,400 00	1,094,088 89	170,683 89

The excess of disbursement in the item for fitting up portions of the State-house will be better understood when we state the fact, as proven by the testimony, that, under the pretense of fitting up committee-

rooms, the private lodging-rooms at the private boarding-houses of the negro members, in many instances, were extravagantly furnished with Wilton and Brussels carpets, mirrors, sofas, &c. There was also expended for two hundred elegant imported china spittoons, \$1,600. There were only one hundred and twenty-three members in the house of representatives, but the residue were, perhaps, transferred to the private chambers of the ebony legislators. While in the splendid Capitol of the nation, avowedly the grandest parliamentary edifice in the world, in times by no means distinguished for moderation or economy, an article of common, plain brown earthenware, of domestic manufacture, is deemed good enough, the new-born aristocracy, the "man and brother," must send to the finest French porcelain manufactories for artistic vessels meet for his expectoration! Among other things, clocks for the State-house at \$480 apiece, chandeliers at \$650, and French mirrors for the speaker's room at \$750! And all this extravagance paid for by taxation on a down-trodden people, who, in a single county, were last year persecuted by 3,600 tax executions! Is it not plain to be seen who are responsible for the Ku-Klux troubles in South Carolina? Will any *honest man*, of any party, have any difficulty in deciding that question? At the session of the legislature for 1870, a resolution was passed appointing a committee to purchase new furniture for the hall and committee-rooms of the house of representatives. The senate-chamber and committee-rooms had been furnished some time before. The account for the furniture of the house was rendered at the sum of \$95,000. To cover this and several other matters of legislative expenses, a second legislative apportionment bill was introduced into the house in the sum of \$265,000, which passed both houses, and only awaited the approval of the governor to become a law, thus making an aggregate appropriation for legislative expenses of a single session the round sum of \$400,000. They held the bill back until the last day of the session, at which time it passed both houses. The ghost, however, of an impoverished State—of a ruined and bankrupt people—of a plundered treasury—rose up before the frightened and guilty chief magistrate. He vetoed the bill. Even *his* cupidity stood confounded before the rapacious spirit of his black compeers in the lust for public plunder. But it was the frenzy of alarm, not the earnest, honest dictate of duty, which called out the negative of the governor; for even rapacity may reach a point where it is checked, not by satiety, but fear; not by conscience, but cowardice. We give the message of the governor, not only because it is short, but because it is suggestive. We ask attention to that portion of it marked in italics, as a clear indication of his opinion that it was passed by fraud and corruption:

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, March 7, 1871.

To the honorable the Senate of South Carolina:

GENTLEMEN: I return to your honorable body, without my approval, an act appropriating \$265,000 for legislative expenses, for the following reasons, to wit:

First. I regard the expenditure of the money already appropriated during this session, and the sum included in this bill, amounting in the aggregate to \$400,000, as simply enormous for one session of the legislature. It is beyond the comprehension of any one how the general assembly could legitimately expend one-half that amount of money. *I cannot refrain from expressing the opinion that there must have been some secret agency in fixing the sum at that amount, as a number of the members, both of the house and senate, have expressed their surprise at finding the appropriation changed from \$125,000, as it was believed to have passed, to that of \$265,000.* I regret the necessity of returning the act without my approval, on the last day of the session, but to do otherwise I feel would be recreant to the duties imposed upon me, by becoming a party to a wrong by which the whole people would be made to suffer.

I might give many other cogent reasons why this bill should not become a law, but

time prevents my doing other than giving it my unqualified disapproval, believing that the members of the general assembly will themselves correct an error *that must have crept into the bill clandestinely in its enrollment.*

Very respectfully,

ROBERT K. SCOTT, *Governor.*

To show how determined the negroes and carpet-baggers of South Carolina are to impoverish and ruin the white people by corrupt and excessive taxation, and at the same time to appropriate the "spoils" of this kind of warfare to themselves, take this single instance of plunder and robbery of the public treasury. The report of the "joint special financial investigating committee," made at the last session of the legislature, shows the following disbursements for taking a *State census*, in 1869-70, *only a few months before the Federal census* :

June, 1869	\$120
July, 1869	4,231
August, 1869	8,851
September, 1869	17,180
October, 1869	19,746
November, 1869	12,165
December, 1869	5,189
January, 1870	6,170
February, 1870	1,472
March, 1870	56
April, 1870	148
May, 1870	196
Total	<hr/> 75,524 <hr/>

Could there be a more useless, wanton, and wasteful expenditure than this? What pressing emergency was there to require a census to be taken by the State almost *pari passu* with that taken by the Federal Government? The State census-takers had scarcely retired from the field of their operations before the advent of the Federal officers occurred to do the same thing in a much more accurate, extensive, and satisfactory manner; and yet the overburdened tax-payers were loaded down with \$75,524 more, to sink them still deeper in bankruptcy and ruin. The people of the State could have availed themselves of all the benefits of the Federal census, a much more complete one in its statistical results than that made by the State, without costing them one cent, except so far as their small share of the general Federal tax is concerned. Then why was this thing done? Had not the arming of the negroes outside and pardoning nearly one-half the negroes inside the penitentiary secured the re-election of Governor Scott in the then existing campaign, without squandering this large amount of the people's money to give place and patronage to two or three hundred more "howling dervishes," to do that which would be much better done by the General Government without cost to an already impoverished people? The first act of the State legislature for taking the census was passed and approved March 19, 1869, which required the work to be completed by the 1st day of November, 1869. On the 18th day of December, 1869, an amendatory act was passed, extending the time for the completion of the work to December 31, 1869. The Federal census bill was introduced into Congress on the 6th day of December, 1869, and finally passed both Houses on the 4th day of May, 1870, and the work commenced on the 1st day of June, 1870; so that it will be observed that legislation to do the same thing was pending at the same time in Congress and the legislature of South Carolina. This is the second instance of the new-fledged negro legislature trying to relieve Congress of part of its onerous duties.

They attempted to settle the question as to who should represent the third congressional district in the Forty-first Congress, at a cost of \$27,583 65; and here, at a cost in the moderate sum of \$75,524, they kindly and modestly attempted to do the same thing. But this State census was not only an unnecessary expense, it was also a most extravagant one. The taking of the Federal census, under the late law of Congress passed for that purpose, was a much more laborious and expensive one, for the reason that it required a detailed statement of the statistics, social, commercial, and agricultural, of each State in the Union, to be carefully made up as a part of the census record.

The following communication, furnished us by the Census Bureau, exhibits the difference in the amount expended on the two enumerations:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 5, 1872.

SIR: The total expense of taking the census in the State of South Carolina, as appears on the books of this office, amounted to \$43,203 13. This, of course, does not include the expense of compilation, tabulation, &c., in the Census Office—only the actual cost of taking and making return of the census.

Very respectfully, yours, &c.,

HENRY STONE,
Acting Chief Clerk.

Hon. P. VAN TRUMP,
House of Representatives.

Now, when it is borne in mind that the cost of carrying on the administration of the General Government is by no means distinguished for economy, the exorbitant, wasteful, and unnecessary expenditure thus squandered upon the State census is exhibited in its true dimensions, at nearly one hundred per cent. higher than that made under Federal authority. The cost of compiling and tabulating the returns alluded to by the clerk of the Census Bureau bears a very small relative proportion of the entire expense; but, whether great or small, it is not included in either of the two general statements of cost.

We see, then, fruitful causes of discontent among the people, so far as the corrupt and high-handed course of the legislative branch of the Government is concerned. The glaring frauds perpetrated in the land commission, the wholesale system of bribery by which private legislation is accomplished, the enormous and fraudulent increase of the public debt, which a radical legislative committee a few months ago report at \$17,587,075 19 since the close of the war, the mismanagement and malfeasance in the administration of the school system, and the violation of the express provisions of the State constitution in the creation of the system of trial justices; all these things, springing from corrupt legislation, are exciting causes of whatever disturbances may exist in South Carolina. But before we pass from these disgusting details of negro legislation, we cannot refrain from noticing a most characteristic item in that behalf, and which, although comparatively trifling in itself, is a most significant illustration of carpet-bag and negro rule in this Poland of America. The journals of the last session of the legislature show that a joint resolution was adopted to adjourn on the 7th day of March last. The proceedings, for several weeks prior to that time, show great activity and industry in the passage of private bills, and other legislation by bribery, in the effort, no doubt, to get through by the day fixed for adjournment. In the house, particularly, this was so, holding frequent night sessions as late as the hour of midnight. The journal of the house shows that on the 4th day of March, only three days prior to the final adjournment, the house took a recess from 10

o'clock in the morning until 7 o'clock in the evening. Now, what is the explanation of all this, by the sworn testimony of witnesses as to the main facts? It is this: One F. I. Moses, jr., a little Jew carpet-bagger from Brooklyn, New York, was the speaker of the house.

He had made his pile under the cabalistic process of "seeing light," which was the cant phrase used at the capitol to denote the presence of greenbacks, and no small item of which grew out of his operations in the purchase of arms for the negro militia, hereafter to be noticed. He was a "fast" man on fast horses, and fast on every other fast thing of these modern days. There was a negro member of the house by the name of Whipper, who had also made his pile, doubtless, in the passage of well-known "phosphate bills," "Greenville Railroad" swindles, and the like, and who, also, was the proprietor of fast horses. Moses and Whipper had made up a match-race for \$1,000 a side. The race was fixed to come off on the said 4th day of March; and the explanation of the recess on that day is, that the house adjourned to attend this horse-race. The race was run; and the Jew carpet-bag speaker lost the bet of \$1,000. Three days afterward, on the day of final adjournment, and the very last thing done in the house, as shown by the journal, was a motion made by this same negro member Whipper, "that a gratuity of \$1,000 be voted to the speaker of this house for the dignity and ability with which he has presided over its deliberations." The motion was regularly discussed, and was passed by a large majority, upon a call, by a democratic member, of the yeas and nays; and thus the impoverished, oppressed, and down-trodden people of South Carolina were made to pay the lost bet of Mr. Speaker Moses. Is it a matter of any wonder that disorder exists, or has existed, in South Carolina? Nay, is it not a subject of more special wonder that the people have borne all these outrages upon their rights, to say nothing of their pride of feeling, with so much patience and forbearance? Are intelligent and high-spirited men expected to be transformed all at once into abject and senseless clods, and to submit, without complaint or remonstrance, to a course of policy which not only strips them of their rights, but degrades their very manhood?

There could be no grosser misrepresentation of the truth than is contained in the charge so constantly reiterated by the press and in the halls of legislation, that the white people of South Carolina are fierce, aggressive, and defiant in their bearing toward those placed in authority over them by Federal or State law. Aggressive and defiant! How vain and worse than useless would such conduct be against the overwhelming power of the tyrants who oppress them. It is against all the instincts of life, *where despair has taken the place of hope*. Defiant? Does the poor, unresisting hare, when trembling with frenzied apprehension under the feet and threatening jaws of its canine adversary, exhibit much defiance of the power which holds it in its unrelenting grasp, or much hope of victory in a death-struggle with its cruel and merciless enemy? It makes no resistance, no motion or attitude of battle for life, except that involuntary and spasmodic action produced by pain and suffering;

For the flesh *will* quiver
When the pincers tear.

It is not at all likely, and therefore unwise to legislate upon the theory that men reared under the American Constitution, with its great lessons in personal rights and popular freedom, would undergo so sudden a transformation. Without regard to the causes or the aims and purposes of the war, but simply as its result, suppose the position of the

two belligerent sections had been reversed by the fortune or rather misfortune of war, and these Southern States as victors, under their new confederate constitution, not much dissimilar to our own, had assumed to be the arbiter, so far as power was concerned, of these States here in the North, to do with them as they pleased? What would the people of Massachusetts have said, or what would they have done, with their brave old Puritan blood aroused at the infernal outrage, if the southern people, in a spirit of vengeance and in the plenitude of their power, had placed their ignorant and truculent negro population, slave or free, over them as their lawgivers, their tax-gatherers, their judges, and more than their peers in everything which appertains to civil government?

As an enforced condition of political relations, imposed upon them in a spirit of sectional hate, would it have sounded very musical in their ears to hear crowds of these roaming and defiant negroes shouting through the staid and decorous streets of Boston, what they are now yelling through the charred and desolate streets of Charleston, "*De bottom rail's on de top now, and we's gvine to keep it dar?*" It would shock their political sense quite as strongly as did the sonorous tones of the sacrilegious viol the religious sense of their Pilgrim ancestors in the simple church-service of that day. It makes quite a difference as to who owned the gored ox, whether the farmer or the lawyer, when it comes to a question of adjustment of the injury sustained by the attack of the bull. Human nature is so plastic, when operated upon by selfishness, and so easily adjusts itself to its own interests, that it is indeed a difficult task "to see ourselves as others see us."

Would they have permitted these things to be done under the shadow of Bunker Hill, or upon the plains of Lexington? Or would they not have resisted the tyrants, as their fathers of old did under not dissimilar circumstances? In some cases the most effective of all arguments is the *argumentum ad hominem*; and we submit the question for their calm and careful consideration.

We now come to speak of one of the most diabolical official acts, under the circumstances of its commission, which has been perpetrated even in these most remarkable times of public outrage and wrong. We mean the secret organization and arming of the negroes for the purpose of carrying an election, by Governor Scott, he himself being a candidate.

In 1869 there was concocted by legislative action, under the official recommendation of the governor, one of the most dastardly schemes of villainy, to retain political power in the State in the future by fraud and force, that has ever disgraced a statute-book. On the 16th day of March, 1869, there was passed, and approved by the executive, an act entitled "An act to organize and govern the militia of the State of South Carolina." It is in form a general law, and, of course, to be valid, must apply to all the citizens of the commonwealth of the prescribed age, white as well as black. But the fraudulent and nefarious design of the law itself will be best exhibited and exposed by the improper use made of it during the summer of the very next year after its passage, which, as contemplated in its enactment, was made to control the election of that year, the governor himself being a candidate for reelection. The following is the fourteenth section of the law, to the italicized portions of which we call especial attention, for the reason that the subsequent action of the governor, in organizing and arming the negro militia, throws a flood of light upon the object of its enactment.

SEC. 14. That the organized militia of this State shall be known as the National

Guard of the State of South Carolina, and shall consist of such divisions, brigades, regiments, and battalions, and, in addition thereto, such batteries of artillery, and troops and squadrons of cavalry, as the commander-in-chief may deem expedient; and nothing herein contained shall be so construed as to interfere with the power of the commander-in-chief, in case of war or insurrection, or of imminent danger thereof, to order drafts of the militia, and to form new regiments, battalions, brigades, or divisions, as he may deem just and proper: Provided, That there shall be no military organizations, or formations for the purpose of arming, drilling, exercising the manual of arms, or military maneuvers, not authorized by this act AND BY THE COMMANDER-IN-CHIEF, and any neglect or violations of the provisions of this section shall, upon conviction, be punished with imprisonment at hard labor in the State penitentiary for a term not less than one year, nor more than three years, at the discretion of a competent court.

The statute was permitted to lie dormant until the spring of 1870. At that period, the corruptions of the State government, in all its various departments, had so culminated and become known to the people, that an attempt was made to unite the elements of opposition in what is known as the "reform" movement. It was thought, though, as events proved, mistakenly, that if a mixed ticket of conservatives and dissatisfied republicans were put in the field, there might be some chance of beating the carpet-baggers and the negroes. Such a ticket was made up at an early day, and the organization assumed the name of the "reform party," with Judge Carpenter, a republican, at its head, as a candidate against Scott for governor. This condition of things alarmed Scott and his followers. Then it was that the terrible and infamous scheme of arming the negroes was inaugurated by these political desperadoes, who were throttling the white people of the State in every form of power that they could make use of. Scott, under this law of 1869, well understanding the covert provisions of its fourteenth section, corruptly and *secretly* sent his emissaries through the State to enroll and organize the negro population, and *fourteen full regiments* were thus organized in the several counties of the State. As a badge of the fraud and infamy of this action of the governor, the *secrecy* of the enrollment stands prominent. The second section of the statute provides for four copies of the enrollment of each company organized, one copy of which shall be filed in the office of the town or city clerk in which such company is enrolled. Nothing of this sort was done; and the first thing the white people knew of the organization of this hostile and formidable force was from the negroes themselves. The only authority to be found upon the statute-books of South Carolina for the purchase of arms is in the joint resolutions of February 8 and March 16, 1869. The resolution of February 8 authorizes the governor to employ an armed force to *preserve the peace*, to consist of one hundred men, or more, *if in his opinion needed*, "who shall be fully armed and equipped." The resolution of March 16 authorizes him "to purchase *two thousand stands of arms*," to be paid for "out of any money in the treasury not otherwise appropriated." It will thus be seen that the governor's power to purchase arms, in any contingency, is limited to two thousand stands; and that this power is still further restricted to the amount of funds in the treasury not otherwise appropriated by law. These powers are so plainly written down in the law that no one but a fool or a villain could misapprehend or disregard them. And yet, right in the face of this clearly limited authority, this anxious and perturbed candidate for re-election to the high office he was thus prostituting, and feeling alarmed at the supposed uprising of this new party to oppose him, purchased ten thousand stands of breech-loading and Winchester rifles, and one million of center-coppered cartridges, at a cost, besides commissions and stealings, of \$202,602 66, to be paid for almost exclusively out of the pockets of that

class of the citizens of South Carolina *against whose bosoms these very guns were to be pointed, in the hands of an ignorant and brutal race, excited against them by the scoundrels and demagogues who were the authors of the infamy.* We take this sum of \$202,602 66, as paid for arms and ammunition, from the account rendered by H. H. Kimpton, financial agent of South Carolina, in New York. Whittemore's republican committee of investigation assert that this is not a full statement of the cost to the people of the negro militia, and charge that the true amount is \$421,159 71. We are satisfied, from a comparison we have made of the account of Kimpton, and the annual report of the treasurer of State for 1870, that the position of the committee is in accord with the fact to the extent at least of the additional sum of \$90,344 27. This charge of \$202,602 66 appears nowhere else than on Kimpton's books. It is noted as a special disbursement for "arms." In the annual report for 1870, N. G. Parker, treasurer of state, there is to be found this item: "Expenses enrolling and organizing militia, \$90,344 27," which, added to the sum on the books of Kimpton, makes the sum of \$292,946 93. As to this there can be no mistake, however obscure it may be as to how the committee get the balance of the \$421,159 71. But to return to this most remarkable statute for organizing a State militia. The corrupt and terrible purpose of the 14th section of this law is too clear to admit of doubt. It was expressly intended to organize and arm the negro race against that of the white. The vice is in the law as well as in the acts of the governor. The commander-in-chief, who is also the governor, might, as he did, go on and organize either the white or the black race, to the entire exclusion of the other; and then, if the excluded race, either as a matter of safety or for defense, should organize and arm themselves into military companies, for the purpose of drill only, and even at their own expense, but without the consent of the governor, (for the right to organize must be under the authority of the law and the approval of the commander-in-chief *jointly*.) they thereby, under the law, render themselves liable to indictment for a high criminal offense, and to imprisonment in the penitentiary for a term of years. And this condition of things is now actually existing in one of the United States of North America, under a Constitution made by Washington, and Madison, and Hamilton, and in the full even-tide blaze of the nineteenth century of the Christian era! In the profoundest and most abhorrent depths of infamy, either public or private, is there any "lower deep" than this, to be sounded by the plummet of official rascality and villainy? Whether as the victims or the spectators of such a political pandemonium, it is neither treason nor impiety for every good citizen to pray that God Almighty, in His supervising providence over the affairs of men, may give courage to the hearts and strength to the arms of the people to strike down, by every legal and legitimate means in their power, such insolent tyrants everywhere and anywhere, whenever they shall dare thus to ride, "booted and spurred," over their rights and liberties.

We assert that this arming of the negro militia, in the summer of 1870, and during the progress of political campaign, was done for the purpose, and for none other than to carry that election by force and intimidation. We have heard a great deal from the stump orators and the public press in the North about democratic and Ku-Klux intimidation of the colored voters of South Carolina at that election. But we shall show, hereafter, from the incontrovertible records of the country, that this allegation is utterly false and unfounded and that if intimidation had anything to do with that election, it came from the party who

now makes the charge of violence and obstruction. When the white people of the State became aware of this secret arming of the negroes, alarm and consternation spread through the land. It will be readily understood what reason they had for this alarm, when it is known that the census tables for 1870 show an excess of black population over the whites of 133,123. Feeling and knowing that they were as much entitled, under the general militia law, to be enrolled and organized as were the negroes, they commenced to enroll and organize themselves into companies in the more threatened counties of the State. They respectfully and in due forms of law tendered their enrollments to the governor, who had the supreme audacity, in every instance, to refuse to receive them, *and they were rejected!* There had been, in the city of Columbia, the capital of the State, an amateur military company, composed of young white men, citizens of the town. They had received their arms from the State government since the close of the war; and yet, when Governor Scott commenced organizing these negroes, he took the arms from this company of white young men and ordered them to disband! To show the time when these arms and ammunition were issued and distributed among the negroes, as well as the regular order of distribution among the several regiments, we present the following detailed statement thereof, as taken from the official report of the adjutant and inspector general, submitted to the legislature on the 22d day of November, 1870. This report includes not only the guns distributed, but also the full equipments of the soldier in bayonets, bayonet-scarbards, tomions, screw-drivers and wrenches, brush-wipers, tumbler-punches, cartridge-boxes, cartridge-box belts, cap-pouches and cone-picks, waist-belts and plates, and gun-slings. The election, for that year, occurred on the 19th day of October. It will be observed, in looking over this statement, that, while the distribution extends up to the very day of election, not a gun or other accouterment, or any ammunition, was placed in the hands of these negroes *after* the day of election and the expiration of the ten days allowed for the republican election commissioners to retain the ballot-boxes in their possession! The following tables are carefully made up from the official report of the adjutant and inspector general of South Carolina, reported to the legislature on the 22d day of November, 1870, showing the number of arms and the amount of ammunition distributed to the negroes, for the period as heretofore stated:

ARMS.

Rifle-muskets.

1870.		
March	1. Captain H. L. Benford, First Regiment	60
No date.	Captain Jos. Green, First Regiment	70
March	1. Captain W. H. Mishaw, First Regiment.....	78
No date.	Captain Joseph W. Lloyd, First Regiment.....	90
No date.	Captain P. L. Miller, First Regiment	70
No date.	Captain I. H. Stewart, First Regiment.....	80
No date.	Captain George H. Smith, First Regiment.....	70
June	28. Captain I. S. Smith, First Regiment.....	96
August	3. Captain H. C. Minot, First Regiment.....	80
May	15. Captain William J. Thomas, Second Regiment.....	96
May	15. Captain Jacob Thompson, Second Regiment.....	90
June	7. Captain Benjamin Williams, Second Regiment.....	80
June	10. Captain Walter Maxy, jr., Second Regiment.....	85
June	18. Captain J. J. Goodwin, Second Regiment.....	96
June	18. Captain John T. Gilmore, Second Regiment.....	96
June	21. Captain Theodore Ingles, Second Regiment.....	80
June	22. Captain R. O'Neale, jr., Second Regiment.....	80
May	21. Lieutenant Colonel Robert Smalls, Third Regiment.....	400

1870.

August	1. Colonel P. L. Wiggin, Third Regiment.....	600
September	28. Major J. N. Hayne, Fourth Regiment.....	20
June	18. Captain J. H. Berry, Fourth Regiment.....	72
July	15. Captain R. W. Chestnut, Sixth Regiment.....	96
June	13. Hon. T. J. Coghlan, Seventh Regiment.....	121
September	21. Captain Columbus Shiver, Seventh Regiment.....	20
August	29. Captain Sandy Stratford, Seventh Regiment.....	99
August	3. Captain Samuel Keith, Eighth Regiment.....	80
August	3. Captain Alexander Owens, Eighth Regiment.....	80
June	21. Captain Wallace Morgan, Ninth Regiment.....	80
September	2. Captain Isham Raiford, Ninth Regiment.....	98
June	24. Captain Isaac Wrynis, Ninth Regiment.....	80
June	13. Captain J. T. Henderson, Tenth Regiment.....	93
June	13. Captain M. S. Young, Tenth Regiment.....	94
August	8. Captain A. S. Richardson, Tenth Regiment.....	96
October	7. Captain John H. Paine, Tenth Regiment.....	96
September	3. Captain J. Embly, Tenth Regiment.....	96
September	15. Captain C. H. Green, Tenth Regiment.....	96

Breach-loading rifles.

October	6. Captain E. L. Mann, Fourth Regiment.....	96
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Rifle-muskets.

August	18. Captain Henry Kennedy, Eleventh Regiment.....	93
September	23. Brigadier General J. C. Winsmith, Thirteenth Regiment.....	192
June	30. Lieutenant Colonel Joseph Crews, Twelfth Regiment.....	300
August	2. Lieutenant Colonel Joseph Crews, Twelfth Regiment.....	320
June	21. Captain Carey Harris, Ninth Regiment.....	20
June	13. Captain J. B. Hudson, Tenth Regiment.....	96
June	3. Captain J. D. Boston, Tenth Regiment.....	96
August	18. Captain L. Dow Reed, Thirteenth Regiment.....	82
August	18. Captain J. L. Walker, Thirteenth Regiment.....	82
August	18. Captain Milton Wallace, Thirteenth Regiment.....	82
No date.	Captain James Williams, Fourteenth Regiment.....	96
June	23. Captain John Lee, Fourteenth Regiment.....	96
June	25. Captain W. L. Kee, Fourteenth Regiment.....	96
June	24. Captain Andrew Stewart, Fourteenth Regiment.....	96
June	17. Captain James H. Cook, Fourteenth Regiment.....	96
June	23. Captain Andy Walker, Fourteenth Regiment.....	96
June	10. Captain Henry Johnson, Fourteenth Regiment.....	96
July	9. Captain Thomas Moorehead, Fourteenth Regiment.....	96
September	6. Captain Jacob Moore, Fourteenth Regiment.....	96
No date.	Captain George Adams, Fourteenth Regiment.....	96

Winchester rifles.

No date.	Chief Constable J. B. Hubbard.....	430
October	25. Chief Constable J. B. Hubbard.....	2
No date.	Superintendent Penitentiary, C. J. Stolband.....	17
June	13. Lieutenant Colonel Joseph Crews.....	50
October	10. Captain Augustus Cooper.....	96
October	20. Jas. M. Allen.....	3
October	22. W. F. Hague, esq.....	7
October	1. C. C. Puffer.....	9
October	8. Thomas Anderson.....	5
October	27. D. R. Phifer and H. C. Corwin.....	6
June	21. John N. Sumpter.....	90
June	15. H. E. Hayne.....	90

Total..... 7,222

ROUNDS OF FIXED AMMUNITION.

1870.		
August	1. Colonel William N. Taft.....	10,000
May	15. Captain William I. Thomas.....	500
August	1. Colonel P. L. Wiggin.....	5,000
September	28. Major James N. Hague.....	1,000
October	18. Lieutenant Frank Carter.....	500
August	29. Captain Sandy Stratford.....	500
June	21. Captain Cary Harris.....	2,000

1870.			
October	7.	Captain P. R. Rivers.....	500
July	1.	Samuel Dogan.....	10,000
October	6.	Colonel E. L. Mann.....	1,000
September	27.	Captain Henry Kennedy.....	500
September	23.	Brigadier General Winsmith.....	5,000
No date.		T. J. P. Owens.....	10,000
August	31.	J. S. Mobley.....	10,000
June	30.	Lieutenant Colonel Joseph Crews.....	2,000
August	2.	Lieutenant Colonel Joseph Crews.....	8,000
August	26.	Major J. C. Riestler.....	10,000
No date.		John B. Hubbard, chief constable.....	8,150
No date.		C. J. Stolbrand.....	700
June	13.	Lieutenant Colonel Joseph Crews.....	1,000
October	22.	W. F. Hague.....	400
October	20.	Jamess M. Allen.....	150
October	1.	C. C. Puffer.....	250
October	8.	Thomas Anderson.....	250
October	27.	D. R. Phifer and H. C. Corwin.....	600
Total.....			<u>88,070</u>

Here, then, we have the exciting cause of whatever trouble and disturbance existed in South Carolina in 1870. It was then Ku-Kluxism showed its head; and even the miserable testimony of the negroes themselves shows that the principal object of the visitation of their disguised assailants was the search for these very guns distributed among them by the governor. We repeat, there is not a more nefarious scheme of political villainy recorded anywhere in the history of American politics than this arming of the negroes in South Carolina, in the summer of 1870, prominently at the head of which was the celebrated "Joe Crews," the great agitator of strife between the two races, who, in that very canvass, harangued the negroes from the stump, inciting them against the whites and their property by telling them "that matches were cheap," a detected thief of the public moneys, and the arch instigator of the riot at Laurens Court-House.

We present a few extracts from testimony in regard to this matter. B. W. Ball, esq., a lawyer, living at Laurens Court-House, the home of Crews, said :

By Mr. VAN TRUMP :

Question. How many militia companies were organized in Laurens County ?

Answer. I think half a dozen or a dozen. I do not know whether they were received as part of the national guard, as it is called under the law, or not. My impression is that they were not. But they mustered six or eight or a dozen companies, that were organized throughout the county. They held meetings, and drilled with such arms as they could get. One company was fully armed and equipped, and drilled at the court-house, and one company at Clinton. I am not prepared to say that to any other companies arms were given out.

Question. Did not these six, or eight, or twelve companies, form what is known as the Thirteenth Regiment of National Guards ?

Answer. They were part of it.

Question. Do you know how many arms were sent into Laurens County in the summer preceding the election of 1870 ?

Answer. I do not. I know a large number of Remington rifles, and another kind of breech-loading guns, whose name I do not know, and a large number of Winchester rifles. I do not know whether the law authorized it. A large number of new Winchester rifles were found in this barn, at Crews's house, and the State constabulary were armed with them. I have heard that Crews bought a large number of these guns, and he stated they were his private property. I expect that the Winchester rifles were his.

Question. I see by the report of the adjutant, and inspector general of the State of South Carolina, for November, 1870, that Joseph Crews, lieutenant colonel and aide-de-camp, received at Laurens, on the 30th of June, 1870, three hundred rifle muskets; what were they ?

Answer. I suppose Remington, and some other pattern—Winchester.

Question. On the 2d day of August, 1870, he received to General I. B. Dennis, acting ordnance officer, for three hundred and twenty rifle-muskets, besides the various accoutrements pertaining to them, making in all six hundred and twenty rifle-muskets; and, included in the two receipts, ten thousand rounds of ammunition. What sort of ammunition was it?

Answer. That was ball-cartridge

Question. Minie-ball?

Answer. Yes, sir; large copper ball.

Question. It is the kind used with rifle-muskets?

Answer. Yes, sir.

Question. How were these companies organized; publicly under the law, or otherwise?

Answer. Otherwise, privately. No white citizens of the county knew when they were organized.

Question. Did not the militia law, passed prior to that time by the legislature, require an open registry?

Answer. Yes, sir.

Question. Who was the person deputized by the governor, or State authorities at Columbia, to organize these black companies in Laurens County?

Answer. I do not know.

Question. Do you not know that a son of Joseph Crews did it?

Answer. I have seen him with that company where it was drilling.

Question. Did this militia law apply to the whole population, white as well as black?

Answer. Yes, sir.

Question. Do you know of any efforts in Laurens County to organize white companies?

Answer. Yes, sir; we organized a company of men, and sent a list of the officers.

Question. To whom?

Answer. To Governor Scott, and a copy to the adjutant general. That there might be no excuse that the communications had not been received, we sent it to the adjutant general's department, and to the governor, by mail.

Question. Was that in 1870?

Answer. Yes, sir; about the time these companies were organizing. The law required that these officers should be appointed by the governor. I requested him to receive this company as part of the National Guards, appointing the commissioned officers designated, and I received no response to that letter; it was treated with contempt, I think.

Question. In the face of a fact like that, in regard to the action of the white people, what impression did it make on the public mind there, with that immense amount of fixed ammunition sent to these negroes?

Answer. Well, all these facts, connected with many others, created a bad feeling, and a want of confidence in the Government.

Question. Did it create alarm and apprehension?

Answer. Yes, sir; the people felt that they had to take care of themselves, and put themselves in a condition to defend and protect themselves.

Question. I suppose the people of Laurens County knew there was no necessity for fixed ammunition in drilling?

Answer. None at all. Two weeks before the election—probably in September—another matter of which I was cognizant occurred, which caused excitement. A large demonstration was held at Laurens Court-House, armed with fixed bayonets, and the armed militia company from Clinton, and numbered fifteen hundred negroes in the procession. Large numbers of these were armed with shot-guns and pistols, and clubs, and weapons of every possible description. The republican orators followed this escort, and held their meeting right in the public square—on the public square, or within one hundred and fifty yards of it—with these bayonets stacked around them, and I know the fact, for I went to this meeting to hear the speakers.

Question. Who were the speakers?

Answer. Crews was a speaker; Wallace was a speaker and candidate for Congress; Chamberlain, the attorney general, was a speaker; Moses, the speaker of the house of representatives, and a half dozen others were on the stand; they all spoke; and, in the eyes of these people, a white man was not allowed to hear—to get upon his legs and hear; if he did, was jerked down by various parties; and the guard detailed to move around through the crowd, with arms in their hands, offered all sorts of indignities to the white men present; I do not suppose there were more than twenty-five; a few young men from the country, who came there from curiosity; and a few from the town, went down to hear the speeches. I know on that occasion a negro there who had been in sympathy with the white people—the democratic party—was chased out of the crowd and run through the town by the republicans—

Question. By the negroes, you mean?

Answer. Yes, sir, by negroes, with arms in their hands. His life was threatened.

Two or three weeks before the election, another negro—a very quiet old negro—came to the town; he was understood to be in sympathy with the white people; he was mobbed and severely beaten for his political opinions. I know, because I was chairman of the democratic organization of the county, that there was such a reign of terror among the negroes against those who sympathized with the democratic party, that they could not express their sentiments. It would have cost any negro his life to have stated, in a crowd where there was a dozen negroes, that he was a democrat.

Question. There were a few negroes in Laurens County that felt inclined to go with the democratic party?

Answer. Yes, sir; but they were not allowed to do it.

Question. Did they vote the republican ticket?

Answer. I think a very few did; they did at one precinct, probably. I do not believe a democratic colored man's life would have been safe in the county, unless he was in close proximity to and had the protection of white people who could shield and protect him. All that sort of thing brought about intense political feeling, and a state of anxiety which culminated in this riot.

Question. On the day after the election?

Answer. Yes, sir.

Avoiding, as much as possible, the occupying much space in this report by quotations of testimony, we must be allowed to make a short extract from the very clear and direct testimony of General Butler upon this point:

By Mr. VAN TRUMP:

Question. Was the public mind really alarmed at the arming of the negroes?

Answer. I think so.

Question. Was there not very great danger of a conflict between the two races?

Answer. Very great. It required the very greatest forbearance, and the exercise of every possible influence that the influential men of the country could bring to bear, to prevent collision. It was a tyrannical and deliberate insult perpetrated by the State authorities, which was almost insufferable.

Question. How many armed negro companies are in Columbia or in this county?

Answer. I declare I do not know. I think there are three, or four, or five; but I am not prepared to say. There were, just before the election, three or four at Edgefield Court-House. I was there at a meeting, which I addressed.

Question. Governor Scott has promised to recall those arms from the negroes. Has he, in fact, recalled a single arm from the companies armed in this county?

Answer. I really am not prepared to answer that question. He has recently recalled arms from two companies in Camden, where they had been guilty of a riot on the 4th of July.

Question. Have you full possession of the facts of that riot?

Answer. General Kershaw told me; he was over here the other day. He lives there. I think the account in the newspapers was about as he stated it to me; that this militia was parading, and several of them got drunk, and the authorities of the town attempted to arrest one, or one of the constables did. This militia became very much enraged, and assaulted the house of the lady in which the man had taken refuge. She was very much frightened, and had not recovered from it up to the time General Kershaw was here, five or six days ago. It alarmed her very much. They were very violent in manner, rushing about the streets, saying, "Kill the damned white men. Now is the time." The language was of that sort, in the face of the remonstrances of the town authorities, and their attempt to preserve order and peace. I think the constable had clubbed his fellow, who was drunk; he had resisted him. Upon the representation to Governor Scott by the intendant of the town, a son of Bishop Davis, he sent over and had the arms recalled. They had twenty rounds of ammunition, which he claims now were obtained surreptitiously.

Question. Had they possession of that ammunition on that day?

Answer. Oh, yes, sir. It was a French commune there. At the head of the negroes were two very violent men. Luckily, there were very few white men in town.

We have not the room to accumulate the testimony. No member of the majority of the committee will assume that this arming of the negro militia, to the very marked and insulting exclusion of the white people, was not one of the main causes of all the disturbances which occurred in the State afterwards. The weight of the evidence shows that contemporaneous with this arming of the blacks the Ku-Klux outrages began. As disturbers of the public peace, the two organizations stand together. *Par nobile fratrum.* We shall now proceed to show, as briefly

as possible, that the riots at Union Court-House, Chester, and Laurens, about which the republican press everywhere have been so loud in their denunciations, *were the direct and immediate consequence* of placing arms in the hands of such reckless, lawless, and truculent beings as are the negroes of South Carolina. And first, as to the riot at Union Court-House. It occurred on the 4th day of January, 1871. A great deal of misapprehension has existed in the public mind, at the North, in regard to this, in all its aspects, most terrible affair. The partisan press everywhere have misrepresented it. The act of the body of disguised men, for it is not certain they were organized Ku-Klux, who entered the jail on that winter night, took out the prisoners, and shot and hung them without trial, was lawless and outrageous, utterly subversive of the laws of civil society, and a deliberate murder; but no one will deny the particular *cause* which led to it was still more outrageous and horrible, and as being one of the dire consequences of arming the brutes in human form who committed the original outrage. As an appropriate and natural prelude to these scenes of violence and wrong, it will be quite to the purpose to give the graphical description of the general and prior condition of things, in the language of a most candid and intelligent witness, R. W. Shand, esq., a respectable and leading lawyer living at Union Court-House. On pages 680 and 681 of the printed South Carolina testimony he says:

I will say that these disturbances went on for a month or two months. John Bates, a negro here, was the leader, and claimed to be acting under authority from Governor Scott. I do not know how that was; it culminated in this matter at Santuck, which lasted a few minutes, and then the negroes scampered over the fields. Governor Scott sent up his special detective, (Hubbard,) who is his special detective still. He remained here two or three days, and then went back and made a report, which was published in the newspapers, in which he said that the whole difficulty arose from the violence and turbulence of the negroes, and that the white people in the whole matter had not been to blame in any sort. That report, as I remarked, was published in the newspapers. The negroes were considerably alarmed at Santuck; and the election came off shortly after that; it was the presidential election. From that time on there was comparative quiet here until the summer of 1870—probably the spring of 1870.

As soon as the members of the legislature from this county, consisting of one white man and three negroes, of which negroes two are, to my knowledge, unable to read their names, and have signed bonds in my office with their crosses, while the third can write, but that is all, having but very little information, and the white man has no better education than this third negro—as soon as they came back they commenced organizing their Union Leagues—secret political associations on the side of the republican party. Not long after that Governor Scott issued guns to the blacks—two companies of the blacks here, two at Fish Dam, above here, I think; certainly one. The two companies here, and the one or two at Fish Dam, and the one above here, were probably all in the county; they are all that I know of, certainly. The applications made by white companies throughout the State, I believe, were universally refused, with an exception in the city of Columbia, from which company the guns were afterwards taken away. The blacks were all armed here, and the whites were not armed. Guns and cartridges were issued. They drilled in the streets here their usual drill; and during the drills there seemed to be nothing unusual. It was pretty much like the old company drill before the war. But when they were not drilling, they seemed never to come to town without bringing their guns. If you had come here on any Saturday evening, from the 1st of August, 1870, until the 1st of January, 1871, I am satisfied that you could have seen fifty guns on the arms of negroes. They were constantly parading the streets with their guns on their shoulders. You would pass along the road at any time of day and meet these negroes with guns; could hear hear them firing them constantly through the day time and night time, and sometimes hear bullets whistling over your head. This thing was continued during the whole of the latter part of 1870. I may say these guns were offensively displayed in the presence of the white people. Such was the general apprehension in consequence of the negroes having arms, and their recklessness, and their general demeanor, particularly toward the white people. Things were in about that condition when the Steevens murder took place, a matter of which, I suppose, there is very full information before the committee.

Other witnesses very fully corroborate Mr. Shand's view of the general state of things prior to the murder of Steevens. The testimony shows this state of case: a party of negro militia, to the number of from twenty-five to forty, *under the command of a regular officer*, suspected by some to have been June Mobly, a negro member of the legislature, met Mathew Steevens, a one-armed white man, in company with another white man by the name of Robinson, with a wagon or cart laden with a barrel of whisky, which he was taking to Union Court-House. The proof shows, by various witnesses, that Steevens was a quiet, peaceable, inoffensive man, of good character; toiled honestly for the daily bread of his family, did harm to no one, black or white, and was a great favorite in that community. The negroes demanded him to give them the whisky. He declined to do so, as it did not belong to him; but gave them some to drink from a bottle he had in his pocket. They then leveled their guns at him and fired into his wagon several shots. They were drawn up in line along the road. Steevens jumped from the wagon and called upon the negroes to stop firing; he would give up the whisky. At this point the white man in company with him jumped from the wagon and escaped into the woods, leaving Steevens to his fate. Steevens also escaped from the wagon, and ran into a negro shanty by the side of the road. There was no one in the shanty but a negro woman. The armed negroes followed Steevens, and surrounded the house of the negro woman. They leveled their guns, and entered the house. The negro woman begged them not to come in, and let Steevens alone. They broke into the house, found Steevens under a bed, where he had attempted to conceal himself. They dragged him from his hiding place, he begging for mercy and his life. One of the negroes struck him in the mouth with the butt end of his musket. Three men among the negro militia were deliberately detailed by the officer in command to take Steevens out and shoot him. One of the negro militia swore, upon the examination afterward into the facts of the case, that he went to the officer in command and begged for mercy for Steevens. The reply he got was that if he did not hush up they would kill him. They took Steevens off into the woods a few hundred yards from the negro woman's house where they found him, and shot him through the head and body with their muskets. The bones of his body were crushed, his head was blown through, and the fixed ammunition of the militia was found scattered about his body. Members of the militia testified before the inquest held upon the body that they were ordered out by their officers. As to what took place afterward can be better told in the language of a witness of high character in that community, James B. Steadman, esq., a lawyer, residing at Union Court-House. The following is an extract from his testimony before the committee:

By Mr. VAN TRUMP:

Question. How did Steevens lose his arm?

Answer. In the army.

Question. Had he been a confederate soldier?

Answer. Yes, sir. He was not obnoxious in any way, as I have ever heard, on account of politics—an inoffensive, harmless man, who was liked by the whole community for his obliging and kindly temper and disposition, from the pleasure with which he did acts of kindness. He was a favorite for all these reasons in the community.

Question. Was he a democrat?

Answer. Yes, sir; he was a democrat in principle, and always voted with our party. His murder, under these awful circumstances, created a very considerable excitement in the whole community. It was felt that Steevens was murdered because he was a white man; and it was believed that those who went out on that occasion had gone out to murder the first white man whom they met; that was the belief. We have never been able to find out why they went out on that occasion. The witnesses here

who were put upon the stand say they did not know they were summoned out by their officers to go with arms and assemble at a certain point. This one man who came to me afterward and let me know what connection he had had with it, in order that I might make his statement if his name was in any way connected with these matters, who is a member of the militia and a radical, always votes with the radical party, told me he was informed their object was to mug a man. They did arrest a white man on the road named Scott, but I believe Scott had either voted with the radical party or was supposed to sympathize with that party, and the witness, the colored man, testified that when they stopped him the leader said, "No; that is Scott; let him pass on." The next one was Steevens, and he was killed. His body was found on Sunday morning. A good deal of feeling arose in the community, and it was thought unsafe to permit the militia to carry their guns. We believed it was a duty which we owed to ourselves and to our families to take guns from men who would use them in that way, and whose officers had such influence over them; and their guns, wherever we could find them, were taken away in a quiet, peaceable manner, and an effort was made to arrest those whose names were connected by the testimony with the transaction. One or two men were identified immediately by certain facts—I think some whisky found in their possession—and they began to give the names of those who had committed the murder, and a good many arrests were made in the course of that day. That night Mr. Daniel Smith, who was acting under a warrant from the acting coroner here, called at a house in the town to make an arrest, and was refused admittance. Now, as I say, I was present at the investigation before the coroner and took down the testimony. The witnesses swore that when they knocked for admission, those inside asked what they wanted, and they were told that they had a warrant and desired to enter. They were told that they could not come in. They said they would come in. One of them struck a blow upon the door, not sufficient to break it or shatter it in any way, but showing his intention to come in, and they immediately commenced firing from the inside. The deputy sheriff was mortally wounded, and died in a few days afterward. The fire was then returned. A good many citizens there, I think, collected, or perhaps this party may have numbered several; anyhow, the firing continued. My house was in the immediate neighborhood, and the firing continued some little time. There were probably forty or fifty shots on both sides. There were two other casualties; one was wounded and afterward died. He had been previously wounded by a colored man in the community. I am inclined to think, though, that the State believed that he came to his death by a shot from the outside. Another man was wounded and has since recovered. Well, Smith died, not, however, before the jail was broken into, but he was mortally wounded. That was on Sunday. Let me mention just here a fact which comes within my knowledge: that collision took place at what is known as the Yellow House.

Question. You mean the collision where Smith was killed?

Answer. Yes, sir; it is just here in town, and the railroad passes immediately by it, the railroad cut, and runs to Main street, just over at the depot and marble yard. My wife and myself were returning from church on Sunday night—the night of the day Steevens's body was found; he was killed on Saturday—and as we crossed Main street at the cut, three colored men, in militia uniform, with militia guns, (for it was bright enough for me to see that they were militia guns and had militia uniform; one of them even had his white clothes), came from that Yellow House in the railroad cut, and as they got to Main street we crossed, and, seeing them stop, we looked at them. As they got to Main street one of them, who seemed to be in command of the others, gave the command, "Double-quick, march," and they ran up in this direction, and we lost sight of them. I did not make that fact generally known; I do not know that I made the statement at all, but it convinced me that they were prepared in the Yellow House to resist that night any arrests that might be attempted to be made. I will state the fact anyhow for what it is worth; I saw it. Those two things, occurring one after the other, produced considerable commotion in the community, and on Wednesday afterward the jail was broken into—I always understood by disguised men—and five men, I think, were taken out; two, I think, were killed; three made their escape. One who was killed was the magistrate, Walker, whose name, in the investigation before the coroner's inquest, became prominently associated with the calling out of the militia that night; the other was Charver Stevens, or Herndon, the man who summoned out the negro man on my premises and said that they were going to mug a man. Both of them were prominently associated with the murder of Matthew Steevens. The others were one man who, it was alleged, shot Smith, the sheriff; the other man was a man who was afterward proved in the investigation here to have been captain of the band that night, and who murdered Steevens, and the fifth I don't remember just now. I think five were taken out; two shot, and three got away. They were not prominent as radicals, as I know of. Walker was the magistrate here who had made himself very obnoxious from his acts of oppression, and who was first believed to have been the organizer of that band upon that occasion—he and June Mobley, a member of the legislature.

Here, then, by the highest testimony, is shown the immediate *cause* of the terrible retribution taken against these negro murderers of an innocent and inoffensive man, and of the murder of an officer in the discharge of his duty as such. The remedy was lawless, terrible; but it had no more to do with politics than has robbery on the highway when a man is killed for his money. It was not more lawless than some of these lynching outrages in Indiana and elsewhere in the North; and if it is evidence of anything, it only testifies to the general disorder of the country under republican rule, and especially to the reign of terror inaugurated in South Carolina by the joint efforts of carpet-baggers and Ku-Klux—the one as the authors of wrong and injustice, and the other as the lawless and perhaps indiscriminate avengers of the same. So much, then, in this brief consideration of its facts, for the first raid upon the jail at Union Court-House. Many other facts could be adduced from the testimony sustaining this view of the case, but we cannot yield the room for their introduction. One peculiarity, however, will strike the mind in relation to the first raid of these disguised men upon the jail on the night of the 4th of January. They selected and only took five out of the ten—and perhaps eleven—of the negroes who were arrested and confined there charged with the murder of Steevens and mortally wounding Smith. This singular fact is nowhere explained in the testimony. Why was this? In the absence of all proof upon the question, it can only be explained by inference; and that is, from the fact that this raid occurred only four days after the murder of Steevens, and before the death of Smith, even these lawless avengers of the crime were not then satisfied of the guilt of more than five of them, giving the remainder of the negroes the benefit of their doubts. A curious fact occurred in support of this theory. At one of these raids upon the jail—the testimony is not clear as to which one, but it was evidently the second visit of these rioters or Ku-Klux—Dr. Thompson, a practicing physician at Union Court-House, was returning home from a professional visit into the country, and in riding through town to his residence he suddenly came upon a body of armed and disguised men on horseback. The doctor spoke to one of them, and tried to dissuade them from offering any violence to the jail. During the interview the man covered the doctor's person with a drawn pistol. The doctor then told him there was one negro in the jail they ought not to disturb. The trooper asked his name, and the doctor gave it as Jim Hardy, and gave a personal description of him. He also stated the reason why he ought not to be hurt, which was, that the evidence before the coroner showed that he was the man who appealed to the captain of the band to save Steevens's life, and was told in reply to hush up or they would kill him too. To this statement of Thompson the man on horseback replied that "it should be attended to." They then passed on to the jail, and the doctor heard the man ask for Jim Hardy, when the other negroes were taken out. Hardy was suffered to remain in the jail unmolested.

We go back now to present what transpired between the two raids: Ten or eleven—it is not certain which—of the negroes engaged in the murder of Steevens and Smith were lodged in jail prior to the 4th of January. There is no doubt, and no question has ever been made anywhere, of the guilt of these ten or eleven negroes, with the exception of Hardy, who perhaps might have succeeded in proving the fact that his acquiescence in the killing of Steevens was *compulsory* and against his will. After the first raid upon the jail, on the night of the 4th of January, a strong guard of white men were posted at the jail for a time, when, as excitement seemed to have quieted down, the guard was di-

minished in number or discontinued, and the people were less suspicious of further attempts at lawless vengeance. Just at this point of time, and in this condition of things, a little circumstance, somewhat mysterious in its character, and which has never been satisfactorily explained, changed the whole aspect of affairs at Union Court-House, and doomed to a sudden and lawless death the remaining prisoners confined in jail, with the exception of Hardy, at the hands of these disguised men, who seemed to be posted in some way as to everything which occurred at the county-seat in relation to these negroes. The town of Union Court-House is situated on the Columbia and Spartanburgh Railroad, trains on which, at that time, were run only tri-weekly between the two towns. The proof shows that on Friday evening, prior to the second raid upon the jail, a negro by the name of Tinsley, a cake-vender on the train, brought a document addressed to the sheriff of Union County, inclosed in a brown paper express envelope, purporting to be a writ of *habeas corpus*, issued by Judge Thomas, a radical circuit judge, residing at Columbia. The negro delivered the package to the sheriff. The paper required the sheriff to bring down to Columbia, on the down-going train of the next day, the negroes confined in jail for the murder of Stevens, and he was cautioned to say nothing about it. *This caution came from the negro Tinsley.* The sheriff, on the next morning, being in doubt as to what should be his action in the premises, called a council of the lawyers of the place to advise him in the matter. The following is the testimony of Mr. Steadman in that behalf:

He communicated it to us under pledge of secrecy. He exhibited a paper to us, and asked us whether, in our judgment, he was justified in sending the prisoners down. We told him the whole thing was irregular from beginning to end; that there was nothing in it to show that it emanated from the judge. He was not himself acquainted with the judge's handwriting; it had not the usual seals of office. It was not drawn up as a lawyer or judge would draw it. It looked spurious and suspicious, and we advised him to communicate to the judge his reasons for declining to obey the writ, and cautioned him to say nothing about it. But on that morning a number of negro men, colored persons—negro men and women—met at the depot, and one of them told me afterward that he went there to see these negro prisoners go off. It is a fact that cannot be controverted that the negroes generally knew these prisoners were to go off that morning, while the white people know nothing at all about it. That was one fact. The negroes assembled down at the jail; the wife of the jailer tells me this herself. I went to see her a few days ago and hear about it, as I had heard the statement that they assembled there. They told her that these prisoners were to go off that day, and complained of the delay in taking them off, uttering complaints against the sheriff for not discharging his duty; and the point I make is, that the negroes were there to see the prisoners off, and told them to go. The negroes on the outside communicated the fact to the prisoners up-stairs. There were quite a number of negroes at the jail and depot; those at the depot to see them off, and those at the jail to see them come out. On the next day—that was Sunday, late in the afternoon—a number of negroes assembled around the jail, and told the prisoners a train would be up that night at about 1 o'clock, bringing orders to have them carried to Columbia on the next day, Monday; that the signal would be a protracted blowing of the steam-whistle, and so on. The impression in that way got out in the community—it certainly existed in the community—that these negro prisoners were to be taken down to Columbia, and there discharged on bail or liberated. Now, I do not pretend to say that that impression was well based, well founded; I am satisfied, from what I know of the matter subsequently from the judge and others, that that was not the purpose, but that was the impression which prevailed in this community. The legislature was at that time in session, and the people saw that they were to be taken down to Columbia and liberated, and, with that impression prevailing in the community, I was not at all surprised when the jail was afterward broken open, and these men and others connected with the Stevens murder taken out and killed. It was done, I believe, because men thought a hideous crime had been committed in the community, which should not go unpunished, and which would go unpunished if the persons were not dealt with in this summary manner. And there are very few communities, I think, which would not have acted in the same way. To show that these men were not taken out and hung because they were radicals, I will state one fact. There were a number of other negroes, confined for various offenses, in the jail—radical negroes—who were

not molested at all. A number of other radical negroes were incarcerated, some for very grave offenses, some for the burning of that barn of Mabin's, who were afterward convicted, and numbers of others; the jail was full of negroes. Only those connected with the murder of Steevens and Smith, so far as my recollection goes, were taken out or molested. I think, therefore, they were not molested on account of their political principles, but entirely from their connection with an awful crime. The Ku-Klux, as they are called, on that occasion left posted here on the court-house door a proclamation, in which they stated that these men were taken out and executed in order that they might not escape punishment. Their belief was that they were to be taken to Columbia to be liberated, and they were therefore taken out and hung before they could be liberated. That order is in existence, and I suppose will be before the committee, and will explain itself. It was printed at the time in the papers, and, I believe, sent to Governor Scott.

Another fact should be mentioned in this connection: that by a law of South Carolina, made applicable to all grades of crime, it is provided that if, at the second trial term after the finding of an indictment, the State is not ready to prosecute the case, the prisoner is ordered to be discharged, and he is as effectually released from the legal penalties of his crime as he would be by a plea of *autrefois acquit* to any subsequent indictment for the same offense. It is not very clear from the testimony, but it indicates very strongly that a trial term had already intervened between the finding of the indictments and the execution of the negroes on the second raid upon the jail, and who were sought to be released by the writ of *habeas corpus*. This would be another inducement on the minds of the rioters to take summary vengeance upon the murderers.

Here, then, are all the material and well-attested facts in the case of the Union Court-House riot, about which so much ink has been shed and so much breath has been expended at the North. That the putting to death of these negroes, when looked at from a legal and social stand-point, was a much lamentable and terrible catastrophe, no one will deny; but that the death of poor Steevens was a "murder most foul," and the killing of Smith, in the honest discharge of his duty as an officer of the peace, with a warrant in his hands, was a most daring outrage, is equally true. No one has ever claimed that these negroes were not guilty of these crimes. The whole responsibility of these crimes and their consequences rests upon the infamous conduct of the chief magistrate of the State in arming these black assassins, and there let it rest as a blistering testimony on his unfitness to hold in his hands the sacred trust of government.

There is not the slightest evidence that political feeling had anything to do with these two riots at Union Court-House. It was just one of those spontaneous outbreaks of human passion and vengeance which occasionally occur in any community. It is evident that these lawless avengers of the murder of Steevens and Smith apprehended that these negroes would escape punishment through the pardoning power of the governor, or that by some other mode, through the action of the legislature, composed of a large majority of infuriated negroes, the course of justice would be impeded. Had they any reasonable grounds to think so? The State records will show. The superintendent of the State penitentiary, for the year then just closed, reports the following astounding state of fact:

On the 15th day of October, 1869, the date of my last report, the number of inmates of the institution was.....	295
Received since that date.....	280
Recaptured.....	1
	<hr/>
Whole number in prison during the year.....	576
	<hr/> <hr/>

From which number deduct as follows :	
Discharged by expiration of sentence	23
Pardoned by the governor	205
Died	24
Escaped	6
Insane, turned over to asylum by order of the governor.....	1
	<hr/>
	259
	<hr/>
	<hr/>

Now this is "amnesty" with a rush! Of the two hundred and five pardoned for that year, one hundred and ninety were negroes! The governor, in his annual message of that year, very naively remarks: "By anticipating the expiration of their sentence, the criminal generally avoids the deprivation of his *civil rights*." Ay, is it so? Then it was to prevent the loss to the republican party of at least one hundred and ninety negro votes that Mercy consented to take the seat of Justice! If the governor was, indeed, so mercifully and benevolently inclined, the exercise of his prerogative, in each case, within twelve hours previous to the expiration of the sentence, would have effected his purpose just as well as five years before. The table shows that the outside negro pressure upon the governor must have been heavy, for he pardoned some who had been guilty of murder and rape and arson for years before their terms expired!

The story of the riot at Laurens Court-House, on the day after the election in 1870, can be better told in the sworn testimony of William D. Simpson, esq., who was an eye-witness of the scene, and is a member of the bar of high respectability, residing in that town.

By Mr. VAN TRUMP :

Question. Were you at Laurens on the day of the last election?

Answer. Yes, sir. The general election of October, 1870.

Question. I mean the election that took place on the day before the riot, known as the Laurens riot?

Answer. Yes, sir.

Question. Will you give us something of the general condition of the county for a short time before that general election, if there is anything particular to be mentioned?

Answer. We had a general canvass during that summer of 1870, and our district is composed of blacks and whites; the proportion being 1,900 white to 2,300 black voters. I suppose, without referring to the census, that there are 2,300 or 2,400 blacks. We had two parties in the district, nominally republicans and democrats, but really blacks and whites. The issue before the people was whether or not the representatives of the whites should be elected to the legislature and as county officers, or the representatives of the blacks. The district was divided almost upon the line of color. There were some whites who united themselves to the blacks.

Question. When you say "district" you mean county?

Answer. Yes, sir; that is the old name. The contest was a hot one, and during the summer, perhaps in May, I do not remember precisely, but pretty early in the canvass, to the surprise of the white people, it was ascertained that some four or five companies had been organized, ostensibly as military companies, probably sixty to one hundred in each. They were composed entirely of blacks. When they were organized we did not know, but it became known to the county pretty soon that they were organized, and they were composed of all ages. They were not organized in accordance with the militia law of South Carolina.

Question. What were the provisions of the militia law under which this organization was supposed to have been made?

Answer. I do not remember all its provisions, but one was: first, there should be a registry of all those liable to duty in the population between certain ages—I do not remember the precise ages; after that the militia, the State militia, was to be organized out of the entire population, embracing both colors. But there was no registry that I ever heard of. The first thing the people of the county knew, these companies had been organized.

Question. By whom were they organized?

Answer. It was understood that they were organized under the direction of a man named Joseph Crews, who had identified himself with that population early after the war. He was a citizen of that county for years before the war, and pretty soon after

the war he had identified himself with that race and was elected by them to the State convention. He was a candidate for the legislature—the only white man a candidate—and three negroes were candidates with him. These companies were organized, and were composed generally of the most turbulent blacks in their respective neighborhoods, to some extent. After these companies were organized, very soon it was ascertained that a large quantity of arms had been shipped to the county; they came in boxes, and were sent, as it was understood, to Joseph Crews. Pretty soon after these arms were shipped, a force of the State constabulary was sent into the county, composed entirely of strangers to the people, particularly from the Northern States, mostly, I think, from your State of Ohio; they came ostensibly as peace officers; they quartered themselves at Crews's house; they seemed to be under his control almost entirely.

Question. How many were there?

Answer. I think ten or a dozen. These when they came were first lodged in a house on the public square owned by Crews; he had a large wooden building there known as Tin Pot Alley, which is somewhat famous in this State on account of that riot; he had been appointed trial justice in the mean time, too.

By the CHAIRMAN:

Question. Who had?

Answer. Crews. He was also chairman of the board of county canvassers, the officers who had charge of the election, and had his trial-justice office in a front room on a street immediately on the public square, and in rear of that office large numbers of these guns were stored; it was understood from subsequent developments that there were at least one thousand or one thousand two hundred stand of arms brought to the district; they were not all, however, stored there—a portion of them were stored in his barn. He lived about a quarter of a mile from the square. Our village is a large hollow square, with streets running off at the four angles; two or three hundred of these guns, with cartridges and everything else, were stored there, and a portion at Clinton, a little village towards Newberry, on the railroad. After the guns and constabulary came the first thing the people knew meetings were called in behalf of that party at different points in the district, usually on Saturdays; public meetings composed entirely of one party. Crews would start for one of his public meetings with one of these companies, sometimes two, armed and equipped, with bayonets on and cartridges around their bodies.

By Mr. VAN TRUMP:

Question. You mean one or two of this constabulary force, or negro companies?

Answer. Negro companies, and the constabulary also; they always went with them. The impression made upon the people there by the conduct of this constabulary was that they were not peace officers, but partisans there to influence the election in this State. They went to all these public meetings and were followed by one or two companies of black militia. On the road to these meetings the white people were badgered considerably, it was so reported. For instance, they would shoot at dogs along the way, and it was reported at one place, as they passed down to a meeting fifteen or sixteen miles below the village, the people had assembled at the Methodist Church for service, mostly women and children, and as they passed they were turbulent, and fired around the building. I do not know that they fired over it. They insulted white people along the road, denouncing them occasionally as rebels, saying that they had guns and the white people did not have them; that Scott, the governor, did not allow them to have guns. When they assembled at the public meetings they usually stacked arms and were addressed or harangued generally by Crews. I never attended one of the meetings and do not know, from my own knowledge, what he said; but at one of these meetings, near Waterloo, some fifteen or twenty of the citizens did attend, and they published in the Herald, the county paper, an account of his speech over their signatures, certifying to its correctness. In that published statement it was said that he used language like this: he advised the negro women to dress as men and vote at the polls the coming election; that it would not do for the blacks to be defeated; that their freedom depended on that election; that the whites would re-enslave them. He advised the negroes to vote as often as they pleased. He advised them to submit to no sort of outrage, but to resist under all circumstances. He advised them if they did not believe they were settled with fairly in their contracts, to go to the fields and take what they wanted. He said if they were convicted they would be pardoned; that he was a trial justice and that he was satisfied that Governor Scott would do anything he advised, as he had never failed to do so. He told the women if a difficulty took place they could assist with the torch. He said to the men that matches were cheap and did not cost more than ten cents a box. This is the substance of what those gentlemen said was a part of his harangue at Waterloo. This thing kept intensifying during the summer as that election approached. The negroes, of course, seeing the white people were not armed, and offering no resistance to insults along the highway, began to be pretty bold and defiant, until the impression prevailed almost entirely over the whole county.

that it would be a miracle if the election passed off without a general conflict. The whites believing that, and being unarmed, a good many sent off and got arms, bought Winchester rifles on their own hook in New York and elsewhere. I don't know how many they brought into the county in that way; perhaps eighty or a hundred guns. Things were in this condition all the summer, Crews going from point to point every Saturday. About four weeks before the election a disturbance started in Newberry, forty-five miles away, which came near being a general conflict. I do not know how it originated. It spread into our county; I do not know how. The first thing we knew in the village there seemed to be a struggle about to ensue at Clinton, over the arms there. They were placed under the control of a man, an employé of Crews, there.

Question. Was there a military company there?

Answer. Yes, sir; a negro company—one of those companies I spoke of in the beginning. This difficulty in Newberry widened into our county very strangely; I do not know how except from the general state of feeling between the two races over all the country; and the whites and blacks in Clinton for a day were standing on the eve of conflict; they were drawn up. Things were in this condition there. Our town is about eight miles from Clinton. Crews said to some of the citizens that he could stop that if he was down there, and they advised him to go down; but he did not go down. Instead of that he went out into the country, he said, as I understand, with a view of quieting the negroes out there; he was apprehensive that they might go to Clinton and precipitate a conflict there. He went to the country, and the next morning, in the village, to our surprise, there were about four hundred negroes. When I went down town—I live out about a mile—they were surrounding this armory of his on the public square.

By the CHAIRMAN:

Question. Have you mentioned what day that was?

Answer. I do not know the date; it was perhaps a month before the election. I suppose about four hundred negroes were around this armory of his. They were not armed and were doing nothing. They staid a day and a night and were rationed by Crews out of this Tin Pot Alley. They went down on the depot lot and cooked their provisions. The people did not understand it at all; it excited them very much, and but for the forbearance and prudence of the more prudent citizens there would have been a conflict, then, certainly. The people in the country heard of it and began to come to town; they began to come in squads—considerable squads. Some of us, hearing of their coming and knowing that if they did come and see these negroes there some of them might get to drinking and we would have a general row, sent out messengers to prevail upon these gentlemen, who were coming from different quarters not to come in. They did not come in, and the next morning the negroes all disappeared. This difficulty at Clinton was stopped in the same way. Some of the prudent citizens got committees from the whites and blacks to meet and talk the thing over. They came to the conclusion that they would not have a fight there because they had difficulties in Newberry, and the thing passed off. On the day of election we generally had in our county about fifteen or twenty boxes scattered all over the county, convenient to the different neighborhoods. Crews was chairman of the county canvassers, and under the act of the legislature he had the power, or so construed the act, to arrange the precincts as he thought proper.

By Mr. VAN TRUMP:

Question. Did he change them?

Answer. He changed them as he pleased, locating precincts, and he appointed the managers; he had that right. He concentrated four boxes at the village.

Question. How many had there been before?

Answer. Never but one, except in 1868, when he had the same power, he brought them all there.

Question. All in the county.

Answer. All but two. I believe he had two others in the county. On this day he brought four there, and he brought those four where the negro population, if they had voted at their own regular precincts, were largely in the majority. He kept two off in the county where the whites were in the majority. The result was, that there was a very large preponderance of blacks in the village on the day of election over the whites. I suppose they outnumbered us by—I don't know how many—but there was a very large preponderance of blacks in the village on the day of election. The thing went on pretty well; the whites were excited, and so were the blacks, but no serious matter occurred. There was a little row. We had to vote within certain hours on the same day, and it was with some difficulty that we could concentrate it into one day.

Question. So much concentration of population?

Answer. Yes, sir; the negroes surrounded the boxes in some places and kept the whites from going in, and the whites surrounded one box, too. It was difficult to vote. They acted pretty much alike in that respect; but they got along better than I ex-

pected of them; but there was a little row, cursing, started at one box—there was no fighting, no blows. Shortly after that the news ran over the village that a considerable number of negroes had gone up to Crews's barn, where the guns were, and were arming to come down and attack the citizens. It went like wild-fire over the town. I never saw people concentrate so quickly in my life. The white people were not armed, except that they had pistols. When the news began to spread—you know how such a thing will scatter over a crowd—they collected in one body at a certain point, looking toward this house where they expected the negroes to come down the road. Colonel Smith, who was in command of a Federal company there, I believe it belonged to the eighth regiment, and who was a very prudent man, had his quarters over the branch, a quarter of a mile from the public square. He heard of it, and came over immediately to the whites, and said he had heard this report about the negroes arming, and said, "I will go up and see about it. Don't do anything at all. Be quiet. I will go up and stop it." He marched straight up the road to this house, and directly he came back. He reported that there were some thirty or forty who were arming. He did not say what they intended to do, but he said he had told them that if they undertook anything of that sort it would be the worst thing for the whole of them that they ever attempted, and directed them to put the guns down. They obeyed him promptly, and the thing hushed there for that day, and we had no further difficulty. That was the day of the election. The next day—it was during court week, and a considerable body of men were at the court-house, in our county—in our State the whole population attends court—

Question. Was that the first day of court?

Answer. No, sir, it was not; it was Wednesday; that is the great court-day.

Question. Which day was the election held on?

Answer. On Tuesday. That is my recollection. On Wednesday there was a large collection of blacks and whites. The election was just over, and that probably brought a great many to court. During the day, while court was in session—I was in the court-house myself, engaged then in a case—I was examining a witness on the stand in a riot case when this thing commenced. A man named Johnson, who belonged to the white party, and a white man, one of the State constabulary, who belonged to the negro party—I do not know his name—got into a row. I understood that it started from a private matter entirely. Johnson had heard that this constable had denounced him as a tallow-faced son-of-a-bitch, and he called upon him to know whether he had said so. This fellow denied it, and acted pretty boldly for a man under his circumstances. He asked who had told him so. Johnson said somebody, and he said he was a damned liar—so I understood—and conducted himself with a good deal of manhood, surrounded as he supposed himself, because at that time there were a good many standing around. Anyhow, while they were quarreling, a pistol went off. It was said it either fell from the breast of somebody and went off, or went off in a man's bosom. Nobody was shot or shot at. Nobody ever claimed to have been shot at. That attracted attention. The negroes, seeing this difficulty, and one of their party engaged, began to crowd up in one direction, and the citizens crowded up in another direction, precisely as a quarrel will do on any public day, even when people are not aroused by party feeling. Those two men finally got to blows. It occurred on the pavement about fifty yards from this armory of Crews, a place where the constabulary always staid, and the negroes always congregated when they came to town. The fight commenced, and the constable gave back in the fight toward this armory, and got to the door and rushed into it. In the mean time the negroes, some of them, had gone in ahead of him. When he rushed in the door was slammed to, as I have understood, and just as he got in the firing commenced from that building. A volley was discharged from an upper window and they fired through the plank. The house was weather-boarded, but not ceiled inside. The firing came out through the planking—balls. The holes are there now, showing that some balls came through from the inner side. I remember Judge Moses and myself walked by there at the last court. I never had examined it; he pointed it out, and said those balls came from the inner side certainly. When that firing took place from the house the firing was upon the people of the square just in front of it, but nobody was hurt. One ball hit the court-house, and one passed through the crowd, but missed everybody—I do not know how; it passed over their heads and hit Mr. Sullivan's office across the public square—a lawyer's office. The people rushed upon that concern with their pistols and they ran in. They broke the door down, and the negroes gave back and ran out of the back door. About that time, as I said, I was in the court-house. I heard considerable noise in the public square—all of us did. A constable ran out to see what was the matter. When he came back I asked him what was the matter. He said the negroes had commenced firing upon the whites. That emptied the court-house instantly; but there was very little shooting after I got there. I did not see anybody shot. The negroes had gone from this building, and the firing was about over. It was a very short thing. Two negroes were killed right there, and I think one wounded. Well, the people collected in bodies, all that were there nearly, and stood awaiting developments. It was supposed at first that the negroes who ran

out of that building had started up to the other armory; but it turned out that they did not start there. During the evening Judge Vernon—who had adjourned court instantly, for everybody left, two or three negroes were on the jury, and they ran, and the court could not have gone on anyway—ordered the sheriff to raise a posse of one hundred men and take charge of these public arms. He did do so, and went up to Crews's house and hauled down all the arms from that place and from the other place, except those taken out by men who ran in, and he put them in the sheriff's office. It spread over the country—worse than a prairie fire that the fight had commenced at the village between the whites and negroes; that the whites were in a minority and the negroes were getting the advantage; and they commenced coming in toward 5 o'clock in twos, threes, and tens on horseback.

Question. The white people?

Answer. Yes, sir; they came from every direction, and, I suppose, by midnight there must have been twenty-five hundred men. The news spread clear to Spartanburgh County that we had regular war down there; but, as I said, after the negroes ran out of there it soon quieted as far as the village was concerned. The negroes ran away and the constabulary ran away. As to Joe Crews, somebody had seen him in the morning, but he had run away. They all disappeared. There was a man in the constabulary from Napoleon, in your State, (Ohio,) named Volney Powell.

Question. Governor Scott's place?

Answer. Yes, sir. He had been there a short time. He was a candidate for probate judge. There was a negro, named Bill Riley, a prominent fellow in his party, who who was a sort of custodian of these guns, and another negro named Wade Perrin, who was a candidate for the legislature there. He harangued the negroes in the style of Crews, about the white people putting them in slavery, it seemed with a view of consolidating them against the whites, to make them believe that if the whites elected officers they would be put back in slavery, and to sow seeds of bitterness in their minds toward us. He was one of that class. Next morning the news came that Volney Powell and Bill Riley were found dead on the public highway, about four miles below the village, shot in several places. I think they had arms then. They were found lying with guns by them—a gun apiece. It was so reported in the paper. I did not see it myself. This fellow, Wade Perrin, was found about fifteen miles below the village, on the public highway toward Newberry—found dead; and two other negroes in another part of the district, some six or seven miles from the village, were found dead next morning. That was the extent of the killing that I know anything about. There were two negroes wounded that day when these two negroes spoken of as first killed in the fight were killed. One white man was wounded that I know of in the fight.

Question. Where?

Answer. In the fight on the public square. The ball hit him in the face, slightly wounding him. A little boy in a house was hit by a spent ball—a white boy. The ball went in at the window. Who it was shot by, I cannot tell. The negroes became very much alarmed, of course, and disappeared for a day or two. All these constabulary disappeared; Crews disappeared; but everything was quiet next day. None of this party has ever returned—neither the constabulary, Crews, nor any connected with him; not any of these leading men.

Question. Where does Crews keep himself?

Answer. In Columbia.

Question. What was the character of this man Crews we hear so much of; a quiet citizen or a disturber of the people?

Answer. Before the war he was a sort of merchant there. Some time before the war he failed in merchandise and became a negro-trader. There was no harm in him then, I suppose, so far as being a disturber of the peace was concerned. He was a quiet man in that respect. He was regarded as rather unscrupulous in pecuniary matters, and left a good many debts unpaid; but immediately after the war he became connected with the negro element. He claimed to be a republican, joined that party, and his purposes during every canvass we had, seemed to be to instill hostility into the negro race toward the whites, and make them hate the whites. I suppose it was because he thought that one means of keeping them consolidated. He knew they were in a majority, and if they could be kept consolidated they could out-vote the whites and he could be elected.

Thus much for the riot at Laurens Court-House. By turning to the census tables for 1870, it will be found that the negroes were considerably in the ascendant in that county; it stands 9,832 whites to 12,626 blacks. The town of Laurens is also the residence of the notorious Joe Crews, a brazen-fronted scalawag, who has been the cause of a large proportion of the disturbances in South Carolina since the war. During the days of slavery he was a negro-driver by occupation; he soon be-

come a great favorite of Governor Scott, a modern Sejanus, on a small scale, acting in the double capacity of tool and master of the higher official tyrant. Scott appointed him one of his *aids-de-camp*; he was a trial justice, commissioner of elections, member of the legislature, and a sort of military pro-consul of Laurens County. The race between himself and Tim Hurley, another radical member of the legislature, for the championship of South Carolina thieves, is noted as a very close one. The public impression, however, is that the belt will be awarded to Crews. A late business operation has given Crews some advantage in the race. He was appointed chairman of the committee of investigation into the election frauds in the third congressional district, in the case of Reid and Hodge; for it is quite a characteristic fact in negro South Carolina legislation, that they modestly assumed Federal powers, and spent sixty-eight thousand dollars of the people's money in the ridiculous effort to declare who should represent the third district of South Carolina in Congress. Crews ran his arms, elbow-deep, into the funds appropriated to defray the expenses of this committee. Among other things, he was convicted by another committee appointed to investigate his own frauds, as chairman, of making a false voucher for the sum of \$7,500, purporting to be a fee paid by Crews to a lawyer of the name of Dunbar, for professional services rendered the committee, and who swore he never received \$1 in that behalf. The facts were reported to the legislature, who, to show some semblance of honesty, passed a resolution, or moved in that direction, instructing the attorney general of the State to prosecute Crews for this robbery. Crews knew the ropes, and bid them defiance, and made the threat that if they indicted him the legislature would have to vote a new appropriation for the enlargement of the penitentiary; for, if they dared to proceed against him, he would have half the members along with him! The whole thing quietly dropped, and nothing further was ever heard of the prosecution against Crews. Such was the man who was Scott's vicegerent in Laurens County—and hence the riot.

The riot at Chester was another offspring of the armed militia. The people of South Carolina might well say, so far as the troubles of 1870 are concerned, that this standing army of armed negro janizaries, as a superadded curse to the reconstructive policy of Congress,

“Brought death into the ‘State’ and all our woes.”

There is no reason, even from the assumed republican stand-point, why Chester should have been made a target for negro insolence and outrage. There had always been a stronger Union sentiment in that county than in any other county in the State. Even as late as 1860 a large majority of the white people of that county were opposed to secession. But the negroes, since their emancipation and enfranchisement, like their white republican leaders, neither cared for or understood this fact. They were determined to rule, and have ruled, the county with an iron hand, since the adoption of the new constitution. They have a very large majority in the county; the last census returns give 6,175 white and 12,512 black population. Now, it will be obvious to every thinking mind that this great overplus of population in favor of one side is a very significant fact upon a disputed question as to which side of two hostile races would naturally be the aggressor. The question would be still more pertinent and suggestive if the more numerous faction were armed and the other was not, and they had the sympathy and support of both the State and the Federal Government, as to which would be most likely to commence a trial of strength with each other.

With this proposition as a guide to our inquiries, let us look into the facts of this Chester riot, whose importance, like the riots at Laurens and Union Court-House, as well as those at Meridian and Eutaw, in Alabama, has been very much exaggerated by interested politicians and partisan correspondents. It took place in the first week of March, 1871. It will be quite proper, and in place, to show the general condition of things at Chester, and the feeling and bearing of the negroes toward the white people prior to the occurrence of the main riot in March last. Dr. Alexander P. Wylie, a resident of Chester Court-House, and who had taken great pains to post himself as to the affairs of his county, is the principal and most reliable witness in regard to the Chester riot. It is a great misfortune that the reporters cannot photograph the persons and manner, as well as they can stenograph the language, of witnesses. It would be a great aid to the tribunals, whether judicial or political, who have to decide mooted questions upon written testimony. The testimony of southern negroes would greatly lose by such a process. The very appearance and manner of Dr. Wylie gave assurance of truthfulness and integrity; of great simplicity of character, but uncommonly well-informed and intelligent. He was no party man; when he voted at all he voted for men on both tickets; had voted for Wallace, the now-seated radical member of Congress from that district; was a Union man all his life; opposed secession in 1852, and wrote for the public press against it; was against the war; and maintained his Union sentiments during the war. The following is an extract from his testimony:

By Mr. VAN TRUMP:

Question. As a practicing physician and citizen interested in the condition of the country, are you well acquainted with the state of affairs for the last two years in Chester County?

Answer. Yes, sir; I am.

Question. Please give us the history, as brief as possible, of whatever disturbances have occurred in Chester within two or three years.

Answer. I will endeavor to do so. You mean since the surrender?

Question. Since 1868—including 1868.

Answer. Well, just at the close of the war—

Question. We do not care about that.

Answer. They got down tolerably quiet, and ever since—I am thinking of 1868—ever since the negroes got to voting they have been very domineering over men.

Question. The negroes have?

Answer. Yes, sir; and particularly since they got these arms their conduct has been utterly unbearable, and at the public meetings they have had, and particularly the last year or so, they have grown worse and worse. They would take occasion, since they got these arms, in all their celebrations, to come to Chester; march through the streets in the most imposing manner, with one or two white fellows at their head. I can give you details of some of the meetings if you desire them.

Question. That is what we want, if anything occurred.

Answer. This last congressional canvass I will commence with. There was a man named Stokes, rather a crack-brained fellow, a lawyer, who seemed erratic in speaking, but inoffensive. He undertook to speak in Chester one night. The negroes congregated in large masses, insulted him, and hooted at him. I recollect various expressions to the white people, as that, "We have got you down, and we are going to keep you there." He said nothing offensive. There were very few white people there. I am satisfied their effort was to provoke a collision. They were congregated where he spoke from the court-house platform. They were sitting around and singing John Brown. That was about the conclusion, after interrupting and not letting him speak. Persons persuaded him not to speak. Finally, when he went to the tavern, he was followed by a large crowd singing John Brown and hooting. In canvassing for the election of members of Congress last summer, there was what was called a reform ticket. I had nothing to do with it, and did not attend the meetings. I had been somewhat isolated of late, not in personal friendship, but in political matters. I never approved of the course of this State. I was a member of the convention under Johnson's call, and favored giving the negroes all civil rights. I voted with only three men, one a northern man, and another, Judge Cross, of Charleston, to give all civil rights to negroes, not mentioning color, and proposed that we should present some qualifications in regard to education

and property. I am satisfied that a large proportion of the older men were in favor of that proposition, but they looked to their constituents and hesitated. They expressed themselves so—Judge Dorking and others, leading men, but they had not discussed the matter with the people, and were afraid. One evening I recollect that Judge Frost made a long speech.

By the CHAIRMAN:

Question. Was this in 1868?

Answer. Yes, sir; I am running back a little.

By Mr. VAN TRUMP:

Question. We want to get, as soon as possible, to the disturbances at Chester.

Answer. Well, a reform party had a meeting. I think the feeling of the great mass of people was that they cared nothing for politics. They wanted self-preservation. They would have taken any part to save themselves. They had a called meeting of the reform party, and this fellow Wimbush, a yellow fellow, a senator, got up and interrupted the meeting. They said that was not the place for 'him to speak. They put him off by saying, "We will meet you when the regular meeting is held to speak on the canvass." I do not remember whether he made that proposition first or whether the reform party did; anyhow, the agreement was made that the republicans should meet the reform party to speak.

Question. Who were the speakers for the reform party that day?

Answer. I will tell you in a moment. They entered into a written contract how they should speak; that there should be no interruption of any speaker of either party without his consent. They signed the contract and had a meeting. There was Judge Carpenter and this General Butler; they came. There was Tomlinson and Chamberlain came from Columbia. The negroes on that occasion—I did not see this myself, but I was informed by a republican, and he is here too—after they made this agreement they had stones all piled under their benches ready for an assault. I took occasion to get the old colored men, citizens, close to the meeting, although I had taken no part in the meeting before, to let them hear the speaking. When Chamberlain got through, Carpenter got up, and then I saw that Yocum—he is some adventurer from Canada—and this man Wimbush went to whispering to each other, and interrupting Carpenter, and then all the negroes jumped up like tigers, hallooing and fussing, evidently designing to break up the meeting. I passed into the meeting. I had attended Wimbush, and knew him as my patient. I laid my hand on his shoulder, and I said, "For God's sake, stop this. You can influence them;" for they are great creatures to follow their leaders. I said, "For God's sake, make these men sit down and have no disturbance, and the other party will listen to your man." Two big negroes struck at me instantly with clubs. I was right among a great set of negroes. I dodged out. They commenced throwing stones; one big one fell right by me. They hit one young fellow on the head, right by Carpenter, and cut his head. We did not know but he was killed. He was carried off. Just at that time a little boy, a stranger named Bullock, started to run off, scared. Some one hallooed out, "There goes the fellow that slapped Wimbush." There was a large crowd; they looked to me like two or three hundred men, and they all pursued this young fellow, two or three hundred of them, round to Mrs. Browley's, a very respectable woman. There they cursed her that he was hid in the house—he run off. They met Dr. Jordan, a respectable man, and cursed him. One fellow drew a pistol on him, and some fellow hallooed, "That is the fellow that struck Wimbush." The first thing he saw this negro had a pistol out. He just said, "If you attempt to shoot, I will shoot," and the fellow put up his pistol, and he put his up; and then the first thing was Dr. Jordan got a blow on the top of his head. The crowd got around him, and some negro who had been his patient went up and interfered, and I think that that act of that negro interfering saved Dr. Jordan. The meeting was broken up. A woman came running with a great stone and threw it just past his head; so he told me. They said they chased the rebels all off the ground. There was great exultation among them. The whites had no arms; some had arms, but nothing was done, and the thing was broken up.

Question. I understand that this was a regularly arranged joint meeting, settled by a written contract?

Answer. Yes, sir; and they pushed themselves to get leave to speak.

By the CHAIRMAN:

Question. Who had pushed themselves?

Answer. Wimbush and the radical party pushed themselves in to get leave to speak, and made a written contract that no one should be interrupted without his consent. All went on well until Carpenter was to speak, and then the general threat of the negroes had been that he should not speak.

By Mr. VAN TRUMP:

Question. Did that break up the meeting?

Answer. Yes, sir; there was an old fellow there from Charleston, and they chased him to the car.

Question. Was that an old negro with General Butler?

Answer. Yes, sir.

Question. Was he a democrat?

Answer. Yes, sir. Then the party had a meeting shortly after that, and Wimbush came and proposed to General Walker and Mr. Bryce that they should speak.

Question. Were Bryce and Walker white men?

Answer. Yes, sir.

Question. Were they democrats?

Answer. They were reformers. Wimbush came to them, and proposed for the reformers to meet them, and speak at a meeting two or three weeks ahead.

Question. How long was that after the meeting at which Judge Carpenter was prevented from speaking?

Answer. Two or three weeks, I think.

Question. Go on.

Answer. Walker and Bryce concluded to back out, as it would certainly lead to a collision, for they had been so near to it before. When the day came for them to speak, the speakers came up from Columbia—some negroes and some white. The negroes came riding from every part of the district with guns—all these militia-men with guns and muskets, and some not militia-men with guns, and they collected there at the stand. The reformers did not come. Very few white people went night. Some reform candidate negroes went there. They whipped and run them off the ground, and swore that no damned reform nigger should speak. They tore the clothes off of one fellow and chased him off the ground. There was another meeting over at Sanders's. I was not at that.

Question. What is your information about it specially?

Answer. The same course was followed there. This Captain Jim Wilkes was there. He marched down, with guns loaded, in military order and his black men. They went up as if to camp, and stacked their arms just behind them. They came very near a collision on that day; so they said. Some of the whites, they said, were there, but no organized bands. Some came and had guns. Some of the negroes shot off guns right in the crowd. They pretended it was accidental. I speak of that to show that the guns were loaded. An old senator from our district, McAllilly, an old man of seventy years, a lawyer, got up to speak. He has always been considered a conservative. He did get a little warm during the war, but he was the only man in the State who voted against calling a convention at the time. The legislature of 1860 called a convention.

By the CHAIRMAN:

Question. Which convention?

Answer. The convention which seceded. He was opposed to secession. He took the stump in 1860. Well, I do not remember in detail, but there was a great deal that was offensive said and very hard to be heard, and the speakers of the radical party said everything they could to array the negroes against the whites on that occasion. This Captain Jim Wilkes, when McAllilly got up to speak, ordered his men to march off, and would not listen to him at all. There was no further meeting together. They thought it too dangerous. One meeting I forgot to mention—on the day of the meeting at Chester, at which the radicals spoke, but the whites did not meet them. They marched with fife and drum through the streets in military order; took the negro speakers down to Wimbush's, and the next morning marched down through the streets and brought them back. I was standing noticing.

By Mr. VAN TRUMP:

Question. Did they stay over night at Chester?

Answer. Yes, sir. They all had their arms from every part of the district. I noticed one big fellow waving his musket at the white people, and hallooing, "Here's your regulators." Well, I must say, now, that I do think if it had not been for the conservative element, the older men, who exerted their influence to keep the peace, I doubt whether there is a district in the State or a county in the State where there would not have been a collision.

Question. You mean any other district?

Answer. Yes, sir. It is not worth while for me to say much about the election. Of course it was pretty much a farce—just boys and all—

Question. What is the proportion of the white and black population in your county of Chester?

Answer. Near about two to one. They have it now two to one of voters.

Question. What other disturbances have occurred in the county within three years, including any disturbance by disguised men? Give us a history of them.

Answer. There were in the lower part of the district a great many negroes where was one of these companies—some negro men arrested for stealing cotton. One of these companies mustered up, they said, about seventy-five men. They arrested some

of these prisoners—some three of them—that were notorious at stealing cotton, and they took them from the sheriff.

Question. Do you mean that the negroes rescued them?

Answer. Yes, sir; and they have never been arrested since. They made two or three efforts. The sheriff himself did not go down. I think he was rather timid of a collision.

Question. What was the first within the last three years in your county—the first act of violence on one side or the other?

Answer. I cannot bring it to mind just in order.

Question. Go on, then, in your own way, and give us, as briefly as you can, the condition of the county within the last three years.

Answer. There has been a great deal of burning done in Chester district.

Question. What was it?

Answer. I think there has been more burning done since the war than ever before since the first settlement of the country.

Question. What sort of burnings?

Answer. Machines and machino-houses.

Question. Is there any knowledge as to who did it?

Answer. They always appeared to be satisfied with regard to these machine and provision houses.

By the CHAIRMAN:

Question. When you say "they," who do you mean by "they?"

Answer. The people, generally, seem to be satisfied that the negroes did it.

Question. The black and white people?

Answer. The blacks, you know, would not say much about it.

Question. I wanted to know what you meant by people?

Answer. Well, white people; but I know intelligent negroes who say so. I could give you instances. I have a plantation with negroes entirely. I have been disposed to encourage them. I have land that I work entirely by negroes. You sometimes get a very intelligent negro to work land. Along last summer, when so much cotton was burned, I said to my man, "George, remove that cotton from under the screw; it might be burned." George laughed, and said, "No danger of burning your cotton. You treat the colored people with justice. It is only when they don't get justice that they burn it." They admit that they burn it.

Question. What is your belief, from all the facts, as to who are the authors of all these burnings?

Answer. I am satisfied that in the country they are done by these negroes.

Question. Has that been pretty extensive, or otherwise?

Answer. It has not been very extensive. In a locality five miles east of Chester, there has been no disturbance or burning. There was Johnson had his wheat-house and stables and gin-house burned; in a quarter of a mile of him Crane had his store burned; and in a quarter of a mile, Mrs. Hinton had her machine burned and her wheat; about two or three miles above that, Mrs. Rainey had her machine and cotton burned; not far above that, Major Eaves, who is an inoffensive fellow, and treated the negroes well, had his burned. It was supposed they stole the cotton, and burned it to cover their stealing. That is all in one little section. There have been various burnings. There was never any pretense that any negro was whipped or abused in that quarter that I heard of.

The examination of Dr. Wylie was had at Yorkville; General Butler was examined at Columbia. We give an extract from the general's testimony in relation to the state of feeling among the negroes at Chester prior to the riot, and it refers to the same joint meeting spoken of by Dr. Wylie. The two statements entirely agree with each other, except, as from his situation, the Doctor could be more particular and circumstantial.

By Mr. VAN TRUMP:

Question. Were you a candidate on the State ticket last year?

Answer. Yes, sir.

Question. For what position?

Answer. Lieutenant governor.

Question. Did you make a canvass of the State?

Answer. Yes, sir; thorough.

Question. All over the State?

Answer. I went to every county except two or three.

Question. Will you give us your experience in the prosecution of that canvass, so far

as it shows the condition of the country, whether it was quiet or otherwise; and if unquiet, why and wherein?

Answer. Well, sir, as you are aware, I was a candidate on what was known as the reform ticket in South Carolina, recognizing the fourteenth and fifteenth amendments of the Constitution as established facts, and under them guaranteeing to all the citizens of the country the rights of citizenship. Upon that platform we went before the country, and, as I said, I went into every county in the State. I think in the course of the summer, I must have addressed—I cannot say how many of both colored people and whites, beginning at Edgefield and going into every county except Marlborough, Chesterfield, Horry, and Georgetown. I do not think I went through those counties.

Question. Who were joined with you as coadjutors?

Answer. In many instances both parties were represented.

Question. You had joint discussions?

Answer. Yes, sir, in many instances. In a majority of cases, however, they were only those representing my party—Judge Carpenter and General Kershaw and two or three colored men, among others, Eugenius Byrd, from Charleston.

Question. What were his politics?

Answer. The same as mine.

Question. What gentleman of the other party attended those joint meetings?

Answer. I remember Mr. Chamberlain, Mr. Tomlinson; and a colored man named Purvis, met us in Chester, when that row took place; and then General Worthington and Mr. Cardozo, the secretary of state, and Lieutenant Governor Rausier met us in joint discussion by arrangement.

By Mr. STEVENSON:

Question. Is he a colored man?

Answer. Yes, sir; on the ticket with Governor Scott. I do not know what you desire me to specify.

By Mr. VAN TRUMP:

Question. I want you to specify the temper and manner in which that canvass was conducted; and if there were any disturbances, where or how they arose. Give us a detailed statement.

Answer. I can say this in a general way: at almost every public meeting I attended in South Carolina there was quite a large number of white and colored people, and, in a large majority of cases, they were attended by the militia of Governor Scott—the colored militia.

Question. In arms?

Answer. Yes, sir. They would almost invariably march up to the stand and stack their arms. In Chester, I remember distinctly, they did not bring their arms. There was a joint discussion and an understanding between the committees of both parties as to the manner of conducting it. I have forgotten who opened it. I replied to Mr. Chamberlain. Two of their speakers spoke and Judge Carpenter and I followed. Mr. Chamberlain spoke an hour and I followed him an hour. After Mr. Chamberlain, Governor Scott arose, and other speakers, and were listened to with perfect respect and quiet by the audience. When Judge Carpenter arose the senator from Chester, named Wimbush, a colored man, and the present representative, Yocom—who had interrupted me, but I had silenced him pretty quickly—when Judge Carpenter began he was making some charges of corruption against the State government, and especially with reference to the actions of senators receiving bribes for passing the sinking-fund bill. He stated that they received \$600 a piece. Wimbush got in the rear of the negroes and interrupted Judge Carpenter very violently. The judge lost his temper—which I did not do—and returned some very violent reply to him; and with that the whole crowd of negroes rose up, and the white people at the same time, and for about three minutes I did not think I ever saw a riot more imminent in my life. I appealed to him to allow me to speak to the people. I did so, and begged them not to take any action. About that time a rock was thrown from the crowd of negroes into the crowd of white men and struck a white man on the head, and he fell. Purvis and Chamberlain behaved very handsomely. Purvis appealed to them to desist, and went into the crowd and took the negroes off to the grove. Mr. Chamberlain also appealed to them. He said it was a disgrace; that they had been listened to, and it was due to us that we should be listened to. Purvis came up to the stand and said to me, "General, I think we can go down and quiet these people." I went down among the negroes. They were very much excited. They were pulling and hauling about, and I could not stand that, and went off. Purvis got up and harangued them, and I got upon the stand and saw them coming back, and I said to some one, "Go and stop those people, or there will certainly be a row; the white people will not stand it longer." Purvis went out and stopped them. I think the whole thing, from all I could see in the crowd, was preconcerted; that they had determined not to allow me to speak. These men, Yocom and Wimbush, I saw about among them; and I am perfectly satisfied that it

was a regular understanding among them that I was not to be allowed to speak. I think the whole thing was occasioned by the bad conduct of Wimbush. We went from there to the western part of the county. The young men down there had heard that they did not intend—

By the CHAIRMAN:

Question. Before you pass from that, will you state did that actually culminate in a riot?

Answer. No, sir, that was the end of it. The only violence was the throwing of a rock, which struck a white man on the head. The indignation, of course, was great, but Judge Carpenter left off.

By Mr. VAN TRUMP:

Question. Without speaking?

Answer. Yes, sir; he spoke about five minutes. I think—although it is egotistical—that it was entirely my influence and my appeal to those parties that prevented a riot. We went from there to the western part of the county, to a place called after some church—I have forgotten the name—and there a young man, who had formerly belonged to my command, had heard that they did not intend to let me speak, or that Wimbush would be there with the militia. I had no apprehension, but after awhile up came a company of colored militia.

Question. Armed?

Answer. Yes, sir, with bayonets fixed.

Question. Was that a democratic meeting, or a joint meeting?

Answer. It was not a joint meeting. They came up armed, and stacked arms and came around. No disturbance took place. A good many of these young men were there. I told them I did not desire any action taken; that I had no fears of not being allowed to speak; and I spoke. We went from there to Lyle's Ferry, in the eastern part of the county.

Question. Was Wimbush at this church meeting?

Answer. No, sir.

Question. Who had control of this armed militia?

Answer. I don't remember the captain's name.

Question. Was it the regular officer of the company?

Answer. Yes, sir. We went from there to Lancaster, and there the militia came again, and another difficulty was imminent; and that was pretty generally the case in all parts of the State.

It is well enough to state here that the so-called Chester riot was not confined to the town of Chester. After the negroes belonging to a militia company in the country had left the town in the manner as heretofore detailed by Dr. Wylie, another disturbance arose between them and a company of white men, numbering twenty or twenty-five, armed as citizens, from Union Court-House, on their way to raise the siege of Chester. They had volunteered their services to assist the people of Chester to defend their town against the threatened attack of the negroes, who had regularly camped down outside of the town. These two parties of white and black men came in collision some ten or twelve miles east of Chester, in the direction of Union Court-House. But first, as to the troubles at the town of Chester.

In running over the narrative care must be taken to distinguish between two actors in the drama, Captain John Wilkes, a white man, and Captain Jim Wilkes, a negro, the commander of the militia. Dr. Wylie, after giving an account of the whipping of a negro in the country by the name of Holley, a bad fellow who had a gun, proceeds as follows:

A short time after that, two or three nights after the whipping of Abner Holly, there were three young men—I forgot their names now, except one named Darby—in common clothes, on a moonlight night, who had been on a visit, were returning, and a number of negroes lying in the corner of the fence, fired on them, a few feet from them. They shot Darby in the hip. I do not know whether he will ever recover. They riddled his saddle all to pieces, and cut the clothes of some of the other men. Then followed some violence. This is the negroes' tale. They say that then there were some fellows, Ku-Klux, came from up in that northeast corner down there, and got to hunting up this fellow Wilkes. I should have mentioned one thing: Darby went on for a physician, and they stopped him, and interrupted him, and threatened him. The next night some fellows came from above, supposed to be Ku-Klux, hunting Jim Wilkes.

The negroes supposed they were Ku-Klux. They shot about some. The report was they had killed a horse of a fellow named Wick Smith, said to be a Ku-Klux. It was a night or two after the shooting of Darby that these fellows came down hunting Jim Wilkes, and the negroes and the whites had some shooting, but nobody was killed. It was said Wick Smith's horse was killed, and he is said by the negroes to be a Ku-Klux. Wick Smith is a white man, supposed to be a Ku-Klux. There was some shooting about that night. This, I think, was about Friday night. The following night Jim Wilkes collected up his company, and sent out runners to all parts of the country for the negroes to come in and the fight to commence. That was the warning. I know very responsible men that was sent to to come in, and that the fight was to commence, and to bring their guns. It was on Monday that they came down to Chester, but the night before that the negroes turned to Ku-Kluxing, and went to old Mrs. Atkinson, an old lady. Some ten or twelve negroes went to her house Ku-Kluxing.

By Mr. VAN TRUMP :

Question. Disguised ?

Answer. I think so; partially disguised, but she could see they were negroes. She saw some of them. That old lady and her daughter were living there and a young fellow. They were hunting him and hunting guns. They told her they were Ku-Klux, and they went out and whipped a log tremendously, and pretended they were Ku-Klux whipping a negro, but they were satisfied nobody was whipped. She said they were negroes, and she is a respectable woman.

By the CHAIRMAN :

Question. What is her name ?

Answer. Atkinson—an old lady. This, I think, was Saturday or Sunday night they went to Mrs. Atkinson's. The next day, Monday, they came on down to Chester, warning the negroes to come; that the fight was to commence; sending runners to various quarters. On Monday morning I went up; it was the first I heard of it. They were then encamped in the borders of the town, within the corporation, a few hundred yards from the court-house, picketing the roads, preventing the people from going in and out in that direction.

By Mr. VAN TRUMP :

Question. How many were there at that time ?

Answer. Something like a hundred, I think.

Question. Fully armed ?

Answer. All armed with muskets.

Question. Proceed.

Answer. It created a great excitement. The negroes were running backward and forward. There is a negro company there at Chester Village, of about one hundred, commanded by a mulatto, John Lee. The lawyers counseled about, and the sheriff went out—he is a very quiet man—and advised them and urged them to disperse. He asked them what they came for. The captain would tell him, "We came for protection." That was Wilkes told him they come for protection, but the other negroes around would tell a different tale entirely. I remember that Dr. Heath said they talked quite differently to him—violently, with threats, and so on. That is the way they talked to outsiders; it created great excitement. There were negro women there, I know two; one of them has been treated most kindly throughout her life by an old aunt of mine; she raised the cry, "Now is the time to burn," and a night or two after that the fire was set. She cried out, "Now is the time to burn." A number did that; I recollect one girl there who had been treated just as a white person, a bright mulatto, and still living with her old owner to this day. No person suspected such a feeling in her. And she said what she would delight in would be to be in hell, to have a churn-paddle and churn the whites to all eternity.

By the CHAIRMAN :

Question. Did you hear her say that ?

Answer. No, sir; but my people did; my folks did. A fellow named Johnson, a Frenchman, a soldier who married a negro there, and she said, I did not hear this, but I have no doubt of it; I heard of it, that it was time to commence burning. I think this feeling was going on. We have lawyers down there, and the lawyers advised the people to keep within the law, and endeavored to get them to disperse. They suggested this, but it was not carried out: if they would not disperse to get out a posse and arrest the leaders, but they were satisfied that that would bring on a collision, and it was not done. They went out several times during the day, but staid there, camped, and with a fire, and the negroes ran out and carried them provisions during the day. We found out they were after ammunition. They were out of ammunition. That leaked out. Some began to get afraid, because there was so many threats about burning the town. For months that had been settled. We began to think we had

better take precaution, and send out after armed men to come in and protect the place, but the intendant of the town and the sheriff went out, and this fellow named Reister—he was an office-holder and belonged to the League, and an extreme man—a very bad man, I have no doubt, from his speeches and what I have heard of his advice to the negroes. He went out with them, and made a speech to them to disperse, but it was found out afterward that he had issued his orders secretly to the negroes to hold on. So the negroes all say. They promised to do so just at night. So no people came from the country armed at all. We were there, just a few men in town. Some of us were satisfied they were not going to disperse, but the majority thought they would. The report went to the country that they were all gone home. Some of us went out to hunt where they had gone, and rode up the road and saw nothing of them, but found they were lying on their arms in the woods about a mile from town, on a densely wooded creek. From all we could hear, we saw a probability of a collision that night. So the intendant—I think it was him—telegraphed to Winstonsborough and Rock Hill—there was no time to send to the country—for some men to come down armed to assist the town. There happened to be a fire at Winstonsborough, I think, that night, and only about ten or twelve came from Winstonsborough and probably the same from Rock Hill. We staid up all night guarding the town. After night, some time, the negroes marched up there in Chestertown, and formed on the square; the town company did this. The captain came to the intendant of the town, and there appeared to be some misunderstanding, and asking if he needed assistance, or something like that. He said he understood there was a misunderstanding between them; that he wished to come out and protect the town. The intendant said no, he didn't want their services. He appeared reluctant to break up. The intendant went down and made some speech to them; I do not know what he said to them, but he advised them, I think, to go home. He said he did; but they did not disperse at once. They staid some time, and then marched off in squads; and we could see them going on over to the depot, which was some four hundred yards from the hill. The village is on a high hill. Well, I remained up there, about the only person that staid up. I was very much afraid some drunken young fellow might imprudently start a fight, as the militia was in the street. I remained up there all night. These Rock Hill fellows came on down. They were in at supper, most of them, at the hotel at Nicholson's. One of these fellows was out on the depot platform, and fell in with a negro. I know the negro well—a very cowardly deceiving fellow—he had worked for me a year, and he was a thieving fellow. He was standing on the platform with a number of other negroes with guns; he belonged to this company. As I have said, they had moved off in squads to the depot; they did not break up. One of these Rock Hill fellows (I think they said he was drunk) asked him, "Let me see your gun," or "Is it loaded?" and the fellow commenced backing and backing, and he caught hold of his gun; the fellow was cowardly, and commenced backing, (I got this tale from most responsible men—Dr. Jordan and others;) the gun went off; I do not think he designed to shoot, but was frightened. Then general firing commenced; all the company commenced firing; they fired into Nicholson's house; balls rained on the hotel; there was no person shot, but there was a terrible turmoil and shooting; no person was shot except Fate, the negro who fired the gun; he got a pistol-ball in his leg; this fellow from Rock Hill fired his pistol and hit him in the leg; there was nobody else hurt, although there was great shooting. That all quieted down, and these fellows from Rock Hill came up on the hill to the village, and remained there during the night until morning, with the town guard, guarding the town; but these negroes, the Chester company, remained embodied in the old field, ready for a fight; (so we understood; I do not know this positively, but I understood that they staid there for some time;) they came up, and we had no idea of fighting at all, because there was none of us there scarcely; it was after night, and we determined to go by law; that was the conclusion of the sheriff and the rest—to do nothing but protect the town. In the night we knew nothing of this. We knew this company of Jim Wilkes's was lying in the woods, but we did not know that they had moved from their position. We found that they were in the woods about a mile from town, lying in ambush. We did not know that they had moved until about midnight. About midnight the guard captured three fellows of Jim Wilkes's company. They brought them up on the hill were the guard was. I was there myself. Some fellows talked about kicking them or whipping them, but I told them not to hurt them, and let them go home, but they questioned them to know the meaning of all this. They lived above Carmel Hill, in the neighborhood of this Captain Wilkes. They said they came under orders from Captain Jim Wilkes. We asked what they came for. We did not attempt to intimidate them. We told them we did not want to hurt them. They came, they said, for ammunition and reinforcements; that they were told the fight had commenced. We remained on guard there all night, but let these fellows go home. Next morning some young fellows of the guard broke off from the main body after daylight and went on to the depot; some of them were drinking; we tried to prevent them—to get them to wait until the sheriff came, and endeavored to get this matter settled. We learned

at that time that Jim Wilkes's company were all at the turn-table, a large place, and Reister's yard, which was barricaded. They slipped around the turn-table. They lay in the Methodist church, about midnight; they left their ambuscade and lay in the Methodist church, and then slipped down and joined the Chester company down at the depot, and were there in Reister's yard and in this turn-table pit. We learned that in the night. There were very few of us on guard. There were only about twenty-five or thirty, including the Rock Hill and Winnsborough companies, on guard that night. I remember only one man from the country; his name was Walker. The reason for telegraphing was the fact of nobody being there, and we have not many young men in Chester. When they started off I was there; I begged them not to go, but let the sheriff proceed locally. They started for the depot—these young fellows. I expected a collision. We sent for the sheriff, and he got out his men, and then we started on to the depot—the great body of the crowd did. As we were going to the depot, we met runners, saying they were drawn up to fight, probably a hundred negroes, and eight or ten whites confronting them. The word was given immediately to expect every moment the firing to commence; to arouse the people to come armed. After a little Mr. Brawley, the solicitor, who was here yesterday, came down; there was great excitement; he said he would go on and stay to see Reister, the colonel of the black regiment in that district. They feared bloodshed might commence, and there would be no telling where it would end. He went ahead, and the company, not over twenty-five or thirty, all congregated together, marched over and formed at the depot. The negroes were about two hundred and fifty yards above, at the turn-table and around Reister's yard, with a high thick fence barricaded to protect them from balls. Then the sheriff and the solicitor and some other gentlemen went on up to see if they could get the matter quieted, and get them to go home. General Walker came to me and says, "As you have been intimate with Reister, and have attended his family in sickness, you may have influence with him." I told him I would go up. I went up to see Reister, but by the time I got there they had negotiated a kind of truce. They agreed, or Reister agreed, that they should march out of town and disband. I did not believe they were going to do it; I was satisfied of that. I did not believe that Reister wanted a fight; he merely wanted to keep them there until he could leave the town; he was afraid of being killed. I did not believe him. I believed they would stay as they did before. I asked him when they would disband. He said, "Two, three, four, or five hours." He was indefinite. Sill, the sheriff, came down and dismissed his posse, and told them the matter was all settled, that they had agreed to disperse and go home. We all obeyed and went home. There was a colonel from Rock Hill there—I forget his name—a prominent man; he had been one of the negotiators; he rode out with them.

Question. A white man from Rock Hill?

Answer. Yes, sir. He rode along up with this company that went in order out of the town, they pledging that they would disperse and go home. Reister went off that day. That morning he went with these Winnsborough fellows.

Question. Is that the last you know of Reister?

Answer. No, sir; he came back. He went on with the company to Winnsborough. He spoke to those gentlemen, and said, "I reckon there is no danger in going with you." They said "No," and he went down with them and went on to Columbia. It all went off then until evening. I heard they were seen marching four or five miles above Chester going still embodied, but we did not know that positively until near night, and no word was sent to the country, so that people some two or three miles from this ——— in the country did not know anything of this until the fighting commenced. This was the day before the fight.

Question. What fight?

Answer. Jim Wilkes's fight.

Question. Where?

Answer. Out in the country. The day this peace was negotiated Jim Wilkes marched off from the village. He did not disperse his men, as he promised, but kept them embodied, and went on some five or six miles from Chester, and camped that night. We did not know it positively until evening. We learned then that they had done it. We sent runners out, but it was too late. No word was sent to the country except by one man named Hardin, so that the intelligence did not get all around the neighborhood generally that these fellows were there. A good many did not know until the firing commenced next morning. But the day Wilkes marched his company up, or probably the day before, the word went to Union, and some fellows from Union came on over. They fell in with a few citizens of Chester on the road.

Question. You mean Chester County?

Answer. Yes, sir, Chester County; on the road coming down, meeting Jim Wilkes. They camped the night before the fight. That is the same night that Wilkes camped; they camped six or eight miles above that.

Question. That is, the Union men did?

Answer. Yes, sir, with a few of these Chester County fellows that they fell in with on the road; but that evening that they came, which was the night before the fight,

Captain John Wilkes, a most respectable man, and a large owner—one of the wealthiest land-owners in the district, having about five thousand acres—

Question. A white man of the same name as this negro captain?

Answer. Yes, sir, but John; the negro is Jim. He is a very kind, humane man. He employs sixty or seventy negroes. He came with Dr. McCallum the same evening they left Chester, John Wilkes did, and went on down to the camp of the negroes that evening, the evening before the fight, the evening of the day they left Chester. He had a talk with Jim Wilkes; he knew him well. He persuaded him to disperse. He pledged himself that they would not be interrupted if they would go home to remain. Some of John Wilkes's men hearing him advising them to disperse, proposed to go home. This fellow Jim Wilkes, the captain of the negroes, leveled a musket upon some of them and told them that the first man that moved he would blow his brains out. Then some of the negroes of John Wilkes's—

Question. Then some of the negroes who worked for John Wilkes were in the band of this negro Jim Wilkes?

Answer. Yes, sir; and they wanted to go home. He is a very kind, humane man. He persuaded them to go home, and he would guard them; but Captain Jim Wilkes said he knew his business, and gave no satisfaction. Then John Wilkes went on and met the people coming from Union and some other people from that corner of Chester County. He saw them up at the camp, and came on down in the morning with that company (Wilkes's) and some ten or twelve men. I have taken a great deal of trouble to ascertain the facts about this case. There are a great many conflicting reports abroad. I have seen Wilkes and talked with him. Wilkes and some ten or twelve men went ahead, and got another interview with Jim Wilkes, and tried to stop a collision. He had told Jim Wilkes the evening before, "You know if you come up armed in this way what will happen." He knew he had got that ammunition, for some persons in Chester had seen it. All the buckshot in Chester had been bought up. A good many were armed with double-barreled shot-guns with one load. John Wilkes, in company with ten or twelve men, went ahead with this company that came from Union, as they were coming to Jim Wilkes's company. His purpose was to endeavor to get them to disperse and go home.

By the CHAIRMAN:

Question. That is to get the Union men to disperse?

Answer. No, sir; to get the negro men to disperse. Captain John Wilkes was with these men that came from Union. He had fallen in with them the night before. They came on down the road, meeting in the direction of where Captain John Wilkes was camped the night before. You recollect I said before that he had an interview the evening before; he advised them to disperse, and they would not. When he came down with that company, he concluded to make another trial. He took ten or twelve men, and concluded to go ahead and not bring up his company, and see them, and see if he could not get the matter settled. But as they passed a church where a great many big rocks are beside the road, about two miles above where Jim Wilkes and his negroes had camped the night before, suddenly a whole volley of musketry was fired upon them. They killed a horse and wounded another horse, and shot a man named Waters in the knee and crushed his thigh. It had to be amputated. When he fell, they all jumped up and showed their heads from behind the rocks and cried out, "There is one God damned white face we have brought down. We have brought down one white-faced scoundrel." These fellows let their horses go. The men behind did not advance. There appeared to be some confusion. It was done suddenly. They did not expect to meet them there. They expected to come on them two miles to the east below that point, and were disconcerted. They were only ten or twelve men—not exceeding twelve, from the best authority. They immediately let their horses go. They had rifles, and advanced behind trees on these fellows, shooting as they went. Two of these white men got around the church, on the rear of these negroes, and commenced firing. When they did that, the negroes broke, stampeded, and ran. They ran two or three hundred yards, and stopped behind a gravel hill and fired one or two volleys, and then fled and dispersed. The people in the neighborhood, very few of them, knew of it, though they heard the firing. There happened to be a Captain Jeffrey Hardin heard it the evening before, and he went on with some men. In fact he was warned of it, and started before he heard the firing. He got there, and undertook to pursue this Jim Wilkes with a fragment of his men who came on. The body of the men from Union did not pursue them at all, but came right on down to Chester. They were wearied and worn out, and their horses not fed, and that little fragment pursued some fifteen or twenty, I do not remember the number of James Wilkes's company, on up in the direction of York. I took very great trouble—there are so many reports. People put out for amusement about a great many being killed. I took a great deal of trouble to ascertain about the killed on the occasion, and I never could ascertain but three, possibly it might be four, with one boy of fourteen or fifteen, were killed at that fight.

By the CHAIRMAN :

Question. White men or black?

Answer. Black men. No white men were killed. This white man wounded had his thigh amputated. I understood that three negroes were killed. I recollect, to show how reports go, a man named Hyatt, a near neighbor, who had the best opportunity to know and who saw them, told of about forty or fifty being killed, and seeing buzzards there. I took him off to myself and asked him for the truth, and also this Jeffrey Hardin, and he told me there were only three. I have tried very hard to find out the truth. Possibly there might have been more. There were some reported killed at Turkey Creek Bridge. That is way up in the northwest corner of York; in fact, in York, but about the edge. There was one fellow killed there crossing the bridge, as it was reported; a number were killed there coming on to re-enforce Jim Wilkes, but, from the best information I can get, but one was killed. I took very great pains to ascertain the facts, and I could not ascertain any more.

By Mr. VAN TRUMP :

Question. Is that the full history of that trouble?

Answer. That is a full history of that trouble.

Question. What other facts do you know in regard to that county? How many companies were organized of negro militia in Chester County?

Answer. Four, I think.

Question. How strong was each company?

Answer. I think they ranged to about one hundred men.

Question. All armed?

Answer. Yes, sir; generally with these Winchester rifles, some of them with these repeating arms. Most of them with Winchester rifles, but I will not say Winchester rifles positively.

Question. Had they ammunition?

Answer. Yes, sir; they had ammunition in that house and they were all shooting. They were shooting people's cattle, &c. They also had cartridges about.

While the committee were at Union Court-House, prior to their going to Yorkville, they examined Colonel Joseph F. Gist, a citizen of Union County, and who had taken command of the squad of white citizens going to Chester to protect the people there against the threatened attack of the negro militia. The following is his evidence upon that point:

By Mr. VAN TRUMP :

Question. Colonel, will you state what you know with regard to the uprising of the negroes in Chester, and first state when it was?

Answer. I think it was the first week in last March. I happened to be in this town. It was the week which had been appointed for the holding of our circuit court, and we received intelligence here that a band, or a considerable body of armed negroes, had gone into Chester Court-House and assumed a very threatening attitude; that the citizens there anticipated a collision between the whites and blacks. A day or two afterward we received further information that they had left the town of Chester, after staying there possibly a day and night, and we learned that there had been some firing between the whites and blacks; that they had taken the road in the direction of this place—the main county road in the direction of Union; and that the citizens on the west side of that district were apprehensive that they would be molested by the negroes, in fact, it seemed to be certain, from the messages that we received that the negroes were perpetrating outrages, burning and murdering indiscriminately, and they asked us to send them some assistance. Upon the receipt of that intelligence some twenty or twenty-five men got together, and determined to go to the assistance of the people on the other side of the river. I thought about the matter, and they asked me, and I concluded to go. They were mostly young men, and I thought it best to go with them, knowing them and having some influence with them. Before I determined to go I went to the solicitor of our circuit, Mr. Brawley.

By the CHAIRMAN :

Question. Does he reside here?

Answer. No, sir; he resides in Chester. Mr. Brawley is the solicitor of this circuit.

By Mr. VAN TRUMP :

Question. Was he here?

Answer. Yes, sir; attending court. I stated to him what I knew about it. He had just arrived here on that evening. I stated to him the intelligence we had received, and he told me that he knew more about it than I did possibly; that he had come over just that day to this place, and passed this body of armed negroes, and they were

marching in this direction, and there were about one hundred and fifty or two hundred armed men; that he had stopped his buggy in the midst of them; that they were most or all of them negroes of Chester County, who knew him by reputation; that he had got them together and attempted to expostulate with them; advised them to go home and go to work, which they refused to do, and said they intended to remain and organize; that they were able to protect themselves, and intended to do so. He said to me, "I think it would be best for you to go." I apprehended danger to the people and to the community, from the fact of these negroes having arms, and having no person with them except their own color. I left home about 8 o'clock at night, and rode over within three miles of where I understood the negroes were encamped. There I met some twenty-five or thirty gentlemen from that section of the country.

Question. White men?

Answer. Yes, sir. Upon meeting them I stopped the party I had charge of, and selected a couple of the most intelligent gentlemen, and had a conference with them. This was about 12 or 1 o'clock at night. My proposition was to wait until morning, and we would go and hunt them up, and I had no doubt I could get to see them and talk to them. I had been in the habit of governing negroes. I had owned a great many I had raised, and I thought that I could persuade them to go home and go to work. They thought it not worth while. They had sent a committee of gentlemen before I got there, just about dark—men upon whose plantations most of these negroes were working—who had gone to them and attempted to reason with them and get them back to work; but they had refused, and fired on the party that had gone there. This was a party of some ten or twelve men. Under these circumstances I thought it my duty to go on and see them, at all events. I then left there a little before day. About fifty or sixty men were with me at the time. About sun-up I approached the place which had been described to me as the place where the negroes were. I left the main body of men I had, and took about fifteen or twenty up the road, or in advance three or four hundred yards, leaving the majority in the rear. When within about thirty or fifty yards of a church, I think called Salem church, seeing no negroes, the first intimation I had they opened fire upon me at about forty yards.

Question. Were you in the road?

Answer. Yes, sir; in the big road. We were mounted. They opened fire from the right-hand side of the road, a thick place with a ledge of bowlders, rocks, by the road.

Question. What was the effect of the first fire?

Answer. They shot one man and wounded several horses. One ball passed through my coat-collar.

Question. It was a volley in full aim against the party?

Answer. Yes, sir; at forty rods range. I ordered to dismount and fire. We dismounted and gave back the fire. The negroes took shelter behind these rocks and kept up the fire. I with my party fired four or five rounds, but saw it was useless, that we could not dislodge them, and ordered a flank movement to get in their rear. We did so, and opened another volley upon them. They commenced then to run. It was a very thick, hilly ground, with cedars and pines. They broke and ran and we pursued them for, I suppose, three-quarters of a mile, or a mile.

Question. Had you in the mean time called up your rear forces or not?

Answer. Yes, sir; I called up the forces I had left behind. It was a running fire then for about three-quarters of a mile. The negroes would run two or three hundred yards and turn and fire. They did not keep in a compact body, but groups of ten or fifteen together. Most of us were on horseback, and the country very rough. They got so far ahead that we finally lost sight of them.

Question. Had you any means of ascertaining how many negroes there were?

Answer. No, sir; no direct means. From having been accustomed to see soldiers, men under arms, I would suppose there were between eighty and a hundred, not under eighty nor over a hundred, although Mr. Brawley informed me that there were one hundred and fifty when he saw them.

Question. Do you know who was in command of them?

Answer. Yes, sir; a negro named Wilkes. I do not know him. I might have seen him, but did not know him.

Question. What was his character?

Answer. The only knowledge I had of his character is from his behavior on that occasion. When they first opened fire, at the first volley, I could hear him very distinctly. I was within forty steps of the negro line, and he spoke encouragement to his men to never run—to fight it out and kill the last damned white man on the face of the earth. The only reason I have for saying it was Wilkes, the captain of the company, who made the expression is, I captured a negro, and one at least, or more, of my party having captured a negro, they were very much enraged, and were in the act of executing him, and I heard the negro halloo one hundred and fifty yards off, and I galloped to the spot and stopped it, and put him under a guard, and directed him to be taken to the road; and when I got him back I examined this negro, and he informed

me that this man who talked so loud and used this expression was captain of the company.

Question. Did you observe what effect your firing had upon the negroes—how many were killed and hurt?

Answer. I cannot state how many were killed, I am very certain there were not more than five, if so many. I did not see that many, but they were very much scattered. The men who were with me, and the negroes, became very much scattered, covering an area of half a mile. It was very thick, and it was a running fight.

Question. How long had they been in that position by the side of that road before you got there?

Answer. They came there the day before. They had been there, I suppose, some thirty hours.

Question. Where did the great body of them belong?

Answer. In that particular section of the country. They had barricaded the road with logs and rocks.

Question. Did you see that?

Answer. Yes, sir.

Question. Was the road picketed before you got there, according to your information?

Answer. I don't know that to be a fact. I understood so from the people who lived in that neighborhood, that all the roads were picketed, and every one who passed was stopped.

Question. Give us a full account of all you heard of what these negroes had done at Chester, or elsewhere, before you started from Unionville.

Answer. I heard nothing, except that they had gone to Chester and taken possession of the village of Chester, and there had been some firing between the citizens and the negroes. That was my understanding by the report I received. They had assembled some three hundred white men with their arms, and there was finally a compromise, if I may so term it, between them; and the negroes said if the white people would put down their arms and leave, they would leave. The white people went off and the negroes went off, but returned that night and occupied their position at night.

Question. Were there any more armed negroes at Chester except this band on the road between that place and this?

Answer. There must have necessarily been more, from the account I received of it in the village of Chester, than this company, because they were represented to be two hundred and more at Chester, and I do not think there were over eighty or one hundred when I met them.

Question. Did you ever learn for what reason they made this raid upon Chester?

Answer. No, sir.

Question. How far from where these negroes were met on the roadside had they to travel from where they lived in Chester?

Answer. Eight or ten miles. They were on adjacent plantations.

Question. What were they armed with?

Answer. They had breech-loading rifles, which they had received from the State government, issued to the militia. I captured a good many guns.

Question. Do you know any other fact indicating that they belonged to the regularly organized militia?

Answer. Yes, sir; I know that the negro I captured told me he belonged to this company and it was a regular militia company; that they were regular militia companies; and they told me, further, that the night preceding my attack they had sent a deputation to Chester and had drawn their ammunition.

Question. After they had left Chester?

Answer. Yes, sir; they went back to get an additional supply of ammunition.

Question. From whom?

Answer. From some of the regular militia.

Question. From an armory there?

Answer. Yes, sir; I don't know about that. They told me they got their arms from the clerk of the court.

Question. Who was he?

Answer. A white man named Reister. I never heard the name before. I had not been to Chester for two years before that.

Question. Was it John C. Reister?

Answer. I think that was his name.

Question. What was his rank?

Answer. He was clerk of the court—a civil officer.

Question. I see on page 618 of the governor's message and accompanying documents for 1870 that he signs his name John C. Reister, major.

Answer. He may have been both a civil and military officer.

Question. Look at that and see if you can tell by the regiment that that is the man?

Answer. [Examining.] That is the man; they had sent to him for ammunition. That is what was told me by this negro.

Question. Does that purport to be a receipt for ten thousand rounds of ammunition, loaded?

Answer. Yes, sir.

Question. Was that after this occurrence?

Answer. No, sir; that was previous to my going to Chester.

Question. Will you read that receipt?

Answer.

“RECEIPT FOR ISSUES.

“To Major J. C. REISTER, 14th Regiment N. G. S. C.:

“Received, at Columbia, S. C., this twenty-sixth day of August, 1870, of Captain J. Kennedy, acting ordnance officer, S. C., the following ordnance and ordnance stores, as per invoice dated the twenty-sixth day of August, 1870:

“Ten thousand rounds of ammunition, (Roberts.)

“JOHN C. REISTER, Major.”

Question. Is that about all?

Answer. Yes, sir, about all. I came back home next day. Everything seemed quiet.

With this startling array of facts, established by the unimpeached testimony of white men of the highest character and intelligence, will not the history of these results of a most unnatural and unhappy war stand somewhat corrected and vindicated with regard to the disturbances so loudly trumpeted through the North for party purposes, as occurring in South Carolina during the political campaign of 1870? Do not these facts brand with the burning signet of infamy the insolent brow of the depraved chief magistrate, who was the author of the infernal machinery thus put in motion to secure his own election? It makes one shudder to look back upon these scenes of wickedness and depravity. South Carolina was a smoldering volcano; the thin crust of civil authority which covered it might at any moment have given way and the fierce flames of a war of races have enveloped the land. Will any man now be surprised at the natural and inevitable counter-scheme of wrong and outrage, which, while no one will deny that it existed, was limited to a few counties, populated to a considerable extent by a class of excitable, ignorant, and reckless people, should have been resorted to in a spirit of equal vengeance, by way of redress and retaliation? We think not.

The only other riot committed by disguised men, in any considerable numbers, was that of the raid on the county treasurer's office at Yorkville, which took place some time in February last. The treasurer was a very obnoxious man to that community, by the name of Edward Rose, who, directly after the raid, which was intended for himself personally, ran off to Canada with \$12,000 of the public funds in his possession, and has never returned to South Carolina. It appears from the proof that Rose was a very active man among the negroes, and had great influence over them. The population of York County is very evenly divided between the whites and blacks, the former numbering 12,012, and the latter 12,160. There had been four or five and perhaps six companies of negro militia organized in the county, fully armed and equipped, and supplied with ammunition, by the State authorities. This state of things greatly alarmed the white people of the county. The Loyal Leagues were also in full operation. The most incendiary speeches had been made to the negroes, in the political canvass the summer before, by Parker, the treasurer of State, and others. The proof is that, prior to the Ku-Klux raid upon Rose, numerous cases of arson had occurred, and particularly in the vicinity of Yorkville. A few nights before the raid five or six gin-houses and barns were burned, all in sight of the town. Mr. T. M. Graham, a citizen and merchant of Yorkville, an intelligent

and respectable man, was examined at Spartanburgh touching the condition of affairs in his county. He says :

By Mr. VAN TRUMP :

Question. The night when these five or six barns, stables, and gin-houses were burning in sight of York, what occurred at Rose's hotel ?

Answer. Just as the fire began, Rose got up and fired thirty or forty shots. He had two or three Winchester rifles with him, and he got up and shot them all off.

Question. How soon did the burnings commence ?

Answer. Just immediately. The firing aroused the people. Dr. Crenshaw got up.

Question. Were the fires simultaneous ?

Answer. Yes, sir.

Question. How many were burning ?

Answer. Five or six within a few miles of Yorkville.

On his cross-examination by Senator Scott, he said :

By the CHAIRMAN :

Question. You give it here as your belief that it was because Rose was charged with being the instigator of these burnings that this raid occurred ?

Answer. Yes, sir ; that and other things together.

Question. What other things ?

Answer. A great many other things. Our town was threatened to be burned and it was a time—the fact is, he advised the negroes to burn the town. We had to keep there a guard for two or three weeks, and came very near getting into a collision with the negroes.

Question. Now give us what you know about his advice to negroes. On that we should like to have your information.

Answer. A negro man named Reuben Bowens heard him say—one night he had stopped in a vacant lot to attend to a call of nature, and while there this man Rose, with ten or fifteen negroes, came right close to where Bowens was sitting down, and they stopped, and Rose told them that if the Ku-Klux came to that place and the white citizens did not turn out to fight them, they must burn the town down.

Question. Did you get that from Bowens ?

Answer. Bowens told me that himself.

Question. Was that the form in which it was put, that if the Ku-Klux came to the town and the white citizens did not turn out to help, that then they should burn down the town ?

Answer. Yes, sir.

Question. Had there been any Ku-Klux there before that ?

Answer. No, sir ; but these negroes had been guarding the town and picketing the road for two months.

Question. In the first place you stated that he advised the negroes to burn the town, and stated that unqualifiedly.

Answer. Yes, sir ; Bowens told me.

Question. But what he did say was that if the Ku-Klux came in and the white citizens did not turn out against them, they ought to burn down the town ?

Answer. Yes, sir.

Question. But that is a very different statement, and as these charges are so very serious, I would prefer to have the whole truth.

Answer. Yes, sir ; but there was another thing back of that. When last summer's campaign for governor was going on, a number of gentlemen from Columbia were up there making speeches, and among others Dr. Neagle, comptroller general. He told the negroes in his speech there that if the negroes were interfered with any more in regard to their voting, &c.—if they were interfered with on the plantations, and men wanted to turn them off on account of voting the republican ticket—that they were to leave the country in a bed of ashes ; that matches were cheap.

On his re-examination in chief, he said :

By Mr. VAN TRUMP :

Question. Was it a common impression or apprehension that these negroes were armed by the governor in view of the approaching State election, in which he was a candidate for re-election ?

Answer. Yes, sir ; that was the notion of the people.

Question. Is your information sufficient to say whether, immediately after the election, the arming of the negroes ceased ?

Answer. I think it did.

Question. Did the commencement of the arming of the negroes take place in the spring of 1870, and terminate at the election of 1870, or otherwise ?

Answer. Yes, sir; I think it was in the spring or summer some time.

Question. Has anything occurred in the history of the State of South Carolina since the war that has created more alarm or been more terrible in its effects than this one-sided arming of the population of South Carolina?

Answer. Nothing, sir.

Question. Do you or do you not attribute a great deal of the trouble that has existed for the last year to the arming of the negro population?

Answer. I think, sir, that was one of the grand sources of trouble. There are other things, but I think that was the great source.

Question. Do you know of any other threatened collisions between the whites and the blacks of your county than you have spoken of? You say at one time they came very near a collision; what do you mean by that?

Answer. At the time these people were picketing the roads.

Question. Black people, do you mean?

Answer. Yes, sir; the militia. They were picketing the roads for about two months. I think this was in February. A drunken militiaman met Dr. Thomason on the street of Yorkville, and when Dr. Thomason said something about picketing the roads, he cursed Thomason, and drew back his gun like he was going to put his bayonet in him, and Thomason, in a very quick way, hauled up and knocked him down, and took his gun away from him, and the fellow jumped up and run. It was on Sunday night; the negroes had preaching. He or some one went to the church and told them that Thomason had killed this man Beatty. The negroes came up streets for their guns. They stopped in at Rose's to get their guns, and came up street, and it looked like danger. It looked squally; like there was going to be a tremendous fight. I was sent for and went up street. Some of us elderly men, Colonel Coward, Major Avery, Dr. Lindsey, and other men, then interfered and kept a collision off. The next day these negroes were still dissatisfied, and the whites were dissatisfied, and these reports kept going to the country, and some of the reports were that the negroes had possession of the town, and that the white people were afraid to come out; and that evening a tremendous crowd of strangers gathered in there, and that night it looked like there was obliged to be a fight. We still used every effort to keep the peace, and just as the train came up from Columbia, at night, General Anderson came on the train, and we appointed a committee to go to him and talk to him. He said he had been sent up by Governor Scott to see about the difficulty, and if the arms should be taken in. We told him the arms were the cause of the trouble. Colonel Coward went back to the crowd, and made a speech to the crowd. He was one of the committee that waited on General Anderson. He quieted them down. The next morning General Anderson called for a meeting of the citizens.

Question. Who was he?

Answer. He was brigadier general of the State militia. He is now Governor Scott's adjutant general. He called for this committee. The committee met him, and told him the cause of the troubles. He appeared to understand it, and gave an order to the captain of the company there in town—

Question. The black company?

Answer. Yes, sir; Captain George Adams—to bring in his guns. He made a speech to the negroes, and told them it was foolishness to go into this sort of thing; that the white people didn't want to have the fuss with them, but if they did get into a row that they, the negroes, would certainly get the worst of it. He told them there was many a man there had been under a hundred fires, and understood fighting better than they did. The guns were brought in and the fuss quieted down.

Question. That was the next day?

Answer. Yes, sir.

Question. Did the negroes at the church, upon advice of this difficulty between the militiaman and Dr. Thomason, rush to the town with arms?

Answer. Their arms were at Rose's.

Question. He kept their guns?

Answer. Yes, sir.

Question. Did they get their guns?

Answer. Yes, sir.

Question. And came out on the street?

Answer. Yes, sir; their guns and ammunition were all kept there

Mr. Joseph Herndon, also a highly respectable citizen of Yorkville, was examined in Washington City while the sub-committee was in South Carolina. The following is a brief extract from his testimony, touching the cause which undoubtedly induced the raid upon Rose:

By Mr. BECK:

Question. Had you any incendiary fires in your county last fall and winter?

Answer. Yes, sir.

Question. State about how many, and the time of their occurrence, and their origin, as well as you know.

Answer. The first fire we had that I remember of was in September; it happened in our little village. There were some three or four houses burned. I do not know whether that was an incendiary fire or not. All that I can say to you is, that the man who lived in the house where the fire first started thinks that it was. I do not know; I have no means of knowing whether it was an incendiary fire or not.

Question. Was it generally believed to be?

Answer. I think it was at first.

Question. And how after that?

Answer. There was a difference of opinion about it. Some persons thought all the time it was an incendiary fire; others thought it was not.

Question. After that time how many other fires occurred?

Answer. We had a great many fires in the county after that. I think the next fire was some time in November or December. There was a gin-house burned, and, I think, a saw-mill. That was perhaps the next fire of any account.

Question. Was that supposed to be the work of incendiaries?

Answer. Yes, sir.

Question. Then you had a fire some time in January, had you not?

Answer. Yes, sir; there were four or five buildings burned one night in January.

Question. State the circumstances attending that fire, and what was believed about it.

Answer. Well, the people there believed that the thing was concocted in the village, from what they could gather from the negroes; they could not tell.

Question. State all the facts to the committee.

Answer. These houses in the country, some four or five of them, were all burned about the same time.

Question. Do you mean the same hour?

Answer. About the same hour, yes, sir. Before the burning commenced—I did not hear this myself, but a great many persons did hear it—there was a volley of some twenty or thirty pistols or guns fired off in the street, opposite to a house where the county treasurer kept his office, and very soon after this volley was fired off, those buildings were seen on fire; and they supposed that was a signal for setting them on fire. Of course I do not know; I only give you what was the impression.

Question. What was the common belief of the people?

Answer. That was the common belief of the people.

Question. Was it at night after the people had retired to bed?

Answer. Yes, sir; one or two o'clock in the morning.

Question. What were the buildings burned?

Answer. There were one or two barns and two or three gin-houses in that fire, as well as I recollect.

Question. In different parts of the county?

Answer. Yes, sir; in a kind of a circle from the north around to the east of the village.

Question. Was there a large gathering of colored people in town that night?

Answer. Yes, sir; there were a great many negroes in town that night from the country.

Question. Do you know the cause of their gathering there that night?

Answer. It was said they had a League meeting there that night; that was what the people said.

Question. Did the volley believed to be a signal for those fires come from that League meeting?

Answer. That was what was believed; that that was the signal for the parties to set the fire. I do not know this, of course; this is just what I heard talked.

Question. At these meetings held and largely attended by colored people, what sort of speeches were generally made to them by their leaders?

Answer. I understood that there were a great many of them very incendiary speeches. I did not attend any of their meetings.

Question. What was the character of those incendiary remarks, as you have heard them repeated?

Answer. I heard several persons remark that Mr. John L. Neagle, who is now the comptroller general of the State, made a speech there last summer, and said to the negroes that if they could not get this, that, and the other, that town might probably be laid in ashes; that matches were cheap, and all that sort of thing. I did not hear that; this was the talk.

Question. Made during the canvass last summer?

Answer. Yes, sir.

The fact whether Rose was instrumental in firing that signal volley at 1 or 2 o'clock in the morning, when the people of the town were

asleep, is sworn to by several other witnesses. It became publicly known, and excited a natural indignation among the people of the county. Major Merrill, in command of the Federal forces stationed at Yorkville, certainly not an unbiased witness in the matter, but with a strong leaning against the white people of South Carolina, and an acknowledged republican, testifies to the bad character of Rose, and the current belief that he fired the volley, or caused it to be done.

There can be no doubt that this was a signal for the burning to commence, for in a very short time afterward the heavens were illuminated with the lights from five or six gin-houses and barns around and in the near neighborhood of the town. Other facts might be brought to bear upon this raid in seeking for Rose by these disguised men, but our room will not permit. What they intended to do with him no one can tell but themselves; but it is quite evident their visit was induced by his complicity with these acts of burning in various parts of the county. Major Merrill's principal mission at Yorkville seemed to be, from his own statement, to get up a list of the whippings administered to the blacks by the Ku-Klux, including a period of time of nearly a year prior to his arrival at Yorkville. He did not seem to take any interest in what the carpet-baggers and negroes were doing in the meantime. In being sent there to keep the peace, he thought he was fully performing his duty by noting the acts and doings of one side only. He says he was acting under instructions from General Terry, and it is presumable that General Terry was acting under orders from the War Department at Washington. No good man will object to their operations against the Ku-Klux; but when this whole investigation, whether it was so intended or not, will be used for party purposes against the white people of South Carolina, as responsible for the actions of the Ku-Klux against the negroes, it would seem to be proper that the acts of both sides should be known. This idea never seemed to have entered the impartial mind of Major Merrill, or his superiors, whether a general commanding, or a department, or the Government. The major, in his examination, thus awkwardly attempts to wriggle through an explanation of this matter:

By Mr. VAN TRUMP:

Question. Do you know there is a man now in this house who knows that Rose did fire that volley?

Answer. If he does know that fact, I do not know it.

Question. Have you inquired?

Answer. I have inquired generally of both of these men here.

Question. Did you inquire of Mr. Russell?

Answer. I had the intention to inquire very minutely of Russell into that whole matter, and asked him to come to my office.

Question. Did you know that he was an occupant of this very building at the time the volley was fired?

Answer. If it had occurred to me to think about it, I suppose I should have thought so, although I did not know the fact.

Question. Who did you inquire of as to that fact?

Answer. I do not feel sure that I could mention the name of an individual I inquired of in regard to it. I had conversation with a number of persons on the subject—among others, Colonel Witherspoon. I had a conversation with him in this very office on that point.

Question. What was his belief?

Answer. He was merely talking of the matter.

Question. You were not inquiring about it, then?

Answer. I was inquiring for his impressions and any facts that he knew.

Question. What was his impression as to who fired that volley?

Answer. To the best of my recollection, and I say I am in doubt as to whether this particular conversation occurred with Colonel Witherspoon or not, though I recollect

a conversation with some gentleman in town, in which the remark was made that this volley had been fired, and it was a signal for the incendiary fires to commence.

Question. It was a very important fact to find out who fired that volley?

Answer. I was not investigating these incendiary fires to any considerable extent at all.

Question. Ought you not to investigate both sides of this question?

Answer. You will recollect the fact that they had extended over a very considerable number of months previous to my arrival, and I was concerned in the events immediately connected with and succeeding my arrival. You will see the reason why I should not give the same attention to the investigation of previous events.

Question. I will ask you whether the three or four hundred cases of whipping in this county, which you mentioned, did not include many that occurred away beyond the time when you came here?

Answer. It only does in the estimate of the general number, giving the date or about the time they commenced.

Question. The reason you give now as to why you did not inquire into the incendiary acts was because they occurred before you came?

Answer. No, sir; that was not the only reason.

Question. Well, what did you mean was the reason?

Answer. It was because they were acts that did not so immediately concern my own affairs.

Question. Are you not here for some purpose?

Answer. Yes, sir; to preserve public order so far as lies in my power.

Question. Is it a violation of public order to burn houses and barns?

Answer. Yes, sir; unquestionably.

Question. Why did not your mind run in that direction and investigate those things?

Answer. I have endeavored to explain to you the facts and circumstances connected with these incendiary fires that came to my knowledge incidentally, as I have gone along.

Question. Incidentally to the main purpose you had of ascertaining the violence on the other side of this question. Is that what you mean?

Answer. Perhaps partially so only.

Question. What are your politics, Colonel?

Answer. I am an officer in the Army, bred up in a school which taught me that officers of the Army were not proper persons to mix in politics.

Question. Are you not known here as a pronounced republican?

Answer. If I am, I do not know it.

Question. Are you not a republican?

Answer. Perhaps in the main my political opinions coincide more nearly with the republican than with any other party on questions relating to public affairs.

Question. Do you vote the republican or democratic ticket?

Answer. I have never cast but one vote in my life. I have never had any connection or association with politics. I went to West Point when sixteen years of age, and my life has been in the Army ever since.

Question. I know it is a rule that the officers of the Army take little or no interest in politics—

Answer. I do not say that I take no interest in politics. I take a deep interest in the affairs of my country; but I do not take an active part in politics, and am not decided in expressing political opinions, except it be in social or domestic conversation.

Question. You do not know whether you are a republican or not?

Answer. In one sense I am not a republican; that is, there are many parts of the policy of the republican party which I would object to as a citizen; but I do decidedly, and much more decidedly, object to a great many parts of the policy of the democratic party.

Question. With which party, the democratic or republican, do your affiliations and sympathies go?

Answer. Mostly with the republicans—more decidedly with the republicans than with the democrats.

Question. You say you are not a partisan?

Answer. I am not at all, sir.

The CHAIRMAN. Let me suggest that the general statement be received from the colonel, and that any extended cross-examination be deferred until he gets through with that.

Mr. VAN TRUMP. I will make it as brief as I can.

Mr. STEVENSON. I suggest that any general cross-examination—that is, any cross-examination affecting the general weight of the testimony—be reserved until he concludes his general statement; and that any particular fact, where it may be desired, may be inquired of in passing.

Mr. VAN TRUMP. I will endeavor to make my questions pertinent to the very part of the paper the colonel is reading.

The CHAIRMAN. I requested Colonel Merrill to prepare this paper in order to shorten his examination, not, of course, to lengthen it. You will please to proceed with your statement, colonel.

Answer. I will ask permission to say one word with reference to the last question which has been put—the question whether I was not known as a pronounced republican. I wish to be allowed to state that I have engaged in no political discussion of any kind whatever since I have been here, and the reason for doing so was, that I consider my position such that it would be unbecoming in me to engage in political discussions, particularly in the excited state of public feeling here.

The attempt of Major Merrill to hide his partisan feelings under his military sur-coat, was an artful but not quite successful attempt to mislead the committee. It might have been quite accidental, but his visit to Spartanburgh, while the committee was in session there, some sixty or seventy miles distant from his military headquarters, in the heat of a tropical mid-summer, does not tend to impress the not too credulous mind very strongly that he was entirely an unbiased and disinterested witness. His testimony, like that of the evangelical carpet-bagger Cummings, at Spartanburgh, was almost entirely made up from the statements of negroes, employed, perhaps, to get up the Ku-Klux statistics. A South Carolina negro's ambition, under such circumstances, to get up a big thing, would be as natural to him as his disposition to speculate in "seed-cotton," or any other little article of property lying in his way, belonging to his neighbor.

It will be observed that this riot at Yorkville, although nothing serious accrued, for the reason, perhaps, that the object of the lawless proceedings had made his escape, like the other riots of like character, was caused by the arming of the negroes, and their insolent and outrageous conduct after being armed. The uniformity in the conduct of the negroes, after they were organized and armed, shows very conclusively that they well understood the object of their being thus armed by the governor to the exclusion of the white men. It must be a matter of wonder to any one who has any just conception of the state of affairs in South Carolina, that a fierce and bloody war of races was avoided under the circumstances. It is true, Governor Scott, becoming alarmed at these evidences of danger, we will not say conscience-stricken at the terrible results of his hellish policy, called to his counsels a number of leading conservative or democratic gentlemen of the State, *after the election was over*, to advise with them what was best to be done to allay excitement and put an end to these disturbances. They advised him, among other things, to disband his negro militia, and return their arms to their proper depository, the public arsenal, which he promised to do, but has in the main failed to do so, with the exception as to the Camden rioters, heretofore noticed, and perhaps a few other instances; thus verifying the old adage—

"When the devil got sick, the devil a monk would be;
When the devil got well, the devil a monk was he."

Upon the head of this man will forever rest the responsibility of a large portion of the crime and outrage committed by either of the factions, since the State administration came into his unworthy hands. Even a committee of his own political friends, composed of such men as the notorious Tim Hurley, and the well-remembered radical ex-congressman, Benjamin Franklin Whittemore, of West Point notoriety, a committee organized by the last legislature, under the pressure of even a negro public opinion, as a joint special committee to investigate the financial condition of the State, and who made their report only a short time since, have failed to come to the rescue of the governor, but administer to him the following scathing rebuke, which we copy from

their report, italics and all. In speaking of the purchase of arms for the negro militia, they say :

The committee are, in this connection, forced to the acknowledgment, however unpleasant or humiliating it may be to such as are connected with the fact, that the moneys expended (as vouchers indicated the direction in which the funds were used) were not all paid out for such purposes. In the enrollment and organization of the militia, as well as in the armed force employed by the Governor, there was a most ample and complete opportunity for ambitious political partisans and aspirants for re-election to arm and equip a force of personal friends and advocates, and pay them "when on service the same pay and allowances as are given to officers and soldiers of the same grade in the Army of the United States," not out of their own purse, but "out of any moneys in the treasury not otherwise appropriated."

Thus, into the hands of his own friends we commit the carpet-bag governor of South Carolina.

To any one who has the opportunity and disposition to look over the printed testimony taken in South Carolina, he will ascertain from the manner of the examination of several leading democratic witnesses that the chairman was anxious to establish the fact that the white people, and particularly the democratic leaders, were morally responsible for the violations of law and personal outrages committed by the Ku-Klux, because they did not, by the expression of opinion, discountenance such proceedings. The honorable chairman was not at that time well posted upon the facts in this particular, or he would not have adopted that line of examination. Without citing the proceedings of several public meetings in different parts of the State in 1870 and 1871, this question is fully settled by one of the official proclamations of Governor Scott himself, as early as 1868. On the 30th day of October in that year he issued the following proclamation :

To the citizens of South Carolina :

FELLOW-CITIZENS: The numerous complaints made to this department of murders and outrages, committed by wicked and inconsiderate persons, excited by intense party feeling, made it my duty to issue the late proclamation, calling upon all good and true men, without respect to political predilections, to unite in a determination to discountenance and denounce lawlessness and violence, and in an effort to recover and maintain the good name that has heretofore been the heritage and the pride of our beloved State. It is now my pleasing duty to congratulate you upon the beneficial results that have ensued from the admirable and well-timed address of General Hampton and the executive committee to the democratic party. In honest and impressive terms they have called on the people to support the laws, to preserve the peace, and to denounce those crimes which have so recently been committed in some portions of our State. These patriotic counsels cannot fail of having a wide and wholesome influence in moderating the vehemence of feeling of those to whom they are authoritatively addressed, while they have quieted the apprehensions and conciliated the respect and good will of their political opponents. This is certainly a just cause of congratulation to every well-wisher of the State, and it gives me unfeigned pleasure to acknowledge it, and to earnestly invoke the co-operation of every member of the republican party in reciprocating to the fullest extent the pacific policy so admirably inculcated by the democratic leaders. Let acrimonious and irritating discussions be avoided, and appeals be made to the intelligence and reason, and not to the fears or passions, of the community. Differ as we may in political sentiments, it is the dictate alike of wisdom and patriotism for all to appeal to, and confide in, the efficacy of peaceful remedies for political evils, actual or supposed. Let "bear and forbear" be our maxim, and so shall the peace, prosperity, and honor of our beloved State be maintained and perpetuated, and her time-honored escutcheon will be preserved, unsullied and undimmed, in all its original purity and luster.

ROBERT K. SCOTT,
Governor.

If our room would permit, we could give the proceedings of various other public meetings throughout the State, called for the same purpose.

A very earnest effort was made by the majority of the sub-committee sent to South Carolina to establish the fact that in the election of 1870 force and intimidation were resorted to in order to carry the election in

favor of the reform party, and that in some of the counties the negroes were in fact intimidated, and staid away from the polls. Now, it will not be denied that, if any such state of things existed anywhere, it must, of course, have occurred in the disturbed portions of the State, the Ku-Klux region of the counties of Spartanburgh, Union, Chester, Laurens, and York, or, perhaps, if we take the President's proclamation as authority, a somewhat wider range, by adding the counties of Chesterfield, Fairfield, Lancaster, and Newberry. We shall not enter into a discussion of the weight or the respectability of the sworn testimony upon this point. We will relieve ourselves of this labor by appealing to the public records of the country, the official returns of the election itself for that year. We make up the following tables of the returns of election for these nine counties, now under the rule and government of the bayonet and Minie ball, representing the votes cast at the presidential election in 1868 and the State election in 1870, with the population of each county, compiled from the Tribune Almanac for 1871, and from the last census tables:

Counties.	Population.	White.	Black.	White majority.	Black majority.
Chester	18,805	6,290	12,513		6,223
Chesterfield	10,584	6,275	4,309	1,966	
Fairfield	19,888	5,787	14,101		8,314
Lancaster	12,087	6,159	5,924	235	
Laurens	22,536	9,904	12,632		2,728
Newberry	20,775	7,457	13,318		5,861
Spartanburgh	25,784	17,375	8,408	8,967	
Union	19,248	8,718	10,530		1,812
York	24,286	12,114	12,172		53
Total	173,993	80,079	93,902		
Black majority			13,623		

Counties.	Presidential election, 1868.				State election, 1870.			
	Grant.	Seymour.	Majorities.		Scott.	Carpenter.	Majorities.	
			Grant.	Seymour.			Scott.	Carpenter.
Chester	1,673	1,405	268		2,704	1,366	1,338	
Chesterfield	720	960		240	945	1,092		147
Fairfield	1,995	1,193	802		2,643	1,034	609	
Lancaster	812	913		101	1,087	855		232
Laurens	1,170	1,912		742	3,022	1,967	2,053	
Newberry	999	2,008		1,009	2,915	1,645	1,270	
Spartanburgh	505	1,965		1,460	1,423	1,923		500
Union	953	1,767		814	1,862	1,744		118
York	1,543	2,043		500	2,386	1,873	513	
Total	10,370	14,166	1,070	4,866	18,987	13,599	6,133	647
Majority		3,796			5,388			

Take another statement as to the election of 1870, which we compile from the annual report of the secretary of state of South Carolina for that year, in which he gives an abstract of the number of white and colored votes cast in the several counties of the State at that election. We suppose he derives his statistics of this fact from some record kept by the commissioners of election; and the result proves two things very conclusively, to wit: That the line which separates the population of South Carolina is distinctly and unequivocally the naked question

of race and color, rather than a division created by party politics, only so far as it involves separate affiliation with one or the other great national organizations, from necessity perhaps as much as from choice, and it also proves that this charge of the intimidation of the black voters is utterly without any foundation in fact. We take out only so much from the report of the secretary of state as relates to the nine counties included in the President's proclamation :

Number of white and colored votes in each county, as shown by returns.

Counties.	White.	Black.
Chester	1,338	2,738
Chesterfield	1,222	2,111
Fairfield	1,157	2,742
Lancaster	969	2,235
Laurens		
Newberry	1,635	2,951
Spartanburgh		
Union	1,685	1,962
York	2,093	2,214

Now, let us reduce some of the facts contained in these statistics to the point in issue upon this question of intimidation. First on the question of population as an item of evidence: The accepted ratio of voting population out of the general population, we believe, ranges from one-fifth to one-sixth of the whole. It is reasonable to assume, as we think, in the reduced adult male population of the South, and especially of South Carolina, as a result of the war, that the ratio of one-sixth would, perhaps, be the nearest approximation to the truth. Take, then, the aggregate population, white and black, of the nine counties now under the ban of Federal usurpation, which is 173,993. In the event of a full turn out to the polls, voluntarily, which rarely occurs even in the most excited elections, they would be able to poll 28,999. The number actually polled at the election in 1870 was 32,576, or 3,577 over the ratio of one-sixth of the whole population. But take the largest ratio of voting numbers, and how will the case stand? Under this ratio it will raise the voting population to 34,618, only 2,052 less than the entire voting power of the whole population. This estimate is made upon the whole population, white and black, with the white portion of it lessened by the casualties of war. Now, let us adopt the true test, the black population and the black vote alone. The colored population of these nine counties, under the late census, is 93,902. We cannot get the exact number of colored votes cast in 1870, for the reason that no returns were made to the secretary of state from the two counties of Spartanburgh and Laurens. There is no difficulty, however, in getting close to the truth on this proposition, because the tables show that the difference in the other counties between the whole amount of votes cast for the radical ticket and those cast by the negroes was so slight as to be scarcely worthy of notice, still, to be liberal on this question, we will strike from the aggregate radical vote of these two counties 300 votes, polled in 1870, as representing the white radical vote, which is a large estimate. The ratio of one-fifth, applied to a black population of 93,902, will produce the number of 18,012 votes, or 687 votes less than the black votes cast at that election. Here, then, in this aspect alone, is a most triumphant refutation

of the charge that the white people of South Carolina have intimidated the negro voters, and kept them from the polls. Take another test: The entire vote cast for Grant and Colfax at the presidential election in 1868—and the republican party in South Carolina was undoubtedly as exclusively made up of the negroes then as it was in 1870—was 10,370. In 1870, the vote of the same party for Governor Scott was swelled up to 18,987, an increase of 8,617 votes. How does the white vote stand in the same relation? The vote for Seymour and Blair in 1868 was 14,166; the vote for Carpenter as against Scott, in 1870, was 13,599, or 667 less than was cast for Seymour and Blair in 1868. Call you that intimidation, “my masters?” And in the face of these plain facts, it is deliberately charged by the republican party that the negro population of South Carolina is constantly decreasing by an enforced emigration on account of persecution by the white people.

Take some other facts: The aggregate majority for Seymour over Grant, in 1868, in these nine counties, was 3,796, while in 1870 the majority was reversed, Scott having a majority over Carpenter of 5,388—making a gain in the strength of the republican party in 1870 over that of 1868 of 9,184 votes. Let us look for a moment at the result in the four counties where the greatest violence and outrage are said to have been committed—Spartanburgh, Union, York, and Laurens. There is no passion or prejudice, no political bias or false swearing, in these figures; they are disinterested witnesses, and stand wholly indifferent as to the result of the verdict, whether of guilt or innocence. In Spartanburgh, at the election of 1868, Grant received 505 votes; in 1870 Scott received 1,423 votes, a gain of 918 votes over that of 1868. In the same county, in 1868, Seymour received 1,965 votes; in 1870 Carpenter received 1,923 votes, a loss of 22 votes. In Union County, in 1868, Grant received 953 votes; in 1870 Scott received 1,862 votes, a gain of 909 votes. In the same county, in 1868, Seymour received 1,767 votes; in 1870 Carpenter received 1,744 votes, a loss of 23 votes. In York County, in 1868, Grant received 1,543 votes; in 1870 Scott received 2,386 votes, a gain of 843 votes. In the same county, in 1868, Seymour received 2,043 votes; in 1870 Carpenter received 1,873 votes, a loss of 170 votes. In the county of Laurens, in 1868, Grant received 1,170 votes; in 1870 Scott received 3,022 votes, a gain of 1,852 votes. In the same county, in 1868, Seymour received 1,912 votes; in 1870 Carpenter received 1,967 votes, a gain of 55 votes.

Thus, then, a few columns of figures, the official election returns of their own commissioners—for there is, or was in 1870, scarcely a conservative or democratic election commissioner in all South Carolina—dissipate into smoke and vapor all these oft-repeated charges of intimidating the negroes, or interfering with a full and decorous expression of their political opinions, either on the hustings or through the press. Let that charge, at least, go to the “tomb of the Capulets,” to sleep there forever.

With this exposition of the true condition of South Carolina, and the causes which have produced so sad and terrible a state of things, shall we still be made to hear the “loyal” press of the North charging the troubles and disturbances in the South upon the democracy? Look at the absurdity of the thing! Where in the South do the democracy hold the political power which alone can make a political party responsible for the administration of the government? Nowhere, until very recently, except in the State of Virginia; and there you find peace and quiet, the laws duly obeyed and executed, and all the evidences of an orderly and well-regulated government. Any one who shall travel, with his eyes open, through Virginia and South Carolina will at once see the differ-

ence between the civilization of the white and black races in the science of government, and the folly and madness of the proposition that any country can prosper where the Anglo-Saxon is made politically subordinate to the African. The astonishment which such a state of things produces upon the mind is not so much at the impudence or frenzy of party feeling which has inaugurated it, as at the apathy, or the fear, or the forbearance, whatever it is, of the immediate victims of its operations, or the stolid indifference of the great mass of the American people to the inevitable results of a system which must, in the end, affect or destroy the whole fabric of government. The most prominent disorders which now exist anywhere in the South are among and between the republicans themselves. As proof of this, witness the shameless and most disgraceful scenes of blackguardism which are now daily transpiring at the capital of South Carolina, between Bowen on the one side and Scott on the other. It is a most decided advance movement in the rhetoric of vulgarity and obscenity. The old fish-women, standing in the stalls of Billingsgate market-place, would blush to hear the vulgar crimination and recrimination of these truthful exponents of southern republicanism. Then we have another choice specimen of the results of "reconstruction" in the city of New Orleans. The recent disgraceful exhibitions of violence and outrage committed there, instigated by Carter on the one side, and by Warmouth on the other, lately the twin-consociates in everything that pertained to republican misrule, will furnish fit subjects for comment and triumph to the enemies of constitutional government everywhere. The skeptics as to man's capacity for self-government will find as much confirmation of their opinions in these manifestations of anarchy under written constitutions as ever Hobbs or Clarendon did in the downfall of the English Commonwealth, when all that was accomplished for freedom and self-government in the civil war of 1640 was lost by the fierce contentions and political demoralization existing among those who had finally triumphed in the armed conflict. The consequence of this demoralization and these acrimonious dissensions, brought about by personal ambition and the thirst for self-aggrandizement, was a return to the old and familiar form of government which had been overthrown by the convulsions of civil war. If the happy results of these dissensions, in our own times, among those whose administrative policy everywhere is maintained by aggression and force, either by fraud or the bayonet, shall be a restored and tranquilized government in the spirit of its great founders—a prosperous and united people—the discomfiture of demagogues and the triumph of truth,—we shall be disposed to adopt the doubtful morality of saying, "Evil, be thou my good," if it can accomplish these great ends in behalf of a Christian civilization, and the perpetuation of constitutional government.

We have no means of knowing upon what specific information, if any, the President has suspended the writ of *habeas corpus* in nine of the counties of South Carolina, because, up to this time, he has failed to respond to the resolution of the House of Representatives upon that subject. With our opportunities of knowing what has and what has not transpired in South Carolina since the passage of the law to enforce the fourteenth amendment of the Constitution, we are bold to say that the exercise of this usurped dominion over the great writ of right of the people, falsely claimed to be rightfully delegated to the President by act of Congress, is wholly unsupported by any state of facts which would justify its suspension, even by the rightful trustees of the power under the Constitution. Even Cæsar and Cromwell refused the crown

when tendered them by that class of bold adventurers, found in all times, and ever ready to seize upon a crisis to abolish existing institutions in order to mend their own fortunes. In the case of the Ku-Klux law, which takes from the Constitution more than a crown, the power to protect or prostrate the life, the liberty, and the property of the citizen, fixed in the organic law as a great and clearly defined *legislative* function of government, and places it at the feet of the Executive, to be used by him how and when he sees fit, against not only all the traditions, but all the precedents of constitutional history. If the President is, what he ought to be as the chief executive officer in a government of written laws and constitutions, a man deeply and conscientiously impressed with the solemn duties of his great trust, he would have hesitated long and anxiously before he exercised the tremendous not to say unconstitutional power thus attempted to be delegated to him in the face of the express letter of the Constitution. Besides all this, and outside of any question of violation of the Constitution, he ought to know and have given proper consideration to the fact that he is acting under the authority of a statute passed in the heedless frenzy of partisan influences; and he ought to feel, as the head of a whole people, that it is, beyond all dispute by friend or foe, a law not to be put in force anywhere unless the emergency for the exertion of its more than kingly power is great and unavoidable. He ought to have taken no step in so grave a matter without the profoundest consideration, and decided nothing until he had mastered the subject in all its bearings and consequences. Personal liberty is the corner-stone of the republic; and he ought not to have laid his hands upon it unless the public safety and the public liberty imperiously demanded it. We have reason to believe he has wholly failed to investigate the condition of affairs in the Southern States so as to properly qualify himself to sit as a just and intelligent arbiter between the people and the law. We shall not enter upon any captious or undignified criticism of the President of the United States; we owe this position to the office, if not to the man; but we must be permitted to say, in the solemn discharge of our duty in a more humble but equally responsible sphere of action, that he has totally failed to give that earnest and impartial attention to the southern people, and their political rights and interests, which his great trust imposes upon him. It is not the first time the President has failed to comprehend the great duty before him. When he stood upon the steps of the Capitol, on the 4th day of March, 1869, in the presence of that vast crowd of his fellow-countrymen, and, with uncovered head, before the living God, swore to support the Constitution and discharge his high trust faithfully and honestly, he was given an opportunity, such as does not often occur to any man in the course of centuries, to enter upon a career of usefulness and glory, by bringing order out of chaos, overcoming party animosities, restoring peace and harmony to the torn and distracted sections, and establishing more firmly than ever the pillars of constitutional liberty. As the accredited conqueror of the rebellion, he should have been, and could have been, the actual restorer of the Union under the Constitution and its laws. But he was unequal to the great occasion. It was the *rôle* of a giant, and not of a pigmy. It required a civil not a military hero to achieve the victory. He made the fatal mistake of thinking his mission was that of a partisan instead of a statesman, an agitator instead of a pacificator, and that his whole allegiance belonged to a party instead of his country. We are afraid that it was in this spirit he issued his proclamation. Until he shall give us the plain facts which induced him thus to oppress these south-

ern people, by the suspension of law and the inauguration of military rule and supervision over them, we shall be forced to believe that he has unwisely taken counsel from those who want trouble and discord, rather than peace and harmony, to continue between the sections.

When is this fell spirit of political vengeance against millions of free-born citizens to end? Is it safe, to say nothing of its injustice, much longer to continue this scheme of party persecutions? Is peace so assured among the nations of the earth that we have nothing more to fear from the chances of war? Are there no signs for the future, no portentous clouds in the far-off horizon, betokening storm and tempest, to give warning to those who have in charge the ship of state? Ay, omens are even now in the sky! The complicated and threatening relations in which we are now entangled with one of the great powers of Europe, ever our sleepless enemy upon land and sea, should suggest, if nothing else can or will suggest itself to the party in power, the vital importance of restored harmony and union between all sections of the country. With a hostile power on our northern borders, capable of throwing 200,000 armed men into the field, is it prudent or wise to drive 7,000,000 of our own people in the South to desperation, in the event of a conflict between Great Britain and the United States? We have no security from war; it is the skeleton in every national household. The fact was made manifest in our own late civil conflict, if never before, that war may be precipitated upon a people almost without their knowing it, in a republic as well as in a monarchy, by a very few bad and wicked men on both sides, who hold in their hands the powers of government. The great question of peace or war cannot await the slow and deferred action of the popular will. The question either when or whether it shall commence is not a matter of negotiation. It is a question of will, of necessity, of finesse on the part of one or both of the belligerents. The present aspect of our foreign relations, if nothing else, should admonish our rulers that it is all-important that we should have peace at home before we engage in a war abroad. It is preposterous to suppose that the southern people would fight for us while we are fighting them; nor can we expect them to battle for our rights while we, by tyranny and oppression, are depriving them of theirs. No people ever fought willingly under a writ of *habeas corpus* suspended against them.

We believe the President has suspended this great writ of the people, this bulwark of personal liberty, for other than the high purposes which should actuate the person clothed with the transcendent powers of his office. We believe, we might almost say we know, that nothing has transpired in South Carolina since the passage of the Ku-Klux law which can be the slightest justification of the President in suspending the writ in the absence of war and the clash of arms, spreading terror and dismay among whole masses of people guiltless of crime. The public press, as well as our own private information, testify to the fact that there has been no more trouble or disorder in South Carolina for the last nine months than is common to any other State in the Union.

In the absence of the facts, or statements and representations which are not facts founded in truth, communicated to the President, whether truthfully or falsely, prior to the issuing of his proclamation, we unhesitatingly assert that for nine months prior to said proclamation, and at least three months previous to the passage of what is known as the Ku-Klux law, there was more peace and good order throughout the entire borders of South Carolina than had been at any time since the termination of the war. Now, if this is the fact, then the action of the President was not only unwise and impolitic, but it was a naked and most

unjustifiable act of tyranny and oppression, at war with the spirit of free institutions, and a precedent which, by repeated use, will not only sap the foundations of the Government, but "can almost change the stamp of nature." Upon this vital point we again quote from the candid and intelligent correspondent of the New York Herald. Writing from Spartanburgh as late as November 1, 1871, he says :

In this county, as in all others I have visited, I cannot find any case of resistance to the State or the United States authorities. Two years ago a couple of revenue officers were forcibly resisted by some men who were engaged in illicit distilling whisky. No one pretends, however, that they were any more Ku-Klux than were and are the men who distill whisky illicitly in Brooklyn, Philadelphia, Ohio, and other States North, and who resist the revenue officers. This is the only case of resistance on record. "I never give them a chance to resist," said a Federal official to me, "because I always send an overwhelming force to arrest them." "Very well; but has any resistance been offered?" "No." "Have you ever tried to make arrests without an overwhelming force?" "No; we used an ounce of prevention." "Now, major, are you not aware that the sheriff of this county, a one-armed man, has gone to remote parts of the county unattended, arrested men, and brought them to Spartanburgh without meeting with opposition?" "So I have heard; but I do not risk finding the same submission." I put it to you, readers, whether it is fair to assume that a people will resist until they have resisted? I am assured by some of the most eminent citizens that there has not been a day during the past two years when a Federal deputy marshal could not have arrested any citizen in the county, unaided by the military.

But let me give you a further fact: Many of the arrests in this county were made before the President's proclamation appeared. "Why, then, major," I asked, "was it necessary to suspend the writ of *habeas corpus*?" "It was not suspended because we could not make arrests," was the reply, "but for the purpose of preventing any attempt on the part of the State courts to get the prisoners away from us." This is certainly a wretchedly poor explanation. In the first place, the State courts have no jurisdiction whatever, and, in the next place, the State courts are in the hands of the radicals; but if the reason here given were the real one, why is it that half of the prisoners have been sent to Columbia, where the writ of *habeas corpus* has not been suspended?

This letter is becoming almost too long, hence I must postpone some other things to another day. My investigations into the condition of affairs here have resulted in my discovering the following facts:

First. That for four months past no Ku-Klux outrages have been committed in Spartanburgh County, which the Federal officials admit.

Second. That the Ku-Klux organization was originally formed for the self-protection of its members, and not for any special political purpose.

Third. That men of infamous character entered the Ku-Klux organization and perpetrated a series of gross outrages upon individuals.

Fourth. That in many instances white and black radicals borrowed the disguises of the Ku-Klux and outraged their neighbors, knowing that the blame would not be laid upon them.

Fifth. That if the State government of South Carolina had not been, as it still is, in the hands of corrupt and infamous political adventurers, and had the laws of the State been fairly and impartially administered, public sentiment would have crushed the Ku-Klux organization in its incipency.

Sixth. That there was not any necessity for the suspension of the writ of *habeas corpus*, because there was not, at any time, any disposition on the part of the citizens to resist the warrants of arrest. Every white man in Spartanburgh County could have been arrested by a deputy marshal's posse.

Seventh. That the Ku-Klux, while formidable in numbers, perhaps, never entertained the idea of resisting the United States Government. If its designs were treasonable, it could, in a single night, have overpowered and annihilated the entire military force in this country.

Eighth. That the effect of the present movement is dangerous to the future of the Union. It has revived old animosities, reawakened slumbering sentiments, and embittered the whites, not only in the nine counties, but throughout South Carolina and the South generally.

The same correspondent, in writing from Union Court-House, under date of November 3, 1871, says :

In this letter I have not concealed the fact that troubles have existed in Union County, and I have not denied that the Ku-Klux, or men representing themselves as such, have perpetrated gross outrages. But will you not be surprised to learn that these troubles ended seven months ago? I appeal to Captain Thompson, of the United States Army, to say how many Ku-Klux outrages have occurred in Union

County during the seven months he has been stationed there. Two have been reported minor affairs, which, upon investigation, proved to be personal quarrels. Curiously enough, all the Federal officials admit that for months past these counties have been quiet. Why, then, wait until the troubles are over to begin operations? "Because," replies a Federal officer to me, "the Government must show its power." Is it not a wanton display of power? While the Ku-Klux were committing "outrages," nobody was arrested. From four to seven months after they have retired to their "dens," and society has resumed its normal condition, the Government pounces down upon them. I defy the United States marshal to produce a single warrant against a Ku-Klux in which the alleged offense was committed within three months past.

It is a painful duty to arraign the Chief Magistrate of the Republic before the great tribunal of the people. It would have been a much more pleasant task, in a crisis which should hush into silence all mere party criticism, to represent him to that court of last resort as having performed his high trust, in relation to these southern troubles, with moderation, justice, wisdom, and the strictest impartiality; and that, under a broad and large-hearted administration of the Government, peace and harmony had been restored between the people of the two sections; and that all the bitterness and rankling animosities of a great civil war had been lost and absorbed in the proud recollections of a joint struggle for independence and liberty, and the common glory of the earlier and better days of the Republic. What we complain of, and what the great body of the American people should visit with their censure and condemnation, is the indifference and the positive inattention of the Federal Executive to the terrible results which may follow the maladministration of affairs in the Southern States; and that he seems to be so far forgetful of his duties to *all the people*, as to submit himself, perhaps unconsciously, to the dictates of party vengeance, or the accomplishment of party ends in the future, rather than to do equal and exact justice to all classes of citizens.

The foregoing is a hurried, but, as we believe, a truthful statement of the political, moral, and financial condition of the State of South Carolina, under the joint rule of the negro and the "reconstructive" policy of Congress. We feel conscious that we have honestly endeavored to discharge our duty in the premises, having "nothing extenuated or ought set down in malice," and respectfully submit the whole matter to the consideration of Congress and the people.

FRANK P. BLAIR.
T. F. BAYARD.
S. S. COX.
JAMES B. BECK.
P. VAN TRUMP
A. M. WADDELL.
J. C. ROBINSON.
J. M. HANKS.

JOURNAL
OF
THE JOINT SELECT COMMITTEE
TO INQUIRE INTO
THE CONDITION OF THE LATE INSURRECTIONARY STATES.

Resolved by the Senate of the United States, (the House of Representatives concurring,) That a joint committee, consisting of seven Senators and fourteen Representatives, be appointed, whose duty it shall be to inquire into the condition of the late insurrectionary States, so far as regards the execution of the laws and the safety of the lives and property of the citizens of the United States, with leave to report, at any time during the next or any subsequent session of Congress, the result of their investigation to either or both Houses of Congress, with such recommendations as they may deem expedient; that said committee be authorized to employ clerks and stenographers, to sit during the recess, to send for persons and papers, to administer oaths and take testimony, and to visit, at their discretion, through sub-committees, any portions of said States during the recess of Congress; and the expenses of said committee shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of said committee.

Passed the House of Representatives March 20th, 1871.

Attest:

EDWARD McPHERSON,
Clerk.

Passed Senate April 7th, 1871.

Attest:

GEORGE C. GORHAM,
Secretary.

IN THE SENATE, OF THE UNITED STATES,
April 14, 1871.

Ordered, That Mr. Scott, Mr. Chandler, Mr. Rice, Mr. Bayard, Mr. Blair, Mr. Pool, and Mr. Pratt be the committee on the part of the Senate.

Attest:

GEORGE C. GORHAM,
Secretary.

IN THE HOUSE OF REPRESENTATIVES,
April 18, 1871.

The Speaker appointed as a select committee, on the part of the House, to investigate the condition of the late insurrectionary States: Mr. Luke P. Poland, of Vermont; Mr. Horace Maynard, of Tennessee; Mr. Glenni W. Scofield, of Pennsylvania; Mr. Burton C. Cook, of Illinois; Mr. John Coburn, of Indiana; Mr. Job E. Stevenson, of Ohio:

Mr. Charles W. Buckley, of Alabama; Mr. William E. Lansing, of New York; Mr. Samuel S. Cox, of New York; Mr. James B. Beck, of Kentucky; Mr. Daniel W. Voorhees, of Indiana; Mr. Philadelph Van Trump, of Ohio; Mr. Alfred M. Waddell, of North Carolina; Mr. James C. Robinson, of Illinois.

Attest:

EDWARD McPHERSON,
Clerk.

WASHINGTON, April 20, 1871.

The committee met pursuant to the call of the chairman of the committee on the part of the Senate. Present, Messrs. Scott, Chandler, Rice, Pratt, Bayard, Blair, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, and Waddell.

On motion of Mr. Blair,

Ordered, That Mr. Scott, chairman of the committee on the part of the Senate, be chairman of the joint committee.

Mr. Buckley was appointed temporary secretary.

On motion,

Ordered, That when the committee adjourns, it will adjourn to meet on Wednesday, the 17th of May, unless sooner convened by call of the chairman, who is authorized to convene the committee whenever he may think it necessary.

On motion of Mr. Maynard,

Ordered, That a sub-committee, to consist of three from the Senate and four from the House, be designated by the chairman, to meet in Washington on the 10th of May, for the purpose of preparing such plan of proceeding as may be deemed advisable to carry out the purposes of the committee; said plan to be submitted to the committee at its meeting on the 17th of May.

On motion of Mr. Rice,

Ordered, That the chairman be authorized to appoint a permanent clerk; whereupon Thomas A. Maguire was appointed by the chairman.

William Blair Lord, of New York, was appointed the stenographer of the committee.

Agreeably to the order of the committee, the chairman appointed the following sub-committee to prepare a plan of proceeding in the investigation to be made by the committee: Messrs. Scott, Pool, and Bayard, on the part of the Senate; and Messrs. Maynard, Scofield, Voorhees, and Waddell, on the part of the House.

Adjourned to meet on Wednesday the 17th proximo.

WASHINGTON, May 17, 1871.

The committee met at 11 o'clock a. m., pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Rice, Pool, Pratt, Blair, Poland, Scofield, Coburn, Stevenson, Buckley, Cox, Beck, Voorhees, Van Trump, and Waddell.

Letters were read from Mr. Bayard and Mr. Robinson, members of the committee, stating the causes which prevented their attendance.

The chairman, (Mr. Scott,) as chairman of the sub-committee, presented the following report; which was received, and the committee discharged from further consideration of the same:

The sub-committee appointed, in compliance with the resolution of the "Joint Select Committee to inquire into the condition of the Late Insur-

rectionary States, so far as regards the execution of the laws, and the safety of the lives and property of the citizens of the United States," to prepare a plan of proceeding, in the discharge of the duties imposed upon said joint select committee, beg leave to submit the following resolution, and recommend its adoption :

Resolved, That, for the present, a sub-committee of seven members be appointed, to proceed at once with the investigation, and, until otherwise ordered, to continue in Washington, with power to reassemble the committee when, in their judgment, it may be expedient.

Mr. Scofield moved that the report be adopted.

After discussion, the further consideration of the same was postponed until the next meeting of the committee.

Mr. Scofield moved that, until otherwise ordered, the chairman be authorized to settle the accounts of members of the committee at the following rates: Expenses at \$6 per day, including necessary time for travel to and from Washington, and mileage at 10 cents per mile.

On motion of Mr. Stevenson, the motion was amended by substituting \$8 for \$6 for daily expenses; and the motion as amended was agreed to.

Mr. Cox moved that the hour of meeting be 10 o'clock a. m.; which was agreed to.

On motion of Mr. Beck, the committee adjourned until to-morrow.

WASHINGTON, *May 18*, 1871.

The committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Chandler, Rice, Pool, Pratt, Bayard, Blair, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, Voorhees, Van Trump, and Waddell.

Agreeably to order, the committee resumed the consideration of the following resolution, submitted by the sub-committee appointed to prepare a plan of proceeding, &c.

Resolved, That, for the present, a sub-committee of seven members be appointed, to proceed at once with the investigation, and, until otherwise ordered, to continue in Washington with power to reassemble the committee when, in their judgment, it may be expedient.

On the question, "Will the committee agree to the resolution?" a motion was made by Mr. Rice to amend the resolution so that it shall read as follows:

Resolved, That, for the present, a sub-committee of seven members be appointed, to proceed at once with the investigation, and to continue the same in Washington so long as they deem expedient, and to report all testimony by them obtained to the full committee, at a meeting of the committee to be held on the 20th day of September next;

Which was agreed to.

And on the question, "Will the committee agree to the resolution as amended?" a motion was made by Mr. Stevenson to further amend the resolution by substituting for the resolution as follows:

Resolved, That ——— sub-committees be appointed by the chairman, to consist of ——— members each, to proceed to investigate the condition of such States as the chairman shall designate, so that all the insurrectionary States shall be included.

On the question, "Will the committee agree to the amendment?" a motion was made by Mr. Pratt to amend the amendment by striking out all after the word "*Resolved*" in the substitute, and inserting in lieu thereof as follows:

“That a sub-committee of five be appointed to remain in the city of Washington until the meeting of the committee on the 20th of September next, whose duty it shall be to inquire and report to the general committee the localities where it is alleged the laws are obstructed or cannot be enforced, and to obtain all necessary information to enable the sub-committees, when appointed, to repair at once to their respective fields of duty, and institute the investigations.”

On the question, “Will the committee agree to the amendment to the amendment?” a motion was made by Mr. Cox that the committee do now adjourn; which was agreed to.

Whereupon, the chairman adjourned the committee until 10 o'clock to-morrow morning.

WASHINGTON, May 19, 1871.

The committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Chandler, Rice, Bayard, Blair, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lausing, Cox, Beck, Voorhees, Van Trump, and Waddell.

Agreeably to order, the committee resumed the consideration of the amendment to the amendment offered by Mr. Pratt.

Whereupon, Mr. Pratt withdrew the same.

The question recurring, “Will the committee agree to the amendment offered by Mr. Stevenson?”

Whereupon, Mr. Stephenson withdrew the same.

The question recurring, “Will the committee agree to the resolution as amended by Mr. Rice?” a motion was made by Mr. Scofield to amend the resolution so that it shall read as follows:

Resolved, That, for the present, a sub-committee of eight members be appointed, to proceed at once with the investigation, and to continue the same so long as they deem expedient, with authority to take testimony wherever they consider it advisable, by a sub-committee of their own number, and to report all testimony by them obtained to the full committee, at a meeting to be held on the 20th day of September next, or at such earlier time as the sub-committee shall notify the joint select committee to meet.

Resolved, That the chairman of the joint select committee be authorized to appoint said sub-committee, of which the chairmen of the Senate and House committees shall be members, and that said two chairmen be authorized to fill any vacancy in said sub-committee.

On the question, “Will the committee agree to the amendment?” a motion was made by Mr. Blair to amend the amendment by adding at the end of the first resolution the following: “At which time sub-committees shall visit such localities in the South as the committee first named shall report to be in a disturbed condition, and such other localities as the joint committee may deem necessary; which was agreed to.

And the amendment, as amended, was agreed to.

And the resolution, as amended, was agreed to.

Mr. Bayard submitted the following resolution:

Resolved, That in the examination of witnesses by this committee, or any sub-committee, the investigation shall be governed by the legal rules of evidence in courts of justice of the United States.

On the question, “Will the committee agree to the resolution?” a motion was made by Mr. Stevenson to amend the resolution by striking out all after “governed by” and inserting in lieu thereof the following:

“rules of evidence applicable to the proceedings of legislative committees.”

On the question, “Will the committee agree to the amendment?” a motion was made by Mr. Maynard that the further consideration of the resolution, together with the amendment, be postponed until the next meeting of the joint committee.

And on the question, “Will the committee agree to the motion to postpone?” the yeas and nays were required, and were as follows:

YEAS—Messrs. Chandler, Rice, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, and Scott, (chairman)—12.

NAYS—Messrs. Bayard, Blair, Cox, Beck, Voorhees, Van Trump, and Waddell—7.

So the question was determined in the affirmative.

Mr. Van Trump submitted the following resolution:

Resolved, That in making the investigation proposed, and in taking testimony in that behalf, mere rumors and what is known in the courts as hearsay testimony shall be excluded.

On the question, “Will the committee agree to the resolution?” a motion was made by Mr. Maynard that the further consideration of the resolution be postponed until the next meeting of the joint committee.

And on the question, “Will the committee agree to the motion to postpone?” the yeas and nays were required, and were as follows:

YEAS—Messrs. Chandler, Rice, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, and Scott, (chairman)—12.

NAYS—Messrs. Bayard, Blair, Cox, Beck, Voorhees, Van Trump, and Waddell—7.

So the question was determined in the affirmative.

Mr. Bayard submitted the following resolution:

Resolved, That the testimony of witnesses before the committee, or any sub-committee thereof, shall relate to facts existing at the time of examination, or which shall have occurred subsequent to the passage of the law entitled “An act to enforce the fourteenth amendment, approved April 20, 1871.”

On the question, “Will the committee agree to the resolution?” the yeas and nays were required, and were as follows:

YEAS—Messrs. Bayard, Blair, Cox, Beck, Voorhees, Van Trump, and Waddell—7.

NAYS—Messrs. Chandler, Rice, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, and Scott, (chairman)—12.

So the question was determined in the negative.

Mr. Bayard submitted the following resolution:

Resolved, That the intent and object of the resolution appointing this joint select committee was to learn, by personal observation of the members and testimony of witnesses taken at the respective localities, the true condition of affairs in the late insurrectionary States, and that any report which may be made by this committee to Congress should be based upon knowledge and information so obtained.

On the question, “Will the committee agree to the resolution?” a motion was made by Mr. Scofield to postpone the further consideration of the resolution until the next meeting of the joint committee; which was agreed to.

The chairman announced the following sub-committee of eight, under the resolution adopted by the joint select committee: Messrs. Scott and Poland, (named in the resolution,) and Messrs. Pool, Blair, Coburn, Stevenson, Beck, and Van Trump.

Mr. Cox submitted the following resolution:

Resolved, That the sub-committee, to-day appointed, be required to address letters to the executive or other proper officers of the States comprehended in the resolution, asking a statement of the debts and taxes of such States at the present time, and to furnish copies of the laws creating such debts and taxes.

On the question, "Will the committee agree to the resolution?" a motion was made by Mr. Stevenson to refer the resolution to the sub-committee for consideration.

On the question, "Will the committee agree to the resolution to refer?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Rice, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, and Scott, (chairman)—11.

NAYS—Messrs. Bayard, Blair, Cox, Beck, Voorhees, Van Trump, and Waddell—7.

So the question was determined in the affirmative.

A motion was made by Mr. Scofield that the committee do now adjourn, to meet in the city of Washington, on Wednesday; the 20th day of September next; which was agreed to.

Whereupon the chairman adjourned the committee until the day named.

SUB-COMMITTEE.

WASHINGTON, May 20, 1871.

The sub-committee appointed agreeably to the resolution of the joint select committee, adopted at the meeting of said joint committee, on yesterday, met pursuant to the call of the chairman of said sub-committee. Present, the chairman, (Mr. Scott,) Messrs. Blair, Poland, Coburn, Stevenson, Beck, and Van Trump.

On motion of Mr. Stevenson,

Ordered, That the chairman of the sub-committee be requested to subpoena such witnesses as he may deem expedient, to appear and testify before the sub-committee at their next meeting.

On motion of Mr. Poland the resolution submitted to the joint select committee at the meeting of said committee on yesterday, by Mr. Cox, and referred to this sub-committee was read.

Whereupon, Mr. Blair submitted the following resolution:

Resolved, That the chairman be requested to address letters to the executive or other proper officers of the States comprehended in the resolution authorizing the appointment of the joint select committee, asking statements of the debts, and of the rates and amount of taxation of such States respectively, at the present time, and to furnish copies of the laws creating such debts and fixing such rates of taxation; also requesting copies of the election laws now in force, and those which have been in force since the adoption of the present constitutions of said States respectively.

On the question "Will the sub-committee agree to the resolution?" a motion was made by Mr. Stevenson to amend the resolution by adding at the end thereof the following words: "With such other official documents as the chairman shall deem essential to this investigation;" which was agreed to.

And the resolution as amended was adopted.

On motion of Mr. Blair,

Ordered, That four members of this sub-committee shall constitute a quorum.

A motion was made by Mr. Beck that the sub-committee take a recess until the 10th day of next month, (June.)

On the question "Will the sub-committee agree to the motion?" a motion was made by Mr. Stevenson to amend the motion by striking out the word "tenth" and inserting in lieu thereof the word "first;" which was agreed to.

And the motion as amended was agreed to.

Whereupon, the chairman adjourned the sub-committee until the 1st day of June.

WASHINGTON, *June 1, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

On motion of Mr. Blair the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 2, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The chairman laid before the committee the following communications and official reports:

Communications from Governor G. C. Walker, of Virginia, and Wm. F. Taylor, auditor of public accounts of Virginia, transmitting official reports, in compliance with the circular letter from the chairman of the sub-committee.

Communication from Madison Bell, comptroller general of Georgia, transmitting official reports in compliance with the circular letter from the chairman of the sub-committee.

Communication from D. A. Jenkins, treasurer of the State of North Carolina, transmitting official reports, in compliance with the circular letter from the chairman of the sub-committee.

Ordered, That said communications and reports be placed on file.

The following witnesses were examined: Hon. Wm. Miller, of Alabama; Hon. Charles Hays, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 3, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The chairman laid before the sub-committee the following communications and copies of State laws and official reports of State officers, furnished in compliance with the circular letter of the chairman:

Communication from acting Governor H. J. Ransier, of South Carolina, and a communication from the State librarian of South Carolina, with accompanying copies of laws and reports, forwarded to the sub-committee.

Communication from T. H. Butler, secretary of the State of Tennessee, promising the information called for by the circular letter of the chair-

man, and forwarding a copy of the new constitution and election laws of Tennessee.

Ordered, That the same be placed on file.

The following witnesses were examined: Hon. Willard Warner, of Alabama; Wm. E. Cockerell, of Alabama; A. A. Smith, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday, the 5th instant.

WASHINGTON, *June 5, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman. (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The chairman laid before the sub-committee the following communications, laws, and reports, furnished in compliance with the circular letter of the chairman:

Communication of J. J. Parker, secretary of the State of Alabama, with accompanying copies of laws and reports, furnished by request.

Communication from T. H. Butler, secretary of State of Tennessee, inclosing manuscript copy of act to establish a system of internal improvements in Tennessee.

Communication from N. L. Angier, treasurer of the State of Georgia, accompanying reports, and giving a statement of the financial condition of the State of Georgia.

Ordered, That the same be placed on file.

The following witnesses were examined: A. A. Smith of Alabama—continued; Dr. Pride Jones, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 6, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The chairman laid before the sub-committee a copy of the public laws of the State of Georgia, passed at the session of the legislature of 1870, furnished in compliance with the circular letter of the chairman of the sub-committee.

Ordered, That the same be placed on file.

The following witnesses were examined: Hon. James L. Orr, of South Carolina; B. W. Norris, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 7, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The following witnesses were examined: S. T. Poinier, of South Carolina; Joseph G. Hester, of North Carolina; Charles D. O'Keefe, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 8, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The following witnesses were examined : B. B. Eggleston, of Mississippi; John J. Neson, of South Carolina; C. S. Cherry, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 9, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The following witness was examined : Governor Lewis E. Parsons, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 10, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, and Van Trump.

The following witnesses were examined : Hon. L. R. Smith, of Alabama; D. H. Chamberlain, of South Carolina; Hon. A. J. Willard, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday.

WASHINGTON, *June 12, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, and Van Trump.

The following witnesses were examined : O. C. French, of Mississippi; James H. Goss, of South Carolina; J. B. Carpenter, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 13, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, and Van Trump.

The following witness was examined : Rev. A. S. Lakin, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 14, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: Rev. A. S. Lakin, of Alabama, recalled; David T. Corbin, of South Carolina; Reuben Tomlinson, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 15, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, and Van Trump.

The following witness was examined: A. W. Shaffer, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 16, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witness was examined: Governor Robert B. Lindsay, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 17, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, Stevenson, Van Trump, and Beck.

The following witness was examined: Governor Robert B. Lindsay, of Alabama, concluded.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

WASHINGTON, *June 19, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, Stevenson, Van Trump, and Beck.

The following witness was examined: James H. Clanton, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 20, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: James B. Clark, of Alabama; John J. Jolly, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 21, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: John G. Pierce, of Alabama; E. P. Jackson, of Mississippi.

Mr. Stevenson submitted the following resolution :

Resolved, That a sub-committee of three be appointed, to proceed at once to the troubled regions of the States of South Carolina, North Carolina, and Alabama, to investigate the condition of affairs in such regions, and report to this sub-committee.

On the question, "Will the sub-committee agree to the resolution?" a motion was made by Mr. Poland to amend the resolution by striking out "Alabama."

On the question, "Will the sub-committee agree to the amendment?" a motion was made by Mr. Blair to postpone the further consideration of the resolution, together with the amendment, for the present; which was agreed to.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 22, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: G. Gordon Adam, of Mississippi; E. W. Seibles, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 23, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: Hon. T. Reavis, of Alabama; Hon. R. Busteed, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 24, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: Charles Reemelin, of Ohio; C. H. Suber, of South Carolina; Robert Aldrich, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

WASHINGTON, *June 26, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: W. R. Howle, of North Carolina; E. A. Hull, of North Carolina; L. M. Gentry, of South Carolina.

A motion was made by Mr. Poland to strike out all that portion of the testimony of L. M. Gentry which has reference to the political acts of Hon. A. S. Wallace, of South Carolina, prior to the war.

On the question, "Will the sub-committee agree to the motion?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Beck, Blair, Coburn, Poland, Pool, Stevenson, and Scott, chairman—7.

NAYS—Mr. Van Trump—1.

Mr. Van Trump, by way of explanation of his vote, said he did not claim that the evidence sought to be ruled out was either legal or competent; but he was in favor of having it retained, for the reason that it was similar to a great mass of testimony already in the case, and he had called for the yeas and nays to mark the "new departure."

A motion was made by Mr. Stevenson to proceed to the consideration of the resolution relative to the appointment of a sub-committee to visit certain of the Southern States, the same having been postponed for the present on the 21st instant, which is as follows:

Resolved, That a sub-committee of three be appointed to proceed at once to the troubled regions of the States of South Carolina, North Carolina, and Alabama, to investigate the condition of affairs in such regions, and report to this sub-committee; which was agreed to.

The question recurring on the motion of Mr. Poland, to amend the resolution, by striking out "Alabama," it was agreed to.

On the question, "Will the sub-committee agree to the resolution as amended?" the yeas and nays were required and were as follows:

YEAS—Messrs. Blair, Coburn, Poland, Pool, Stevenson, Van Trump, and Scott, chairman—7.

NAYS—Mr. Beck—1.

So the question was determined in the affirmative.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 27, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: J. R. Smith, of Mississippi; General N. B. Forrest, of Tennessee.

The chairman announced the following members as a sub-committee to visit the States of North Carolina and South Carolina, agreeably to the resolution adopted yesterday, namely: Messrs. Scott, Stevenson, and Van Trump.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *June 28, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witnesses were examined: Colonel R. W. Flournoy, of Mississippi; W. C. Ford, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, June 29, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Poland, Coburn, Stevenson, Van Trump, and Beck.

The following witness was examined: M. H. Whittaker, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

NOTE.—Messrs. Scott, Stevenson, and Van Trump, sub-committee appointed to visit the States of North and South Carolina, gave notice that they would be absent, for a limited time, in the discharge of the duties imposed upon them by said appointment.

WASHINGTON, June 30, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: Joseph Herndon, of South Carolina; P. T. Sayre, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 1, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: Elias Bryan, of North Carolina; Essex Harris, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

WASHINGTON, July 3, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, and Coburn.

The following witnesses were examined: P. F. Sessions, of Mississippi; J. M. Justice, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Wednesday, the 5th instant.

WASHINGTON, July 5, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, and Coburn.

The following witness was examined: J. M. Justice, of North Carolina, concluded.

Mr. Coburn submitted the following resolution:

Resolved, That the Secretary of War be requested to furnish the committee with a copy of the reports of General Crawford and his subordinates, on file in his office, relative to the disorders, violations of law, and riots, as also the general condition of society in Alabama, during the years 1869, 1870, and 1871.

On the question, "Will the sub-committee agree to the resolution?" a motion was made by Mr. Blair that the further consideration of the same be postponed for the present; which was agreed to.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 6, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: E. W. Pettus, of Alabama; James L. Pugh, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 7, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: James L. Pugh, of Alabama, concluded; Joseph H. Speed, of Alabama; Alfred Richardson, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 8, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Coburn, and Beck.

The following witness was examined: R. B. Carpenter, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

WASHINGTON, July 10, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: C. D. Forsythe, of Georgia; P. M. Sheibley, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 11, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: Hon. Peter M. Dox, of Alabama; George P. Burnett, of Georgia.

On motion of Mr. Coburn, the sub-committee proceeded to the consideration of the resolution offered by him on the 5th instant.

On the question, "Will the sub-committee agree to the resolution?" it was determined in the affirmative.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 12, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck. The following witnesses were examined: J. B. Eaves, of North Carolina; Z. B. Hargrove, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 13, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck. The following witnesses were examined: Z. B. Hargrove, of Georgia, concluded; Judge A. R. Wright, of Georgia.

On motion of Mr. Coburn, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 14, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck. The following witnesses were examined: Judge A. R. Wright, of Georgia, concluded; N. L. Angier, of Georgia; E. C. Anderson, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 15, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck. The following witnesses were examined: J. R. Taliaferro, of Mississippi; A. T. Flowers, of Tennessee; L. A. Bigger, of South Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

WASHINGTON, July 17, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck. The following witnesses were examined: W. W. Chisolm, of Mississippi; W. H. Forney, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 18, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witness were examined: H. L. Benning, of Georgia; W. W. Paine, of Georgia; J. S. Morris, of Mississippi.

Mr. Blair submitted the following preamble and resolution:

Whereas indictments have been found against Powell Clayton, late governor of the State of Arkansas, and others, for alleged frauds and other wrongful acts committed concerning the election held in that State last fall for members of Congress, and it being alleged that William G. Whipple, the district attorney, who was diligently prosecuting the parties so charged, and General Robert F. Catterson, the marshal of the district within which the offenses are charged to have been committed, have been removed from office by the President of the United States, at the instigation of said Clayton, and that other officers, who will not properly prosecute the persons so indicted, have been appointed with the view of covering up the said offenses and screen the offenders: Therefore,

Resolved, That said William G. Whipple and Robert F. Catterson, of Little Rock, Arkansas, and Stephen G. Wheeler, of Du Vall's Bluff, Arkansas, who was foreman of the grand jury by which said indictments were found, be summoned to appear before this committee forthwith, to testify in relation to said offenses, and the causes, if any, of their removal, as well as concerning all the facts relative to which the committee are instructed to inquire.

On the question "Will the sub-committee agree to the resolution?" a motion was made by Mr. Coburn, that the further consideration of the resolution be postponed until the return of the sub-committee now prosecuting the investigation in South Carolina; which was agreed to.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, July 19, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witness was examined: A. P. Huggins, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, July 20, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witness was examined: John C. Norris, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, July 21, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witness was examined: Cornelius McBride, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, July 22, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Poland,) Messrs. Pool, Blair, Coburn, and Beck.

The following witnesses were examined: James L. Grant, of North Carolina; Marcus Wells, of North Carolina; J. B. Harrill, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on Monday next.

NOTE.—The chairman *pro tempore* (Hon. L. P. Poland) gave notice that he would be compelled, by urgent private business, to absent himself from the future meetings of the sub-committee, and that he had appointed Hon. C. W. Buckley in his stead.

WASHINGTON, July 24, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Pool,) Messrs. Blair, Coburn, Beck, and Buckley. The following witnesses were examined: C. H. Christy, of Georgia; Thos. Hardeman, jr., of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 25, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Pool,) Messrs. Blair, Coburn, Beck, and Buckley. The following witnesses were examined: A. B. Rockefeller, of Georgia; E. E. Holman, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 26, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Pool,) Messrs. Blair, Coburn, Beck, and Buckley. The following witnesses were examined: N. W. Woodfin, of North Carolina; Ambrose R. Wright, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 27, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Pool,) Messrs. Blair, Coburn, Beck, and Buckley. The following witness was examined: General John B. Gordon, of Georgia.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, July 28, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman *pro tempore*, (Mr. Pool,) Messrs. Blair, Coburn, Beck, and Buckley.

The following witness was examined: H. W. Guion, of North Carolina.

Mr. Coburn offered the following resolution:

Resolved, That each of the governors of the States named in the resolution authorizing this committee be requested by the chairman to fur-

nish a statement of the amount of the public debt of his State contracted during the war of the rebellion.

On the question, "Will the sub-committee agree to the resolution?" it was determined in the affirmative.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, July 29, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, Buckley, Beck, and Van Trump.

The following witness was examined: F. H. Little, of Mississippi.

Mr. Coburn submitted the following resolution:

Resolved, That a sub-committee of three members be authorized to continue the investigation with which the committee is charged, with full power to summon witnesses, and to meet and adjourn as if the entire committee were present.

On the question, "Will the sub-committee agree to the resolution?" a motion was made by Mr. Van Trump to amend the resolution by making it read as follows:

Resolved, That a sub-committee of three members be authorized to continue the investigation with which the committee is charged, by examining the witnesses now in attendance and such as have already been summoned, and that no more be summoned, and that when the whole number shall have been examined, the sub-committee shall adjourn.

On the question, "Will the committee agree to the amendment?" a motion was made by Mr. Pool to postpone the further consideration of the amendment, together with the resolution, until 11 o'clock on Monday next; which was agreed to.

On motion of Mr. Stevenson,

Ordered, That in addition to the call upon governors of the States referred to in the resolution of the 28th instant, for the war debt named therein, the chairman be directed to include in said call the debt of the cities of Charleston and New Orleans respectively, at the commencement of the war, that contracted during the war, and the present debt of said cities respectively.

On motion of Mr. Blair,

Ordered, That a sub-committee of three members be appointed by the chairman of this committee, to whom shall be referred the responses of the executive officers of the several States to the circular of the chairman of this committee, as well as the responses in regard to the war debt referred to in the resolution of the 28th instant, and that of the cities of Charleston and New Orleans, referred to in the resolution of Mr. Stevenson, just adopted; and that it shall be the duty of said sub-committee to prepare a digest of such portions of the same as may relate to the subject-matter of the investigation by the joint select committee, and report the same to the meeting on the 20th of September next.

On motion of Mr. Coburn,

Ordered, That the chairman be instructed to employ the stenographers who have taken the testimony for this committee to prepare a thorough index of the same; and that the Congressional Printer be requested to have printed and stitched, for the use of this committee, not to exceed 150 copies of the testimony, according to the suggestions

of the stenographer, and that the chairman make arrangements to have the same folded and distributed.

On motion, the sub-committee adjourned, to meet at 11 o'clock a. m. on Monday next.

NOTE.—Messrs. Scott, Stevenson, and Van Trump, sub-committee appointed to visit the States of North and South Carolina, having returned to Washington, were present at this meeting.

WASHINGTON, July 31, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool, Blair, Coburn, Stevenson, Buckley, Beck, and Van Trump.

On motion of Mr. Van Trump, the sub-committee proceeded to the consideration of the amendment to Mr. Coburn's resolution offered by him on the 29th instant.

On the question, "Will the sub-committee agree to the amendment?" a motion was made by Mr. Stevenson to amend the amendment by making it read as follows:

Resolved, That a sub-committee of three members be authorized to continue the investigation with which the committee is charged, by examining the witnesses now in attendance, and such as have been already summoned and cannot be countermanded by telegraph before leaving home, and that no more be summoned, and that when this number shall have been examined, the sub-committee shall adjourn; and that this committee do recommend to the general committee the appointment of a sub-committee, to visit the Southern States, after the meeting in September next, to examine such witnesses as are thus countermanded, and such others as they may deem advisable;

Which was agreed to.

And the amendment, as amended, was agreed to.

And the resolution, as amended, was agreed to.

The chairman appointed Messrs. Pool, Blair, and Buckley said committee to continue the investigation.

Senator Scott, chairman of the sub-committee that had visited the State of South Carolina to prosecute the investigation, made a verbal report.

Whereupon it was

Ordered, That the testimony taken by said sub-committee be incorporated with that taken by the committee holding sessions in Washington, and reported to the general committee on the 20th of September next.

A motion was made by Mr. Blair that the committee proceed to the consideration of the preamble and resolution offered by him on the 18th instant; which was agreed to.

On the question, "Will the committee agree to the resolution?" a motion was made by Mr. Stevenson to postpone the further consideration of the same until the 20th of September next.

On the question, "Will the committee agree so to postpone?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Buckley, Coburn, Stevenson, and Scott, (chairman)—4.

NAYS—Messrs. Beck, Blair, Pool, and Van Trump—4.

So the question was determined in the negative.

The question recurring, "Will the committee agree to the resolution?"

a motion was made by Mr. Coburn to amend the same by striking out all of the preamble, and making the resolution read as follows:

Resolved, That William G. Whipple and Robert F. Catterson, of Little Rock, Arkansas, and Stephen G. Wheeler, of Du Vall's Bluff, Arkansas, be summoned to appear before this committee on the 20th of September next; which was agreed to.

And the resolution, as amended, was agreed to.

The chairman announced Messrs. Pool, Buckley, and Beck as the committee to prepare the digest of responses of the governors of the Southern States, referred to in the resolution adopted on the 29th instant.

The chairman announced that, the business of the sub-committee of eight having now been concluded, the investigation would be continued by the sub-committee of three members just appointed.

Whereupon said sub-committee of three was called to order by its chairman, Mr. Pool.

The following witness was examined: Giles Leitch, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *August 1, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Blair and Buckley.

The following witness was examined: Charles Baskerville, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *August 2, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Blair and Buckley.

The following witness was examined: Plato Durham, of North Carolina.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *August 3, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Blair and Buckley.

The following witness was examined: Samuel F. Rice, of Alabama.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *August 4, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Blair and Buckley.

The following witnesses were examined: H. B. Whitfield, of Mississippi; Lieutenant George B. Pickett, of Mississippi.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, August 5, 1871.

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Blair and Buckley.

No witnesses being in attendance,

On motion, the sub-committee adjourned *sine die*.

SUB-COMMITTEE TO MAKE DIGEST.

WASHINGTON, September 13, 1871.

The sub-committee appointed to make a digest of the reports of the executive officers of the late insurrectionary States, furnished agreeably to the circular letter of the chairman, met, in accordance with arrangement. Present, Messrs. Pool, Buckley, and Beck.

By consent, the following division of States was made:

The reports from Virginia, North Carolina, South Carolina, and Florida were assigned to Mr. Pool.

The reports from Alabama, Louisiana, and Mississippi were assigned to Mr. Buckley.

The reports from Georgia, Arkansas, Tennessee, and Texas were assigned to Mr. Beck.

On motion, the sub-committee adjourned to meet on Saturday, the 16th instant.

WASHINGTON, September 16, 1871.

The sub-committee met pursuant to adjournment. Present, Messrs. Pool, Buckley, and Beck.

After consultation and an interchange of views, the sub-committee adjourned to meet at 12 o'clock m., on Monday, the 18th instant.

WASHINGTON, September 18, 1871.

The sub-committee met pursuant to adjournment. Present, Messrs. Pool, Buckley, and Beck.

After consultation and an interchange of views, the sub-committee adjourned to meet at 12 o'clock m. on to-morrow.

WASHINGTON, September 19, 1871.

The sub-committee met pursuant to adjournment. Present, Messrs. Pool, Buckley, and Beck.

The sub-committee unanimously agreed upon a report to be submitted to the joint select committee at the meeting on to-morrow, and filed the same with the clerk of the committee.

On motion, the sub-committee adjourned *sine die*.

JOINT SELECT COMMITTEE.

WASHINGTON, *September 20, 1871.*

The joint select committee met pursuant to the resolution of **May 19th**, adjourning the committee until this day. Present, the chairman, (Mr. Scott,) Messrs. Bayard, Blair, Pool, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, and Waddell.

The chairman informed the committee that he had received telegrams from Messrs. Rice, Pratt, Van Trump, and Voorhees, (members of the committee,) that they were *en route* for Washington, but were detained by missing a railroad connection.

The chairman also stated that the sub-committee of eight desired time for consultation, in order to agree upon a report to be made to the joint committee, agreeably to the resolution of **May 19, 1871.**

Whereupon, on motion of Mr. Blair, the joint select committee adjourned to meet at 12 o'clock m., to-morrow.

WASHINGTON, *September 21, 1871.*

The joint select committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Chandler, Rice, Bayard, Blair, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, Voorhees, Van Trump, and Waddell.

Mr. Scott, chairman of the sub-committee of eight, appointed under the resolution of **May 19**, to proceed with the investigation, &c., made a report agreeably to the requirements of said resolution. He also submitted a telegram received from Governor Scott, of South Carolina, stating that a report of the debt of South Carolina would be forwarded by next mail.

On motion, said report was laid upon the table.

Mr. Stevenson submitted the following resolution:

Resolved, That the sub-committee of three heretofore appointed to prepare a digest of official documents relating to the debts of the States and cities named, and the rates of taxation therein, and of the State laws regulating elections, be re-appointed; and that the reports submitted by said sub-committee be recommitted to it; and that said sub-committee proceed to procure such additional official documents and information as may be material to their inquiry, and report to the committee a digest of the laws of the several States regulating elections therein, and also a digest of the debts of said States and cities, and the rates of taxation therein.

On the question, "Will the committee agree to the resolution?" a motion was made by Mr. Cox to amend the resolution by adding at the end thereof the following: "and there shall be printed twenty copies of the report of the sub-committee to digest the responses of the executive officers of the several States, which have been furnished, and also of the manuscript report of said committee as to each State, for the use of the members of the joint committee, and that the subject-matter of said reports be recommitted to said committee for revision."

On the question, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Blair, Beck, Cox, Van Trump, Voorhees, and Waddell—7.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—12.

So the question was determined in the negative.

The question recurring, "Will the committee agree to the resolution?"

A motion was made by Mr. Bayard to amend the resolution by substituting the following:

Whereas all the testimony of every nature heretofore taken by this committee, or any sub-committee thereof, has been printed for the information of the joint committee: Therefore,

Resolved, That the evidence touching the debts, election laws, &c., in the Southern States, taken before and reported by the sub-committee of three, be printed, and that the sub-committee be continued.

On the question, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Van Trump, Voorhees, and Waddell—7.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—12.

So the question was determined in the negative.

The question again recurring, "Will the committee agree to the resolution?" it was determined in the affirmative.

Mr. Poland submitted the following resolution:

Resolved, That a sub-committee of three members be sent into the States of Alabama, Mississippi, and Tennessee, to take testimony in said States; another sub-committee of three to the States of Georgia and Florida, to take testimony in said States; another sub-committee of three to the States of North Carolina and South Carolina, to take testimony in said States. All the testimony taken by said committee to be reported to the full committee at their next meeting.

On the question, "Will the committee agree to the resolution?" a motion was made by Mr. Blair to amend the resolution by striking out the word "three" wherever it occurs in the resolution, and inserting in lieu thereof the word "five," and by inserting before the words "all the testimony" the following: "and another sub-committee of five to the States of Louisiana, Texas, and Arkansas, to take testimony in said States."

On the motion, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Van Trump, Voorhees, and Waddell—7.

NAYS: Messrs. Buckley, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—11.

So the question was determined in the negative.

The question recurring, "Will the committee agree to the resolution?" a motion was made by Mr. Blair to amend the resolution by substituting the following:

Resolved, That a sub-committee of five members be appointed to take testimony in the States of North Carolina, South Carolina, Georgia, and Florida, and another sub-committee of five members to take testimony in the States of Tennessee, Alabama, and Mississippi, and to report the testimony taken by them to the full committee at their next meeting.

On the question, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Lansing, Poland, Pool, Rice, Scofield, Stevenson, Van Trump, Voorhees, Waddell, and Scott, (chairman)—14.

NAYS: Messrs. Buckley, Chandler, Coburn, Maynard, and Pratt—5.

So the question was determined in the affirmative, and the resolution as amended was adopted.

Mr. Blair submitted the following resolution:

Resolved, That a sub-committee of five members be appointed to visit the States of Louisiana, Arkansas, Texas, and Virginia, and make report—Virginia having been inserted at the instance of Mr. Stevenson.

On the question, "Will the committee agree to the resolution?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Rice, Van Trump, Voorhees, and Waddell—8.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Scofield, Stevenson, and Scott, (chairman)—11.

So the question was determined in the negative.

Mr. Bayard submitted the following resolution:

Whereas it is notorious that during the present summer there has been military interference with the citizens of Louisiana at the city of New Orleans: Therefore,

Resolved, That the sub-committee which has been appointed to examine into the affairs of the States of Mississippi, Alabama, and Tennessee make inquiry and report upon the alleged interference by the military at New Orleans, visiting New Orleans for that purpose.

On the question, "Will the committee agree to the resolution?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Cox, Van Trump, Voorhees, and Waddell—7.

NAYS: Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—12.

So the question was determined in the negative.

On motion of Mr. Scofield,

Ordered, That the chairman of the joint committee (Mr. Scott) and the chairman of the House committee (Mr. Poland) be authorized to appoint the committees to visit the States of North Carolina, South Carolina, Georgia, and Florida, and the States of Tennessee, Alabama, and Mississippi, and that either or both of said chairmen shall be a member or members of said committee or committees, if it shall be his or their pleasure to act in that capacity.

On motion of Mr. Poland,

Ordered, That the chairman of the joint committee (Mr. Scott) and Messrs. Pool and Blair be a sub-committee to examine the witnesses now in attendance.

On motion of Mr. Blair,

Ordered, That, in the event of any of the executive officers of the States or cities embraced in the resolution authorizing this inquiry refuse or neglect to furnish the information that may be called for by the sub-committee appointed to make further effort to obtain documentary and other official information in relation to the affairs of said States and cities, said sub-committee is hereby authorized to visit the State or States, city or cities in which said officer or officers reside, and to obtain the desired information in such manner and by the use of such means as said sub-committee may deem advisable.

On motion of Mr. Bayard,

Ordered, That, in the event of a vacancy occurring in either of the sub-committees that have been or may be appointed, the sub-committee in which said vacancy may occur is hereby authorized to fill said vacancy.

On motion of Mr. Scofield, the committee adjourned until 12 o'clock to-morrow.

WASHINGTON, *September 22, 1871.*

The committee met pursuant to adjournment: Present, the chairman, (Mr. Scott,) Messrs. Rice, Blair, Bayard, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, Voorhees, Van Trump, and Waddell.

On motion of Mr. Rice,

Ordered, That Stephen Wheeler, of Du Vall's Bluff, Arkansas, having been subpoenaed, by mistake, to appear before this committee as a witness, that said Wheeler be discharged, and his per diem and mileage be paid.

Mr. Buckley having asked to be excused as a member of the sub-committee to make a digest of the responses of the executive officers of the late insurrectionary States,

On motion,

Ordered, That he be so excused.

A motion was made by Mr. Bayard, that when the joint committee adjourns to-day, it shall adjourn to meet on the first day of the next meeting of Congress, or at the call of the chairman.

On the question, "Will the committee agree to the motion?" it was determined in the negative.

The chairman announced the following sub-committees under the resolution authorizing sub-committees to be sent to certain Southern States to take testimony:

Sub-committee to visit the States of North Carolina, South Carolina, Georgia, and Florida—Messrs. Maynard, Scofield, Lansing, Bayard, and Voorhees.

Sub-committee to visit the States of Tennessee, Alabama, and Mississippi—Messrs. Pratt, Rice, Buckley, Blair, and Robinson.

On motion of Mr. Rice,

The joint committee adjourned, to meet at 12 o'clock m. to-morrow.

Whereupon,

The sub-committee appointed to examine the witnesses now present was called to order by the chairman. Present, the chairman, (Mr. Scott,) Messrs. Pool and Blair.

On motion of Mr. Blair, the sub-committee adjourned, to meet at the call of the chairman.

WASHINGTON, *September 23, 1871.*

The committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Chandler, Rice, Bayard, Blair, Pool, Pratt, Poland, Maynard, Scofield, Coburn, Stevenson, Buckley, Lansing, Cox, Beck, Voorhees, Van Trump, and Waddell.

Mr. Pool submitted the following preamble and resolution:

Whereas F. N. Strudwick, of Hillsborough, North Carolina, D. Schenck, of Lincolnton, North Carolina, David Gist, of Union County, South Carolina, and Clayton Camp, of Spartanburgh County, South Carolina, were respectively duly summoned to appear before the sub-committee of the joint select committee to inquire into the condition of the late insurrectionary States, and have severally failed to appear before said sub-committee, pursuant to said respective summonses: Therefore,

Resolved, That the chairman of said joint select committee be instructed to report the foregoing recited facts to the Senate, at such time during the next session of Congress as he may deem advisable, and to request, in behalf of this committee, that the President of the Senate

issue his several warrants, directed to the Sergeant-at-Arms, for the arrest of said witnesses, to answer for their contempt of the authority of Congress.

On the question, "Will the committee agree to the resolution?" it was determined in the affirmative.

On the question, "Will the committee agree to the preamble?" a motion was made by Mr. Poland to amend the preamble by striking out the names of F. N. Strudwick and David Schenck.

On the question, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS.—Messrs. Bayard, Beck, Blair, Cox, Pratt, Van Trump, Voorhees, and Waddell—8.

NAYS.—Messrs. Buckley, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Rice, Scofield, Stevenson, and Scott (chairman)—11.

So the question was determined in the negative.

The question recurring, "Will the committee agree to the preamble?" a motion was made by Mr. Poland to amend the same by striking out the name of David Schenck.

On the question, "Will the committee agree to the amendment?" the yeas and nays were required, and were as follows:

YEAS: Messrs. Bayard, Beck, Blair, Buckley, Cox, Poland, Pratt, Rice, Scofield, Van Trump, Voorhees, Waddell, and Scott, (chairman)—13.

NAYS: Messrs. Chandler, Coburn, Lansing, Maynard, Pool, and Stevenson—6.

So the question was determined in the affirmative, and the preamble, as amended, was adopted.

On motion of Mr. Coburn,

Ordered, That David Schenck, of Lincolnton, North Carolina, and James W. Avery, of Yorkville, South Carolina, be summoned to appear before this committee, at their meeting, on the first day of the next session of Congress.

On motion of Mr. Bayard,

Ordered, That a copy of the preamble and resolution just adopted, in regard to David Gist, of Union County, South Carolina, Clayton Camp, of Spartanburgh County, South Carolina, and F. N. Strudwick, of Hillsborough, North Carolina, be forwarded to each by mail to their respective addresses.

On motion of Mr. Blair,

Ordered, That Robert F. Catterson, of Little Rock, Arkansas, be summoned to appear before the joint committee, at their meeting, on the first day of the next session of Congress.

The chairman announced that he had appointed Hon. Job E. Stevenson as a member of the sub-committee to make a digest of the responses of executive officers of the Southern States, in place of Hon. C. W. Buckley, excused.

On motion of Mr. Chandler, the joint select committee adjourned to meet on the first day of the next session of Congress, or at the call of the chairman.

Whereupon the sub-committee, consisting of Mr. Scott, (chairman,) Messrs. Pool and Blair, appointed to examine the witnesses now in attendance, was called to order by the chairman.

The following witnesses were examined: W. L. Saunders, of North Carolina; Edward Wheeler, of Arkansas.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. tomorrow.

WASHINGTON, *September 25, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Pool and Blair.

The following witness was examined: William G. Whipple, of Arkansas.

There being no other witness in attendance,

On motion, the sub-committee adjourned *sine die*.

SUB-COMMITTEE TO MAKE DIGEST.

WASHINGTON, *September 25, 1871.*

The sub-committee appointed to procure further documentary and other official information from the executive officers of the late insurrectionary States, agreeably to the resolution of the joint select committee of the 21st instant, met pursuant to the call of the chairman. Present, the chairman, (Mr. Pool,) Messrs. Stevenson and Beck.

Mr. Stevenson submitted the following resolution:

Resolved, That the chairman (Mr. Pool) be instructed to prepare a circular letter, asking for information relative to the subject-matter of inquiry, and have the same printed and furnished members of this sub-committee, for sending to such parties as may be likely to furnish the information, and that the chairman be instructed to proceed at once to collect all information from any source for the use of the committee, and to digest and prepare the same for the action of this sub-committee at its next meeting.

Resolved, That when this sub-committee adjourns, it shall adjourn to meet at the city of Washington on the 1st day of November next.

On the question, "Will the sub-committee agree to the resolutions?" it was determined in the affirmative.

Whereupon, on motion, the sub-committee adjourned to meet on the day named.

WASHINGTON, *November 1, 1871.*

The sub-committee appointed to procure further documentary and other official information from the executive officers of the late insurrectionary States, agreeably to the resolution of the joint select committee of the 21st of September, 1871, met pursuant to the resolution of adjournment of September 25, 1871. Present, the chairman (Mr. Pool) and Mr. Stevenson.

After consultation, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *November 2, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman (Mr. Pool) and Mr. Stevenson.

After consultation, the sub-committee adjourned, to meet at 12 o'clock m. to-morrow.

WASHINGTON, *November 3, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman (Mr. Pool) and Mr. Stevenson.

On motion,

Ordered, That Hon. Job E. Stevenson be instructed to prepare and have printed a circular letter, to be sent to the executive officers of the States under investigation, asking a response to the inquiries, heretofore made, by the 15th instant, and that Mr. Stevenson remain in the city of Washington, for the purpose of pursuing the investigation and obtaining the information from the States.

On motion, the sub-committee adjourned, to meet at 12 o'clock m. on the 15th instant.

WASHINGTON, D. C., *November 15, 1871.*

The sub-committee met pursuant to adjournment. Present, Mr. Stevenson and Mr. Beck.

After consultation and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. on to-morrow.

WASHINGTON, *November 16, 1871.*

The sub-committee met pursuant to adjournment. Present, Mr. Pool, (chairman,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 17, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 18, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. on Monday.

WASHINGTON, *November 20, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 21, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 22, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 23, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock to-morrow.

WASHINGTON, *November 24, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 25, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. on Monday.

WASHINGTON, *November 27, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 28, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *November 29, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. on Friday, December 1, 1871.

WASHINGTON, *December 1, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. to-morrow.

WASHINGTON, *December 2, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Pool,) and Messrs. Stevenson and Beck.

After an examination of reports, consultation, and an interchange of views, the sub-committee adjourned, to meet at 11 o'clock a. m. on Monday.

JOINT SELECT COMMITTEE.

WASHINGTON, *December 4, 1871.*

The joint select committee met pursuant to the adjournment of September 23, 1871. There not being a quorum of members present,

On motion, the committee adjourned, to meet at the call of the chairman.

WASHINGTON, *December 6, 1871.*

The joint select committee met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) Messrs. Blair, Butler, Chandler, Coburn, Farnsworth, Cox, Lansing, Maynard, Poland, Pool, Pratt, Rice, Robinson, Stevenson, Van Trump, and Hanks.

The chairman submitted the report which he intended to present to the Senate, in the cases of David Gist and Clayton Camp, of South Carolina, agreeably to the instructions of the committee embraced in the resolution of the committee adopted September 23, 1871.

Whereupon a motion was made by Mr. Blair to reconsider the vote by which the resolution was passed, instructing the chairman to report to the Senate that said witnesses were in contempt and to ask for their arrest.

On the question, "Will the committee agree to the motion to reconsider?"

It was determined in the negative.

The chairman also submitted the report he intended to present to the Senate, in the case of W. L. Saunders, of North Carolina, a witness who was examined on the 23d of September, 1871, and who had refused to answer questions put to him by the chairman of the joint select committee.

Whereupon,

On motion of Mr. Lansing,

Ordered, That the chairman be instructed to present to the Senate the concurrent resolutions attached to the foregoing reports, looking to the arrest of said contumacious witnesses.

On motion,

Ordered, That in the case of F. N. Strudwick, of North Carolina, a new subpoena issue and be served upon him to appear before the committee and testify, he having been informed by the Sergeant-at-Arms of the Senate that he need not appear in obedience to a former subpoena.

The chairman also submitted a communication from A. J. Riddick, esq., clerk of United States circuit court at Raleigh, North Carolina, in reply to a letter addressed to him by the chairman, requesting a statement giving the number of defendants convicted, acquitted, &c., in the recent trials at Raleigh.

On motion,

Ordered, That the communication of Mr. Riddick be printed with the North Carolina testimony.

The chairman also presented the statement of Edward Wheeler, of Arkansas, relative to his printed testimony, and desiring to correct the same.

On motion of Mr. Rice,

Ordered, That the chairman be requested to ask from Congress an immediate appropriation of \$40,000, to pay off the unpaid balance of expenses incurred by the committee, over and above the appropriations heretofore made, and to meet the probable expenses that will be incurred in the further prosecution of the investigation with which the committee is charged.

On motion of Mr. Chandler,

Ordered, That the chairman of the committee (Mr. Scott) and Messrs. Poland, Pool, Blair, and Waddell be a sub-committee to examine the witnesses now present and awaiting examination, and those who may hereafter appear, in obedience to the summonses of the committee.

Mr. Poland submitted the following resolutions, offered in the House of Representatives, and which were referred to this committee:

Resolution of Mr. Stevenson, calling upon the President for information relative to the security of life, person, and property in the State of Kentucky.

Resolution of Mr. Beck, calling upon the President for his authority for suspending the writ of *habeas corpus* in certain counties in the State of South Carolina.

Mr. Stevenson submitted the following resolution for consideration:

Resolved, That we recommend the removal of all legal and political disabilities; and that the act entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," be so amended as to extend the time for the operation of the fourth section of said act; and to provide that each and every officer and member of the Ku-Klux Klan, in any of its forms, degrees, or connecting or co-operating orders, or of any other treasonable association, shall be guilty of a felony, and shall be held civilly and criminally responsible for all the acts of said Klan or order.

On motion,

Ordered, That, at the request of Mr. Blair, the minority be allowed a clerk for one month, to assist in making minority report to be submitted to Congress.

On motion, the committee adjourned, to meet at the call of the chairman.

SUB-COMMITTEE TO EXAMINE WITNESSES.

WASHINGTON, D. C., *December 7, 1871.*

The sub-committee of the joint select committee appointed, by resolution of December 6, 1871, to examine witnesses, &c., met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) and Messrs. Pool, Blair, Poland, and Waddell.

On motion, the sub-committee adjourned, to meet at 10 o'clock a. m. to-morrow.

WASHINGTON, D. C., *December 8, 1871.*

The sub-committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) and Messrs. Pool, Blair, Poland, and Waddell.

The following witness was examined: David Schenck, of Lincolnton, North Carolina.

On motion, the sub-committee adjourned, to meet at the call of the chairman.

JOINT SELECT COMMITTEE.

WASHINGTON, D. C., *December 21, 1871.*

The joint select committee met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) Messrs. Bayard, Blair, Cox, Poland, Pool, Pratt, Rice, Stevenson, Van Trump, and Waddell.

Mr. Maynard's report, as chairman of the sub-committee appointed to take testimony in the States of North Carolina, South Carolina, Georgia, and Florida, was submitted by the chairman, (Mr. Scott.)

On motion, the report was read, accepted, and ordered to be filed.

Mr. Pratt, chairman of the sub-committee appointed to take testimony in the States of Tennessee, Alabama, and Mississippi, presented a report, from which it appeared that, during the investigation, Mr. Blair had filed exceptions to the ruling of the chairman in relation to the admission of certain testimony and the exclusion of other testimony, as follows:

1st. At Demopolis, Alabama, on October 26, 1871, Francis J. Lyon was called by the minority, and examined in chief. On October 27 the witness was recalled, and submitted a written statement of his testimony of the day previous, which was more carefully worded. He desired the same to be substituted for the reported testimony. To this there was no objection made. Mr. Blair, however, viewing his oral evidence as more full and specific, moved that it also be preserved in the record. The motion was overruled, and the substitute prepared by the witness was ordered to be inserted in the record. Mr. Blair excepted, and appealed to the general committee.

On the question, "Will the joint committee sustain the ruling of the chairman of the sub-committee, (Mr. Pratt,) in excluding from the record the oral testimony of Mr. Lyon, and substituting his written statement?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Poland, Pool, Pratt, Rice, Stevenson, and Scott, (chairman)—6.

NAYS—Messrs. Bayard, Blair, Cox, Van Trump, and Waddell—5.

So the question was determined in the affirmative.

2d. At Livingston, Alabama, on November 2, 1871, Samuel A. Hale

was called as a witness by the minority, and asked if he had written a letter on the political condition of the country to Hon. Henry Wilson, in January, 1868. He produced the letter, and Mr. Blair offered it as part of the testimony. It was excluded. Mr. Blair excepted, and appealed to the general committee.

On the question, "Will the joint committee sustain the ruling of the chairman of the sub-committee (Mr. Pratt) in excluding the letter of Mr. Hale?" it was determined in the negative.

Ordered, That said letter be incorporated in the testimony of Mr. Hale.

3d. At Columbus, Mississippi, on November 4, 1871, Samuel J. Gholson, R. O. Reynolds, and other witnesses, testified to the correctness of a printed report of the Ku-Klux trials at Oxford, Mississippi, (United States *vs.* Walton et al.) Mr. Blair offered it in evidence, except that part containing the argument of counsel. It was excluded. Mr. Blair excepted, and appealed to the general committee.

On the question, "Will the joint committee sustain the ruling of the chairman of the sub-committee, (Mr. Pratt,) in excluding the report of said trials?" it was determined in the negative.

Ordered, That said report, exclusive of the argument of counsel, be incorporated in the testimony.

4th. At Columbus, Mississippi, on November 16, 1871, W. H. Humphries was called by the minority, and testified to the bad character of Henry B. Whitfield, a witness called by the majority, and exhibited a copy of an indictment against Whitfield. Mr. Blair offered it in evidence. It was excluded. Mr. Blair excepted, and appealed to the general committee.

On the question, "Will the joint committee sustain the ruling of the chairman of the sub-committee (Mr. Pratt) in excluding the said copy of an indictment?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Poland, Pool, Pratt, Rice, Stevenson, and Scott, (chairman)—6.

NAYS—Messrs. Bayard, Blair, Cox, Van Trump, and Waddell—5.

So the question was determined in the affirmative.

The chairman submitted a communication addressed to him by Hon. Powell Clayton, of Arkansas, asking to have witnesses, to be named by him, summoned before the committee, with the view of answering the charges made against him in certain testimony already given before the committee.

Whereupon the following resolution was submitted by Mr. Blair:

Resolved, That the committee report the testimony taken before the committee, affecting Senator Clayton and Mr. Edwards, a Representative from Arkansas, to the Senate and House of Representatives, with a recommendation that each House take such action as it may deem proper.

On the question, "Will the committee agree to the resolution?" it was determined in the affirmative.

On motion of Mr. Blair,

Ordered, That Robert F. Catterson, of Arkansas, a witness now awaiting examination, be discharged, and that he be paid his bill of costs.

On motion, the joint committee adjourned, to meet at the call of the chairman.

WASHINGTON, D. C., *January 23, 1872.*

The joint select committee met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) Messrs. Beck, Blair, Chandler, Coburn, Cox, Lansing, Maynard, Poland, Pool, Rice, Scofield, Stevenson, Van Trump, Hanks, and Waddell.

The chairman laid before the committee a communication from the clerk of the circuit court of the United States at Columbia, South Carolina, certifying to the number of indictments found by the grand jury at the late term of said court, and other information touching the same, under the enforcement act of May 31, 1870, and the act to enforce the fourteenth amendment, approved April 20, 1871.

Also, the official report of Colonel Lewis Merrill, commanding post at Yorkville, South Carolina, relative to his operations in aid of the civil authorities.

Whereupon a motion was made by Mr. Coburn that said official papers be received and printed with the report of the committee to both Houses of Congress.

On the question, "Will the committee agree to the motion?" a motion was made by Mr. Blair to postpone the further consideration of the motion until the next meeting of the committee; which was agreed to.

A motion was made by Mr. Maynard that the chairman of this committee be directed to obtain from the Department of Justice copies of the reports on file of the recent trials in the circuit court of the United States, at Raleigh, North Carolina, and Columbia, South Carolina, for violations of the enforcement act of May 31, 1870, and the act to enforce the fourteenth amendment of the Constitution of the United States, approved April 20, 1871.

On the question, "Will the committee agree to the motion?" a motion was made by Mr. Blair to amend the motion, by substituting the resolution offered in the House of Representatives by Mr. Beck, calling upon the President for his authority for suspending the writ of *habeas corpus* in certain counties in the State of South Carolina, which resolution had been referred to this committee by the House of Representatives.

On the question, "Will the committee agree so to amend?" The yeas and nays were required, and were as follows:

YEAS—Messrs. Beck, Blair, Cox, Van Trump, Hanks, and Waddell—6.

NAYS—Messrs. Chandler, Lansing, Maynard, Poland, Pool, Rice, Stevenson, and Scott, (chairman)—8.

So the question was determined in the negative; and the motion of Mr. Maynard was agreed to.

On motion, the committee proceeded to the consideration of the resolution offered by Mr. Beck in the House of Representatives, and referred to this committee; and also to the consideration of the resolution offered by Mr. Stevenson in the House of Representatives, and referred to this committee, said resolutions being as follows:

Mr. Beck's resolution:

Resolved, That the President of the United States be, and he is hereby, requested to inform this House under what provisions of the law of April 20, 1871, if any, and, if not under that law, by what authority, he has caused the Constitution and laws of the United States, and the constitution and laws of the State of South Carolina, to be set aside, and martial law declared, and the writ of *habeas corpus* suspended in Spartanburgh, Union, and seven other counties in the State of South Carolina, whereby the courts and civil authorities are unable to afford protection to the lives, liberties, and rights of the people therein, and all of them left at the mercy of such military subordinates as he has seen or may see fit to place over them. He is specially requested to lay before this House all the acts of insurrection, resistance, or opposition to the

laws of the United States committed in each of those counties at any time after the 20th of April, 1871, prior to the date of his proclamation of martial law, giving the character of the offenses, the facts relative thereto, and the names of the offenders so far as ascertained. He is further requested to lay before the House any cases of resistance to the execution of the process of the civil courts, or the officers either of the United States or of the State of South Carolina, by any of the citizens of any of the counties in which the guarantees of constitutional liberty have been annulled by his proclamation aforesaid since the passage of the act of April 20, 1871, aforesaid; and that he give the names of all of said citizens who have been arrested or imprisoned under and by virtue of the authority conferred by his proclamation, with the violations of law with which each is charged, and the dates at which it is alleged they committed the offenses for which they were so arrested and imprisoned; and that he give this House full information as to all the statements of fact on which he acted in issuing his proclamation aforesaid, giving the names of his informants, their statements when made to him in writing, and the substance of them when made verbally, so that this House can determine what steps are necessary to restore to the citizens of the counties aforesaid, and especially to those who are not guilty of offenses against the United States, the equal protection of the laws with the people of other portions of the country, under the forms prescribed by the Constitution of the United States.

Mr. Stevenson's resolution :

Resolved, That the President of the United States be, and he is hereby, requested to communicate to this House any information he may have relative to the security of life, person, and property in the State of Kentucky.

On the motion, "Will the committee agree to recommend to the House of Representatives the adoption of said resolutions?" a motion was made by Mr. Stevenson to recommend to the House of Representatives the adoption of the following resolution, as a substitute for the foregoing resolutions of Mr. Beck and Mr. Stevenson, which were referred to this committee :

Resolved, That the President of the United States be, and he is hereby, requested to communicate to the House of Representatives all information in his possession upon which he acted in exercising the powers conferred upon him by the third and fourth sections of the act of Congress approved April 20, 1871, entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," so far as the same have been exercised in reference to portions of the State of South Carolina; also the names of all persons who have been arrested in that State in pursuance of the authority conferred by said act; the names of those arrested who have voluntarily confessed that they are or were members of the combination and conspiracy forbidden and made penal by said act; the number and names of those who have been paroled to appear when required; the number and character of the offenses forbidden by said act and the act of May 31, 1870, which are shown by such confessions or other information, that have been committed in the respective counties in which the privileges of the writ of *habeas corpus* have been suspended in said State of South Carolina, with the date of all such alleged offenses, and all other information which, in his judgment, will convey a correct knowledge of the existing state of society, of the execution of the laws, and of the security of life, person, and property in said counties; and also such information as he may have relative to the operation and enforcement of the act of Congress approved April 20, 1871, and the act of Congress approved May 31, 1870, in the States of North Carolina and Mississippi, with the number and names of persons who have been arrested, bound over, or indicted, and of those who have been convicted or have plead guilty, with their sentences; and all information he may have relative to the doings of the "Lowry gang," and other outlaws in North Carolina, with the number and names of such persons as have confessed themselves guilty of a violation of the provisions of said acts; and also such information as he may have relating to the security of life, person, and property in the States of Kentucky, Arkansas, Louisiana, and Texas, including all information in his possession relative to the existing conflict between the office-holders in Louisiana.

On the question, "Will the committee agree to so recommend?" a motion was made by Mr. Beck to amend said substitute for the resolutions of Mr. Beck and Mr. Stevenson, which were offered in the House of Representatives, and referred to this committee, by striking out the word "Kentucky."

On the question, "Will the committee agree to so amend?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Beck, Blair, Cox, Van Trump, Hanks, and Wad-dell—6.

NAYS—Messrs. Chandler, Lansing, Maynard, Poland, Pool, Rice, Scofield, Stevenson, and Scott, (chairman)—9.

So the question was determined in the negative.

The question recurring, "Will the committee agree to recommend to the House of Representatives the adoption of the foregoing substitute?" a motion was made by Mr. Blair to amend the substitute by inserting the word "Indiana" after the word "Kentucky."

On the question, "Will the committee agree to so amend?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Beck, Blair, Cox, Van Trump, Hanks, and Waddell—6.

NAYS—Messrs. Chandler, Maynard, Poland, Pool, Rice, Scofield, Stevenson, and Scott, (chairman)—8.

So the question was determined in the negative.

The question again recurring, "Will the committee agree to recommend the substitute?" a motion was made by Mr. Blair to amend the substitute by inserting the word "Ohio" after the word "Kentucky."

On the question, "Will the committee agree to so amend?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Beck, Blair, and Hanks—3.

NAYS—Messrs. Chandler, Cox, Lansing, Maynard, Poland, Pool, Rice, Scofield, Stevenson, Van Trump, Waddell, and Scott, (chairman)—12.

So the question was determined in the negative.

The question again recurring, "Will the committee agree to recommend the substitute?" a motion was made by Mr. Blair to amend the substitute by inserting the word "Pennsylvania" after the word "Kentucky."

Which was not agreed to.

The question again recurring, "Will the committee agree to recommend to the House of Representatives the adoption of the substitute for the foregoing resolutions referred to this committee?" it was determined in the affirmative.

Ordered, That Hon. Luke P. Poland, chairman of the House branch of this joint committee, report said substitute to the House of Representatives, with the recommendation of this committee that said substitute be adopted, in lieu of the resolutions of Mr. Beck and Mr. Stevenson.

On motion, the joint committee adjourned, to meet at the call of the chairman.

WASHINGTON, D. C., *February 10, 1872.*

The joint select committee met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) Messrs. Beck, Blair, Chandler, Coburn, Lansing, Maynard, Poland, Pool, Stevenson, Van Trump, Hanks, and Waddell.

On motion,

Ordered, That the following official documents be printed with the records of the committee:

Report of Colonel Lewis Merrill, commander of post at Yorkville, South Carolina, relative to his operations in aid of the civil authorities.

Certificate of the clerk of the circuit court of the United States at Columbia, South Carolina, giving number of indictments, &c., found at the late term.

Certificate of the clerk of the circuit court of the United States at Columbia, South Carolina, giving an official copy of the presentment of the grand jury at the late term.

Report of the recent trials at Columbia, South Carolina, for violations of the acts of Congress of May 31, 1870, and April 20, 1871.

Report of the recent trials at Raleigh, North Carolina, for violations of the acts of Congress of May 31, 1870, and April 20, 1871.

Report of the superintendent of education of Mississippi, relative to the destruction of school-houses, &c.

Report of Lieutenant Albean Howe, relative to the condition of affairs in Cleveland County, North Carolina.

On motion of Mr. Poland,

Ordered, That copies of the report prepared by the chairman, and the appendix prepared by Mr. Stevenson, be printed for the use of the committee; also, that the views of the minority, when prepared, shall be printed in like manner and for the same purpose.

On motion,

The joint committee adjourned, to meet at the call of the chairman.

WASHINGTON, D. C., *February 15, 1872.*

The joint select committee met pursuant to the call of the chairman. Present, the chairman, (Mr. Scott,) Messrs. Beck, Blair, Chandler, Coburn, Poland, Pool, Pratt, Rice, Stevenson, and Van Trump.

Mr. Stevenson, from the sub-committee on debts and election laws of the late insurrectionary States, made report to the joint select committee.

The chairman (Mr. Scott) submitted copy of a report on the condition of affairs in the late insurrectionary States, including the report of Mr. Stevenson, from the sub-committee on debts and election laws, just made to the joint select committee, as an appendix.

On motion of Mr. Poland,

Ordered, That the clerk of the committee be directed to hand to each member of the committee a copy of the report and appendix just submitted.

On motion of Mr. Poland,

The further consideration of the report and appendix was postponed until the next meeting of the committee.

On motion,

The joint select committee adjourned, to meet at 11 o'clock a. m. on Saturday next.

WASHINGTON, D. C., *February 17, 1872.*

The joint select committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Bayard, Beck, Blair, Chandler, Coburn, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, Hanks, and Waddell.

Mr. Stevenson, from the sub-committee on debts and election laws of the insurrectionary States, submitted a revised printed report of said sub-committee to the joint select committee.

Whereupon,

On motion of Mr. Poland,

Said report was accepted by the joint select committee.

The chairman (Mr. Scott) submitted a printed general report, including the report of the sub-committee on debts and election laws as an appendix.

Whereupon,

On motion of Mr. Poland,

Said general report and appendix were adopted as the report of the joint select committee to inquire into the condition of the late insurrectionary States.

Ordered. That the chairman of the joint committee on the part of the Senate, (Mr. Scott,) and the chairman of the joint committee on the part of the House of Representatives, (Mr. Poland,) be requested to submit the report just adopted to the Senate and House of Representatives, respectively, as the report of this joint committee; also, to submit with said report copies of the testimony taken by the committee in the city of Washington, and by the sub-committee in the State of South Carolina, in July, 1871.

A motion was made by Mr. Chandler that the chairman of the joint committee on the part of the Senate, (Mr. Scott,) and the chairman of the joint committee on the part of the House of Representatives, (Mr. Poland,) be requested to offer in the Senate and House, respectively, a concurrent resolution authorizing the printing of forty thousand extra copies of the report of the joint committee, ten thousand of said copies for the use of the Senate, and thirty thousand of said copies for the use of the House of Representatives.

On the question, "Will the committee agree to the motion?" a motion was made by Mr. Rice to amend the motion by adding as follows: "And five thousand extra copies of all the testimony taken by the committee, fifteen hundred of said copies for the use of the Senate, and thirty-five hundred of said copies for the use of the House of Representatives;" which was agreed to.

And the motion as amended was agreed to.

The chairman (Mr. Scott) submitted for the consideration of the committee the copy of a bill to be submitted to Congress, as indicated in the report of the committee, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the fourth section of the act approved April twenty, one thousand eight hundred and seventy-one, entitled 'An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes,' shall continue in force until the end of the next regular session of Congress."

Whereupon a motion was made by Mr. Chandler that the chairman of this Committee on the part of the Senate, (Mr. Scott,) and the chairman of this committee on the part of the House of Representatives, (Mr. Poland,) submit said bill in the Senate and House, respectively, and, in behalf of this committee, recommend that it be enacted into a law.

On the question "Will the committee agree to the motion?" the yeas and nays were required, and were as follows:

YEAS—Messrs. Chandler, Coburn, Maynard, Poland, Pool, Pratt, Rice, Scofield, Stevenson, and Scott, (chairman)—10.

NAYS—Messrs. Bayard, Beck, Blair, Hanks, and Waddell—5.

So the question was determined in the affirmative.

A motion was made by Mr. Maynard that when the committee adjourns, it will adjourn to meet at 10 o'clock a. m. on Monday next; which was agreed to.

Whereupon,

On motion of Mr. Chandler,

The committee adjourned.

WASHINGTON, D. C., *February 19, 1872.*

The committee met pursuant to adjournment. Present, the chairman, (Mr. Scott,) Messrs. Bayard, Beck, Blair, Coburn, Cox, Maynard, Poland, Pool, Pratt, Rice, Robinson, Scofield, Stevenson, Van Trump, Hanks, and Waddell.

A motion was made by Mr. Stevenson that the sub-committee on debts and election laws of the late insurrectionary States have leave to print, with the testimony, such additional manuscript official reports received by them as, in the judgment of said committee, may be deemed expedient; which was agreed to.

On motion,

The committee adjourned to meet at the call of the chairman.

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